

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 10, 2015 AT 3:00 P.M.**

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

Council Chair Fellers 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

LAMM Having been appointed to read the minutes of the City Council proceedings of August 3, 2015, reported having done so, found same correct.

Seconded by Lamm and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of June, 2015 to Olga Kanne, Housing Rehabilitation Specialist II, for the Housing Rehabilitation & Real Estate Division of the Urban Development Department in the Categories of Customer Relations and Productivity. Mayor Beutler stated Olga has worked for the City for 26 years & is retiring on Fri., Aug. 14, 2015. She was nominated by Steve Werthman, Urban Development Manager, by Dr. Marty Ramirez of the Mayor's Multicultural Advisory Committee & Pat Kant, Human Resources Coordinator. They all nominated her for her contributions & accomplishments in promoting diversity & cultural confidence in human rights, housing & employment. She's helped over 800 homeowners rehabilitate their homes. These projects added millions of dollars to the local economy, created jobs, & contributed to the revitalization of many older neighborhoods. She speaks Spanish & assists Spanish-speaking clients obtain homeownership.

Steve Werthman, Urban Development Department, came forward & stated that when we're working with the low to moderate income homeowners, she will often see what their other needs are & then she puts on the hat of being a family rehabilitation specialist because she calls in other agencies & coordinates with them & makes sure the others issues that the family is dealing with is also taken care of. Another thing that Olga does is when she's dealing with a family & it gets to be around Christmas time & she doesn't think that the family can really afford to put presents under the tree for their little one's, all of a sudden she becomes a Christmas Rehabilitation Specialist & with her own money, she goes out & buys presents for them and brings over Christmas dinner for the whole family.

Olga Kanne, Housing Rehabilitation Specialist II, for the Housing Rehabilitation & Real Estate Division of the Urban Development Department came forward to state that she has worked with many of the Council people over the years & it has been a pleasure. She stated that coming to work everyday was truly fun, a pleasure. The only sad thing about leaving is leaving her clients, especially those not able to speak English.

Council Chair Fellers stated it sounds like there are a lot of people in the City who are going to miss you when you retire. Thank you for your service and thank you for what you've done for the community.

PUBLIC HEARING

MANAGER APPLICATION OF BRIAN M. HOFMEISTER FOR MMG NEBRASKA F & B, INC. DBA CHILI'S GRILL & BAR AT 6730 SOUTH 27TH STREET. (7/27/15 - PUBLIC HEARING & ACTION DELAYED TO 8/10/15) - Brian Hofmeister, 6030 Thornton Dr., #1007, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATIONS OF Y.A.M.S., INC. DBA JOYSTICKS, BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS, PEACE A PIE, LLC DBA MELLOW MUSHROOM, BREEZY ISLAND, LLC DBA BREEZY ISLAND, CLUB AT THE YARD, LLC DBA RULE G, BAR AT THE YARD, LLC DBA LONGWELL'S, YIN FAMILY, LLC DBA HIRO 88, YARD INVESTMENTS, LLC DBA GATE 25, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 21, 2015 FROM 5:00 P.M. TO MIDNIGHT - Tessa Warner, 440 N. 8th St., Suite 104, Manager of the Railyard, came forward representing these businesses for an event on August 21st, which is a fundraiser for The Bay and Skate for Change.

Carl Eskridge, Council Member, inquired about those participants under the age of 21 & how will the Railyard ensure those young people aren't engaging in alcoholic beverages.

Ms. Warner stated everyone is wristbanded and there will be an LPD presence and our own security contractor so we'll be well-staffed.

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Leirion Gaylor Baird, Council Member, inquired if there would be other forms of entertainment for this event.

Ms. Warner replied yes, there is an art component so we're going to have something similar to the First Friday Artwalk, they're doing a chalkmaze, and Hear Nebraska is going to have some bands come.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 700 FEET BY 448 FEET AT PINWOOD BOWL THEATER AT 3201 SOUTH CODDINGTON ON AUGUST 25, 26 & 27, 2015 FROM 6:00 A.M. TO 2:00 A.M. - Tom Lorenz, General Manager with SMG Food & Beverage, LLC, 400 Pinnacle Arena Dr., came forward to request approval.

This matter was taken under advisement.

APPLICATION OF JOHN NEIHARDT FOUNDATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 50 FEET BY 150 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 60 FEET ON THE FIRST FLOOR AT FERGUSON HOUSE AT 700 SOUTH 16TH STREET ON AUGUST 22, 2015 FROM 6:15 P.M. TO 9:00 P.M. - Paul Hammel, 2010 Harrison Avenue, Vice President of the Neihardt Foundation, came forward to request approval and wanted to compliment City Staff for their assistance in getting this done.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE OLD CHENEY, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5202(9), CN 13315;

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE SUPERIOR STREET, 27TH STREET TO CORNHUSKER HIGHWAY PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5254(10), CN 13316;

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE 27TH STREET, HOLDREGE STREET TO FLETCHER AVENUE PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5231(16), CN 13317 - Zach Becker, Public Works, came forward to state he will be the project engineer for the last item. These are just agreements with NDOR for Federal transportation funds for pavement rehab projects.

