

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 14, 2016 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 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

CHRISTENSEN Having been appointed to read the minutes of the City Council proceedings of March 7, 2016, reported having done so, found same correct.

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

PUBLIC HEARING

MANAGER APPLICATION OF KELLY M. GIMM FOR LEVY PREMIUM FOODSERVICE, LP DBA LEVY RESTAURANTS AT HAYMARKET PARK AT 403 LINE DRIVE CIRCLE - Kelly Gimm, 403 Lime Drive Circle, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF RONALD D. SVASEK FOR CEC ENTERTAINMENT DBA CHUCK E. CHEESES AT 221 NORTH 66TH STREET - Ronald Svasek, 8025 Prescott Circle, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 16 - 29, 2016 - John Hoppe, 3044 Bonacum Drive, came forward and requested that his claim against the City be approved. Mr. Hoppe stated that the police were called to one of his rental units at 1337 North 20th and, during the investigation, the police broke down the door of another unit 1335 North 20th, that was not involved in the police call, he is asking for the City to pay for those damages.

Roy Christensen, Council Member, asked Jeff Kirkpatrick to explain what LPD stated happened at the residence.

Jeff Kirkpatrick, City Attorney, stated the crime scene was in front of 1335 and brass shell casings were in front of 1337. As part of the police investigation, since the shell casings were in front of 1337, the police broke in the door at that residence to clear the area. Mr. Kirkpatrick said they do not dispute what Mr. Hoppe said, but the door was broke in from the police doing an investigation and needing to clear the building.

Mr. Christensen asked what the basis was for denying this claim.

Mr. Kirkpatrick said if we make a mistake and break down the wrong door, then we would pay those claims. In this case, the police were investigating the crime scene and needing to clear the area, so the City would not be responsible to pay this claim. Discussion followed.

Jane Raybould, Council Member, asked Mr. Kirkpatrick if Law Enforcement has a policy on notifying the property owner, it seems they did notify the property manager. Should they have followed up to tell someone they broke down the door and the apartment was open.

Mr. Kirkpatrick stated that he can't really speak to that, but stated they may have had some difficulty ascertaining who lived at the residence. Not sure what the standard procedure is. Discussion followed.

Carl Eskridge, Council Member, inquired about the proximity of the doors to each other.

Mr. Hoppe stated that the doors are 20 feet apart. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 1762E - APPLICATION OF PINE LAKE DEVELOPMENT, LLC TO AMEND THE VINTAGE HEIGHTS COMMUNITY UNIT PLAN TO INCREASE THE NUMBER OF DWELLING UNITS FROM 964 TO 990, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND OLD CHENEY ROAD (RELATED ITEMS: 16R-43, 16R-44);
APPROVING THE VINTAGE HEIGHTS CUP PUMP STATION AND FORCE MAIN AGREEMENT BETWEEN THE CITY OF LINCOLN AND PINE LAKE DEVELOPMENT, LLC ASSOCIATED WITH SPECIAL PERMIT NO. 1762E REGARDING THE PUMP STATION AND FORCE MAIN TO BE CONVEYED TO AND OPERATED BY THE CITY TO SEWER 85 ADDITIONAL DWELLING UNITS

WITHIN THE EXISTING VINTAGE HEIGHTS CUP (RELATED ITEMS: 16R-43, 16R-44) - Mark Hunzeker, Baylor Evnen, 1248 O Street, Suite 600, came forward appearing on the behalf of Pine Lake Development requesting approval for this project. Mr. Hunzeker stated the developer will pay for the construction of a pump station, the forced main, and pay for the maintenance expenses up-front for a period of 30 years. This project, if approved, is at no cost to the City.

Jon Camp, Council Member, asked about additional maintenance, if needed, or if major repairs were needed to the pump station, would the additional cost fall on the City.

Mr. Hunzeker said they would pay the City one lump sum amount to cover expenses and maintenance for the 30 year period. The City would be responsible for maintenance after the 30years, but would have a stream of revenue from the housing development to pay for future expenses.

Ms. Raybould, inquired about the longevity of the pump station would it last 10, 15, or need replacement after 30.

Mr. Hunzeker stated he is not an engineer, but it would be unlikely that more than one of the pumps would go out, and this system has two pumps. The cost of replacement has been built into the lump sum payment. Discussion followed.

Brad Marshall, Olsson Associates, 601 P Street, Suite 200, came forward and stated from the longevity perspective, this pump station will be built to the Cities standards, as part of the agreement. There is a 15-20 year life cycle to each pump, this amount has been added to the lump sum amount. Discussion followed.

Mr. Hunzeker stated just for reference purposes in addition to providing replacement costs for some of these items, the annual maintenance cost is higher in this agreement than any other agreement he has seen.

Ms. Raybould asked if the water fees actually keep up with the cost of repairs and maintenance for some of these systems.

Mr. Marshall stated he is unsure of what the water fees would be, so he is unsure of the comparison. Discussion followed.

Leirion Gaylor Baird, Council Member, stated that the staff report says this is an exceptional case, when this land was rezoned and annexed into the City, it was for a different purpose. Now it is being looked at for residential development. Can you say this is an exceptional case, or could you see this happen again if other acreages were annexed into the City.

