

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JANUARY 28, 2013 AT 5:30 P.M.**

The Meeting was called to order at 5:30 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**

SCHIMEK Having been appointed to read the minutes of the City Council proceedings of January 14, 2013 reported having done so, found same correct. Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

**PUBLIC HEARING**

REAPPOINTING JERRY L. HUDGINS, VICKI HUFF AND MARILYN MCNABB TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2015 - Council Member Camp spoke about procedure regarding first-time appointments and reappointments to the Lincoln Electric System Board and to the Planning Commission. He expressed appreciation to the re-nominees for appearing before Council for introduction & to exchange ideas.

Marilyn McNabb, 1701 W. Rose St., came forward for questioning. She reminded the public and invited everyone to attend the public comment period at the beginning of all LES Board meetings.

Vicki Huff, 505 Pier 2, came forward for her three-year appointment.

Jerry Hudgins, 3415 W. Cape Charles Rd., came forward to be appointed for another 3-year term.

Council Member Camp asked the reappointees for their thoughts on five points: 1) Cost of fuel rates and service charges; 2) Rate Stabilization Fund; 3) Cost of esthetics; 4) Source of power; and finally, 5) Sustainability.

Ms. McNabb said in her understanding many elements are connected in an electric company. She said when LES rates are set, it is done with a complex set of computerized variables telling them, through key financial indicators, if the target will be met or not. Ms. McNabb said the Lincoln Electric System has a great bond rating which is currently AA. In response to the Rate Stabilization Fund and the possibility of rebating excess revenue, Ms. McNabb said LES staff is working on it.

Ms. Huff said during her first year on the Board, there could have been a rate increase of 8.4%. In mitigation on behalf of the shareholders to bring that figure down, they elected to use about \$4 million out of the RSF and to cut back in other ways as well.

Council Member Emery expressed concern about the level at which the Rate Stabilization Fund must be kept. Ms. Huff shared results of a study which advised the RSF to be between \$25 - \$30 million.

Council Member Camp commented on esthetics and the public process. He said that it is 10 times more expensive to bury lines than to install them above ground. Most recently a public process was held and 88 people shared their opinion to bury lines. Mr. Hudgins said a public process is in review for improvement and to allow for more public engagement. Mr. Camp said when it comes to reliability, there is no difference between above and below ground lines -- above ground lasts 80 years; below ground only lasts 40 years.

Council Member Cook stated there are many factors involved in deciding whether to go above or below ground. He said regarding reliability, in general, the lines below ground do not fail in the middle of an ice storm; the ones above ground do. Mr. Cook expressed a desire to support the expansion of a program to do more to address issues of above-ground power lines in older neighborhoods.

Council Member Carroll thanked Hudgins, Huff & McNabb for their willingness to be reappointed to service. He expressed appreciation to all LES Board Members who do an excellent job watching out for the best interests of the City of Lincoln.

Mr. Hudgins said wind energy is more expensive than other generating sources; furthermore, it is also unreliable. He said in Nebraska, the price of electrical energy is very low compared to many other regions in the United States. Many factors play into the investment in renewable energy: cost, reliability and rates. He explained wind energy contracts and tax credits.

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In response to nuclear energy, Ms. McNabb said large plants that we are used to today are obsolete and expensive to operate. Smaller nuclear plants are the direction of the industry. Ms. McNabb also reported that 2,000 residential customers participated in the Sustainable Energy Program thereby reducing on-peak demand by 15 megawatts. For comparison, Mr. Hudgins said this past summer's peak demand was 780 megawatts.

Council Member Camp thanked the reappointees and recognized other Lincoln Electric System representatives who were present: W. Don Nelson, Board Member; Kevin Wailes, Administrator & CEO; and Shelley Sahling-Zart, Vice President & General Counsel.

Council Chair Eskridge expressed appreciation to Hudgins, Huff and McNabb for their service to the City.

This matter was taken under advisement.

APPLICATION OF NAPOLI LLC DBA FLORIO'S ITALIAN STEAKHOUSE AND LOUNGE FOR A CLASS I LIQUOR LICENSE AT 8701 ANDERMATT DRIVE;  
MANAGER APPLICATION OF FLORIM RAMADANI FOR NAPOLI LLC DBA FLORIO'S ITALIAN STEAKHOUSE AND LOUNGE AT 8701 ANDERMATT DRIVE - Florim Ramadani, 3111 College St., Grand Island, came forward to take oath and answer questions. He stated that he and his partner own Italian restaurants in Grand Island & Hastings and plan to move to Lincoln in the future.