Leirion Gaylor Baird, Council Member, inquired about the timeline for these projects.

Mr. Becker replied that all 3 projects are currently in development & we hope for actual construction to be in 2017 and, if necessary, roll over into 2018.

This matter was taken under advisement.

USE PERMIT 72A - APPLICATION OF MAPLE MEADOWS CONDO ASSOCIATION TO REDUCE THE FRONT YARD SETBACK IN THE R-T RESIDENTIAL TRANSITION DISTRICT FROM 25 FEET TO 15 FEET IN ORDER TO INSTALL A FREE-STANDING SIGN LOCATED 15 FEET FROM THE FRONT PROPERTY LINE, AND CHANGE THE LANDSCAPING PLAN, ON PROPERTY GENERALLY LOCATED AT 4910 NORMAL BOULEVARD - **Council Chair Fellers declared a conflict of interest due to his wife leasing a space in this building, passed the gavel to the Vice Chair, & left the Chambers.**

Julius Haes, 6815 Northridge Rd., applicant & owner of the property, came forward to state they are requesting the sign to better identify the businesses. Thanked the Planning Department & Planning Commission for their assistance with this. Discussion followed.

Brent Mansheim, 4111 S. 80th St., came forward in opposition & shared his concern about the landscaping screen of 90%.

David Cary, Planning Department, came forward to state that part of this process has been addressing the screening as well & we will be requiring the amount that's currently required for parking lot screen which is 3 ft. tall, 90% to go along with this. Stated that part of the consideration here is the location of this R-T District & this property. This is a unique R-T because the residential area is to the rear of the lot but not to either side. The other on-site condition is that this is a site that slopes up as you go into the parking lot so there is some grade there & there is a retaining wall as well. So, there is some constraint as to where you could actually put the sign that it would still be visible. Staff took all those things into consideration in trying to determine what would be appropriate.

Mr. Haes came forward for rebuttal & stated they intend to replant the area with new trees & bushes that will be at least 3 ft. tall.

This matter was taken under advisement.

****Chair Fellers returned to the chamber at 3:51 p.m. ****

COMP. PLAN CONFORMANCE 15010 - APPROVING THE PROPOSED VA CAMPUS REDEVELOPMENT PLAN ON APPROXIMATELY 65 ACRES, INCLUDING THE 70TH STREET RIGHT-OF-WAY, FOR A MIXED-USE PROJECT IDENTIFIED AS VICTORY PARK, WHICH WILL CONSIST OF HOUSING, MEDICAL CARE, AND SERVICES FOR SENIOR CITIZENS AND VETERANS, ON PROPERTY GENERALLY LOCATED AT 600 SOUTH 70TH STREET - Dave Landis, Urban Development Director, came forward to state this is in conformance with the Comprehensive Plan. The question is whether or not this 60 acre project with this kind of a phased in approach with private streets, sewer, & water being replaced by public systems in support of about 300 housing units, the maintenance of some historical buildings, the protection of the parade grounds, the launching pad for potential claim to have the clinic that the Veterans Affairs Dept. might place in this location, is the right direction for the City of Lincoln. The plan is a necessary pre-condition for the use of Tax Increment Financing (TIF) & the developer tells us that TIF is a necessary pre-condition to this project. The infrastructure is old & private & the historical buildings are substantial & will require significant refurbishing. State & Federal historical agencies have reviewed this & we've met those standards. The Veterans Affairs Dept. has chosen the developer as the RFP winner for taking this property & being responsible for its maintenance & development for the next 75 years.

Brad Korrel, Olsson Associates, 601 P St., Suite 200, came forward to state the VA has been planning for several years for a new state-of-the-art outpatient clinic here in Lincoln. Soon, the main hospital & companion buildings will no longer remain in service for the VA. This plan combines services for both veterans & seniors. This plan will have an investment of over \$72 million in new & repurposed buildings, an infrastructure & a plan that provides over 400 units of new housing targeted for veterans & seniors. This will add significantly to the tax base. We will spend over \$2 million building infrastructure, streets, water mains, stormwater, sewer systems, public sidewalks, & lighting to serve the development. We worked very hard to preserve the historical nature of the campus, worked with the VA & the Advisory Council on historic preservation, the Nebraska Office of Preservation & the City of Lincoln & the Preservation Assoc. Of Lincoln to enter into an agreement that will maintain & protect the iconic nature of the campus. We worked closely with neighbors & made a number of substantive changes based on input we received. The Federal legislation authorizing this type of development for the VA has expired. This may be the only meaningful opportunity for a campus-wide redevelopment of the VA property for many years.