Mr. Hunzeker stated that he has done research on other properties and feels this is an exceptional case.

Trent Fellers, Council Chair, stated maintenance fees will be paid up front, and inquired where the fees would be kept.

Mr. Hunzeker stated he presumes it would be Public Works Department in some sort of an account. Discussion followed.

Richard Rice, Crosby Guenzel, 134 South 13th Street, Suite 400, came forward and stated he represents the existing Vintage Heights Homeowners Association, and stated the association is requesting that two items occur or they would oppose this pump station. They are:

1. There would be no cost to the existing homeowners or new homeowners.
2. The covenants would be substantially similar to or a grade above the existing covenants.

Currently, they do not have covenants in place for the new development. Discussion followed.

Jon Camp, Council Member, inquired about not having a covenant.

Mr. Rice stated the current Homeowner Association has a covenant, but there would be a new covenant adopted including the new 85 homes. Discussion followed.

Ms. Raybould said the agreement talks about a 30 to 40 year period, so when the lump sum amount was figured out was it calculated for 30 to 40 years.

Donna Garden, Public Works & Utilities, came forward and stated they used the 30 years for the calculations. If it goes to 40 years, the City would bear the additional costs.

Ms. Raybould inquired if the fees paid from water usage would come close to the cost of repairs, maintenance, and replacement costs.

Ms. Garden stated that if the fees did not cover costs, then it might be necessary to adjust future fees. Discussion followed.

Ms. Raybould asked if the 30 year time frame is standard and customary.

Ms. Garden stated she is not sure they have another agreement in the same situation, normally they would not put in a lift station unless it is within a 6 year time frame of having a trunk sewer available to it. We expect the life of about 20 years on a pump station so, in this case, we added the replacement costs of the pumps and generator to the cost we have in the agreement so we can replace them once.

David Cary, Planning Director, came forward and stated we don't have this type of agreement on the books at this time, so we are creating an agreement that we haven't entered into prior to this. That is why replacement costs were added to this agreement. Discussion followed.

Roy Christensen, Council Member, inquired where the funds for the project would go.

Ms. Garden stated that the funds would go into wastewater revenue funds to be spent on maintenance for this project.

Carl Eskridge, Council Member, asked about capacity downstream.

Ms. Garden stated they have gone through the calculations several times to make sure they had the capacity downstream. Discussion followed.

Mr. Camp asked if the plan was to start at Stevens Creek at the north and work its way south, are they still on track for the future trunk line.

Mr. Cary said yes, the growth numbers really feed into those assumptions and we feel like the plan is saying we are going to be there by the 30 year time frame. Discussion followed.

Mr. Camp inquired about amounts paid by the developer for a 30 year period for maintenance, what discounted amount was used, and how it was calculated.

Ms. Garden said we had a 2.62% escalator out to the future, then discounted by 1.12%. Discussion followed.

Ms. Gaylor Baird inquired what will prevent the City from getting into this situation again in the future.

Mr. Cary stated it is good policy to not annex in or do a change of zone on land that is not served or can't be served current by Urban Services. The policy has served us well and it is an important policy we need to continue. We need to apply the policy not to annex land that cant be served with those Urban Services as much as possible. Discussion followed.

Mr. Hunzeker stated that this is a very unique situation and ask that this not be delayed. He stated that he would start working on covenant and it will be substantially equal to the current covenant. The new homeowners will be subject to the same standards or higher standards. Discussion followed.

This matter was taken under advisement.

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFICERS, DEPARTMENTS AND PERSONNEL BY ADDING A NEW SECTION NUMBERED 2.04.060 REQUIRING THE REPORTING OF CONTRACTS TO THE CITY COUNCIL AND ADDING A NEW SECTION 2.18.080 REQUIRING THE PRE-QUALIFICATION OF FIRMS PROVIDING SERVICES TO THE CITY (2/29/16 - PUBLIC HEARING & ACTION DELAYED 2 WEEKS TO 3/14/16) - Jon Camp, Council Member, stated this is for the reporting requirement for professional service contracts. The modifications were discussed at prior meetings. This ordinance basically added that rather than doing an estimate of the cost to a contract, this would identify the range the contract would fall in. Then the contract would follow the current process that has the amount ranges. Discussion followed.

This matter was taken under advisement.

STREET & ALLEY VACATION 15006 - VACATING SOUTH 50TH STREET BETWEEN A STREET AND EVERETT STREET AND EVERETT STREET AND WASHINGTON STREET BETWEEN SOUTH 50TH STREET AND SOUTH 52ND STREET (RELATED ITEMS: 16-18, 16R-45);

SPECIAL PERMIT 1219M - APPLICATION OF BRYAN MEDICAL CENTER TO CONSTRUCT A 93,286 SQUARE FOOT MEDICAL OFFICE BUILDING, PARKING, AND GREEN SPACE, AND A WAIVER TO INCREASE THE BUILDING HEIGHT OF THE DISTRICT, FOR EXPANSION OF BRYAN MEDICAL CENTER EAST CAMPUS, ON PROPERTY GENERALLY LOCATED AT SOUTH 50TH STREET AND A STREET (RELATED ITEMS: 16-18, 16R-45) - DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, came forward on behalf of Bryan Hospital and requested approval on both applications. With this project, Bryan is requesting expansion to the northeast and vacation of local streets.

