

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JUNE 8, 2009 AT 1:30 P.M.**

ELECTION OF CHAIR PRO TEM

COOK Nominated Jon Camp to act as temporary Chair Person in the absence of Chair Emery and Vice Chair Spatz.

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

The Meeting was called to order at 1:30 p.m. Present: Council Chair Pro Tem Camp; Council Members: Carroll, Cook, Hornung, Snyder; City Clerk, Joan E. Ross; Emery, Spatz absent.

Council Chair Pro Tem Camp asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

CARROLL Having been appointed to read the minutes of the City Council proceedings of June 1, 2009 reported having done so, found same correct.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

MAYOR'S AWARD OF EXCELLENCE

Mayor Beutler came forward to present the Mayor's Award of Excellence for the Month of May, 2009 to Barbara Martinez, Senior Public Health Nurse, in the Community Health Services division of the Lincoln/Lancaster County Health Department in the category of Productivity and Customer Relations. Ms. Martinez has worked for the Health Department since 1985. Community Health Services Manager Andrea Mason nominated Ms. Martinez for her dedication to the health and well being of clients working tirelessly with a very large number of patients who have many needs with limited resources. She is patient, kind, soft spoken and a good listener. She is a great resource and a tremendous support for team members.

Bruce Dart, Director of Health Dept., stated Ms. Martinez does everything well and has a great depth of compassion. She is a good example to others.

Barbara Martinez came forward to express her appreciation. She stated she loves going to work, working with public health advocating for others.

**PRESENTATION BY ASSISTANT POLICE CHIEF JIM PESCHONG
BYRNE JUSTICE ASSISTANCE GRANT**

Jim Peschong, Assistant Chief of Police, came forward to explain that the Byrne Justice Assistance Grant is used for funding the Narcotics Investigation Unit which is co-located with the Nebraska State Patrol, Sheriff's Department and Prosecutors in the County Attorney's Office. \$327,044 will be received to fund this Task Force.

RECOGNITION

Chair Pro Tem Camp recognized Matthew Hansen of Troop 36 who is working towards his Communication Badge in Boy Scouts.

PUBLIC HEARING

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORPORATION DBA EL RANCHO AUTHENTIC MEXICAN RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 2700 O STREET;
MANAGER APPLICATION OF EVER K. PRECIADO FOR HECTOR EL DRAGON MARTINEZ CORPORATION DBA EL RANCHO AUTHENTIC MEXICAN RESTAURANT AT 2700 O STREET - Ever Preciado, 2700 O Street, took oath and came forward to answer questions. He stated this restaurant will feature authentic food from South Mexico.

This matter was taken under advisement.

APPLICATION OF TWOTWINS, INC. DBA TWOTWINS CAFÉ FOR A CLASS C LIQUOR LICENSE AT 333 NORTH COTNER BLVD.;
MANAGER APPLICATION OF DENISE A. KORINEK FOR TWOTWINS, INC. DBA TWO TWINS CAFÉ AT 333 NORTH COTNER BLVD., #1 - Denise Korinek, 333 N. Cotner #1, took oath and came forward to answer questions. She commented this restaurant will be a breakfast and lunch café with homestyle cooking and comfort foods in an upscale environment. It will also have Espresso and baked goods services. It is planned to open August 1st.

This matter was taken under advisement.

COMP. PLAN CONFORMITY 08025 - DECLARING APPROXIMATELY 6,600 SQ. FT. OF PROPERTY GENERALLY LOCATED NORTHWEST OF NORTH 41ST STREET AND GREENWOOD STREET AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - J.J. Yost, Parks & Recreation Dept., came forward to state a landowner who lives about a block away from this property is interested in purchasing the property for his own use. The Parks and Recreation Advisory Board agreed with the recommendation to surplus this property as there is a park two blocks away which provides the primary source of a neighborhood park for the area. Dietrich trail on the northwest corner of the property will continue to be maintained on City property. There has been no purchase price discussed at this time.

This matter was taken under advisement.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NRD FOR THE MANAGEMENT OF THE KING WETLAND SITE GENERALLY LOCATED NEAR NORTH 27TH STREET AND I-180 FOR A FIVE-YEAR TERM COMMENCING JUNE 1, 2009 AND TERMINATING JUNE 1, 2014 - Terry Genrich, Parks & Recreation Dept., came forward to state this is the renewal of a previous three year agreement for maintaining this property which is adjacent to some NRD property so felt it would be appropriate they be the agency to manage it for the City.