This matter was taken under advisement.

APPLICATION OF SELAMA LLC DBA KONG'S LIQUOR FOR A CLASS D LIQUOR LICENSE AT 1401 NORTH 56TH STREET, SUITES 105 & 106;  
MANAGER APPLICATION OF FISEHA TESFAZION FOR SELAMA LLC DBA KONG'S LIQUOR AT 1401 NORTH 56TH STREET, SUITE 105 & 106 - Patrick T. O'Brien, 811 S. 13<sup>th</sup> St., attorney for the applicant, came forward to take oath and answer questions. Mr. O'Brien said Mr. Testafazion has experience in successfully operating other liquor establishments.

Fiseha Testafazion, 1827 J St., came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF OVERLORD LLC DBA BUNNERS FOR A CLASS I LIQUOR LICENSE AT 2785 SOUTH 17<sup>TH</sup> STREET;  
MANAGER APPLICATION OF THERESA K. MOREY FOR OVERLORD LLC DBA BUNNERS AT 2785 SOUTH 17<sup>TH</sup> STREET - Theresa Morey, 1616 W. Garfield, came forward to take oath and answer questions.

Matthew Morey, 1616 W. Garfield, came forward to take oath and answer questions. Mr. Morey described their featured hot sandwich known as a bunner. He said their version of a yeast dough bread sandwich in a choice of four to five fillings can be enjoyed with fries & a soda for under \$5. He responded to Council questions by clarifying business hours and describing the extensive remodeling of the interior restaurant.

Mrs. Morey said they have received a warm welcome from residential neighbors.

This matter was taken under advisement.

APPLICATION OF CCW, LLC DBA HUHOT MONGOLIAN GRILL FOR A CLASS I LIQUOR LICENSE AT 2525 PINE LAKE ROAD, SUITE 200;  
MANAGER APPLICATION OF ROGER J. KNEIVEL FOR CCW, LLC DBA HUHOT MONGOLIAN GRILL AT 2525 PINE LAKE ROAD, SUITE 200 - Brendan Crowley, 12326 Douglas Circle, Omaha, came forward to take oath and answer questions. Mr. Crowley explained that this HuHot is a second location for Lincoln and it will be managed by Mr. Roger Kneivel.

This matter was taken under advisement.

APPROVING LEGENDS BAR & GRILL AS A KENO SATELLITE SITE AT 8300 NORTHWOODS DRIVE - Katrina Coffey, VP of Marketing, Big Red Keno, 11248 John Galt Blvd., Omaha, came forward for approval. She explained the difficult & thorough process to be approved for a Keno site. Ms. Coffey said this location will be the 36<sup>th</sup> Keno satellite site in Lincoln.

Jason Von Kaenel, owner of Legends Bar & Grill, came forward to answer questions.

Council Chair Eskridge shared that various human service organizations in the City & County benefit from Keno funds.

This matter was taken under advisement.

AUTHORIZING A REQUEST TO THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, FOR RELAXATION OF THE MINIMUM DESIGN STANDARDS TO ALLOW TEN FOOT WIDE LANES IN NORTH 33RD STREET FROM P STREET TO HOLDREGE STREET, CITY PROJECT 701775 - Kent Evans, Public Works & Utilities/Engineering Services, came forward

to discuss the reconstruction project on 33<sup>rd</sup> Street involving milling & overlay on existing 10-ft. wide lanes. If widening increases to 11-ft. lanes, it would have a major impact on the economy: cost to City would be 75% more, curbs & gutters would have to be replaced, property owners on each side would lose two feet and fifty-eight trees along the corridor would have to be removed.

Roger Figard, PWU/Engineering Services, came forward to answer questions. He said he has a seat on the State of Nebraska Board of Public Roads. One of the goals of this project is to comply with ADA at the corners. Mr. Figard explained that there is no apparent increased safety risk on this stretch as compared to other stretches. He expressed optimism that the Board will approve the relaxation and stay with 10-ft. lane widths. He believes the Board is more sensitive to environmental impacts than with costs.

In response to Council Member Camp's question about lane width observations, Mr. Figard said it varies from location to location. While he is more comfortable with 11-ft. wide lanes, the City has taken the following components into consideration at this location: truck counts; traffic volumes; speed limit; and lack of accidents.