David Reese, Vice President of Clinical and Support Services, Bryan Healthcare, 1600 South 48th Street, came forward and stated they have been working with the Planning Staff to discuss future growth of Bryan. In August and November of last year we held neighborhood meetings to talk with residents about this project. We have also contracted Principal Peterson of Holmes School and the areas Fire Department to discuss this project. Discussion followed.

Wade Stange, Davis Design, 1221 N Street, came forward and stated that the main access to this area will be on A Street and a secondary entrance on South 52nd Street. There is a 40 foot drop that they will try to level out on this site, there is also a plan to have a sky walk to connect with what already exists with the new development.

Mark Palmer, Olsson Associates, 601 P Street, came forward and stated that they added a drive, but were not able to put in the sidewalk since they are not able to lower the grade enough. Discussion followed.

Ms. Raybould inquired how to move the traffic out to Cotner Blvd from 52nd Street, will they be able to make a left hand turn and head west on A Street.

Mr. Palmer said there is a traffic signal at 50th and A Street that is a five way intersection. There is also a pedestrian crossing a little further to the east that wont be impacted by this project. Discussion followed.

Trent Fellers, Council Chair, inquired about the turn lane on to A Street from the northeast lot, how far up the hill is the turn lane?

Mr. Palmer said that it is about 150 feet up the hill. This was looked at and it was felt this would be adequate for cars leaving the lot. Discussion followed.

This matter was taken under advisement.

APPROVING THE TELEGRAPH DISTRICT PHASE I REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, EADO, LLC, AND 401 BUILDING, LLC RELATING TO THE REDEVELOPMENT OF PROPERTIES GENERALLY LOCATED AT 401 SOUTH 21ST STREET AND 333 SOUTH 21ST STREET FOR RENOVATION OF TWO EXISTING STRUCTURES, AND RELATED IMPROVEMENTS, TO BE USED FOR OFFICE, RETAIL, AND PARKING (RELATED

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ITEMS: 16R-46, 16R-47, 16-19) (ACTION DATE: 3/21/16);
AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$1,617,558 IN TIF FUNDS FOR THE
TELEGRAPH DISTRICT PHASE I PROJECT;

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE TELEGRAPH DISTRICT
PHASE I REDEVELOPMENT PROJECT (RELATED ITEMS: 16R-46, 16R-47, 16-19) - David Landis,
Urban Development Director, came forward and stated that there are three elements to this project:

1. The revamping of an old Windstream building is the first element of this project, and will be use
for 700 Nelnet employees.

2. The garage is the second element, this structure once complete this will have parking on the top
level and shops on the ground level.

3. The third element is the existing surface parking lot to the west in this development area, this lot
will need to have buffers put in to be within the current standards for that area.

The total cost of this project is \$22 Million dollars, the private investment is over \$20 Million and of that
amount \$1.6 Million would be Tax Increment Financing (TIF). The schedule for work starting on this
project will be as soon as it is approved. There have been questions about the Telephone Museum, a
committee has been formed and they have been given one year of free rent at that location by the developer.

Leirion Gaylor Baird, Council Member, inquired why the value of the project has gone up? In
January it was \$15 Million with the TIF at around \$825,000 dollars, now at \$22 Million and the TIF at \$1.6
Million dollars, why has this project increased.

Mr. Landis said the developer analyzed this and they feel with the expansion of the use and the
income stream that should be there from the retail, the projected impact of the changes to the exterior of the
building and the upgrading of it, they believe it will have a greater response from the assessor than normal
rehab units have had in the past. Should there be any shortfall, it would be the developers responsibility.
Discussion followed.

Ms. Gaylor Baird said so it's not that there have been substantial changes in the plans, but it is the
assessed value going forward.

Mr. Landis said correct, it is the best guess of what an assessor will do. Discussion followed.

Jon Camp, Council Member, inquired about what the TIF would be used for.

Mr. Landis said the largest amount is for the 401 Building for energy enhancements with improved
heating and air conditioning unit, on the 333 Building, it is for facade enhancements.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, #300, came forward representing EaDo
LLC and stated they are the owners of the parking garage. EaDo LLC and 401 Building LLC will be
working together on all phases of this project. We feel that this could be a game changer for the southeast
part of downtown like the Haymarket has been for downtown. A seventeen member committee has been
formed for the Telephone Museum to find a way to take a Museum that is open on Sunday's only, and
increase the days and hours. Discussion followed.

Jane Raybould, Council Member, asked when the one year lease starts.

Mr. Seacrest said that they will have until the end of March 2017. Discussion followed.

Richard Schmelling, 4612 Van Dorn St., came forward and said that he is in favor of this project,
and feels that Nelnet needs additional space. Discussion followed.

Kyle Fisher, Lincoln Chamber of Commerce, 1128 Lincoln Mall, Suite 100, came forward and
stated that they are in favor of this project and feels that this will be good for Lincoln. Discussion followed.

Laura Gibbing, 2525 S Street, came forward and stated she was glad that they have responded to
the concerns about the Museum, and she is also wondering what will happen downtown with Nelnet and
Southeast Community College coming to this area.