This matter was taken under advisement.

APPROVING AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE NEBRASKA HEALTH AND HUMAN SERVICES DIVISION OF CHILDREN AND FAMILY SERVICES AND THE LINCOLN LANCASTER COUNTY HEALTH DEPARTMENT FOR A REFUGEE HEALTH SCREENING PROGRAM FOR NEW REFUGEE ARRIVALS AND OTHER ELIGIBLE POPULATIONS FOR THE PREVENTION AND CONTROL OF COMMUNICABLE DISEASE PURSUANT TO FEDERAL FINANCIAL ASSISTANCE FOR A PERIOD OF JULY 1, 2008 TO JUNE 30, 2011 - Bruce Dart, Health Department Director, came forward to state this is an addendum to the current Refugee Screening contract which is a State funded program. This is to ensure that legal refugees are immunized and will get them connected with a medical home. This is all this contract will cover at this time.

This matter was taken under advisement.

APPROVING FUNDING AGREEMENTS BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY INFRASTRUCTURE INVESTMENT FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR THE FOLLOWING ELIGIBLE PROJECTS: SUPERIOR STREET BRIDGE REHABILITATION (PROJECT NO. LCLC-5254(9)); ARTERIAL STREET REHABILITATION PACKAGE A (PROJECT NO. LCLC-5220(3)); ARTERIAL STREET REHABILITATION PACKAGE B (PROJECT NO. LCLC-5236(2)); ARTERIAL STREET REHABILITATION PACKAGE C (PROJECT NO. LCLC-5214(4)); ARTERIAL STREET REHABILITATION PACKAGE D (PROJECT NO. LCLC-5247(11)); ARTERIAL STREET REHABILITATION PACKAGE E (PROJECT NO. LCLC-34-6(140)) - Chad Blahak, Public Works & Utilities, came forward to explain this agreement will allow the Mayor to enter into a funding agreement with the State Department of Roads for various projects funded through the Recovery Act. The total amount of the project at this point is a little over \$7,000,000. There will be a similar resolution with a couple additional projects to complete the total funding amount that was allocated to the City.

This matter was taken under advisement.

** END OF PUBLIC HEARING **

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING PATRICK BORER TO THE CITY PERSONNEL BOARD FOR A FIVE-YEAR TERM EXPIRING JUNE 22, 2014 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85377 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the reappointment of Patrick Borer to the City Personnel Board for a five- year term expiring June 22, 2014 is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

REAPPOINTING TONY MESSINEO AND ED SCHNEIDER, OD, TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2012 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85378 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the reappointment of Tony Messineo and Ed Schneider, OD, to the Lincoln-Lancaster County Board of Health for three-year terms expiring April 15, 2012, is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPOINTING GREG MUNN TO THE HISTORIC PRESERVATION COMMISSION FOR A THREE-YEAR TERM EXPIRING APRIL 15, 2012 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85379 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the appointment of Greg Munn to the Historic Preservation Commission for a three-year term expiring April 15, 2012, is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

REAPPOINTING JAMES MCKEE AND TIM FRANCIS TO THE HISTORIC PRESERVATION COMMISSION FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2012 - PRIOR to reading:

CARROLL Moved to amend Bill No. 09R-92 on page 1, line 2, by deleting the name "Frances" and inserting in lieu thereof the name Francis.

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

CLERK Read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85380 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the reappointment of James McKee and Tim ~~Frances~~ Francis to the Historic Preservation Commission for three-year terms expiring April 15, 2012, is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPOINTING TODD FITZGERALD TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2011 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85381 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the appointment of Todd Fitzgerald to the Parks and Recreation Advisory Board for a term expiring April 27, 2011, is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

REAPPOINTING SUSAN RODENBURG TO THE PARKS AND RECREATION ADVISORY BOARD FOR THREE-YEAR TERM EXPIRING APRIL 27, 2012 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85382 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the reappointment of Susan Rodenburg to the Parks and Recreation Advisory Board for a three-year term expiring April 27, 2012,

is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPOINTING KAREN MORITZ AND KORY GEORGE TO THE STARTRAN ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING OCTOBER 20, 2011 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85383 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Karen Moritz and Kory George to the StarTran Advisory Board for three-year terms expiring October 20, 2011, is hereby approved.

