

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JUNE 13, 2016 AT 3:00 P.M.**

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

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She 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 June 6, 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

APPLICATION OF JUNTO, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT HAYMARKET FARMERS MARKET AT CANOPY STREET ON JUNE 18 AND JULY 16, 2016 FROM 8:00 A.M. TO 1:00 P.M. (6/6/16 - PUBLIC HEARING & ACTION CONT'D TO 6/13/16) - John Siebert, 3336 Prairieview Drive, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 26 FEET BY 55 FEET AT LINCOLN OLIVE OIL SHOP AT 201 NORTH 7TH ON JUNE 20, 2016 FROM 5:30 P.M. TO 10:00 P.M. - Colby Coash, 829 Mary Court, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND CONSULTANTS IN INFECTIOUS DISEASE, LLC TO PROVIDE MEDICAL CONSULTATION SERVICES TO THE HEALTH DEPARTMENT FOR A TERM OF JULY 1, 2016 THROUGH JUNE 30, 2019 - Judy Halstead, Director of the Health Department, came forward and stated this contract is a 3 year contract, and the total for the 3 years is around \$82,000. This is around \$27,000 per year with Dr. Steve Rademacher, who is an infectious disease specialist in the City of Lincoln. Dr. Rademacher helps with everything from protocols on immunizations, how ebola tracking is done, and helping with individuals who have been bitten by dogs who do not have a rabies vaccine. Dr. Rademacher is the primary Physician who helps the Health Department, but there are a number of other Physicians in the office who help as well. The Health Department is in contact with Dr. Rademacher about 3-4 times a week, and feels they are well covered and have excellent service.

This matter was taken under advisement.

APPROVING THE REAPPOINTMENT OF JEFFERY R. KIRKPATRICK AS THE CITY ATTORNEY FOR A TWO-YEAR TERM EFFECTIVE JUNE 15, 2016 - Rick Hoppe, Mayor's Office, came forward and shared that Mr. Kirkpatrick has very strong legal skills, a strong sense of integrity, and has done a great job navigating between the City Council and the Mayor.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF MIKI ESPOSITO AS DIRECTOR OF THE PUBLIC WORKS AND UTILITIES DEPARTMENT EFFECTIVE MAY 16, 2016 - Rick Hoppe, Mayor's Office, came forward and stated Ms. Esposito is a very strong manager and is a really original thinker. Ms. Esposito has come up with some really innovative ideas. The Mayor's Office would be glad to have Ms. Esposito appointed as Director.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 16003 - APPROVING THE PROPOSED UNIVERSITY PLACE SOUTH REDEVELOPMENT PLAN ON APPROXIMATELY 37 ACRES, ON PROPERTY GENERALLY BOUNDED BY NORTH 48TH STREET AND NORTH 49TH STREET, FROM HOLDREGE STREET TO FRANCIS STREET, INCLUDING ALL OF THE UNIVERSITY PLACE COMMUNITY ORGANIZATION (UPCO) PARK - David Landis, Director of Urban Development, came forward and stated this is the second of three steps for the redevelopment of North 48th Street. The first step was to declare the area blighted and substandard. The second step is a plan for the area. The final step is the approval of a redevelopment project. The use of tax increment financing for a 20,000 square foot retail and restaurant space of a structure that is 5 stories high, and contains about 98 market rate residential units on the upper 4 floors. The property will face 48th Street, with garages and landscape along 49th Street. The

**REGULAR MEETING
JUNE 13, 2016
PAGE 646**

project itself will cost about 16.4 million of private sector money, and \$1.7 million of TIF money. This plan came in front of the Planning Commission and was unanimously approved on May 11, 2016. The plan does identify public improvements in the surrounding area over the course of the service of the TIF district. The improvements would include: aging public utilities that need to be replaced, resurface and paving public street, sidewalk improvements, and park improvements.

Cyndi Lamm, Council Member, asked for clarification on dates this project was blighted

Mr. Landis confirmed the area was designated as blighted and substandard by Council action on May 9, 2016.

Tom Huston, Cline Williams Law, 233 S. 13th Street, Suite 1900, came forward and said this area is approximately 37 acres. The issue is whether or not the Redevelopment Plan itself is consistent with the Comprehensive Plan of 2040. The 2040 Comprehensive Plan emphasizes increased density within our community. The Development plan conforms with the objective. The housing component would include 98 dwelling units along the two streets. The Comprehensive Plan of 2040 suggests identifying newer uses of under utilities sites, and also encourages the use of existing infrastructure. An existing infrastructure will be used with no additional public costs. The area of 48th and Holdrege is also specified as a mixed use development area within the 2040 Comprehensive Plan. The next steps of the process is to come back in front of Council in 2 weeks with a change in zone, alley vacation and Redevelopment Plan.