This matter was taken under advisement.

APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA GOLF AND
TURF, AND BRINING STATE BANK FOR THE LEASE OF 120 GOLF CARTS AND FIVE UTILITY
VEHICLES FOR USE BY THE LINCOLN PARKS AND RECREATION GOLF DIVISION - Lynn
Johnson, Lincoln Parks and Rec. Director, came forward and stated this is for 120 new golf carts for
\$68,560 dollars.

Carl Eskridge, Council Member, asked if the revenue from the golf cart rentals will be used to pay
this amount back.

Mr. Johnson said yes. Discussion followed.

Cyndi Lamm, Council Member, asked if these 120 carts would be replacing carts that we are
currently using and is the arrangement the same as in the past.

Mr. Johnson said that these carts would be replacing carts that are already in use, and the contract
is the same as contracts in the past. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JANUARY 31, 2016 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89543 BE IT RESOLVED by the City Council of Lincoln, Nebraska:

That during the month ended January 31, 2016 \$65,830.00 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 funds balances.

Introduced by Roy Christensen

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON FEBRUARY 29, 2016 - 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 JANUARY 31, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTH OF JANUARY, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTHS OF DECEMBER, 2015 AND JANUARY, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-2)

REPORT REGARDING SETTLEMENT AGREEMENT UNDER NEB. REV. STAT. §84-713 (NON-TORT CLAIMS) WITH JONNA CONLON - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MARCH 28, 2016 AT 5:30 P.M. ON THE APPLICATION OF HOME GROCERY EXPRESS INC DBA GALA EVENTS FOR A CLASS I LIQUOR LICENSE AT 2602 PARK BLVD - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89544 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 28, 2016, at 5:30 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 Home Grocery Express Inc dba Gala Events for a Class I Liquor License at 2602 Park Blvd.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MARCH 28, 2016 AT 5:30 P.M. ON THE APPLICATION OF BLUE BLOOD BREWING COMPANY INC. DBA BLUE BLOOD BREWING COMPANY FOR A CHANGE OF LOCATION FOR THEIR EXISTING CLASS C LIQUOR LICENSE FROM 500 W. SOUTH ST. TO 925 ROBBERS CAVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89545 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 28, 2016, at 5:30 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 Blue Blood Brewing Company Inc. dba Blue Blood Brewing Company for a change of location for their existing Class C Liquor License from 500 W. South St. to 925 Robbers Cave.

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

Introduced by Roy Christensen

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

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SETTING THE HEARING DATE OF MONDAY, MARCH 28, 2016 AT 5:30 P.M. ON THE APPLICATION OF BLUE BLOOD BREWING COMPANY INC. DBA BLUE BLOOD BREWING COMPANY FOR A CHANGE OF LOCATION FOR THEIR EXISTING CLASS LK LIQUOR LICENSE FROM 500 W. SOUTH ST. TO 925 ROBBERS CAVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89546 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 28, 2016, at 5:30 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 Blue Blood Brewing Company Inc. dba Blue Blood Brewing Company for a change of location for their existing Class LK Liquor License from 500 W. South St. to 925 Robbers Cave.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MARCH 28, 2016 AT 5:30 P.M. ON THE MANAGER APPLICATION OF BROOKE L SCHUMACHER FOR WADSWORTH OLD CHICAGO INC DBA OLD CHICAGO AT 826 P ST. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89547 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 28, 2016, at 5:30 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 Brooke L Schumacher for Wadsworth Old Chicago Inc dba Old Chicago at 826 P St.

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

Introduced by Roy Christensen

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

REFERRED TO THE PLANNING DEPT:

TEXT AMENDMENT NO. 16003, REQUESTED BY LINCOLN ELECTRIC SYSTEM, AMENDING THE CITY OF LINCOLN DESIGN STANDARDS TO ADD CHAPTER 3.100, DESIGN STANDARDS FOR OUTDOOR LIGHTING, PROVIDING DESIGN STANDARDS FOR THE INSTALLATION OF OUTDOOR LUMINAIRES; REVISIONS TO SECTION 3 AMENDING THE DEFINITION OF "LUMEN, LUMINAIRE AND MOUNTING HEIGHT; AMENDING SUBSECTION 6.2 TO REFER TO THE LATEST ADDITION OF THE CITED IESNA STANDARD; AMENDING SUBSECTIONS 6.3 AND 6.4 TO REQUIRE LED LIGHT SOURCES FOR LOCAL RESIDENTIAL STREETS AND TO FURTHER REQUIRE UNDER 6.4 CERTAIN SPECIFIED STREET LIGHT INTENSITY, AND TO AMEND SUBSECTION 6.7 TO REFER TO ROADWAY LUMINAIRES INSTEAD OF STREET LIGHTS, AND REPEALING SECTIONS 3, 4, 6, 7, 9, AND 12 OF CHAPTER 3.100 AS HITHERTO EXISTING.