Introduced by Gene Carroll

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED APRIL 30, 2009 - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-85384 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended April 30, 2009, \$464,673.03 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Adam Hornung

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JUNE 22, 2009 AT 1:30 P.M. FOR THE APPLICATION OF LINCOLN MEADOWS SOCIAL HALL, INC. DBA LINCOLN MEADOWS SOCIAL HALL FOR A CLASS I LIQUOR LICENSE LOCATED AT 3235 N. 35TH STREET - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-85385 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 22, 2009 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Vaneiser, LLC dba The Venue Restaurant & Lounge for an addition of a sidewalk café 40' x 10' located at 4111 Pioneer Wood Dr., Ste. 100.

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

Introduced by Adam Hornung

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

SETTING THE HEARING DATE OF MONDAY, JUNE 22, 2009 AT 1:30 P.M. FOR THE APPLICATION OF VANEISER, LLC DBA THE VENUE RESTAURANT AND LOUNGE FOR AN ADDITION OF A SIDEWALK CAFÉ APPROXIMATELY 40' X 10' LOCATED AT 4111 PIONEER WOOD DR., STE. 100 - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-85386 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 22, 2009 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Vaneiser, LLC dba the Venue Restaurant and Lounge for an addition of a sidewalk café approximately 40' x 10' located at 4111 Pioneer Wood Dr., Ste. 100.

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

Introduced by Adam Hornung

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Special Permit 04073A - App. of St. Monica's for an amendment to expand the area of the special permit for a health care facility located at Lakewood Drive and Wedgewood Drive.

Special Permit 09012 - App. of John Moss, for Historic Preservation, to increase the height of the garage located at 2201 B Street.

Change of Zone 09009 - App. of Director of Planning to amend Chapter 27.69 of the Lincoln Municipal Code relating to signs.

Change of Zone 09014 - App. of John Moss to designate as a historic landmark property located at 2201 B Street.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORPORATION DBA EL RANCHO AUTHENTIC MEXICAN RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 2700 O STREET - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption for approval:

A-85387 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 Hector El Dragon Martinez Corporation dba El Rancho Authentic Mexican Restaurant for a Class "I" liquor license at 2700 O Street, Lincoln, Nebraska, for the license period ending April 30, 2010, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Gene Carroll

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

MANAGER APPLICATION OF EVER K. PRECIADO FOR HECTOR EL DRAGON MARTINEZ CORPORATION DBA EL RANCHO AUTHENTIC MEXICAN RESTAURANT AT 2700 O STREET - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption for approval:

A-85388 WHEREAS, Hector El Dragon Martinez Corporation dba El Rancho Authentic Mexican Restaurant located at 2700 O Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ever K. Preciado be named manager;

WHEREAS, Ever K. Preciado appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Ever K. Preciado be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Gene Carroll

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPLICATION OF TWOTWINS, INC. DBA TWOTWINS CAFÉ FOR A CLASS C LIQUOR LICENSE AT 333 NORTH COTNER BLVD., #1 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption for approval:

A-85389 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 TwoTwins, Inc. dba TwoTwins Café for a Class "C" liquor license at 333 North Cotner Blvd., #1, Lincoln, Nebraska, for the license period ending October 31, 2010, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. The premise must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Gene Carroll

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

MANAGER APPLICATION OF DENISE A. KORINEK FOR TWOTWINS, INC. DBA TWO TWINS CAFÉ AT 333 NORTH COTNER BLVD., #1 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption for approval:

A-85390 WHEREAS, TwoTwins, Inc. dba TwoTwins Café located at 333 North Cotner Blvd., #1, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Denise A. Korinek be named manager;

WHEREAS, Denise A. Korinek appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Denise A. Korinek be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Gene Carroll

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

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

AMENDING ORDINANCE NO. 19094, PASSED BY THE CITY COUNCIL ON JUNE 16, 2008, WHICH AMENDED RULE 3-3 OF THE RULES OF COUNCIL, DECORUM, DEBATE AND PROCEDURE, TO ELIMINATE THE EXPIRATION DATE OF ONE YEAR AFTER ITS EFFECTIVE DATE - CLERK read an ordinance, introduced by Eugene Carroll, amending Ordinance No. 19094 (amending Section 2.04.010) of the Lincoln Municipal Code relating to the Rules of the City Council) by amending Section 3 to delete the provision that Ordinance No. 19094 shall automatically expire one year after its effective date, the second time.