Trent Fellers, Council Member, asked how quickly would the project start.

Mr. Huston confirmed the developer would like to start construction immediately. Building permits are still in the process. If everything gets approved they would like to start demolition on July 11, 2016.

Jane Raybould, Council Member, asked for clarification of the layout of the building and the parking.

Mr. Huston stated there are 98 housing units, and the first level is approximately 22,000 square feet of retail and restaurant opportunities. There is no sidewalk café on the street frontage. That would be located on the East side of the building for coffee shops and restaurants. Parking will be on the backside and there will be more parking than is required for B3 zoning. They are currently solving zoning issues with a few zones that do not fit well together, but that is getting resolved simultaneously.

Leirion Gaylor Baird, Council Chair, inquired about the conformance with the comp. plan and the compatibility with the existing environment.

Mr. Huston confirmed they are looking at a B3 zoning with the planned unit development. The planned unit development carries with it a development plan. Part of that development plan requires all the commercial development be on the west half of the block. There is no commercial development permitted on the east half of the block because that is closer to the neighborhood. In addition to setting the building as far west as possible to create the separation between the neighborhood, the site plan for the PUD also incorporates screening, and includes the garages on the east half of the block to help buffer any adverse impacts. There were curb cuts located on 49th Street that have been eliminated so no traffic will be generated on the internal residential street for 49th Street.

Ms. Gaylor Baird asked about the height of the building and how that issue has been mitigated with the surrounding properties.

Mr. Huston shared one of the primary methods of mitigation of the height is relating to location of the building on this site. The plan is to put the building as far west as possible and as far away from the surrounding 6 homes on 49th Street. This project also gives opportunity to remove the overhead power lines on the block, which is a good step in this area to help eliminate some of the clutter.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 15004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM COMMERCIAL, GREEN SPACE, AND ENVIRONMENTAL RESOURCES TO RESIDENTIAL-URBAN DENSITY, GREEN SPACE, AND ENVIRONMENTAL RESOURCES, ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS; (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58)

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN ANDERSON HOMES, INC. AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET; (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58)

AN ORDINANCE 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; (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58)

AN ORDINANCE AMENDING THE LINCOLN ZONING 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, (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - Lyle Loth, Rega Engineering Group, 601 Old Cheney Road, came forward on behalf of Anderson Homes and shared these are 4 final items that need to be approved to conclude the application of the 434 dwelling units on SW 30th and A Street. The special permit was approved by the Planning Commission on February 17, 2016. That decision was appealed and brought in front of Council. Council approved the request with some conditions.

Mark Antonson, 1521 SW 30th Street, came forward in support. He was the appealee on the first request. With the additions that Council made on the first request, it is a legitimate compromise and West A can be improved. Discussion followed.

Lonnie Burklund, Public Works and Utilities, Traffic Engineering Manager with Engineering Services, came forward and said they are well aware of the maintenance issues, the drainage, and more needs for pedestrian amenities on West A. The Traffic Engineering Division installed east and west bound left turn phasing on Coddington and West A. They will continue to monitor West A and continue with improvements.

Mr. Eskridge asked about the wastewater program for this development.

Mr. Loth stated lots 1 and 2 are on A Street, and can gravity access the sewer to the existing line that is on A Street. That line does have adequate capacity for that. The buildings further towards the north cannot be accessed by gravity so there will need to be an ejector station installed that will serve all the buildings to the lots north of 1 and 2. There will be an ejector station for lot 3, which houses 9 buildings that will also discharge into the West A trunk sewer. It will be imperative for the owner to make sure the lift station is adequately backed up with back up generators to prevent any possible floodings to basements or buildings.

Mr. Eskridge asked if City staff has signed off on the plan.