TEXT AMENDMENT NO. 16005, REQUESTED BY THE CITY OF LINCOLN, AMENDING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MINIMUM REQUIRED IMPROVEMENTS WITHIN A FINAL PLAT TO PROVIDE THAT THE CITY MAY ENCOURAGE AND PROMOTE THE INSTALLATION OF NEW MINIMUM REQUIRED IMPROVEMENTS NOT REQUIRED IN A PREVIOUSLY APPROVED FINAL PLAT BY AGREEING TO SUBSIDIZE THE INCREASED COST OF THE NEW MINIMUM REQUIRED IMPROVEMENT IN ACCORDANCE WITH SPECIFIC CRITERIA ADOPTED BY RESOLUTION OF THE CITY COUNCIL; AND REPEALING SECTION 26.27.005 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING.

CHANGE OF ZONE NO. 16002, REQUESTED BY DESIGN ASSOCIATES OF LINCOLN, FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT 232 & 242 SW 31ST STREET.

CHANGE OF ZONE NO. 16004, REQUESTED BY STAROSTKA-LEWIS, LLC, FROM B-2 (PLANNED NEIGHBORHOOD BUSINESS DISTRICT) TO R-3 (RESIDENTIAL DISTRICT), ON PROPERTY GENERALLY LOCATED AT NORTH 89TH AND FREMONT STREET.

CHANGE OF ZONE NO. 16005, REQUESTED BY AUSTIN REALTY INVESTMENTS, FROM H-2 (HIGHWAY BUSINESS DISTRICT) TO B-5 (PLANNED REGIONAL BUSINESS DISTRICT), ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD.

PRE-EXISTING SPECIAL PERMIT NO. 23H, REQUESTED BY NEBRASKA WESLEYAN UNIVERSITY,, AMENDING SPECIAL PERMIT NO. 23 TO EXPAND BOUNDARIES FOR CONSTRUCTION OF A 3-STORY EDUCATION BUILDING OF APPROXIMATELY 75,000 SQUARE FEET, MORE OR LESS, TO INCLUDE ADDITIONAL PARKING ON THE NE CORNER OF 49TH

STREET AND BALDWIN AVENUE, AND A WAIVER OF THE 35-FOOT HEIGHT RESTRICTION APPLICABLE IN THE R-6 ZONING DISTRICT TO ALLOW UP TO 46 FEET IN HEIGHT, ON PROPERTY GENERALLY LOCATED AT NORTH 50TH STREET AND HUNTINGTON AVENUE. PRE-EXISTING USE PERMIT NO. 3AG, REQUESTED BY AUSTIN REALTY INVESTMENTS, TO AMEND THE BOUNDARY OF THE GATEWAY MALL USE PERMIT BY ADDING THE PROPERTY AT 225 NORTH COTNER BOULEVARD FOR AUTHORITY TO CONSTRUCT UP TO 153 UNITS OF MULTI-FAMILY HOUSING OR TO CONSTRUCT A MIX OF RESIDENTIAL UNITS AND UP TO 20,000 COMMERCIAL SPACE INCLUDING WAIVERS TO THE MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 55 FEET AND TO REDUCE PARKING REQUIREMENTS FROM 2 TO 1.4 STALLS PER UNIT ON PROPERTY GENERALLY LOCATED AT 225 NORTH COTNER BOULEVARD.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 16010 TO FINAL PLAT NO. 15014, BRONCO HILLS ESTATES 2ND ADDITION, APPROVED BY THE PLANNING DIRECTOR ON MARCH 1, 2016, REQUESTED BY CIVIL DESIGN GROUP, TO ACCEPT THE AFFIDAVIT OF SURVEYOR TO CORRECT TYPOGRAPHICAL ERRORS ON THE FINAL PLAT, GENERALLY LOCATED AT S.W. 56TH STREET AND W. DENTON ROAD.

ADMINISTRATIVE AMENDMENT NO. 16011 TO FINAL PLAT NO. 14085, BRONCO HILLS ESTATES 1ST ADDITION, APPROVED BY THE PLANNING DIRECTOR ON MARCH 1, 2016, REQUESTED BY CIVIL DESIGN GROUP, TO ACCEPT THE AFFIDAVIT OF SURVEYOR TO CORRECT TYPOGRAPHICAL ERRORS ON THE FINAL PLAT, GENERALLY LOCATED AT SW 56TH STREET AND DENTON ROAD.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF KELLY M. GIMM FOR LEVY PREMIUM FOODSERVICE, LP DBA LEVY RESTAURANTS AT HAYMARKET PARK AT 403 LINE DRIVE CIRCLE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89548 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 14, 2016, 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 Kelly M. Gimm for Levy Premium Foodservice LP dba Levy Restaurants at Haymarket Park at 403 Line Drive Circle.

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF RONALD D. SVASEK FOR CEC ENTERTAINMENT DBA CHUCK E. CHEESES AT 221 NORTH 66TH STREET - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action to 3/21/16.