COMP. PLAN CONFORMITY 08025 - DECLARING APPROXIMATELY 6,600 SQ. FT. OF PROPERTY GENERALLY LOCATED NORTHWEST OF NORTH 41ST STREET AND GREENWOOD STREET AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - CLERK read an ordinance, introduced by Eugene Carroll, declaring approximately 6,600 sq. ft. of City-owned property generally located northwest of North 41st Street and Greenwood Street as surplus and authorizing the sale thereof, the second time.

PUBLIC HEARING RESOLUTIONS

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NRD FOR THE MANAGEMENT OF THE KING WETLAND SITE GENERALLY LOCATED NEAR NORTH 27TH STREET AND I-180 FOR A FIVE-YEAR TERM COMMENCING JUNE 1, 2009 AND TERMINATING JUNE 1, 1014 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85391 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Cooperative Agreement between the City of Lincoln and the Lower Platte South Natural Resources District for the management of the "King Wetland Site" which is comprised of 67.19 acres of farmland and saline wetlands purchased by the City of Lincoln with Nebraska Environmental Trust Funds and the Nebraska Game and Parks Commission with Section 6 funds, upon the terms and conditions set out in said Agreement which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved and the Mayor is authorized to execute said Cooperative Agreement on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Cooperative Agreement to the Lower Platte South NRD, Attn: Dan Schulz, Box 83581, Lincoln, NE 68501-3581, and one fully executed copy of said Interlocal Agreement to Tom Malstrom at Parks and Recreation.

Introduced by Gene Carroll

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPROVING AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE NEBRASKA HEALTH AND HUMAN SERVICES DIVISION OF CHILDREN AND FAMILY SERVICES AND THE LINCOLN LANCASTER COUNTY HEALTH DEPARTMENT FOR A REFUGEE HEALTH SCREENING PROGRAM FOR NEW REFUGEE ARRIVALS AND OTHER ELIGIBLE POPULATIONS FOR THE PREVENTION AND CONTROL OF COMMUNICABLE DISEASE PURSUANT TO FEDERAL FINANCIAL ASSISTANCE FOR A PERIOD OF JULY 1, 2008 TO JUNE 30, 2011 - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85392 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Amendment No. 1 to the Agreement between the Lincoln-Lancaster County Health Department and the Nebraska Department of Health and Human Services Division of Children and Family Services whereby the Health Department will provide for the delivery of a Refugee Health Screening Program for new refugee arrivals and other eligible populations for the prevention and control of communicable disease pursuant to federal financial assistance for the period of July 1, 2008 to June 30, 2011, to amend the total amount for services and to set a payment structure, a copy of which is attached hereto, marked as Attachment "A" and made a part hereof by reference, is hereby ratified and approved and the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is directed to transmit one fully executed original Agreement to Susan Starcher, Lancaster County Clerk's Office, and one fully executed original Agreement to the Lincoln-Lancaster County Health Department for transmittal to Todd Landry, Director, Division of Children and Family Services, Department of Health and Human Services.

Introduced by Gene Carroll

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPROVING A CONTRACT BETWEEN THE CITY AND CORNERSTONE PRINTING FOR QUICK COPY SERVICES AND RELATED SERVICES TO ALL CITY DEPARTMENTS FOR A TWO YEAR PERIOD WITH OPTION TO RENEW FOR TWO ADDITIONAL YEARS - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85393 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached contact between Lancaster County, Nebraska, the Public Building Commission, and the City of Lincoln, Nebraska, as Owners, and Cornerstone Printing & Imaging, as Contractor, for Quick Copy Services and related services, wherein said contractor responded to the Rebid for Annual Requirements for Quick Copy and Related Services (Specification #08-174) and agree to provide such services for a two-year period with the option for two additional one-year terms as set forth in said contracts, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Gene Carroll

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

APPROVING FUNDING AGREEMENTS BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY INFRASTRUCTURE INVESTMENT FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR THE FOLLOWING ELIGIBLE PROJECTS: SUPERIOR STREET BRIDGE REHABILITATION (PROJECT NO. LCLC-5254(9)); ARTERIAL STREET REHABILITATION PACKAGE A (PROJECT NO. LCLC-5220(3)); ARTERIAL STREET REHABILITATION PACKAGE B (PROJECT NO. LCLC-5236(2)); ARTERIAL STREET REHABILITATION PACKAGE C (PROJECT NO. LCLC-5214(4)); ARTERIAL STREET REHABILITATION PACKAGE D (PROJECT NO. LCLC-5247(11)); ARTERIAL STREET REHABILITATION PACKAGE E (PROJECT NO. LCLC-34-6(140)) - CLERK read the following resolution, introduced by Gene Carroll, who moved its adoption:

