

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 2, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Cook, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of February 23, 2015, reported having done so, found same correct.

Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING

APPLICATION OF MO CHARA, LLC DBA MCFARLAND & SON'S IRISH PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 60 FEET BY 50 FEET AT 710 P STREET ON MARCH 17, 2015 FROM ~~11:00 A.M.~~ 4:00 P.M. TO ~~2:00 A.M.~~ 11:00 P.M. - Brian McFarland, 710 P St., owner of McFarland & Son's Irish Pub, came forward.

Council Member Camp asked Mr. McFarland to explain the proposal with the other Irish pub to close down P St., between 7th and 8th St., to essentially have a beer garden for their event.

Mr. McFarland addressed Council Member Camp's questions regarding the closing of the City streets, parking, entertainment, and costs of the event. Discussion followed.

This matter was taken under advisement.

COOK left Council Chambers at 3:13 p.m.

APPROVING THE AWARD OF CONTRACT TO THE LOW BIDDER FOR THE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS FOR THE SOUTH 56TH STREET PROJECT BETWEEN SHADOW PINES DRIVE AND OLD CHENEY ROAD. CITY PROJECT NO. 701923. STATE PROJECT NO. LCLC-5241(5), CN 13141 - Roger Figard, City Engineer, Public Works & Utilities, came forward to state that to stay on track with the State's bidding process and being able to schedule the resolution to appear before Council, no contractor was listed in the resolution. Now that the bids have been received, there is a Motion to Amend to the resolution to replace "low bidder" with Constructors Inc., the selected contractor. Public Works is recommending this to be a reasonable bid and is asking for approval. Discussion followed.

This matter was taken under advisement.

COOK returned to Council Chambers at 3:16 p.m.

APPROVING A CONSTRUCTION ENGINEERING AGREEMENT SUPPLEMENT NO. 3 BETWEEN THE CITY OF LINCOLN AND KIRKHAM MICHAEL AND ASSOCIATES, INC. FOR CONSULTANT COMPENSATION FOR ADDITIONAL WORK NECESSARY TO COMPLETE THE JAMAICA TRAIL NORTH PHASE 2 FEDERAL AID PROJECT (STATE PROJECT NO. ENH-55(160), CN 12879) - Terry Genrich, Natural Resources & Greenway's Manager, Parks & Recreation, came forward to state that additional funding will be provided for Kirkham Michael and Associates, Inc., since the project was not completed by the contractor on time. The contractor is in liquidated damages and is in winter shut down. Stated contractor will proceed with construction in the Spring. The additional funding is being paid for by the liquidated damages that are being assessed to that company. Discussion followed.

This matter was taken under advisement.

AUTHORIZING ACCEPTANCE OF THE LOW BID TO BRYNE & JONES, WHICH IS IN EXCESS OF 25% OVER THE ESTIMATE FOR THE 36TH & GLADSTONE PAVING DISTRICT NO. 2631 - Erin A. Sokolik, Public Works & Utilities, came forward to state a resolution was passed in July 2013 allowing Public Works to proceed in doing specs and plans for a paving district located at 36th and Gladstone. The resolution also stated that in the event that the actual price is above the 25% Public Works will go before Council again to get approval on the bid. Discussion followed.

Ron Beeman, 3520 Gladstone, came forward to express his concerns about the paving district. He stated that amount of money he is being assessed for this project is about 2/3 of what his property is valued.

Council Member Camp asked how much money Mr. Beeman was being assessed.

Mr. Beeman stated that it was over \$40,000.00 and that he did not agree with the amount.

Council Chair Emery requested for Roger Figard to come forward and explain the assessment.

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Roger said that the area is zoned as industrial and is being proposed as a commercial type street so the overall cost is higher than a residential street. Discussion followed.

This matter was taken under advisement.

AMENDING SECTION 10.02.254 OF THE LINCOLN MUNICIPAL CODE RELATING TO "PARKING SERVICES ENFORCEMENT AREA," TO INCLUDE PORTIONS OF 19TH STREET, 21ST STREET, AND TRANSFORMATION DRIVE THAT BISECT THE UNIVERSITY OF NEBRASKA INNOVATION CAMPUS - Dave Landis, Director of Urban Development, came forward to state parking enforcement in Lincoln is divided between Parking Services, who maintain the downtown area, and the Public Service Officers who enforce the remaining areas; however, the State Fairgrounds manage their own parking. That location is now a part of the Innovation Campus and is being developed. The University of Lincoln Innovation Campus wants Parking Services to manage and enforce parking in that area by utilizing the cell phone apps that are already being used to manage the downtown parking areas. They do not want the visual clutter of parking meters, they want the look and feel of an Innovation Campus and they can do this by utilizing this technology. Parking services is prepared to do that. Discussion followed.