This matter was taken under advisement.

APPROVING A FEE FOR THE LIFT ASSIST SERVICE PERFORMED BY LINCOLN FIRE AND RESCUE IN THE AMOUNT OF \$250.00, PURSUANT TO SECTION 2.20.200 OF THE LINCOLN MUNICIPAL CODE - Rod Confer, City Attorney, came forward to explain the reasoning for setting fees for certain services performed by LFR. He said it only applies to assisted living facilities and nursing care facilities who call Lincoln Fire & Rescue and ask them to come out and assist with their patients. In August, the City Council passed an ordinance to approve the lift assist fee; this is the second part of the process which actually sets the \$250 amount. Mr. Confer said the fee may be a deterrent for these facilities to call LFR rather than hiring their own employees who are able to do this type of work.

This matter was taken under advisement.

APPROVING A CONSULTANT AGREEMENT BETWEEN THE CITY OF LINCOLN AND AMERITAS INVESTMENT CORP. FOR FINANCIAL CONSULTING SERVICES FOR PROFESSIONAL ASSISTANCE IN THE ISSUANCE OF DEBT SECURITIES BY THE CITY FOR A FOUR YEAR TERM - Steve Hubka, City Finance Director, came forward in support of retaining Ameritas Investment Corp., and specifically Scott Keene, as their representative. He rated Mr. Keene highly in his long-time role as the City's financial advisor, his work in underwriting bond issues, his advice in debt issuances and his general promptness in returning calls/emails.

Scott Keene, Ameritas Investment Corp., came forward to answer bond questions. He said that over the last five years, twenty-three issues were brought to market for the City. Twelve issues were sold on a competitive basis; eleven were sold on a negotiated basis. Mr. Keene said Ameritas relies very heavily on bidders across the country. Negotiated issues are traditionally done through Ameritas as the lead banker on those financings - other firms have participated - but Ameritas is the lead banker. Mr. Keene offered on behalf of the 1,000 employees of Ameritas who live in the City of Lincoln, many thanks.

Don Herz, 1817 St. Andrews Place, came forward in support of the professional service agreement with Ameritas. He said the City of Lincoln is considered to be one of the better financially managed cities in the country. He said the key indicator to support this is the AAA ratings from Moody's and Standard & Poor's. This base rating for general obligation bonds raises the vote for all of the entities within the City: LES; Lincoln Water System; Lincoln Wastewater System; and the Parking System. Mr. Herz said Ameritas, as the City's financial advisor, has played a key part in achieving and maintaining this level of excellence. Mr. Herz said during most of his 12-year tenure in the Finance Department, he was able to work with Scott Keene.

This matter was taken under advisement.

APPROVING FIVE CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND ALL MAKES OFFICE EQUIPMENT, AOI CORPORATION, OFFICE INTERIORS & DESIGN, PAY-LESS OFFICE PRODUCTS AND STAPLES, INC. FOR THE ANNUAL SUPPLY OF OFFICE SEATING, PURSUANT TO BID NO. 12-249, FOR FOUR-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR-YEAR TERM;

APPROVING TWO CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN AND LESOING'S INC. AND STEPHENSON TRUCK REPAIR, INC. FOR THE ANNUAL REQUIREMENTS FOR AUTOMOTIVE PAINT AND BODY WORK, PURSUANT TO QUOTE NO. 3997, FOR TWO YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO-YEAR TERM - Vince Mejer, Purchasing Agent, came forward to answer questions.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

APPOINTING MANDY R. HATCHER TO THE VETERANS MEMORIAL ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2015 - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87176 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Mandy R. Hatcher to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2015, is hereby approved.  
Introduced by Lloyd Hinkley  
Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

REAPPOINTING JERRY L. HUDGINS, VICKI HUFF AND MARILYN MCNABB TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2015 (P.H. CON'T TO 1/28/13) - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87177 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Jerry L. Hudgins, Vicki Huff, and Marilyn McNabb to the Lincoln Electric System Administrative Board for terms expiring December 31, 2015, is hereby approved.  
Introduced by Doug Emery  
Seconded by Camp & 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 JANUARY 7, 2013 - 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 JANUARY 14, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 11, 2013 AT 3:00 P.M. FOR THE APPLICATION OF TLD FOODS, INC. DBA SAM & LOUIE'S FOR A CLASS IK LIQUOR LICENSE LOCATED AT 1332 P STREET, SUITE A - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87178 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 11, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of TLD Foods, Inc. dba Sam & Louie's for a Class IK liquor license at 1332 P Street, Suite A.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