George Achola, representing America First Real Estate Group, One Burlington Place, 1004 Farnam Street, Omaha NE, came forward to state that they are committed to doing this project in Lincoln & doing it in the manner in which they have told the neighbors, veterans & the City that they are going to do it. They are not a developer that comes in, develops something & runs out & let's somebody else do the day-to-day management, they do the day-to-day management. We are putting forth enormous financial & human resources into this project as it is a complex & massive project.

Craig Gies, 4400 Lowell Avenue, came forward to state this has been a complicated project. We have taken the drawings, as we worked with the Washington folks, in terms of how to maximize the use of the campus to honor the historic nature of what's there. Once that was ready, we were able to talk to the Staff members about what was going to happen on the campus & then Staff started having public meetings. We started with the neighbors, had the veterans, & then had follow up meetings with the neighbors. Mr. Gies spent time with the neighbors looking from their backyards at what it was going to look like. The neighbors challenged them to come up with something better. Their group went back and, within a week, they had drafted a new plan. They were able to move that 4 story building to the interior of the campus & dropped it to 3 stories & put one story in those locations. They met with some of the neighbors who had a problem with having a view of what was going to be a parking lot & how close were those buildings going to be on the south side and they were able to increase that buffer zone. Discussion followed.

Linda Stephen, 7330 S. Wedgewood Dr., representing the neighborhood & herself, came forward in favor & wanted to thank everyone involved.

Andy Gueck, 2918 S. 13th St., came forward to state he is a veteran & it feels like they're giving away their home. The veterans were invited to one meeting only so we've been kind of left out. He would like to know how many trees they're going to remove. The parade field is historic & they're talking about changing it, having to shrink it because of the roadway. He inquired as to how long it would be before we no longer have use of it because if the clinic doesn't locate there, they will not allow us back on the property unless we're a tenant.

Richard Esquivel, 733 W. Cuming St, came forward to state he is also a veteran & stated several of his family members have served in the Armed Forces & in several wars. We have a lot of love for this building & facility. This seems really great but nothing has been set in stone for veterans. I've asked to see the lease & learned there isn't one yet. This was originally for veterans & if there are any preferences to be given, it should be to veterans first whether it's voucher or normal rent, not seniors or low-income people who are not veterans. Discussion followed.

Dale Winingston(?), 5351 (inaudible) Drive, came forward to state he is a veteran & that the Veteran Affairs does have a lot of vacant buildings throughout the U.S. Lincoln is leading the way on this. This is really a great project.

Jane Kinsey, Watchdogs of Lincoln Government, came forward to address the TIF on this project. Proof has not been given that if it weren't for TIF this project couldn't go through, there's no financial statement, no statement from a bank. This is an abuse of the statute.

Richard Halvorsen, 6311 Inverness Rd., came forward to state he is a veteran and he is concerned they won't be able to have the music festival out there any more.

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Mr. Korrell came forward for rebuttal & stated that regarding trees, they will be adding trees as well. The parade field is only going to be altered a small amount, it will be curved a little more to make access easier. If the whole project can be occupied by veterans, that would be great. We will look to the senior population to fill up the rest. Discussion followed.

Marian Stalling, President of the Seniors Foundation, came forward to state the goal is to have one campus for veterans and seniors together.

Mr. Eskridge inquired about the need for TIF & how much property tax would be paid when this project is developed.

Mr. Korrell replied that they have ran a number of financial proformas & this project would not happen without TIF. The property is not currently on the tax rolls. Discussion followed.

Roy Christensen, Council Member, inquired about the activities like the music festival.

Mr. Achola came forward to state they will not be turned away. If they wish to continue to have activities on that property, they will allow those to continue.

Ms. Gaylor Baird inquired of Mr. Korrell what happens if this project doesn't go through.

Mr. Korrell stated when the clinic moves out, they are basically going to turn off the lights & keep one person around to flush the toilets. The VA does not have a plan. This is the plan that they are wanting to execute.

Mr. Camp inquired about the timeline, believes there's a desire to turn dirt by Oct. 1st because of the HUD situation on the vouchers & to keep that qualification up but when would you see the opportunity for veterans to apply for housing & actually occupy something out there.

Mr. Korrell replied that HUD has granted vouchers to help pay for veterans that cannot afford housing to be in what we call the Vash Housing Building. Those vouchers have an expiration date. If we have started construction by Oct. 1st then we have met that requirement & we can hold those vouchers. If we do not meet that requirement, those vouchers will expire. It would be at least two years or more before more vouchers became available.