Mr. Loth confirmed that City staff has signed off on the plan.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND ACUITY SPECIAL PRODUCTS DBA ZEP, INC. FOR COMPREHENSIVE OPERATIONAL & JANITORIAL SUPPLIES SOLUTIONS, REGION 14 ESC MASTER AGREEMENT AVAILABLE THROUGH NCPA ADMINISTRATIVE AGREEMENT, CONTACT NO. 02-28, FOR A TERM BEGINNING UPON EXECUTION THROUGH APRIL 30, 2019 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89776 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contact between the City of Lincoln and Acuity Special Products dba Zep, Inc. for Comprehensive Operational & Janitorial Supplies Solutions, Region 14 ESC Master Agreement available through NCPA Administrative Agreement, Contract No. 02-28, for a term beginning upon execution through April 30, 2019, 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 Jon Camp

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

APPROVING A MULTI-YEAR CONTRACT BETWEEN BRYAN COLLEGE OF HEALTH SCIENCES, SCHOOL OF NURSING, AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO ALLOW NURSING STUDENTS TO UTILIZE SERVICE PROGRAMS AT THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO FULFILL REQUIREMENTS OF THEIR COMMUNITY HEALTH NURSING COURSE FOR THEIR BACHELOR'S DEGREES IN NURSING - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89777 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Service Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department (LLCHD), and Bryan College of Health Sciences, School of Nursing, to utilize service programs at the Lincoln-Lancaster County Health Department to fulfill requirements of their community health nursing course for their bachelor's degrees in nursing, upon the terms and conditions set forth in said Service Agreement, which is attached hereto marked as Attachment "A", 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 forward one fully executed original of said Service Agreement to Judy Halstead, Lincoln-Lancaster County Health Department Director, for transmittal to Bryan College of Health Sciences, School of Nursing.

Introduced by Jon Camp

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

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTH OF APRIL, 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 MONTH OF MARCH, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

PETITIONS & COMMUNICATIONS

INFORMAL PETITION TO CREATE AN ALLEY PAVING DISTRICT FROM 16TH & 17TH STREETS AND G & H STREETS SUBMITTED BY SEAN & JULIE PUTNAM - CLERK presented said report which was referred to Public Works.

SETTING THE HEARING DATE OF MONDAY, JUNE 13, 2016 AT 3:00 P.M. ON THE APPLICATION OF MORNING BREW CONCEPTS LLC DBA SUITE ONE ELEVEN I-118152 FOR A CLASS I LIQUOR LICENSE AT 6891 A STREET, SUITE 111 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89778 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 27, 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 Morning Brew Concepts LLC dba Suite One Eleven for a Class I Liquor License at 6891 A Street, Suite 111.

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

Introduced by Roy Chirstensen

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 16008, TO USE PERMIT #141A, THOMPSON CREEK OFFICE PARK, APPROVED BY THE PLANNING DIRECTOR ON JUNE 1, 2016, TO REVISE THE BUILDING AND PARKING LAYOUT ON LOT 14 TO ALLOW FOR A BUILDING ADDITION AND MORE OFF-STREET PARKING, INCREASING THE AMOUNT OF FLOOR AREA SHOWN ON THE USE PERMIT FROM 99,130 SQUARE FEET TO 101,362 SQUARE FEET, GENERALLY LOCATED AT SOUTH 56TH STREET AND THOMPSON CREEK ROAD.

ADMINISTRATIVE AMENDMENT NO. 16023, TO PRELIMINARY PLAT #06009, GRANDALE ADDITION, APPROVED BY THE PLANNING DIRECTOR ON JUNE 1, 2016, TO REVISE THE STREET LAYOUT AND SHOW RIGHT-OF-WAY FOR THE EXISTING CUL-DE-SAC ON JOHNSON ROAD, GENERALLY LOCATED AT SOUTH 40TH STREET AND ROKEBY ROAD.

ADMINISTRATIVE AMENDMENT NO. 16032, TO SPECIAL PERMIT #277I, PINE LAKE CUP, APPROVED BY THE PLANNING DIRECTOR ON JUNE 1, 2016, TO ADJUST THE SIDE YARD SETBACK ALONG THE NORTH LINE OF LOT 16 FROM 15' TO 10' AT 6701 EASTSHORE DRIVE, GENERALLY LOCATED AT SOUTH 84TH STREET AND PINE LAKE ROAD.