Council Member Camp asked if this would be a cluster box type of situation for paying for parking.

Wayne B. Mixdorf, CAPP, Republic Parking, came forward to state that they will be utilizing the passport mobile payment app and Parking Services would install signs to indicate that to the public. The public can download that app and make their payments over the phone, similar to what is being done in the downtown area. Discussion followed.

This matter was taken under advisement.

APPROVING THE SWANSON RUSSELL REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND B & H ENTERPRISES, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 1202 P STREET FOR CONSTRUCTION OF A NEW, APPROXIMATELY 12,000 SQUARE FOOT OFFICE BUILDING. (RELATED ITEMS: 15R-44, 15-33) (ACTION DATE: 3/9/15);

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$2,400,000.00 FOR THE CITY OF LINCOLN, SWANSON RUSSELL REDEVELOPMENT PROJECT LOCATED AT 12TH AND P STREETS. (RELATED ITEMS: 15R-44, 15-33) - David Landis, Director of Urban Development, came forward to state that this project has been approved both by the Urban Design Committee and the Planning Commission. It is consistent with the downtown master plan in numerous ways. Swanson Russell wants to expand their business in the Lincoln downtown area and is rebuilding on their existing land. The total amount for this project is \$2.4 million dollars. TIF funds will help with site preparation, street scape, energy enhancement, facade enhancement and building connection. Discussion followed.

Council Member Gaylor Baird asked for some clarification on the site acquisition piece of the TIF.

Nathan J. Gurnsey, Attorney, Woods & Aitken Law Firm, 301 S. 13th St., came forward and addressed Council Member Gaylor Baird's question. He stated there are two members who will be contributing their land without cost and the third member will be selling his 1/3 interest in the land for this redevelopment project. Discussion followed.

Brian Boesche, Principal, Swanson Russell & BNH Enterprises, 1202 P St., came forward in support.

This matter was taken under advisement.

****CAMP left Council Chambers at 4:11 p.m.****

APPROVING THE 23RD AND O STREET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND USTIS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN 23RD STREET AND THE NORTH-SOUTH ALLEY BETWEEN 23RD AND 25TH STREETS, AND N AND O STREETS, FOR RENOVATION OF A LARGE RETAIL BUILDING, AND RELATED IMPROVEMENTS. (RELATED ITEMS: 15R-42, 15R-43, 15-32) (ACTION DATE: 3/9/15);

AMENDING THE FY 14/15 CIP TO AUTHORIZE AND APPROPRIATE \$450,000.00 IN TIF FUNDS FOR THE 23RD AND O STREET PROJECT. (RELATED ITEMS: 15R-42, 15R-43, 15-32) (ACTION DATE: 3/9/15);

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$450,000.00 FOR THE CITY OF LINCOLN, 23RD AND O STREET PROJECT. (RELATED ITEMS: 15R-42, 15R-43, 15-32) - David Landis, Director of Urban Development, came forward to state this project will rehabilitate this area, meets downtown design standards, will remove the Office Max sign, and remove the asbestos by gutting the building and will be replaced by a medical facility and community health clinic. Planning Commission approves this project. Total project cost \$2.4 million dollars and the City share \$450,000.00. Discussion followed.

Jeff Chadwick, Architect, Clark Enereson Partners, 1010 Lincoln Mall, Suite 200, came forward in support.

Mark Hunzcker, Attorney, Baylor Evnen Law Firm, 1248 O St., Suite 600, came forward in support.

This matter was taken under advisement.

CAMP returned to Council Chambers at 4:21 p.m.

CREATING SIDEWALK IMPROVEMENT DISTRICT NO. ~~1189~~ 97 FOR THE PURPOSE OF CONSTRUCTING THE SIDEWALKS GENERALLY LOCATED AT 6844 LAURENT CIRCLE AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY. (2/23/15 - P.H. CONT'D FOR ONE WEEK TO 3/2/15) - Anthony Reiling, 2121 Herel St., came forward to represent and express his mothers thoughts and concerns regarding this project.