Linda Twomey, 600 S. 70th St., representing Veterans Administration & Housing for Nebraska & Western Iowa, came forward to state that the veterans identified for those vouchers have to be medically eligible. Timeline for new construction is about a year so we'll start qualifying veterans in about 9 months. Discussion followed.

Mr. Achola came forward to state that on some of the senior housing they do plan to use a financing tool & we will look at allowing vouchers on some of those as well. Veterans may even qualify for the market rate apartments.

This matter was taken under advisement.

CHANGE OF ZONE 13004B - APPLICATION OF TDP PHASE ONE, LLC, TO AMEND ORDINANCE NO.

19870, RELATING TO THE RAILYARD SPECIAL SIGN DISTRICT TO ALLOW TWO SPONSORSHIP SIGNS FOR THE RAILYARD AND LIMITED ADVERTISING ON THE CUBE, ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND Q STREET. (RELATED ITEMS: 15-75, 15R-162);

APPROVING AMENDMENT NO. 1 TO THE WEST HAYMARKET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, THE WEST HAYMARKET JOINT PUBLIC AGENCY, AND TDP PHASE ONE, LLC WHICH INCLUDES AN AMENDED AND RESTATED PLAZA/CUBE LICENSE AGREEMENT. (RELATED ITEMS: 15-75, 15R-162) (ACTION DATE: 8/17/15) - Dave Landis, Urban Development Director, came forward to request approval of these two items. There are locations for sponsorship signage in three locations within the Railyard. There is a growing desire to have an increase of digital public art on the Cube. The contribution of the sponsorships would provide a significant input of resources to go after public art. Discussion followed.

Tessa Warner, 440 N. 8th St., Suite 104, Manager of the Railyard, came forward to express appreciation to the Planning Department & Urban Development Department for their assistance with this. The feedback they've received is that they are not providing enough value to potential sponsorship clients. We're not doing anything dynamic enough for them to want to spend the kind of dollars at the Railyard that are needed. Discussion followed.

Tim Hruza, representing Lincoln Independent Business Association, 620 N. 48th St, Suite 205, came forward in favor. Stated they believe other businesses could benefit from this as well, for example, a dog grooming business might want to advertise on the side of a pet store building.

Jane Kinsey, Watchdogs of Lincoln Government, came forward to state she believes families would rather do outdoor events. Stated they believe the bottom line is The Railyard needs more money & Council needs to look at the bottom line & how it is going to affect the whole city.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND WHELEN ENGINEERING COMPANY FOR WSCA-NASPO LED EMERGENCY LIGHT BARS, SIREN WARNING ACCESSORIES AND OTHER RELATED ACCESSORIES, PURSUANT TO MASTER AGREEMENT NO. 81297, FOR AN ADDITIONAL ONE YEAR TERM THROUGH JULY 31, 2016 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89153 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract between the City of Lincoln, Lancaster County, and Whelen Engineering Company for WSCA-NASPO LED Emergency Light Bars, Siren Warning Accessories, and Other Related Accessories, pursuant to Master Agreement No. 81297, for an additional one year term through July 31, 2016, upon the terms as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON JULY 27, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS JULY 30, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 17, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF LISA J. FRYDA FOR MARCUS LINCOLN HOTEL, LLC DBA MARRIOTT CORNHUSKER AT 333 S. 13TH STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89153 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 17, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Lisa J. Fryda for Marcus Lincoln Hotel, LLC dba Marriott Cornhusker at 333 S. 13th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 17, 2015 AT 3:00 P.M. ON THE APPLICATION OF MEIER'S WINE INC DBA MEIER'S CORK 'N BOTTLE FOR A SPECIAL DESIGNATED LICENSE AT THE SUNKEN GARDENS AT 27TH & CAPITOL PKWY. ON AUGUST 27, 2015 FROM 5:30 P.M. TO 9:30 P.M. - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89154 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 17, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Meier's Wine Inc dba Meier's Cork 'N Bottle for a Special Designated License at the Sunken Gardens at 27th & Capitol Pkwy. on August 27, 2015 from 5:30 p.m. to 9:30 p.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF CHRISTOPHER L. MURRAY FOR WILDERNESS RIDGE GOLF LLC DBA WILDERNESS RIDGE GOLF AT 1800 WILDERNESS WOODS PLACE - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