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

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 11, 2013 AT 3:00 P.M. FOR THE APPLICATION OF VINA MARKET I, LLC DBA VINA MARKET FOR A CLASS C LIQUOR LICENSE LOCATED AT 611 N. 27TH STREET - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87179 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 11, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Vina Market I, LLC dba Vina Market for a Class C liquor license at 611 N. 27th Street.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 12065 to Special Permit No. 421D, Carriage Hill Community Unit Plan, approved by the Planning Director on January 16, 2013 requested by Mahris Custom Homes to permit a building addition and reduce the yard for two, two-family dwellings adjacent to the east lot line on property generally located near S. 80th Street and A Street.

Administrative Amendment No. 12072 to Change of Zone No. 05026B, Apple's Way Planned Unit Development, approved by the Planning Director on January 16, 2013 requested by Neighbors Family Homes to adjust the rear setback for Lot 8, Block 1 (6304 Pomodoro Court) from 30 feet to 27 feet on property generally located near S. 63rd Street and Highway 2.

**MISCELLANEOUS REFERRALS - NONE**

**LIQUOR RESOLUTIONS**

APPLICATION OF NAPOLI LLC DBA FLORIO'S ITALIAN STEAKHOUSE AND LOUNGE FOR A CLASS I LIQUOR LICENSE AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87180 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 Napoli LLC dba Florio's Italian Steakhouse and Lounge for a Class "I" liquor license at 8701 Andermatt Drive, Lincoln, Nebraska, for the license period ending April 30, 2013, 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 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 FLORIM RAMADANI FOR NAPOLI LLC DBA FLORIO'S ITALIAN STEAKHOUSE AND LOUNGE AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87181 WHEREAS, Napoli LLC dba Florio's Italian Steakhouse and Lounge located at 8701 Andermatt Drive, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Florim Ramadani be named manager; WHEREAS, Florim Ramadani 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 Florim Ramadani 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 SELAMA LLC DBA KONG'S LIQUOR FOR A CLASS D LIQUOR LICENSE AT 1401 NORTH 56TH STREET, SUITES 105 & 106 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87182 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 Selama LLC dba Kong's Liquor for a Class "D" liquor license at 1401 North 56th Street, Suites

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105 and 106, Lincoln, Nebraska, for the license period ending April 30, 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 FISEHA TESFAZION FOR SELAMA LLC DBA KONG'S LIQUOR AT 1401 NORTH 56TH STREET, SUITE 105 & 106 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87183 WHEREAS, Selama LLC dba Kong's Liquor located at 1401 North 56th Street, Suites 105 and 106, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Fiseha Tesfazion be named manager;

WHEREAS, Fiseha Tesfazion 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 Fiseha Tesfazion 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 OVERLORD LLC DBA BUNNERS FOR A CLASS I LIQUOR LICENSE AT 2785 SOUTH 17<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87184 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 Overlord LLC dba Bunnners for a Class "I" liquor license at 2785 South 17th Street, Lincoln, Nebraska, for the license period ending April 30, 2013, be approved with the condition that:

1. There be no business or personal alcohol related offenses by the applicant within the first year after approval.

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 K. MOREY FOR OVERLORD LLC DBA BUNNERS AT 2785 SOUTH 17<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87185 WHEREAS, Overlord LLC dba Bunnners located at 2785 South 17th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Theresa K. Morey be named manager;

WHEREAS, Theresa K. Morey 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 K. Morey 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 CCW, LLC DBA HUHOT MONGOLIAN GRILL FOR A CLASS I LIQUOR LICENSE AT 2525 PINE LAKE ROAD, SUITE 200 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87186 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 CCW, LLC dba Huhot Mongolian Grill for a Class "I" liquor license at 2525 Pine Lake Road, Suite 200, Lincoln, Nebraska, for the license period ending April 30, 2013, 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 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 ROGER J. KNEIVEL FOR CCW, LLC DBA HUHOT MONGOLIAN GRILL AT 2525 PINE LAKE ROAD, SUITE 200 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87187 WHEREAS, CCW, LLC dba Huhot Mongolian Grill located at 2525 Pine Lake Road, Suite 200, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Roger J. Kneivel be named manager;  
WHEREAS, Roger J. Kneivel 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 Roger J. Kneivel 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) - NONE**

#### **PUBLIC HEARING - RESOLUTIONS**

APPROVING LEGENDS BAR & GRILL AS A KENO SATELLITE SITE AT 8300 NORTHWOODS DRIVE - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87188 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purpose of providing for a joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of a keno type lottery with EHPV Lottery Services, LLC, a Nebraska limited liability company; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno Contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno Contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of Legends Bar & Grill, 8300 Northwoods Drive, Lincoln, NE 68505.