Council Chair Emery asked Roger if that suggested date of July 1st is significantly close to the start of the school year. He said that Council is not going to vote on the proposal, but only on the sidewalk district. Council Chair Emery emphasized that there is a clear message from the neighbors that the sidewalk needs to be there when school starts.

Roger Figard, Public Works & Utilities, came forward to address Council Chair Emery's questions. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING DAN HARSHMAN, W. DON NELSON, AND SARAH PEETZ TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2017 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88785 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Dan Harshman, W. Don Nelson, and Sarah Peetz to the Lincoln Electric System Administrative Board for terms expiring December 31, 2017 are hereby approved.

Introduced by Leirion Gaylor Baird

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING HELEN MEEKS TO THE TELECOMMUNICATION/CABLE TV ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2015 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88786 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Helen Meeks to the Telecommunication/Cable TV Advisory Board for a term expiring July 1, 2015 is hereby approved.

Introduced by Leirion Gaylor Baird

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING DEBRA MCGUIRE TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2017 - CLERK read the following resolution, introduced by Leirion Gaylor Baird; who moved its adoption:

A-88787 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Debra McGuire to the Air Pollution Control Advisory Board for a term expiring September 1, 2017 is hereby approved.

Introduced by Leirion Gaylor Baird

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JANUARY 31, 2015 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88788 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended January 31, 2015 \$97,091.99 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Jon A. Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PETITIONS & COMMUNICATIONS

REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 05085B to amend the Fallbrook Planned Unit Development (PUD), by expanding the boundary by approximately 10.27 acres, more or less, with a change of zone from AG Agriculture to R-3 Residential PUD; for a Planned Unit Development District designation of said property; and for an amended development plan which proposes modifications to the Zoning Ordinance and Land Subdivision

Ordinance to allow a townhouse development east of Tallgrass Parkway consisting of 36 dwelling units on property legally described as a portion of Lot 18 I.T., located in the NW 1/4 of 34-11-6, Lancaster County, Nebraska, generally located at Tallgrass Parkway and Aster Road.

Special Permit 12006A, an amendment to renew the special permit for the excavation of soil on property legally described as all of Lot 38 I.T., except the west 800 feet located in the N 1/2 of Section 11-10-7, Lancaster County, Nebraska, generally located east of 4100 North 84th Street. The Planning Commission action is final, unless appealed to the City Council.

LIQUOR RESOLUTIONS

APPLICATION OF MO CHARA, LLC DBA MCFARLAND & SON'S IRISH PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 60 FEET BY 50 FEET AT 710 P STREET ON MARCH 17, 2015 FROM ~~11:00 A.M.~~ 4:00 P.M. TO ~~2:00 A.M.~~ 11:00 P.M.
- CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-88789

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Mo Chara, LLC dba McFarland & Son's Irish Pub for a special designated license to cover an area measuring approximately 30 feet by 80 feet at 710 P Street, Lincoln, Nebraska, on March 17, 2015, between the hours of 4:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Christensen & carried by the following vote: AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: Camp.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 1-15, 2015 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88790

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated February 17, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

DENIED CLAIMS

State Farm Insurance	
as subrogee of Clifford Sibley	\$ 873.27
Ruth Jensen	50.00
Rita Green	500.00
Joel & Helen Sendelar	987.35
Raymond McLeod	1,180.00

ALLOWED/SETTLED CLAIMS

Tanya Stuart	\$1,000.00
Ashton Scotland	330.46

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE AWARD OF CONTRACT TO THE LOW BIDDER FOR THE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS FOR THE SOUTH 56TH STREET PROJECT BETWEEN SHADOW PINES DRIVE AND OLD CHENEY ROAD. CITY PROJECT NO. 701923. STATE PROJECT NO. LCLC-5241(5), CN 13141 - PRIOR to reading:

FELLERS

Moved MTA #1 to amend Bill No. 15R-38 as follows:

1. On line 7 after the word "bids", insert the following: "on February 26, 2015";
2. On line 8 after the word "selected", insert the words: "Constructors, Inc. and strike the words "a contractor to be determined 3/2/2015";

3. On line 12 after the word “of”, insert the words: “ Constructors, Inc.” and strike the words “the above mentioned contractor”.