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A-89155 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Christopher L. Murray for Wilderness Ridge Golf LLC dba Wilderness Ridge Golf at 1800 Wilderness Woods Place.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE APPLICATION OF MORAN'S LIQUOR WORKS LLC DBA MORAN'S LIQUOR WORKS TO UPGRADE THEIR LIQUOR LICENSE FROM A CLASS DK TO A CLASS CK AT 3402 A STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89156 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Moran's Liquor Works LLC dba Moran's Liquor Works to upgrade their Liquor License from a Class DK to a Class CK at 3402 A Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE APPLICATION OF BPC NEBRASKA LLC DBA BOSS' PIZZA & CHICKEN FOR A CLASS A (BEER, ON SALE ONLY) LIQUOR LICENSE AT 1000 SAUNDERS AVENUE - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89157 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of BPC Nebraska LLC dba Boss' Pizza & Chicken for a Class A (Beer, On Sale Only) Liquor License at 1000 Saunders Avenue.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF GRETCHEN E. COOPER FOR GJR LLC DBA COOP'S CORNER AT 4947 HOLDREGE STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89158 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Gretchen E. Cooper for GJR LLC dba Coop's Corner at 4947 Holdrege Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF BRITANY S. GRADY FOR WHITEHEAD OIL COMPANY DBA U STOP 12 AT 6801 WILDCAT DRIVE - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89159 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Britany S. Grady for Whitehead Oil Company dba U Stop 12 at 6801 Wildcat Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MARK EGGERT FOR BW&R CANOPY LLC DBA BUFFALO WINGS & RINGS AT 350 CANOPY STREET, SUITE 200 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89160 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Mark Eggert for BW&R Canopy LLC dba Buffalo Wings & Rings at 350 Canopy Street, Suite 200.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MICHAEL R. SCHMIDT FOR THE OLD PUB LLC DBA THE OLD PUB AT 420 S. 11TH STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89161 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Michael R. Schmidt for The Old Pub LLC dba The Old Pub at 420 S. 11th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 24, 2015 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MARKIE BRYCE FOR 1339 O STREET, INC. DBA BROTHERS BAR & GRILL AT 1339 O STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89162 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 24, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Markie Bryce for 1339 O Street, Inc. dba Brothers Bar & Grill at 1339 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Cyndi Lamm

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF BRIAN M. HOFMEISTER FOR MMG NEBRASKA F & B, INC. DBA CHILI'S GRILL & BAR AT 6730 SOUTH 27TH STREET. (7/27/15 - PUBLIC HEARING & ACTION DELAYED TO 8/10/15) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89163 WHEREAS, MMG Nebraska F & B, Inc. dba Chili's Grill & Bar located at 6730 South 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Brian M. Hofmeister be named manager;

WHEREAS, Brian M. Hofmeister appears to be a fit and proper person to manage said business.

NOW, THEREFORE, 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 Brian M. Hofmeister be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATIONS OF Y.A.M.S., INC. DBA JOYSTICKS, BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS, PEACE A PIE, LLC DBA MELLOW MUSHROOM, BREEZY ISLAND, LLC DBA BREEZY ISLAND, CLUB AT THE YARD, LLC DBA RULE G, BAR AT THE YARD, LLC DBA LONGWELL'S, YIN FAMILY, LLC DBA HIRO 88, YARD INVESTMENTS, LLC DBA GATE 25, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 21, 2015 FROM 5:00 P.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

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A-89164

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 these applications, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the applications of Y.A.M.S., Inc. dba Joysticks, BW&R Canopy, LLC dba Buffalo Wings & Rings, Peace a Pie, LLC dba Mellow Mushroom, Breezy Island, LLC dba Breezy Island, Club at the Yard, LLC dba Rule G, Bar at the Yard, LLC dba Longwell's, Yin Family, LLC dba Hiro 88, Yard Investments, LLC dba Gate 25, and Astra Vega, LLC dba Vega for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 21, 2015, between the hours of 5:00 p.m. and midnight, 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.
5. Obtain a Special Event Permit.

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 700 FEET BY 448 FEET AT PINWOOD BOWL THEATER AT 3201 SOUTH CODDINGTON ON AUGUST 25, 26 & 27, 2015 FROM 6:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89165

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 SMG Food & Beverage, LLC for a special designated license to cover an outdoor area measuring approximately 700 feet by 448 feet at Pinewood Bowl Theater, 3201 South Coddington, Lincoln, Nebraska, on August 25, 26 & 27, 2015, between the hours of 6:00 a.m. and 2:00 a.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 Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF JOHN NEIHARDT FOUNDATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 50 FEET BY 150 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 60 FEET ON THE FIRST FLOOR AT FERGUSON HOUSE AT 700 SOUTH 16TH STREET ON AUGUST 22, 2015 FROM 6:15 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89166

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 John Neihardt Foundation for a special designated license to cover an outdoor area measuring approximately 50 feet by 150 feet and an indoor area measuring approximately 40 feet by 60 feet on the first floor at Ferguson House at 700 South 16th Street, Lincoln, Nebraska, on August 22, 2015, between the hours of 6:15 p.m. and 9:00 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 on all parties wishing to consume alcohol.
2. Adequate staff shall be provided for the event.
3. Responsible alcohol service practices shall be followed.
4. Applicant shall possess a valid manager's certificate as required by Lincoln Municipal Code 5.04.035.