LIQUOR RESOLUTIONS

APPLICATION OF JUNTO, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT HAYMARKET FARMERS MARKET AT CANOPY STREET ON JUNE 18 AND JULY 16, 2016 FROM 8:00 A.M. TO 1:00 P.M. (6/6/16 - PUBLIC HEARING & ACTION CONT'D TO 6/13/16) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89779 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 Junto, LLC for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Haymarket Farmers Market at Canopy Street, Lincoln, Nebraska, on June 18 and July 16, 2016, between the hours of 8:00 a.m. and 1:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

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

APPLICATION OF BLUE BLOOD BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 26 FEET BY 55 FEET AT LINCOLN OLIVE OIL SHOP AT 201 NORTH 7TH ON JUNE 20, 2016 FROM 5:30 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89780

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 Blue Blood Brewing Co. for a special designated license to cover an outdoor area measuring approximately 26 feet by 55 feet at Lincoln Olive Oil Shop at 201 North 7th, Lincoln, Nebraska, on June 20, 2016, between the hours of 5:30 p.m. and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

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

PUBLIC HEARING - RESOLUTIONS

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND CONSULTANTS IN INFECTIOUS DISEASE, LLC TO PROVIDE MEDICAL CONSULTATION SERVICES TO THE HEALTH DEPARTMENT FOR A TERM OF JULY 1, 2016 THROUGH JUNE 30, 2019 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89781

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

That the attached Service Contract between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department (LLCHD) and Consultants in Infectious Disease, LLC, to provide medical consultation services to the Health Department for a term of July 1, 2016 through June 30, 2019, upon the terms and conditions set forth in said Service Contract, which is attached hereto marked as Attachment "A", 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 forward one fully executed original of said Service Contract to Judy Halstead, Lincoln-Lancaster County Health Department Director, for transmittal to Consultants in Infectious Disease, LLC.

Introduced by Jon Camp

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

APPROVING THE REAPPOINTMENT OF JEFFERY R. KIRKPATRICK AS THE CITY ATTORNEY FOR A TWO-YEAR TERM EFFECTIVE JUNE 15, 2016 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89782

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

That the reappointment of Jeffery R. Kirkpatrick as the City Attorney for a two-year term effective June 15, 2016 is hereby approved.

Introduced by Jon Camp

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

APPROVING THE APPOINTMENT OF MIKI ESPOSITO AS DIRECTOR OF THE PUBLIC WORKS AND UTILITIES DEPARTMENT EFFECTIVE MAY 16, 2016 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89783

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

That the appointment of Miki Esposito to the position of Director of the Public Works and Utilities Department effective May 16, 2016 is hereby approved.

Introduced by Jon Camp

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 16-31, 2016 - PRIOR to reading:

CAMP

Moved to amend Bill No. 16R-119 in the following manner:

One Line 13, the settlement of the claim of Denise Matulka should be amended as follows:

Denise Matulka \$1,678.43.

Seconded by Raybould & 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 as amended:

A-89784

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

**REGULAR MEETING
JUNE 13, 2016
PAGE 650**

That the claims listed in the attached report, marked as Exhibit "A", dated June 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>	
Romone E. Ford	\$1,200.00	Melissa S. Stutzman	\$ 500.00
Daryl Bidne	NAS*	Iowa Mutual Insurance	
Tessa L. Martin	482.96	a/s/o Melissa Stutzman	2,606.09
		Denise Matulka	1,573.85 <u>1,678.43</u>
		Ruth Gentry	103.37

* 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.

COMP. PLAN CONFORMANCE 16003 - APPROVING THE PROPOSED UNIVERSITY PLACE SOUTH REDEVELOPMENT PLAN ON APPROXIMATELY 37 ACRES, ON PROPERTY GENERALLY BOUNDED BY NORTH 48TH STREET AND NORTH 49TH STREET, FROM HOLDREGE STREET TO FRANCIS STREET, INCLUDING ALL OF THE UNIVERSITY PLACE COMMUNITY ORGANIZATION (UPCO) PARK - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89785 WHEREAS, the City Council on May 9, 2016, adopted Resolution No. A-89703 finding an area generally bounded by Holdrege Street and Francis Street and 48th Street to 49th Street, including Uni-Place park to the north, 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 "University Place South 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 May 2, 2016, 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 May 11, 2016 before the Lincoln City-Lancaster County Planning Commission regarding the proposed University Place South 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, said proposed University Place South Redevelopment Plan has been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendation and on May 11, 2016 the Lincoln-Lancaster County Planning Commission held a public hearing relating to the proposed University Place South Redevelopment Plan, found the proposed University Place South Redevelopment Plan to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on May 13, 2016 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on June 13, 2016, regarding the proposed University Place South Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on May 27, 2016 and June 3, 2016 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 June 13, 2016 regarding the proposed University Place South Redevelopment Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on June 13, 2016 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 University Place South Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed University Place South Redevelopment Plan; and

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

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

1. That the University Place South 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 University Place South 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 University Place South 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 University Place South 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 "University Place South Redevelopment Plan" attached hereto as Attachment "A", establishing the University Place South 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 University Place South Redevelopment Plan.