Seconded by Cook & carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following amended resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88791 WHEREAS, the City of Lincoln adopted Resolution No. A-86222 on February 2, 2011 approving a Funding Agreement between the City of Lincoln and the State of Nebraska Department of Roads for the use of Federal Surface Transportation Program Funds for construction and construction engineering of South 56th Street between Shadow Pines Drive and Old Cheney Road. City Project No. 701923. State Project No. LCLC-5241(5), CN 13141; and

WHEREAS, the State and City received bids on February 26, 2015 for the construction of the proposed work and selected Constructors, Inc. as the low bidder to whom the contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the City concurs in the selection of Constructors, Inc.; that the City does not desire to perform the work with its own forces in lieu of performing the work by the contract method; and hereby authorizes the Mayor to execute the construction contract on behalf of the City.

The City Clerk is directed to return the executed copies of the Agreements to the Department of Public Works & Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONSTRUCTION ENGINEERING AGREEMENT SUPPLEMENT NO. 3 BETWEEN THE CITY OF LINCOLN AND KIRKHAM MICHAEL AND ASSOCIATES, INC. FOR CONSULTANT COMPENSATION FOR ADDITIONAL WORK NECESSARY TO COMPLETE THE JAMAICA TRAIL NORTH PHASE 2 FEDERAL AID PROJECT (STATE PROJECT NO. ENH-55(160), CN 12879) -

CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88792 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Construction Engineering Agreement Supplement No. 3 between the City of Lincoln and Kirkham Michael and Associates, Inc. for the use of Federal Aid Project Funds distributed by the Nebraska Department of Roads for Consultant compensation for additional work necessary to complete the Jamaica Trail North Phase 2 Federal Aid Project (State Project No. ENH-55(160)), in accordance with the terms and conditions contained in said Agreement, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copy of the Agreements to Terry Genrich, Parks and Recreation Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

AUTHORIZING ACCEPTANCE OF THE LOW BID TO BRYNE & JONES, WHICH IS IN EXCESS OF 25% OVER THE ESTIMATE FOR THE 36TH & GLADSTONE PAVING DISTRICT NO. 2631 - PRIOR TO reading:

FELLERS Moved to Continue P.H. & Action for 1 week to 3/9/15.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING SECTION 10.02.254 OF THE LINCOLN MUNICIPAL CODE RELATING TO “PARKING SERVICES ENFORCEMENT AREA,” TO INCLUDE PORTIONS OF 19TH STREET, 21ST STREET, AND TRANSFORMATION DRIVE THAT BISECT THE UNIVERSITY OF NEBRASKA INNOVATION CAMPUS - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 10.02.254, “Parking Services Enforcement Area,” to include portions of the Innovation Campus area, and repealing Section 10.02.254 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING THE SWANSON RUSSELL REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND B & H ENTERPRISES, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 1202 P STREET FOR CONSTRUCTION OF A NEW, APPROXIMATELY 12,000 SQUARE FOOT OFFICE BUILDING. (RELATED ITEMS: 15R-44, 15-33) (ACTION DATE: 3/9/15)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$2,400,000.00 FOR THE CITY OF LINCOLN, SWANSON RUSSELL REDEVELOPMENT PROJECT LOCATED AT 12TH AND P STREETS. (RELATED ITEMS: 15R-44, 15-33) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$374,000 for the purpose of

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(1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Swanson Russell Redevelopment Project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

APPROVING THE 23RD AND O STREET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND USTIS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN 23RD STREET AND THE NORTH-SOUTH ALLEY BETWEEN 23RD AND 25TH STREETS, AND N AND O STREETS, FOR RENOVATION OF A LARGE RETAIL BUILDING, AND RELATED IMPROVEMENTS. (RELATED ITEMS: 15R-42, 15R-43, 15-32) (ACTION DATE: 3/9/15)

AMENDING THE FY 14/15 CIP TO AUTHORIZE AND APPROPRIATE \$450,000.00 IN TIF FUNDS FOR THE 23RD AND O STREET PROJECT. (RELATED ITEMS: 15R-42, 15R-43, 15-32) (ACTION DATE: 3/9/15)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$450,000.00 FOR THE CITY OF LINCOLN, 23RD AND O STREET PROJECT. (RELATED ITEMS: 15R-42, 15R-43, 15-32) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, authorizing and providing for the issuance of city of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$450,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the city's 23rd & o street redevelopment project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

CREATING SIDEWALK IMPROVEMENT DISTRICT NO. 97 FOR THE PURPOSE OF CONSTRUCTING THE SIDEWALKS GENERALLY LOCATED AT 6844 LAURENT CIRCLE AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Trent Fellers, creating and ordering construction of Sidewalk Improvement District No. 97, defining the limits thereof, providing for the construction of public sidewalks therein, providing for the payment of the cost thereof, designating the property to be benefitted, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20160**, is recorded in Ordinance Book #29.