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE OLD CHENEY, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5202(9), CN 13315 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89167 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Federal Surface Transportation Program Funds for construction and construction engineering of the Old Cheney, 40th Street to Highway 2 Pavement Repair project, in accordance with the terms and conditions contained in said Agreement, is 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 copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE SUPERIOR STREET, 27TH STREET TO CORNHUSKER HIGHWAY PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5254(10), CN 13316 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89168 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Federal Surface Transportation Program Funds for construction and construction engineering of the Superior Street, 27th Street to Cornhusker Highway Pavement Repair project, in accordance with the terms and conditions contained in said Agreement, is 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 copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE 27TH STREET, HOLDREGE STREET TO FLETCHER AVENUE PAVEMENT REPAIR PROJECT. PROJECT NO. LCLC-5231(16), CN 13317 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89169 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Federal Surface Transportation Program Funds for construction and construction engineering of the 27th Street, Holdrege Street to Fletcher Avenue Pavement Repair project, in accordance with the terms and conditions contained in said Agreement, is 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 copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**** Gaylor Baird took Chair.****

USE PERMIT 72A - APPLICATION OF MAPLE MEADOWS CONDO ASSOCIATION TO REDUCE THE FRONT YARD SETBACK IN THE R-T RESIDENTIAL TRANSITION DISTRICT FROM 25 FEET TO 15 FEET IN ORDER TO INSTALL A FREE-STANDING SIGN LOCATED 15 FEET FROM THE FRONT PROPERTY LINE, AND CHANGE THE LANDSCAPING PLAN, ON PROPERTY GENERALLY LOCATED AT 4910 NORMAL BOULEVARD - CLERK read the following resolution, introduced by Leirion Gaylor Baird, moved by Carl Eskridge:

A-89170 WHEREAS, Maple Meadows Condo Association has submitted an application designated as Use Permit No. 72A to reduce the front yard setback in the R-T Residential Transition District from 25 feet to 15 feet in order to install a free-standing sign located 15 feet from the front property line and change the landscaping plan, on property generally located at 4910 Normal Boulevard, legally described as follows:

Lot 1, Maple Meadows Addition, including Maple Meadows Condominium Units 1, 2 and 3, located in the Southeast Quarter of Section 32, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of Maple Meadows Condo Association, hereinafter referred to as "Permittee", to reduce the front yard setback in the R-T Residential Transition District from 25 feet to 15 feet in order to install a free-standing sign located 15 feet from the front property line and change the landscaping plan, be and the same is hereby granted upon condition that construction and operation be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the reduction of the front yard setback to 15 feet for a free standing sign.
2. Before receiving building permits, the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including five copies with all required revisions and documents as listed below:
 - a. Submit a revised landscape plan to the satisfaction of the Planning Director that at a minimum meets the Design Standards for parking lot screening requirements.
 - b. Revise General Note #8 to state, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation. Freestanding signs are permitted up to 15 feet from the front lot line".
 - c. Update the Legal Description.
 - d. Remove Lot 2 from the Use Permit site plan. This lot is now a special permit parking lot.
3. All privately-owned improvements, including landscaping are to be permanently maintained by the Permittee or an appropriately established association approved by the City.
4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
5. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
6. The parking lot landscape screening must be completed no later than one year after the approval of this special permit.
7. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.
8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the use permit. The City Clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**** Fellers resumed as Chair.****

COMP. PLAN CONFORMANCE 15010 - APPROVING THE PROPOSED VA CAMPUS REDEVELOPMENT PLAN ON APPROXIMATELY 65 ACRES, INCLUDING THE 70TH STREET RIGHT-OF-WAY, FOR A MIXED-USE PROJECT IDENTIFIED AS VICTORY PARK, WHICH WILL CONSIST OF HOUSING, MEDICAL CARE, AND SERVICES FOR SENIOR CITIZENS AND VETERANS, ON PROPERTY GENERALLY LOCATED AT 600 SOUTH 70TH STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89171 WHEREAS, the City Council on June 22, 2015, adopted Resolution No. A-89055 finding an area generally located east of South 70th Street and south of O Street, bounded by Wedgewood Drive on the south and the east, including the adjacent right-of-way of South 70th Street to be blighted and substandard as defined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk a Redevelopment Plan entitled "VA Campus Redevelopment Plan" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2007); and

WHEREAS, on July 10, 2015, a notice of public hearing was mailed postage prepaid to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on July 22, 2015 before the Lincoln City - Lancaster County Planning Commission regarding the proposed VA Campus Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, on July 17, 2015, an updated notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to the foregoing registered neighborhood associations located in whole or part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on July 22, 2015 and continued to August 5, 2015 before the Lincoln City - Lancaster County Planning Commission regarding the proposed VA Campus Redevelopment Plan, a copy of said notice being attached hereto as Attachment "D"; and

