

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JANUARY 7, 2013 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Eskridge; Council Members: Camp, Carroll, Cook, Emery, Hinkley, Schimek; City Clerk, Joan E. Ross.

Council Chair Eskridge 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**

EMERY Having been appointed to read the minutes of the City Council proceedings of December 17, 2012 reported having done so, found same correct. Seconded by Hinkley & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Buetler presented the Mayor's Award of Excellence for the Month of November 2012 to a Team of Ballard Pool Lifeguards from the Parks & Recreation Aquatics Division consisting of Harmony Jones, Amanda Laurenceau, Molly Shields and Dylan Woldt in the categories of Customer Relations and Valor.

Mayor Buetler stated that Assistant Recreation Manager Holly Lewis nominated the team after she received correspondence from a 30-year veteran of law enforcement, Darrell Fisher, who came upon a two-vehicle crash just southwest of Ballard Pool and volunteered to help with first aid. Mr. Fisher praised the lifeguards for rendering first aid and administering to the care, comfort & safety of the crash victims until Lincoln Fire & Rescue and Lincoln Police arrived to take charge of the accident scene.

Harmony Jones and Molly Shields came forward to graciously accept their awards. Dylan Woldt's mother came forward to proudly accept the award for her son. Holly Lewis came forward on Amanda Laurenceau's behalf to accept her award.

Holly Lewis expressed appreciation for recognition of the Team for assisting with the car accident. She said Ballard staffers often handle unusual situations with calm authority & efficiency. Their training and dedication to safety is counted on everyday. Ms. Lewis praised the rest of the Ballard staff who stayed where they were assigned and continued to follow all safety measures.

Lynn Johnson, Director of Parks & Recreation, came forward in appreciation for all staff members at Ballard Pool. He publicly thanked Mr. Fisher for taking the time to recognize what happened that day.

**PUBLIC HEARING**

APPLICATION OF ABBY NORMAL INC. DBA ONE MORE BAR FOR A CLASS C LIQUOR LICENSE AT 836 NORTH 70TH STREET;

MANAGER APPLICATION OF THERESA DATTOLA FOR ABBY NORMAL INC. DBA ONE MORE BAR AT 836 NORTH 70TH STREET - Theresa Dattola, 4032 Touzalin Ave., came forward to take oath and answer questions. She said she plans to open a small neighborhood lounge where a previous bottle shop once existed at the south end of the strip mall. Ms. Dattola said there are no plans for live entertainment.

In response to Council questions about Planning Commission results, Clerk Ross said there is a provision in the resolution stating that the applicant must have approval of the special permit and meet the parking requirements. She said Council's action on the resolution today would be sent to the Commission with that caveat.

This matter was taken under advisement.

APPLICATION OF JBSR INC. DBA MR. GOODCENTS FOR A CLASS C LIQUOR LICENSE AT 215 NORTH 14TH STREET;

MANAGER APPLICATION OF PRESTON L. MARSH FOR JBSR INC. DBA MR. GOODCENTS AT 215 NORTH 14TH STREET - Michael Scott Ritter, 8725 Remi Drive, came forward to take oath and answer questions.

Preston L. Marsh, 2740 N. 89<sup>th</sup> St., came forward to take oath and answer questions.

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Mr. Ritter said that Mr. Goodcents relocated from 1<sup>st</sup> & O Street to the old Cornerstone Printing building and opened its doors on October 25. Mr. Ritter explained that to differentiate his establishment from others in the area and coordinate with the new Arena, he thought it would be a nice addition to sell bottled beer along with delicious sandwiches and pastas. Mr. Ritter said that out of the four Lincoln locations, this is the only Mr. Goodcents that will have a liquor license.

Council Member Camp questioned the Class C designation and expressed concerns about the saturation of liquor establishments at 14<sup>th</sup> & O Street.

Mr. Ritter clarified business hours, explained the future rebranding of the franchise and presented the reasoning for his Class C liquor license application.

Clerk Ross responded to various Council questions. She explained the process when the branding is completed. In response to designation of liquor licensing, Clerk said it relates to fees. She said that rather than buying two licenses (Class B and Class D), a business may opt for a Class C which allows for off sale and on sale beer.