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,300,000.00 TO REFUND THE CITY'S OUTSTANDING GENERAL OBLIGATION STORM SEWER BONDS, SERIES 2005 AND RELATED MATTERS - CLERK read an ordinance, introduced by Trent Fellers, authorizing and providing for the issuance, sale and delivery of general obligation storm sewer and drainage system refunding bonds, series 2015, of the City of Lincoln, Nebraska (the "City"), in an aggregate principal amount not to exceed \$6,300,00.00 (The "Bonds"), for the purpose of providing for the payment and redemption of \$6,340,000.00 aggregate principal amount of the City's general obligation storm sewer and drainage system bonds, series, 2005, dated June 15, 2005; prescribing certain terms of the bonds; delegating, authorizing and directing the finance director to exercise his independent judgment and absolute discretion in determining certain other terms of the bonds; providing for the payment of the principal and interest on the

bonds by the levy of a tax on all of the taxable property within the city; authorizing the execution of an escrow agreement relating to the temporary investment of a portion of the bond proceeds and the appointment of an escrow agent; authorizing and approving certain other related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20161**, is recorded in Ordinance Book #29.

AUTHORIZING THE ISSUANCE OF SANITARY SEWER REVENUE REFUNDING BONDS OF THE CITY IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$13,500,000.00 TO REFUND THE CITY'S OUTSTANDING SANITARY SEWER REVENUE BONDS, SERIES 2005 AND RELATED MATTERS - CLERK read an ordinance, introduced by Trent Fellers, fifth series ordinance adopted under and pursuant to Ordinance No. 18171 authorizing the issuance of Sanitary Sewer Revenue Refunding Bonds, Series 2015, of the City of Lincoln, Nebraska in a principal amount not to exceed thirteen million five hundred thousand dollars (\$13,500,00.00); fixing in part and providing for the fixing in part of the details of the bonds; providing for the sale of the Bonds and the application of the proceeds thereof; authorizing the execution and delivery of certain documents and taking other action in connection with the foregoing; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20162**, is recorded in Ordinance Book #29.

AUTHORIZING THE ISSUANCE OF SOLID WASTE MANAGEMENT REVENUE BONDS OF THE CITY IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,060,000.00 AND RELATED MATTERS - CLERK read an ordinance, introduced by Trent Fellers, a series ordinance adopted under and pursuant to Ordinance No. 18774 authorizing the issuance of Solid Waste Management Revenue Bonds, Series 2015, of the City of Lincoln, Nebraska in an aggregate principal amount not to exceed \$7,060,000 for the purposes of providing for extensions, enlargements and improvements to the City's solid waste management facilities; fixing in part and providing for the fixing in part of the details of the bonds; authorizing for the sale of the bonds and the application of the proceeds thereof; authorizing the execution and delivery of certain documents; taking other action in connection with the foregoing; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20163**, is recorded in Ordinance Book 29.

AUTHORIZING THE CITY TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,400,000.00 TO PURCHASE AND INSTALL LIGHT POLES AND RELATED EQUIPMENT, SUCH AS LIGHT FIXTURES, WIRING, AND OTHER ITEMS NECESSARY TO COMPLETE THE INSTALLATION OF NEW STREET LIGHTS IN THE CITY AND RELATED MATTERS - CLERK read an ordinance, introduced by Trent Fellers, authorizing and approving a lease-purchase transaction with Union Bank and Trust Company, the proceeds of which will be used to pay the costs of purchasing and installing light poles and related equipment, such as light fixtures, wiring, and other items necessary to complete the installation of new street lights in the City and to pay cost of issuance thereof; approving the issuance, sale and delivery of not to exceed \$3,400,000.00 principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20164**, is recorded in Ordinance Book 29.