WHEREAS, said proposed VA Campus Redevelopment Plan has been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendation and on August 5, 2015 the Lincoln-Lancaster County Planning Commission held a public hearing relating to the proposed VA Campus Redevelopment Plan, found the proposed VA Campus Redevelopment Plan to be in conformance with the Comprehensive Plan, and recommended approval thereof; and

WHEREAS, on July 27, 2015 a notice of public hearing was mailed postage prepaid to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on August 10, 2015, regarding the proposed VA Campus Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "E"; and

WHEREAS, on July 24, 2015 and July 31, 2015 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on August 10, 2015 regarding the proposed VA Campus Redevelopment Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "F"; and

WHEREAS, on August 10, 2015 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed Redevelopment Plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed Redevelopment Plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the VA Campus Redevelopment Plan is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.
2. That the VA Campus Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.
3. That the substandard and blighted conditions in the VA Campus Redevelopment Plan Area are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing.
4. That elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.
5. That the VA Campus Redevelopment Plan would not be economically feasible without the use of tax-increment financing.

6. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That the document entitled "VA Campus Redevelopment Plan" attached hereto as Attachment "A", establishing the VA Campus Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan.

3. That the Redevelopment Area for the VA Campus Redevelopment Plan as described and depicted in the Plan is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said VA Campus Redevelopment Plan.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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

CHANGE OF ZONE 13004B - APPLICATION OF TDP PHASE ONE, LLC, TO AMEND ORDINANCE NO. 19870, RELATING TO THE RAILYARD SPECIAL SIGN DISTRICT TO ALLOW TWO SPONSORSHIP SIGNS FOR THE RAILYARD AND LIMITED ADVERTISING ON THE CUBE, ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND Q STREET. (RELATED ITEMS: 15-75, 15R-162) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Ordinance No. 19870 relating to the Railyard Special Sign District by amending Section 4 to reflect that the Cube has been installed; by amending Section 5 to allow two sponsorship signs for the Railyard, a sponsorship sign for the Cube, and limited advertising on the Cube; and repealing Section 4 and Section 5 of Ordinance No. 19870 as hitherto existing, the second time.

APPROVING AMENDMENT NO. 1 TO THE WEST HAYMARKET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, THE WEST HAYMARKET JOINT PUBLIC AGENCY, AND TDP PHASE ONE, LLC WHICH INCLUDES AN AMENDED AND RESTATED PLAZA/CUBE LICENSE AGREEMENT. (RELATED ITEMS: 15-75, 15R-162) (ACTION DATE: 8/17/15)

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ALLOWING A ONE TIME LUMP SUM PAYMENT FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "M" - CLERK read an ordinance, introduced by Carl Eskridge, approving a one time lump sum payment in the amount of 1.25% of the current annual pay for employees of the City of Lincoln, Nebraska, whose classifications are assigned to pay ranges prefixed by the letter "M" as adopted by Ordinance No. 20063, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20223, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X"; and repealing Ordinance No. 20062, passed by the City Council on August 11, 2014, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20224, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E"; and repealing Ordinance No. 20061, passed by the City Council on August 11, 2014, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20225**, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "B" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "B"; and repealing Ordinance No. 20059, passed by the City Council on August 11, 2014, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20226**, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "N" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "N"; and repealing Ordinance No. 19909, passed by the City Council on August 12, 2013, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20227**, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "C" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "C"; and repealing Ordinance No. 19905, passed by the City Council on August 12, 2013, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20228**, is recorded in Ordinance Book #29.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "A" TO BE EFFECTIVE AUGUST 13, 2015 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "A"; and repealing Ordinance No. 19904, passed by the City Council on August 12, 2013, the third time.

ESKRIDGE Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20229**, is recorded in Ordinance Book #29.

AMENDING SECTION 5.17.575 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD TO PROVIDE THAT THE CITY COUNCIL SHALL APPOINT A CITY COUNCIL MEMBER TO SERVE AS ONE OF THE ELEVEN BOARD MEMBERS - CLERK read an ordinance, introduced by Carl Eskridge, amending Section 5.17.575 of the Lincoln Municipal Code relating to the Telecommunication/Cable Television Advisory Board to provide that the City Council shall appoint a City Council member to serve as one of the eleven board members; and repealing Section 5.17.575 of the Lincoln Municipal Code as hitherto existing, the third time.

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ESKRIDGE Moved to pass the ordinance as read.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20230, is recorded in Ordinance Book #29.

RESOLUTIONS - 1ST READING

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JULY 16-31, 2015.