A-85394 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreements between the City of Lincoln and the State of Nebraska Department of Roads for the use of Federal Highway Infrastructure Investment Funds provided by the American Recovery and Reinvestment Act of 2009 for the following eligible projects: Superior Street Bridge Rehabilitation (Project No. LCLC-5254(9)); Arterial Street Rehabilitation Package A (Project No. LCLC-5220(3)); Arterial Street Rehabilitation Package B (Project No. LCLC-5236(2)); Arterial Street Rehabilitation Package C (Project No. LCLC-5214(4)); Arterial Street Rehabilitation Package D (Project No. LCLC-5247(11)); Arterial Street Rehabilitation Package E (Project No. LCLC-34-6(140)), in accordance with the terms and conditions contained in said Agreements, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

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

Introduced by Gene Carroll

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

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

AMENDING ORDINANCE NO. 19223 WHICH AUTHORIZED AND PROVIDED FOR THE ISSUANCE OF LINCOLN FLATS/BANK OF THE WEST REDEVELOPMENT PROJECT TAXABLE TAX ALLOCATION BOND, SERIES 2009A AND SERIES 2009B IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$764,000 - CLERK read an ordinance, introduced by Adam Hornung amending Ordinance No. 19223 to provide for resetting the interest rate on the bonds from time to time; to repeal certain provisions of Ordinance No. 19223, in connection therewith; taking other action in connection with the foregoing; and related matters, the first time.

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

ANNEXATION NO. 09002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 1.88 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND FIRETHORN LANE - CLERK read an ordinance, introduced by Jon Camp annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.
The ordinance, being numbered **#19270**, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE 09010 - AMENDING CHAPTER 27.70 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING CODE, ADDITIONAL USE REGULATIONS, BY ADDING A NEW SECTION NUMBERED 27.70.060 TO ALLOW CHURCHES IN THE AG, AGR, R OR O DISTRICTS TO HOLD TEMPORARY OR SEASONAL SALES OF GOODS AT RETAIL. (REQUEST 2ND & 3RD READINGS W/ACTION ON 6/1/09) - PRIOR to reading:

Read an ordinance, introduced by Jon Camp, amending Chapter 27.70 of the Lincoln Municipal Code relating to Zoning Code, Additional Use Regulations, by adding a new section numbered 27.70.060 to allow churches to hold temporary or seasonal sales of goods at retail, the third time.

CARROLL Moved to pass the ordinance as read.

Seconded by Cook & **LOST** by the following vote: AYES: Carroll; NAYS: Camp, Cook, Hornung, Snyder; ABSENT: Emery, Spatz.
The ordinance, having **LOST**, was assigned the File **#38-4592** & was placed on file in the Office of the City Clerk.

VACATION 09004 - VACATING THE EAST-WEST ALLEY BETWEEN NORTH 23RD STREET AND NORTH 24TH STREET, NORTH OF P STREET - CLERK read an ordinance, introduced by Jon Camp, vacating the east-west alley between N. 23rd and N. 24th Streets, north of P Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

CARROLL Moved to pass the ordinance as read.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.
The ordinance, being numbered **#19271**, is recorded in Ordinance Book #26, Page

OPEN MICROPHONE SESSION

Mike Morosin, 1500 N. 15th St., came forward to ask the question if there were any studies done on the impedance to flow of the water through the project at 10th and Military on its way to Salt Creek? Any modeling studies done on that? Mr. Figard will discuss this matter with Mr. Morosin.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

PENDING -

COOK Moved to extend the Pending List to June 15, 2009.
Seconded by Carroll & carried by the following vote: AYES: Camp,
Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

UPCOMING RESOLUTIONS

COOK Moved to approve the resolutions to have Public Hearing on June
15, 2009.
Seconded by Carroll & carried by the following vote: AYES: Camp,
Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

ADJOURNMENT 2:04 P.M.

COOK Moved to adjourn the City Council meeting of June 8, 2009.
Seconded by Carroll & carried by the following vote: AYES: Camp,
Carroll, Cook, Hornung, Snyder; NAYS: None; ABSENT: Emery, Spatz.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