RESOLUTIONS - 1ST READING

USE PERMIT 15002 - APPLICATION OF T&N INVESTMENTS, FOR AUTHORITY TO CONSTRUCT A MULTI-FAMILY DEVELOPMENT CONSISTING OF FOUR 30-PLEX BUILDINGS, FOR A TOTAL OF 120 DWELLING UNITS, INCLUDING AN ADJUSTMENT TO THE MAXIMUM HEIGHT AND THE PARKING REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT N.W. 12TH STREET AND ISAAC DRIVE.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "A" TO CHANGE THE PAY RANGE OF UTILITIES SAFETY & TRAINING SPECIALIST FROM A11 TO A13 - CLERK read an

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ordinance, introduced by Jon A. Camp, amending Ordinance No. 19904 passed August 12, 2013, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "A," by changing the pay range for the job classification "Utilities Safety & Training Specialist" from A11 to A13, the first time.

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2014 AND DECEMBER 2014 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Jon A. Camp, adopting the supplements to the Lincoln Municipal Code dated June 2014 and December 2014 as part of the official Lincoln Municipal Code, the first time.

CHANGE OF ZONE 05061B - APPLICATION OF NEBRASKA HORSEMEN'S BENEVOLENT & PROTECTIVE ASSOCIATION, TO AMEND THE DEVELOPMENT PLAN OF THE SOUTHWEST VILLAGE PLANNED UNIT DEVELOPMENT, TO ADJUST SIGN LOCATIONS AND HEIGHT, ON PROPERTY GENERALLY LOCATED AT HIGHWAY 77 AND WEST DENTON ROAD - CLERK read an ordinance, introduced by Jon A. Camp, amending the Development Plan of the Southwest Village Planned Unit Development, to adjust regulations regarding the location and height of signs, on property generally located at Highway 77 and West Denton Road, the first time.

TEXT AMENDMENT 15001 - AMENDING CHAPTERS 27.02, 27.06, AND 27.63 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING ORDINANCE TO ALLOW A COMMERCIAL SOLAR ENERGY CONVERSION SYSTEM AS A SPECIAL PERMITTED USE IN THE AG DISTRICT AND AS A PERMITTED USE IN THE I-1, I-2, AND I-3 ZONING DISTRICTS BY AMENDING SECTION 27.02.040 TO PROVIDE A DEFINITION FOR "COMMERCIAL SOLAR ENERGY CONVERSION TABLE"; AMENDING SECTION 27.06.090 TO ADD COMMERCIAL SOLAR ENERGY CONVERSION SYSTEM TO THE UTILITIES USE GROUP TABLE; AND ADDING A NEW SECTION NUMBERED 27.63.830 TO SET FORTH THE CONDITIONS FOR PERMITTING A COMMERCIAL SOLAR ENERGY CONVERSION SYSTEM IN THE AG DISTRICT; AND REPEALING SECTIONS 27.02.040 AND 27.06.090 OF THE LINCOLN MUNICIPAL CODE IN THEIR ENTIRETY - CLERK read an ordinance, introduced by Jon A. Camp, amending Title 27 the Lincoln Municipal Code to allow a Commercial Solar Energy Conversion System as a special permitted use in the AG District as a permitted use in the I-1, I-2, and I-3 zoning districts by amending Section 27.02.040 to provide a definition for "Commercial Solar Energy Conversion System"; amending Section 27.06.090 to add Commercial Solar Energy Conversion System, to the Utilities Use Group Table; and adding a new section numbered 27.63.830 to set forth the conditions for permitting a Commercial Solar Energy Conversion System in the AG District; and repealing Sections 27.02.040 and 27.06.090 of the Lincoln Municipal Code as hitherto existing, the first time.

ANNEXATION 15001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 22.5 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 94TH STREET AND ADAMS STREET. (RELATED ITEMS: 15-36, 15-37) - PRIOR to reading:

COOK Moved to Continue P.H. for 2 weeks to 3/16/15.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Jon A. Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 05054B - APPLICATION OF STAROSTKA-LEWIS, TO AMEND THE PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT TO EXPAND THE AREA OF THE PUD, BY CHANGING THE ZONING FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD AND FOR APPROVAL OF AMENDMENTS TO THE DEVELOPMENT PLAN TO ALLOW FOR AN ADDITIONAL 155 LOTS FOR RESIDENTIAL DWELLING UNITS, ON PROPERTY GENERALLY LOCATED AT NORTH 90TH STREET AND ADAMS STREET. (RELATED ITEMS: 15-36, 15-37) - PRIOR to reading:

COOK Moved to Continue P.H. for 2 weeks to 3/16/15.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Jon A. Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ADJOURNMENT

4:35 P.M.

COOK Moved to adjourn the City Council Meeting of March 2, 2015.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery,
Eskridge, Fellers; Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

Soulinnee Phan, Office Specialist

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