APPROVING A SUPPORT AND UPGRADE ADVANTAGE ADDENDUM AND MASTER AGREEMENT RIDER QUOTATION BETWEEN THE CITY OF LINCOLN AND N.A.C.R. FOR VOIP ANNUAL SOFTWARE MAINTENANCE, PURSUANT TO MASTER AGREEMENT NO. M225, FOR AN ADDITIONAL THREE YEAR TERM. (*CONSENT*)

APPROVING DOWNTOWN LINCOLN ASSOCIATION'S 2015-2016 BID BUDGET AND PROGRAM OF WORK FOR DOWNTOWN AND WEST HAYMARKET MANAGEMENT AND MAINTENANCE BUSINESS IMPROVEMENT DISTRICTS.

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND INDIAN CENTER, INC. ON BEHALF OF THE MINORITY HEALTH PARTNERS' INITIATIVE TO REDUCE MINORITY HEALTH RISKS, INCLUDING ASSISTING CLIENTS WITH ACCESSING DENTAL SERVICES AND ESTABLISHING A DENTAL HOME FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2017. (*CONSENT*)

APPROVING A LETTER AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN FIREFIGHTERS ASSOCIATION (IAFF, LOCAL 644) AMENDING THE 2014-2015 LABOR CONTRACT REGARDING THE FIRE CAPTAINS PROMOTIONAL PROCESS FOR 2015.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND BKD, LLP FOR AUDITING SERVICES FOR ALL CITY FUNDS EXCEPT LINCOLN ELECTRIC SYSTEM, LINCOLN WATER SYSTEM, AND LINCOLN WASTEWATER SYSTEM AND APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND MCGLADREY, LLP FOR AUDITING SERVICES FOR LINCOLN WATER AND LINCOLN WASTEWATER FUNDS, FOR THE FISCAL YEARS ENDING AUGUST 31, 2015, 2016, 2017, AND 2018.

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

AMENDING SECTION 9.44.090 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIREWORKS TO PROVIDE THAT ANY PUBLIC FIREWORKS EXHIBITION SHALL CEASE BY 11:59 P.M. - CLERK read an ordinance, introduced by Cyndi Lamm, amending Section 9.44.090 of the Lincoln Municipal Code relating to Fireworks to provide that any public fireworks exhibition shall cease by 11:59 p.m.; and repealing Section 9.44.090 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT AND THE PARKS & RECREATION DEPARTMENT - - CLERK read an ordinance, introduced by Cyndi Lamm, eliminating certain appropriations and approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Water Fund, Wastewater Fund, Street Construction Fund, and Solid Waste Fund for the Public Works & Utilities Department; and within the Keno Fund for the Parks & Recreation Department, the first time.

APPROVING THE WEST HAYMARKET TDP PHASE III REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND TDP PHASE THREE, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY ON PRIVATE PROPERTY GENERALLY BOUNDED BY P STREET, HALF BLOCK SOUTH OF Q STREET, HALF BLOCK EAST OF ARENA DRIVE, CANOPY STREET, AND THE ADJACENT RIGHTS OF WAY IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170)

AMENDING THE FY 2014/15 CIP TO AUTHORIZE AND APPROPRIATE \$6,000,000 IN TIF FUNDS FOR THE WEST HAYMARKET TDP PHASE III REDEVELOPMENT PROJECT. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED THE AMOUNT OF \$6,000,000 FOR THE CITY OF LINCOLN, WEST HAYMARKET TDP PHASE III REDEVELOPMENT PROJECT IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170) - CLERK read an ordinance, introduced by Cyndi Lamm, 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 \$6,000,000 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 TDP 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 first time.

APPROVING FAST FORWARD FUNDS FOR THE CONSTRUCTION OF A SKYWALK BRIDGE CONNECTING THE TDP PHASE THREE OFFICE BUILDING (HUDL HEADQUARTERS) TO THE JPA GREEN 2 PARKING GARAGE. (RELATED ITEMS: 15R-175, 15R-176, 15-101, 15R-170)

OPEN MICROPHONE

Jane Svoboda, no address given, came forward with comments on various issues.
This matter was taken under advisement.

Valerie Dodds, PO Box 29551, Lincoln NE, 68529, came forward to state she is opening a business in Lincoln.
This matter was taken under advisement.

Jeffery Hood, PO Box 29551, Lincoln NE, 68529, came forward to state he is partnering with Ms. Dodds in opening a business in Lincoln.
This matter was taken under advisement.

Jane Kinsey, Watchdogs of Lincoln Government, came forward regarding the use of TIF in the Trinitas project.
This matter was taken under advisement.

**** 6:00 p.m. Councilman Fellers left meeting ****

ADJOURNMENT

6:09 P.M.

CAMP Moved to adjourn the City Council Meeting of August 10, 2015.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

Teresa J. Meier, City Clerk