This matter was taken under advisement.

APPROVING THE FIRST AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND SMG TO AMEND THE MANAGEMENT AGREEMENT DATED JUNE 7, 2012 TO DEFINE PRE-OPENING EXPENSES AND ADOPT A BUDGET FOR PRE-OPENING EXPENSES, TO MODIFY AND CLARIFY SMG'S INSURANCE OBLIGATIONS AS REIMBURSABLE EXPENSES AND TO AMEND THE COMMENCEMENT DATE OF THE TERM - Steve Hubka, Finance Department, came forward to state that this is the first amendment to the management agreement for the Pinnacle Bank Arena. In establishing a pre-opening budget, SMG proposes to be up fronted in the amount of \$2 million for various expenses in operating the Arena and that funding will be paid back - interest free - in 10 years.

Tom Lorenz, SMG General Manager, came forward to explain the nature of a pre-opening budget and the types of costs to be paid out of that budget. He said a pre-opening budget helps them to prepare for the first day of operation. He said there is no way to walk into the Arena on September 1, do all the staff hiring and hit the ground running for a concert on September 13. Mr. Lorenz said all systems must be in place & tested and staff must be hired & trained. As General Manager, Mr. Lorenz said he and his Assistant GM must do event promotion, attend conferences nationwide, talk to promoters & agents to bring events to the Arena, prepare tech-packs and put seating manifests together. In sustainable planning, Mr. Lorenz said they are talking to event producers for dates as far out as 2016 & 2017. He said the Operations Dept. is working on safety procedures, OSHA compliance, data, antennae & Wi-Fi systems. The Food & Beverage Director is working on menu development for concessions, suites, banquets & corporate dinners. Because contract terms require SMG to be as "green" as possible, he said recyclable purchases & plans are being made ahead of time. Mr. Lorenz listed the different pieces that fit into the grand opening budget: personnel; equipment; food stocks; uniforms; traffic supplies; cleaning supplies; advertising; and social media costs. Mr. Lorenz said SMG does not have to spend all \$2 million - if less is used, there will be less to pay back over 10 years.

Council Member Camp questioned the possibility of alcohol service at University basketball games. Mr. Lorenz said in the agreement put together with the University, there is language within the agreement that says if there is a future plan to have alcohol service for University athletic events, SMG would work out the financial deal for that to happen. While there may be ongoing discussions at the NCAA level, Mr. Lorenz said there is no deal set. In further discussion, Mr. Lorenz explained that should the University choose to offer alcohol service in the future, it would be a choice driven by the University, not one driven by SMG Food and Beverage, LLC dba Savor. Mr. Lorenz covered issues of his company's careful alcohol service and adherence to proper server training. He said that while alcohol is an important revenue source, its proceeds always drop to the bottom line of the facility management.

This matter was taken under advisement.

**COUNCIL ACTION**

**REPORTS OF CITY OFFICERS**

RESOLUTION APPROVING THE CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FROM THE CITY TREASURER FOR THE FISCAL YEAR 2011-2012 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87148 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED NOVEMBER 30, 2012 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87149 BE IT RESOLVED by the City Council, of the City of Lincoln, Nebraska:

That during the month ended November 30, 2012, \$20,064.46 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 Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 10, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 17, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTHS OF AUGUST THROUGH NOVEMBER, 2012 FROM BLACK HILLS/NEBRASKA GAS UTILITY CO., LLC - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS NOVEMBER 30, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

REPORT FROM CITY TREASURER OF E911 SURCHARGE FOR THE TIME PERIOD JULY 1, 2012 THROUGH NOVEMBER 30, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-02)

#### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2013 AT 5:30 P.M. FOR THE APPLICATION OF OVERLORD, LLC DBA BUNNERS FOR A CLASS I LIQUOR LICENSE LOCATED AT 2785 S. 17TH STREET - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87150 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2013, 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 Overlord, LLC dba Bunnens for a Class I liquor license located at 2785 S. 17th Street.