The City Clerk is directed to return an executed copy of this Resolution to Legends Bar & Grill.

Introduced by Lloyd Hinkley

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

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AUTHORIZING A REQUEST TO THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, FOR RELAXATION OF THE MINIMUM DESIGN STANDARDS TO ALLOW TEN FOOT WIDE LANES IN NORTH 33RD STREET FROM P STREET TO HOLDREGE STREET, CITY PROJECT 701775 - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87189 WHEREAS, the State of Nebraska, Board of Public Roads Classifications and Standards has established a minimum lane width of 11 feet for Urban Arterial Streets; and

WHEREAS, the 10 foot wide lanes proposed for City Project 701775 - North 33rd Street from P to Holdrege Street, do not meet such minimum design standard for lane widths on Urban Arterial Streets; and

WHEREAS, the City of Lincoln desires to request a modification of the Standards by the Board of Public Roads Classification and Standards so as to reduce the overall construction costs, increase the park space distance between the proposed back-of-curb and front-of -sidewalk along both sides of the street, and reduce the need for tree removal; and

WHEREAS, the City of Lincoln believes that the granting of such an exception will not impair the safety of traffic within the limits of these projects;

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

Pursuant to Neb. Rev. Stat. § 39-2113(6) (Reissue 2008), the City of Lincoln does hereby request the Board of Public Roads Classifications and Standards to grant an exception to the above described minimum design lane width to allow a 10 foot wide street for the following City Project: 701775 - North 33rd Street from P to Holdrege Street.

BE IT FURTHER RESOLVED that the Director of Public Works and Utilities is hereby authorized and directed to forward a copy of this Resolution to the Board of Public Roads Classifications and Standards as a part of the City of Lincoln's request for the design exception.

Introduced by Lloyd Hinkley

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

APPROVING A FEE FOR THE LIFT ASSIST SERVICE PERFORMED BY LINCOLN FIRE AND RESCUE IN THE AMOUNT OF \$250.00, PURSUANT TO SECTION 2.20.200 OF THE LINCOLN MUNICIPAL CODE - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87190 WHEREAS, on August 8, 2012, the City Council passed Ordinance No. 19754 amending Chapter 2.20 of the Lincoln Municipal Code to identify and establish fees for certain services performed by the Lincoln Fire and Rescue Department; and

WHEREAS, the addition of fees will allow users of certain services performed by the Lincoln Fire and Rescue Department to assume more of the responsibility for funding the Department and allow the City of Lincoln to continue to provide a broad range of rescue services; and

WHEREAS, the purpose of this Ordinance is to establish a fee for the Lift Assist service that is regularly performed by the Fire and Rescue Department.

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

That the City Council, upon review of the recommendation of the Fire and Rescue Department, hereby accepts and adopts the following fee for a response by Lincoln Fire and Rescue personnel to assist in physically moving a person who does not require emergency medical transportation as provided in Section 2.20.200 of the Lincoln Municipal Code. The Lincoln Fire and Rescue Department shall charge \$250.00 for each lift assist as defined in the Code. The fee shall be charged to the assisted living facilities and nursing care facilities where the assists occur.

BE IT FURTHER RESOLVED that, upon the effective date of the fee structure set forth above, any resolution relating to said fee shall be superseded.

Introduced by Lloyd Hinkley

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

APPROVING A CONSULTANT AGREEMENT BETWEEN THE CITY OF LINCOLN AND AMERITAS INVESTMENT CORP. FOR FINANCIAL CONSULTING SERVICES FOR PROFESSIONAL ASSISTANCE IN THE ISSUANCE OF DEBT SECURITIES BY THE CITY FOR A FOUR YEAR TERM - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87191 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Consultant Agreement between the City of Lincoln and Ameritas Investment Corp. for Financial Consulting Services for professional assistance in the issuance of debt securities by the City for a four year term,



in accordance with the terms and conditions contained in said Consultant Agreement, is hereby approved and ratified 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 Consultant Agreement to Steve Hubka, Finance Director, for transmittal to Ameritas Investment Corp.