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

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 16 - 29, 2016 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89549 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 March 1, 2016, 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:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
John L. Hoppe Jr.	\$506.07	James Dean	\$1,665.68
Kera Frederick	750.74	Jeff Tuder (MedExpress)	1,108.38
Greg Wright	NAS*	Paul M. Ivey Jr.	2,217.43
Roger Srb	NAS*		
Herman Wiebers	NAS*		
Daniel Wheeler	NAS*		
Terry & Pat Spencer	NAS*		
Albert Breiner	NAS*		
Troy Velder	765.40		

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Mindy Lubeck	306.91
Thomas Kripel	NAS*
Sharon Shotsman	248.27
Rena Oestmann	437.28
Samantha Kluczynski	120.00

* No Amount Specified

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 Jon Camp

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

SPECIAL PERMIT 1762E - APPLICATION OF PINE LAKE DEVELOPMENT, LLC TO AMEND THE VINTAGE HEIGHTS COMMUNITY UNIT PLAN TO INCREASE THE NUMBER OF DWELLING UNITS FROM 964 TO 990, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND OLD CHENEY ROAD. (RELATED ITEMS: 16R-43, 16R-44) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89550 WHEREAS, Pine Lake Development, LLC has submitted an application designated as Special Permit No. 1762E to amend the Vintage Heights Community Unit Plan to increase the number of dwelling units from 964 to 990, on property generally located at South 98th Street and Old Cheney Road and legally described as:

A tract of land composed of Outlot B, Vintage Heights 11th Addition; Outlot C, Vintage Heights 20th Addition; Outlot A, Vintage Heights 23rd Addition; Outlot A, Vintage Heights 25th Addition; and Outlot A, Vintage Heights 26th Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on January 20, 2016 on said application and conditionally approved said special permit; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this community unit plan will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and 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 the Pine Lake Development, LLC, hereinafter referred to as "Permittee", to amend the Vintage Heights Community Unit Plan to increase the number of dwelling units from 964 to 990, on the property described above, be and the same is hereby granted upon condition that construction of said community unit plan be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a total of 990 dwelling units within the CUP, approximately 84 of which are to be served by a sanitary sewer pump station.
2. Before receiving building permits:
 - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised site plan including 5 copies with the following revisions:
 - i. Due to block length, show a pedestrian easement in a 15 foot wide outlot between Lots 14 and 15, Block 28. Revise the grading plan to show the easement meets ADA standards.
 - ii. Show a pedestrian easement leading from the cul-de-sac (south of Beaumont Drive) to 98th Street. Revise the grading plan to reflect the sidewalk and show that the easement meets ADA standards.
 - iii. Add a pedestrian easement, in a minimum 15 foot wide outlot, from South 97th Street Circle to Nappa Ridge Drive to provide for pedestrian access to Kloefkorn Elementary School and as required by block length.
 - iv. Provide a street name for the cul-de-sac in Block 28.
 - v. Label the natural gas pipeline in Outlot B.
 - vi. Identify the Pipeline Planning Area as determined by the Health Department.
 - vii. Identify Outlot B, Vintage Heights 26th Addition on the CUP.
 - viii. Identify those lots on the CUP which are to be served by the pump station.
 - b. The Permittee shall revise the grading and drainage plan to the satisfaction of Public Works and Utilities.
 - c. The Permittee shall enter into an agreement with the City regarding the terms of the ownership, maintenance, operation, and cost responsibilities of the pump station.
 - d. Provide verification from the Register of Deeds that the letter of acceptance has been recorded as required by the approval of the special permit.
3. Before occupying the new dwelling units all development and construction shall have been completed in substantial compliance with the approved plans.

4. All privately owned improvements shall be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters shall be in substantial compliance with the location of said items as shown on the approved site plan.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.
7. 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 special permit. The City Clerk shall file a copy of the resolution approving the special 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 until the letter of acceptance has been filed.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this permit shall remain in full force and effect except as specifically amended by this resolution.

Introduced by Jon Camp

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

APPROVING THE VINTAGE HEIGHTS CUP PUMP STATION AND FORCE MAIN AGREEMENT BETWEEN THE CITY OF LINCOLN AND PINE LAKE DEVELOPMENT, LLC ASSOCIATED WITH SPECIAL PERMIT NO. 1762E REGARDING THE PUMP STATION AND FORCE MAIN TO BE CONVEYED TO AND OPERATED BY THE CITY TO SEWER 85 ADDITIONAL DWELLING UNITS WITHIN THE EXISTING VINTAGE HEIGHTS CUP. (RELATED ITEMS: 16R-43, 16R-44) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89551 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Vintage Heights CUP Pump Station and Force Main Agreement which is attached hereto marked as Exhibit "A" and made a part hereof by reference, between the City of Lincoln, Nebraska and Pine Lake Development, LLC, associated with Special Permit No. 1762E regarding the pump station and force main to be conveyed to and operated by the City to sewer 85 additional dwelling units within the existing Vintage Heights CUP, is hereby approved and the Mayor is authorized to execute the Vintage Heights CUP Pump Station and Force Main Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to Rick Peo, City Law Department, for distribution to the parties.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Vintage Heights CUP Pump Station and Force Main Agreement with the Register of Deeds, filing fees to be paid by the Developer.

Introduced by Jon Camp

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

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFICERS, DEPARTMENTS AND PERSONNEL BY ADDING A NEW SECTION NUMBERED 2.04.060 REQUIRING THE REPORTING OF CONTRACTS TO THE CITY COUNCIL AND ADDING A NEW SECTION 2.18.080 REQUIRING THE PRE-QUALIFICATION OF FIRMS PROVIDING SERVICES TO THE CITY. (2/29/16 - PUBLIC HEARING & ACTION DELAYED 2 WEEKS TO 3/14/16) - PRIOR to reading:

CAMP Moved to accept a Substitute Ordinance.