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

Introduced by Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2013 AT 5:30 P.M. FOR THE APPLICATION OF NAPOLI, LLC DBA FLORIO'S ITALIAN STEAKHOUSE AND LOUNGE FOR A CLASS I LIQUOR LICENSE LOCATED AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87151 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2013, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S.

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10th St., Lincoln, NE for the application of Napoli, LLC dba Florio's Italian Steakhouse and Lounge for a Class I liquor license located at 8701 Andermatt Drive.

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

Introduced by Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2013 AT 5:30 P.M. FOR THE APPLICATION OF CCW, LLC DBA HUHOT MONGOLIAN GRILL FOR A CLASS I LIQUOR LICENSE LOCATED AT 2525 PINE LAKE ROAD, SUITE 200 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87152 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2013, 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 CCW, LLC dba HuHot Mongolian Grill for a Class I liquor license located at 2525 Pine Lake Road, Suite 200.

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

Introduced by Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2013 AT 5:30 P.M. FOR THE APPLICATION OF SELAMA, LLC DBA KONG'S LIQUOR FOR A CLASS D LIQUOR LICENSE LOCATED AT 1401 N. 56TH STREET - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87153 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2013, 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 Selama, LLC dba Kong's Liquor for a Class D liquor license located at 1401 N. 56th Street.

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

Introduced by Doug Emery

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

REFERRALS TO THE PLANNING DEPARTMENT:

Change of Zone No. 10014A - Requested by Olsson Associates for an amendment to the Northwoods Plaza Planned Unit Development to allow 150 dwelling units and 176,900 square feet of commercial floor area in the underlying B-2 zoned area on property generally located at N. 84th Street and Holdrege Street.

Change of Zone No. 12033 - Requested by the Director of Planning amending Title 27 of the Lincoln Municipal Code (Zoning Ordinance) to reformat Chapter 27.72 (Height and Lot Regulations) and to include regulations that were not carried over from Chapter 27.71 to 27.72; to provide clarification as to how uses are regulated by amending Chapters 27.02 Definitions, 27.06 Use Groups, 27.39 H-1 Interstate Commercial District, 27.62 Conditional Uses, 27.63 Special Permits, 27.69 Signs, 27.72 Height and Lot Regulations.

Change of Zone No. 12039 - Requested by the Director of Parks and Recreation from P Public Use District to R-2 Residential District on property generally located West B Street and S. Folsom Street.

Special Permit No. 12038 - Requested by Abby Normal, LLC for the authority to sell alcoholic beverages for consumption on and off the premises on property generally located at N. 70th Street and Vine Street (836 N. 70th Street).

Special Permit No. 12039 - Requested by Pastor Jeremy Penrod for construction of a parking lot in a residential district with a reduction of the front yard setback on property generally located at S. 49th Street and Randolph Street.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 12047 to Special Permit No. 06014, Southlake Community Unit Plan, approved by the Planning Director on December 11, 2012 requested by Olsson Associates to revise the lot and street layout from 68 attached single-family dwelling lots to 34 detached single-family dwelling lots on two cul-de-sacs on property generally located near S. 98th St. and Andermatt Drive.

Administrative Amendment No. 12060 to Preliminary Plat No. 99028, Lincoln Ballpark, approved by the Planning Director on December 12, 2012 requested by the City of Lincoln to revise the grading and drainage plan to update the flood storage sites and calculations by adding Site "E" to the Mitigation Map and revising the Flood Storage Mitigation Table on property generally located at Sun Valley Blvd. and Line Drive.

Administrative Amendment No. 11066 to Special Permit No. 1812 approved by the Planning Director on December 14, 2012 requested by J. Michael Rierden to revise the site plan to show an approximately 15' x 7' generator building to a wireless tower on property generally located near N. 11th Street and Oak Street.

Administrative Amendment No. 12063 to Special Permit No. 12003, Market Garden, approved by the Planning Director on December 17, 2012 requested by Jerry and Renee Cornett to add as Sheet 1A a "Phase 1" site plan that retains the existing 2,400 square foot home to be remodeled as a restaurant and produce processing area and to reduce the parking to 10 stalls with an additional paved ADA stall while retaining the right to build to the original Sheet 1 site plan as a "Phase 2" on property generally located at N. 112th Street and Branched Oak Road.