Introduced by Lloyd Hinkley

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

APPROVING FIVE CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND ALL MAKES OFFICE EQUIPMENT, AOI CORPORATION, OFFICE INTERIORS & DESIGN, PAY-LESS OFFICE PRODUCTS AND STAPLES, INC. FOR THE ANNUAL SUPPLY OF OFFICE SEATING, PURSUANT TO BID NO. 12-249, FOR FOUR-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR-YEAR TERM - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87192 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the five attached multi-year Contract Agreements between the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission and All Makes Office Equipment, AOI Corporation, Office Interiors & Design, Pay-Less Office Products and Staples, Inc. for the annual supply of Office Seating, pursuant to Bid No. 12-249, for four-year terms with options to renew for one additional four-year term, upon the terms and conditions as set forth in said Contract Agreements, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Lloyd Hinkley

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

APPROVING TWO CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN AND LESOING'S INC. AND STEPHENSON TRUCK REPAIR, INC. FOR THE ANNUAL REQUIREMENTS FOR AUTOMOTIVE PAINT AND BODY WORK, PURSUANT TO QUOTE NO. 3997, FOR TWO YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO-YEAR TERM - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87193 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the two attached multi-year Contract Agreements between the City of Lincoln and Lesoing's Inc. and Stephenson Truck Repair, Inc. for the annual requirements for Automotive Paint and Body Work, pursuant to Quote No. 3997, for two-year terms with options to renew for one additional two-year term, upon the terms and conditions as set forth in said Contract Agreements, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Lloyd Hinkley

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

### ORDINANCE - 3<sup>RD</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 - PRIOR to reading:

CAMP Moved MTA #1 to amend Bill No. 13-1 in the following manner:

1. On page 2, at the end of line 12, delete the number "14" and insert in lieu thereof the number 21.

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

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

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Building and Safety upon at least ~~14~~ 21 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 third time.

EMERY Moved to pass the ordinance as amended.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.  
The ordinance, being numbered **#19822**, is recorded in Ordinance Book #28, Page .

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 third time.

EMERY Moved to pass the ordinance as read.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.  
The ordinance, being numbered **#19823**, is recorded in Ordinance Book #28, Page .

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 third time.

EMERY Moved to pass the ordinance as read.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.  
The ordinance, being numbered **#19824**, is recorded in Ordinance Book #28, Page .

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

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF SOLID WASTE MANAGEMENT REVENUE AND REFUNDING BONDS, AND RELATED MATTERS - CLERK read an ordinance, introduced by DiAnna Schimek, being a Series Ordinance adopted under and pursuant to Ordinance No. 18774 authorizing the issuance of Solid Waste Management Revenue and Refunding Bonds, Series 2013, of the City of Lincoln, Nebraska in an aggregate principal amount not to exceed \$9,000,000 for the purposes of (A) providing for extensions, enlargements and improvements to the City's Solid Waste Management Facilities and (B) providing for the payment and redemption of the City's \$2,800,000 outstanding principal amount Solid Waste Management Revenue Bonds, Series 2006; fixing in part and providing for the fixing in part of the details of the Bonds; authorizing for the sale of the Bonds and the application of the proceeds thereof; authorizing the execution and delivery of certain documents; taking other action in connection with the foregoing; and related matters, the first time.

CHANGE OF ZONE 10014A - APPLICATION OF UNION BANK TO AMEND THE NORTHWOODS PLAZA PLANNED UNIT DEVELOPMENT TO CHANGE THE NUMBER OF DWELLING UNITS FROM 80 TO 150 ON PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HOLDREGE STREET - CLERK read an ordinance, introduced by DiAnna Schimek, amending the Northwoods Plaza Planned Unit Development to increase the number of multi-family dwelling units from 80 to 150, increasing the lot size of Lot 7 by adding in Lot 8, Lot 10 and a small portion of parking area in Outlot A to allow Lot 7 to be used for either 150 multi-family dwelling units or 79,000 sq. ft. of commercial use as an alternative to the previously approved use of Lot 7 for elderly housing or residential health care and relocating the hotel site to Lot 6 to allow Lot 6 to be used for an 86 room hotel or 24,000 sq. ft. of commercial use, on property generally located at North 84th Street and Holdrege Street, the first time.