3. That the Redevelopment Area for the University Place South 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 University Place South Redevelopment Plan.

Introduced by Jon Camp

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

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

COMP. PLAN AMENDMENT 15004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM COMMERCIAL, GREEN SPACE, AND ENVIRONMENTAL RESOURCES TO RESIDENTIAL-URBAN DENSITY, GREEN SPACE, AND ENVIRONMENTAL RESOURCES, ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58)

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN ANDERSON HOMES, INC. AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58)

ANNEXATION 15014 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 41.84 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read an ordinance, introduced by Jon Camp, an ordinance 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 second time.

CHANGE OF ZONE 15036 - APPLICATION OF ANDERSON HOMES, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT AND AG AGRICULTURAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.050.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,300,000 AGGREGATE STATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION STORM SEWER AND DRAINAGE SYSTEM BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Jane Raybould, an ordinance authorizing and providing for the issuance, sale and delivery of general obligation stormwater drainage and flood management system bonds, series 2016, of the City of

**REGULAR MEETING
JUNE 13, 2016
PAGE 652**

Lincoln, Nebraska, in an aggregate principal amount not to exceed \$6,300,000 (the "bonds"), for the purpose of paying the costs of constructing improvements and extensions to the City's stormwater drainage and flood management system; prescribing certain terms of the bonds; delegating, authorizing and directing the finance director to exercise his independent judgement and absolute discretion in determining certain other terms of the bonds; providing for the payment of the principal of and interest on the bonds by the levy of a tax on all of the taxable property within the city; authorizing and approving certain other related matters; and declaring an emergency, the third time.

RAYBOULD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20336, is recorded in Ordinance Book 31.

STREET & ALLEY VACATION 16001 - VACATING A PORTION OF THE NORTH 50TH STREET PUBLIC RIGHT-OF-WAY BETWEEN THE SOUTH RIGHT-OF-WAY LINE OF ST. PAUL AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF BALDWIN AVENUE. (RELATED ITEMS: 16-52, 16R-111) - CLERK read an ordinance, introduced by Jane Raybould, an ordinance vacating a portion of North 50th Street public right-of-way line of Baldwin Avenue, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

RAYBOULD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20337, is recorded in Ordinance Book 31.

PRE-EXISTING SPECIAL PERMIT 23H - APPLICATION OF NEBRASKA WESLEYAN UNIVERSITY TO AMEND THE SPECIAL PERMIT TO INCLUDE A NEW 75,000 SQUARE FOOT SCIENCE BUILDING, INCLUDING A WAIVER OF THE 35-FOOT MAXIMUM HEIGHT RESTRICTION, INCLUDE ASSOCIATED PARKING, AND EXPAND THE SPECIAL PERMIT BOUNDARY TO ACCOMMODATE ADDITIONAL OFF-STREET PARKING FOR NEBRASKA WESLEYAN UNIVERSITY ON PROPERTY GENERALLY LOCATED AT NORTH 50TH STREET AND HUNTINGTON AVENUE (RELATED ITEMS: 16-52, 16R-111) - PRIOR to reading:

CAMP Moved to Amend Bill No. 16R-111 as follows:

1. On page 2, lines 18-19 strike the words "are not backing into public alley and".
2. On page 2, strike lines 20-22 in their entirety.

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

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption as amended:
A-89786 WHEREAS, Nebraska Wesleyan University has submitted an application in accordance with

Section 27.63.075 of the Lincoln Municipal Code designated as Pre-Existing Special Permit No. 23H to amend the special permit to include a new 75,000 square foot science building, including a waiver of the 35-foot maximum height restriction, include associated parking, and expand the special permit boundary to accommodate additional off-street parking for Nebraska Wesleyan University on property generally located at North 50th Street and Huntington Avenue and legally described to wit:

All of Lots 1-8, inclusive, Block 77, University Place, Lincoln, Lancaster County, Nebraska, and the Irregular Tract between 50th and 56th Streets and Madison and Huntington Avenues located in the Northeast Quarter of Section 17, 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 special 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 Nebraska Wesleyan University, hereinafter referred to as "Permittee", to amend the special permit to include a new 75,000 square foot science building, including a waiver of the 35-foot maximum height restriction, include associated parking, and expand the special permit boundary to accommodate additional off-street parking for Nebraska Wesleyan University on the property legally described above be and the same is hereby granted under the provisions of Sections 27.63.075 of the Lincoln Municipal Code upon condition that construction and operation of the amended Special Permit be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a private school with a waiver to increase the height of the proposed science building from 35 feet to 46 feet.
2. The City Council must approve associated request Street and Alley Vacation #16001.
3. Before receiving building permits:
 - a. Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions as listed below:
 - i. Revise the parking table to include accurate existing and proposed parking stall counts.