Administrative Amendment No. 12020 to Change of Zone No. 05068B, The Woodlands at Yankee Hill Planned Unit Development, approved by the Planning Director on December 21, 2012 requested by Lewis-Starostka, Inc. to revise the lot layout for Lots 1-3, Block 41, from three lots to ten lots and an outlot and revising the land use table accordingly on property generally located near S. 70th Street and Countryview Road.

Administrative Amendment No. 12062 to Use Permit No. 8A, Northridge Center, approved by the Planning Director on December 31, 2012 requested by Orange Development, Inc. to amend the site plan by showing a separate pad site for a pharmacy with drive-thru and revising the parking lot layout on property generally located at N. 14th Street and Superior Street.

**MISCELLANEOUS REFERRALS - NONE**

**LIQUOR RESOLUTIONS**

APPLICATION OF ABBY NORMAL INC. DBA ONE MORE BAR FOR A CLASS C LIQUOR LICENSE AT 836 NORTH 70TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87154 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 Abby Normal Inc. dba One More Bar for a Class "C" liquor license at 836 North 70th Street, Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that:

1. The applicant obtains a valid special permit, including the parking requirements.
2. 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.
3. The premises 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 Jon Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

MANAGER APPLICATION OF THERESA DATTOLA FOR ABBY NORMAL INC. DBA ONE MORE BAR AT 836 NORTH 70TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87155 WHEREAS, Abby Normal Inc. dba One More Bar located at 836 North 70<sup>th</sup> Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Theresa Dattola be named manager;

WHEREAS, Theresa Dattola 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 Theresa Dattola be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

APPLICATION OF JBSR INC. DBA MR. GOODCENTS FOR A CLASS C LIQUOR LICENSE AT 215 NORTH 14TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87156 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 JBSR Inc. dba Mr. Goodcents for a Class "C" liquor license at 215 North 14th Street, Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that the premises 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 Jon Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

MANAGER APPLICATION OF PRESTON L. MARSH FOR JBSR INC. DBA MR. GOODCENTS AT 215 NORTH 14TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87157 WHEREAS, JBSR Inc. dba Mr. Goodcents located at 215 North 14th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Preston L. Marsh be named manager;

WHEREAS, Preston L. Marsh 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 Preston L. Marsh be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

#### **ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

APPROVING THE FIRST AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND SMG TO AMEND THE MANAGEMENT AGREEMENT DATED JUNE 7, 2012 TO DEFINE PRE-OPENING EXPENSES AND ADOPT A BUDGET FOR PRE-OPENING EXPENSES, TO MODIFY AND CLARIFY SMG'S INSURANCE OBLIGATIONS AS REIMBURSABLE EXPENSES AND TO AMEND THE COMMENCEMENT DATE OF THE TERM - CLERK read the following ordinance, introduced by Jonathan Cook, accepting and approving the First Amendment to Management Agreement between the City of Lincoln, Nebraska and SMG to amend the Management Agreement dated June 7, 2012 to define pre-opening expenses and adopt a budget for pre-opening expenses, to modify and clarify SMG's insurance obligations as Reimbursable Expenses and to amend the commencement date of the term, the second time.