CHANGE OF ZONE 12033 - 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 (RELATED ITEMS: 13-5, 13R-29)(ACTION DATE: 2/11/13) - CLERK read an ordinance, introduced by DiAnna Schimek, 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, the first time.

MISC. NO. 12018 - APPLICATION OF THE PLANNING DIRECTOR TO AMEND THE CITY OF LINCOLN DESIGN STANDARDS BY AMENDING CHAPTER 3.5 (LANDSCAPING AND SCREENING) TO PROVIDE CLARIFICATION REGARDING SCREENING REQUIREMENTS FOR MOTORIZED VEHICLE REPAIR AND SERVICE FACILITIES. (RELATED ITEMS: 13-5, 13R-29)(ACTION DATE: 2/11/13)

CHANGE OF ZONE 12036 - APPLICATION OF KEVIN RHINEHART FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY, DESIGNATING THE MYRON WHEELER HOUSE AS A LANDMARK, ON PROPERTY GENERALLY LOCATED AT 1717 D STREET - CLERK read an ordinance, introduced by DiAnna Schimek, accepting the application of Kevin Rhinehart for a change of zone from R-2 Residential District to R-2 Residential District with Landmark Overlay, designating the Myron Wheeler House as a Landmark, on property generally located at 1717 D Street, the first time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "M" BY CREATING THE CLASSIFICATION OF "PUBLIC WORKS AND UTILITIES ASSISTANT DIRECTOR" - CLERK read an ordinance, introduced by DiAnna Schimek, amending Section 1 of Ordinance No. 19776 passed September 17, 2012, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M," by creating the job classification of "Public Works and Utilities Assistant Director", the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE HOUSING AUTHORITY OF THE CITY OF LINCOLN FOR THE SALE OF CITY PROPERTY DESCRIBED AS LOT 2 AND THE NORTH 5 FEET OF LOT 3, BLOCK 1, GIBBON'S ADDITION, MORE COMMONLY KNOWN AS 1621 NORTH 29TH STREET - CLERK read an ordinance, introduced by DiAnna Schimek, Approving a Real Estate Sales Agreement between the City of Lincoln and the Housing Authority of the City of Lincoln authorizing the sale of City owned property described as Lot 2 and the north 5 feet of Lot 3, Block 1, Gibbon's Addition, more commonly known as 1621 N. 29th Street, the first time.

APPROVING A LEASE AGREEMENT BETWEEN THE LINCOLN MEDICAL EDUCATIONAL PARTNERSHIP AND CITY OF LINCOLN, ON BEHALF OF THE LINCOLN POLICE DEPARTMENT FOR SPACE TO BE UTILIZED FOR THE SOUTHEAST TEAM SUBSTATION FOR AN EIGHT MONTH TERM - CLERK read an ordinance, introduced by DiAnna Schimek, accepting and approving a Lease Agreement between Lincoln Medical Educational Partnership and the City of Lincoln for a lease of space for a term of February 1, 2013 through September 30, 2013, for use by the Lincoln Police Department, the first time.

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY, LANCASTER COUNTY AND CITY OF LINCOLN TO OBTAIN DIGITAL MAP PRODUCTS INCLUDING AERIAL PHOTOGRAPHY OVER LANCASTER COUNTY AND UPDATING EXISTING BUILDING FOOTPRINTS WITHIN LANCASTER COUNTY.

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF NEBRASKA DEPARTMENT OF MOTOR VEHICLES AND THE CITY OF LINCOLN POLICE DEPARTMENT FOR THE USE OF THE DMV FACIAL RECOGNITION SYSTEM FOR A FOUR YEAR PERIOD.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 1 - 15, 2013.

**MISCELLANEOUS BUSINESS - NONE**

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**OPEN MICROPHONE**

John A. Ringsmuth, 6401 Fremont St., came forward with questions relating to the millions of dollars in the Lincoln Electric System rainy day fund. He questioned if the funds were insured and held in a safe place. Council members assured Mr. Ringsmuth that LES has arrangements with various banking entities; that the public can access financial information on the LES website; and that both board members & corporate officers are required to perform due diligence and keep the money safe. Council Member Camp said he would have a representative from Lincoln Electric System call him directly.

This matter was taken under advisement.

**ADJOURNMENT 6:43 P.M.**

CAMP Moved to adjourn the City Council meeting of January 28, 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