- ii. Revise proposed parking lot layout for science building so that parking stalls ~~are not backing into public alley and~~ are not located in front yard setbacks, ~~unless a deviation request of the Access Management Policy is approved by Public Works and Utilities.~~
 - iii. Provide sidewalk connection from Baldwin Avenue to west side of proposed science building.
 - iv. Identify area located on the southwest side of the proposed science building.
 - v. Show the general parking layout of Area J.
 - vi. Remove the copyright notice from title bar.
 - vii. Move name of the proposed recreation area so it can be clearly read.
- b. Permittee shall provide verification that the letter of acceptance as required by the approval of the special permit has been recorded with the Register of Deeds.
4. Before starting the operation all development and construction shall substantially comply with the approved plans.
 5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 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 this special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the Permittee. Building permits will not be issued unless 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 the prior resolutions approving Pre-Existing Special Permit No. 23, as amended, shall remain in full force and effect except as specifically amended by this resolution.

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

CHANGE OF ZONE 16010 - APPLICATION OF LANCASTER COUNTY BOARD OF COMMISSIONERS FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110) - PRIOR to reading:

FELLERS Moved to delay Action with Public Hearing 1 week to 06/20/16.

Seconded by Lamm & 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 the Zoning District Maps adopted by reference and made a part of the 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 third time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND THE COUNTY OF LANCASTER, NEBRASKA TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 16010 ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110) - PRIOR to reading:

FELLERS Moved to delay Action with Public Hearing 1 week to 06/20/16.

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

CHANGE OF ZONE 16015 - APPLICATION OF CAPITOL GROUP, INC. FOR A CHANGE OF ZONE FROM B-1 LOCAL BUSINESS DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 1404 SUPERIOR STREET - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, Pursuant to Section 27.050.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

RAYBOULD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20338, is recorded in Ordinance Book 31.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND SILVER PROPERTIES, LLC FOR A LEASE OF SPACE FOR A ONE-YEAR TERM FOR USE BY THE LINCOLN POLICE DEPARTMENT - CLERK read an ordinance, introduced by Jane Raybould, an ordinance accepting and approving a Lease Agreement between Silver Properties, LLC and the City of Lincoln for a lease of space for a term of November 1, 2016 through October 31, 2017, for a use by the Lincoln Police Department, the third time.

**REGULAR MEETING
JUNE 13, 2016
PAGE 654**

RAYBOULD Moved to pass the ordinance as read.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20339, is recorded in Ordinance Book 31.

RESOLUTIONS - 1ST READING

APPROVING THE TOP HAT TAVERN AS A KENO SATELLITE AT 736 WEST CORNHUSKER HIGHWAY.

APPROVING THE 2016-17 WORK PLAN FOR THE INTERLOCAL AGREEMENT ON STORMWATER
MANAGEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT TO ADDRESS STORMWATER QUALITY AND QUANTITY
ISSUES.

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

AMENDING SECTION 2.62.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK
ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND
FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending
Chapter 2.62 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual
Increases; How Funded by amending Section 2.62.140 to eliminate the 13th Check accounting pool and pay
13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.62.140 as hitherto
existing, the first time.

AMENDING SECTION 2.65.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK
ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND
FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending
Chapter 2.65 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual
Increases; How Funded by amending Section 2.65.140 to eliminate the 13th Check accounting pool and pay
13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.65.140 as hitherto
existing, the first time.

AMENDING SECTION 2.66.107 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK
ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND
FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending
Chapter 2.66 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual
Increases; How Funded by amending Section 2.66.170 to eliminate the 13th Check accounting pool and pay
13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.66.170 as hitherto
existing, the first time.

ADJOURNMENT

3:47 P.M.

CAMP Moved to adjourn the City Council Meeting of June 13, 2016.
Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Mo net J. McCullen, Office Specialist