#### **PUBLIC HEARING - RESOLUTIONS - NONE**

#### **ORDINANCE - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required) - NONE**

#### **ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

AMENDING CHAPTER 24.05 OF THE LINCOLN MUNICIPAL CODE, THE LINCOLN GAS PIPING SYSTEMS CODE, BY AMENDING SECTION 24.05.010 TO PROVIDE THAT STANDARDS 54 AND 58 OF THE 1992 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS AS AMENDED FROM TIME TO TIME SHALL BE CONSIDERED PART OF THE LINCOLN GAS PIPING CODE; AMENDING SECTION 24.05.260 TO PROVIDE EXAMINATIONS FOR MASTER OR JOURNEYMAN GAS FITTERS SHALL BE HELD AT DATES, TIMES AND PLACES AS MAY BE DETERMINED BY THE DIRECTOR OF BUILDING AND SAFETY UPON AT LEAST 14 DAYS NOTICE THEREOF; AMENDING SECTION 24.05.350 TO INCREASE CERTAIN EXAMINATION AND REGISTRATION FEES; AND AMENDING SECTION 24.05.380 TO INCREASE CERTAIN PERMIT FEES - CLERK read an ordinance, introduced by Doug Emery, amending Chapter 24.05 of the Lincoln Municipal Code, the Lincoln Gas Piping Systems Code, by amending Section 24.05.010 to provide that the current version of Standards 54 and 58 of the 1992 National Fire Protection Association (NFPA) Standards are on file in the office of the City Clerk and that Standards 54 and 58 as amended from time to time shall be considered part of the Lincoln Gas Piping Code; amending Section 24.05.260 to

provide examinations for master or journeyman gas fitters shall be held at dates, times and places as may be determined by the Director of Building and Safety upon at least 14 days notice thereof; amending Section 24.05.350 to increase certain examination and registration fees; amending Section 24.05.380 to increase certain permit fees; and repealing Sections 24.05.010, 24.05.260, 24.05.350, and 24.05.380 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 8.16 OF THE LINCOLN MUNICIPAL CODE, CONTAGIOUS AND INFECTIOUS DISEASES, BY REPEALING SECTIONS 8.16.010, 8.16.020, 8.16.030, 8.16.040, 8.16.050, 8.16.060, 8.16.070, 8.16.080, AND 8.16.090 IN THEIR ENTIRETY - CLERK read an ordinance, introduced by Doug Emery, repealing Chapter 8.16 of the Lincoln Municipal Code, Contagious and Infectious Diseases, by repealing Sections 8.16.010, 8.16.020, 8.16.030, 8.16.040, 8.16.050, 8.16.060, 8.16.070, 8.16.080, and 8.16.090 in their entirety, the first time.

AMENDING CHAPTER 8.24 OF THE LINCOLN MUNICIPAL CODE, LINCOLN'S NOISE CONTROL ORDINANCE, BY AMENDING SECTION 8.24.080 TO CHANGE REQUIREMENTS FOR REPORTS; AMENDING SECTION 8.24.140 TO CLARIFY EXEMPTION PROVISIONS RELATED TO GOVERNMENT ACTIVITIES; AND AMENDING SECTION 8.24.150 TO UPDATE PROVISIONS FOR APPEAL PROCEDURES - CLERK read an ordinance, introduced by Doug Emery, amending Chapter 8.24 of the Lincoln Municipal Code, Lincoln's Noise Control Ordinance, by amending Section 8.24.080 to change requirements for reports; amending Section 8.24.140 to clarify exemption provisions related to government activities; amending Section 8.24.150 to update provisions for appeal procedures; and repealing Sections 8.24.080, 8.24.140, and 8.24.150 of the Lincoln Municipal Code as hitherto existing, the first time.

**RESOLUTIONS - 1<sup>ST</sup> READING - ADVANCE NOTICE**

RENAMING THE PARK AT 7TH AND Q STREET CURRENTLY KNOWN AS "IRON HORSE PARK" TO "BILL HARRIS IRON HORSE PARK."

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF DECEMBER 1 - 31, 2012.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND WHITEHEAD OIL COMPANY FOR THE ANNUAL SUPPLY OF MOTOR FUELS, PURSUANT TO BID NO. 12-225, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM UPON THE TERMS SET FORTH IN SAID CONTRACT.

APPROVING THE AMENDMENT TO RENEW EACH OF THE AGREEMENTS FOR THE ANNUAL SUPPLY OF POLICE CLOTHING, PURSUANT TO BID NO. 10-171, BETWEEN THE CITY OF LINCOLN AND SOUTHERN UNIFORM AND EQUIPMENT, ALAMAR UNIFORMS, AND GALLS INC. FOR ADDITIONAL TWO YEAR TERMS UPON THE TERMS SET FORTH IN SAID AMENDMENTS.