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

CLERK Read an ordinance, introduced by Jane Raybould, an ordinance amending Title 2 of the Lincoln Municipal Code relating to Officers, Departments and Personnel by adding new Section numbered 2.04.060 to provide definitions; adding a new Section numbered 2.04.070 requiring the reporting of contracts to the City Council; and adding a new Section numbered 2.18.080 requiring the pre-qualification of firms providing professional services to the City, the third time.

RAYBOULD Moved to pass the Substitute Ordinance as read.

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

The ordinance, being numbered #20303, is recorded in Ordinance Book 30.

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

STREET & ALLEY VACATION 15006 - VACATING SOUTH 50TH STREET BETWEEN A STREET AND EVERETT STREET AND EVERETT STREET AND WASHINGTON STREET BETWEEN SOUTH 50TH STREET AND SOUTH 52ND STREET. (RELATED ITEMS: 16-18, 16R-45) - CLERK read an ordinance,

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introduced by Jon Camp, vacating South 50th Street from the south line of A Street south to the north line of Everett Street and Everett Street and Washington Street from the east line of South 50th Street east to the west line of South 52nd Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

SPECIAL PERMIT 1219M - APPLICATION OF BRYAN MEDICAL CENTER TO CONSTRUCT A 93,286 SQUARE FOOT MEDICAL OFFICE BUILDING, PARKING, AND GREEN SPACE, AND A WAIVER TO INCREASE THE BUILDING HEIGHT OF THE DISTRICT, FOR EXPANSION OF BRYAN MEDICAL CENTER EAST CAMPUS, ON PROPERTY GENERALLY LOCATED AT SOUTH 50TH STREET AND A STREET. (RELATED ITEMS: 16-18, 16R-45) (ACTION DATE: 3/21/16)

APPROVING THE TELEGRAPH DISTRICT PHASE I REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, EADO, LLC, AND 401 BUILDING, LLC RELATING TO THE REDEVELOPMENT OF PROPERTIES GENERALLY LOCATED AT 401 SOUTH 21ST STREET AND 333 SOUTH 21ST STREET FOR RENOVATION OF TWO EXISTING STRUCTURES, AND RELATED IMPROVEMENTS, TO BE USED FOR OFFICE, RETAIL, AND PARKING. (RELATED ITEMS: 16R-46, 16R-47, 16-19) (ACTION DATE: 3/21/16)

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$1,617,558 IN TIF FUNDS FOR THE TELEGRAPH DISTRICT PHASE I PROJECT. (RELATED ITEMS: 16R-46, 16R-47, 16-19) (ACTION DATE: 3/21/16)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE TELEGRAPH DISTRICT PHASE I REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Jon Camp, 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 \$1,617,557 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 Telegraph District Phase 1 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 judgement 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 LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA GOLF AND TURF, AND BRUNING STATE BANK FOR THE LEASE OF 120 GOLF CARTS AND FIVE UTILITY VEHICLES FOR USE BY THE LINCOLN PARKS AND RECREATION GOLF DIVISION - CLERK read an ordinance, introduced by Jon Camp, accepting and approving a Master Lease Agreement between the City of Lincoln, Nebraska, Nebraska Golf and Turf, Inc., and Bruning State Bank for the lease of 120 golf carts for use by the City of Lincoln Parks and Recreation Golf Division for a six-year term, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

TEXT AMENDMENT 16001 - AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT HAZARD AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL 140, AND REPEALING SECTIONS 27.59.010 THROUGH 27.59.040, 27.59.060 THROUGH 27.59.090, 27.59.110, 27.59.120, 27.59.140, AND 27.59.150 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.010 to revise existing definitions and add new definitions; amending Section 27.59.020 relating to location and boundaries by establishing the area included within the airport hazard area; amending Section 27.59.030 to establish and revise descriptions for the approach zones, the operation zones, the transition zones, and the turning zones; amending Section 27.59.040 relating to the height restrictions to revise language and change references; amending 27.59.060 requiring height permits within the airport hazard area under certain circumstances, and prohibiting the issuance of a height permit for structures of appurtenances that exceed the height restrictions as established by Chapter 27.59; amending Section 27.59.070 relating to airport hazards; amending Section 27.59.080 relating to nonconforming height; amending Section 27.59.110 relating to powers of the Board of Zoning Appeals by increasing the number of votes required for action to four (4); amending Section 27.59.120 relating to the

Airport Zoning Commission by updating statutory references; amending Section 27.59.140 relating to appeals from the Board of Zoning Appeals by updating statutory references; amending Section 27.59.150 relating to penalties for violations by deleting references to imprisonment and increasing the maximum fine to \$500.00; adopting a revised Lincoln Airport Zoning Map; and repealing Sections 27.59.010, 27.59.020, 27.59.030, 27.59.040, 27.59.060, 27.59.070, 27.59.080, 27.59.090, 27.59.110, 27.59.120, 27.59.140 and 27.59.150 as hitherto existing, the third time.