APPROVING A CONTRACT FOR CONSTRUCTION DESIGN SERVICES BETWEEN THE CITY OF LINCOLN AND OLSSON ASSOCIATES FOR ENGINEERING AND RELATED PROFESSIONAL SERVICES FOR THE CONSTRUCTION DESIGN OF TWO BIORETENTION WATER QUALITY FEATURES UPSTREAM FROM SOUTH STREET IN ANTELOPE PARK, CITY PROJECT NO. 705335C.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND HAVELOCK BUSINESS ASSOCIATION FOR THE REPLACEMENT OF THE HAVELOCK SIGN IN THE SOUTHEAST CORNER OF THE INTERSECTION OF SUPERIOR STREET, CORNHUSKER HIGHWAY AND HAVELOCK AVENUE.

APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN LANCASTER COUNTY AGRICULTURAL SOCIETY, INC., THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO PRESERVE AND PROTECT FLOODPLAINS, WETLANDS, NATURAL DRAINAGEWAYS, AND TREE MASSES OVER 7.83 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVE.

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REAPPOINTING ANDREW BUDELL TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2017.

APPOINTING RANDALL GORDON TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 17, 2015.

APPOINTING ERIC T. HOKE TO THE CITIZEN POLICE ADVISORY BOARD FOR A TERM EXPIRING NOVEMBER 17, 2014.

REAPPOINTING JERRY L. HUDGINS, VICKI HUFF AND MARILYN MCNABB TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2015.

APPOINTING TRENTON REED TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2014.

REAPPOINTING RUTHELEN G. SITTLER AND BARRY MOORE TO THE AGING PARTNERS AREA AGENCY ON AGING AREA WIDE ADVISORY COUNCIL FOR TERMS EXPIRING JULY 1, 2015.

APPOINTING SHARON L. BUSCH TO THE AGING PARTNERS AREA AGENCY ON AGING AREA WIDE ADVISORY COUNCIL FOR A TERM EXPIRING JULY 1, 2014.

COMP. PLAN AMENDMENT 12004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN BY CHANGING THE LANCASTER COUNTY AND LINCOLN AREA FUTURE LAND USE PLANS FROM GREEN SPACE TO INDUSTRIAL ON APPROXIMATELY 11 ACRES OF PROPERTY AT N.W. 44TH STREET AND W. WEBSTER STREET.

MISC. NO. 12014 - DECLARING THE 18TH AND Q STREETS REDEVELOPMENT AREA, AN APPROXIMATELY 4.7 ACRES GENERALLY BOUNDED BY Q STREET, R STREET, N. 18TH STREET AND N. ANTELOPE VALLEY PARKWAY, AS BLIGHTED AND SUBSTANDARD.

APPROVING A FUNDING AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR CONSTRUCTION ENGINEERING COSTS FOR THE S.W. 40TH STREET PROJECT (STATE PROJECT NO. STPN-BR-TMT-5267(1), CN 12744, CITY PROJECT NO. 700132).

APPROVING A CONSTRUCTION ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR CONSTRUCTION ENGINEERING COSTS FOR THE 27TH AND LEIGHTON VIADUCT PROJECT (STATE PROJECT NO. LCLC-5231(13), CN 13137, CITY PROJECT NO. 540023).

APPROVING A PROGRAM AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL TRANSPORTATION PROGRAM FUNDS FOR PRELIMINARY ENGINEERING, RIGHT-OF-WAY EXPENSES, CONSTRUCTION, AND CONSTRUCTION ENGINEERING COSTS FOR THE 10TH AND SALT CREEK BRIDGE PROJECT (STATE PROJECT NO. LCLC-5215(3), CN 13233, CITY PROJECT NO. 540027).

**MISCELLANEOUS BUSINESS - NONE**

**OPEN MICROPHONE - NONE**

**ADJOURNMENT 3:39 P.M.**

CARROLL Moved to adjourn the City Council meeting of January 7, 2013.  
Seconded by Schimek & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

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Joan E. Ross, City Clerk

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Sandy L. Dubas, Office Specialist