RAYBOULD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20304, is recorded in Ordinance Book 30.

RESOLUTION - FOR ACTION ONLY

APPEAL BY CARL ESKRIDGE OF THE STARTRAN ADVISORY BOARD ACTION

APPROVING THE TRANSIT DEVELOPMENT PLAN (TDP) AND THE NEAR-TERM ROUTE CHANGES THAT ARE PART OF THE TDP. (12/14/15 - PUBLIC HEARING & ACTION CONTINUED TO 2/8/16) (2/8/16 - ACTION DELAYED FOR 4 WEEKS TO 3/7/16) (2/29/16 - ACTION DELAYED 1 MORE WEEK TO 3/14/16) - PRIOR to reading:

LAMM Moved to amend the plan that was currently before them & replace it with the new, revised Lincoln Transit Development Plan Revisions & Phase Suggestions

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

CAMP Moved Motion to Amend #1

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

CHRISTENSEN Moved that any Startran Bus Stop shall be designated as no smoking areas.

Seconded by Camp.

CAMP Offered a friendly amendment to include the language "within a 10 ft. perimeter of any bus stop".

CHRISTENSEN Stated let's say 15.

LAMM Clarified that the motion will read: "Within 15 ft. of any Startran bus stop and/or shelter shall be designated as non-smoking."

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

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89552 WHEREAS, on November 19, 2015, pursuant to Section 2.38.100 of the Lincoln Municipal Code, the StarTran Advisory Board recommended approval of the Transit Development Plan (TDP) and near term route changes that are part of the plan; and

WHEREAS, the Transit Development Plan as amended by the StarTran Advisory Board is incorporated in the "Transit Development Plan Final Report" attached hereto marked as Attachment "A"; and

BE IT FURTHER RESOLVED that the StarTran Advisory Board, the Mayor, and the City Council shall review the Transit Development Plan (TDP) Final Report from time to time for possible modification based upon community changes, such as rideship patterns, including changes in demand from traditionally underserved constituents, new data, technology, major employers, land used, economic conditions, and /or changes in transit funding. As warranted, the StarTran Advisory Board and the Mayor will recommend to the City Council proposed modifications to the Transit Development Plan final Report and its related funding and Implementation Strategies.

WHEREAS, Councilman Carl Eskridge, pursuant to Lincoln Municipal Code § 2.38.127, filed a notice of appeal appealing from the StarTran Advisory Board final action approving the Transit Development Plan Final Report; and

WHEREAS, the City Council, pursuant to said § 2.38.127, must review all appeals and take final action thereon after a public hearing.

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

That the City Council, upon review of the recommendations of the StarTran Advisory Board, hereby accepts and adopts the Transit Development Plan Final Report (Attachment "A").

BE IT FURTHER RESOLVED that the Transit Development Plan (TDP) Final Report shall become effective 45 days after the date of approval of this Resolution.

Introduced by Jon Camp

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

RESOLUTIONS - 1ST READING

REAPPOINTING MELISSA DIRR GENGLER AND JAMES HEWITT TO THE HISTORIC PRESERVATION COMMISSION FOR TERMS EXPIRING APRIL 15, 2019. (*CONSENT*)

REAPPOINTING SUE OLDFIELD TO THE HUMAN RIGHTS COMMISSION FOR A TERM EXPIRING DECEMBER 31, 2018. (*CONSENT*)

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT WITH FUNDING APPROPRIATIONS COMING FROM MORE THAN ONE FISCAL YEAR CIP FOR THE YANKEE HILL, 81ST TO HIGHWAY 2, MAJOR ROADWAY PROJECT, CITY PROJECT NO. 702869.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT WITH FUNDING APPROPRIATIONS COMING FROM MORE THAN ONE FISCAL YEAR CIP FOR THE YANKEE HILL, 70TH TO 81ST, MAJOR ROADWAY PROJECT, CITY PROJECT NO. 701924.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND MOTOROLA SOLUTIONS FOR A COUNTY-WIDE SIMULCAST TRUNKED RADIO SYSTEM, PURSUANT TO BID NO. 15-136.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

ANNEXATION 16001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 28.87 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD (RELATED ITEMS 16-21, 16-22) - CLERK read an ordinance, introduced by Roy Christensen, 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 16001 - APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD (RELATED ITEMS 16-21, 16-22) - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zone District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

OPEN MICROPHONE

Coby Mach, Lincoln Independent Business Association, 620 N. 48th St., came forward and said two weeks ago Council was debating the Stormwater Bond issue, and he wants to encourage the Council to secure the federal funds for 56th and Fletcher. He suggested that we use part of the City's reserve to secure the federal funds.

This matter was taken under advisement.

Jane Svoboda, 2450 Q St., came forward with comments on various issues.

This matter was taken under advisement.

Richard Schmelling, 4612 Van Dorn St., came forward and voiced concerns about the Mayor putting in for a grant on a test pilot project for autonomous cars. Discussion followed.

This matter was taken under advisement.

ADJOURNMENT

5:45 P.M.

CAMP Moved to adjourn the City Council Meeting of March 14, 2016.
 Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Rh onda Bice, Office Specialist

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