

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 20, 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, Teresa J. Meier.

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

CAMP Having been appointed to read the minutes of the City Council proceedings of May 13, 2013 reported having done so, found same correct.

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

PUBLIC HEARING

CHANGE OF ZONE 13005 - APPLICATION OF OSI BROTHERS, LLC, ON BEHALF OF THE OWNER DAVID W. BRATCHER, LLC, FOR A CHANGE OF ZONE FROM AG AGRICULTURE DISTRICT TO AG AGRICULTURE DISTRICT WITH LANDMARK OVERLAY, TO DESIGNATE THE LINCOLN AIR FORCE BASE REMOTE FACILITY GENERALLY LOCATED AT 6901 WEST ADAMS STREET, AS A LANDMARK - Marvin Krout, Director of Planning, came forward to state that this tract of land is approximately 20 acres in size and is located outside of city limits and past the area of expected future residential growth. The proposal is for historic designation as an overlay in the AG Agricultural District. With the historic designation, the property owners are allowed to submit a special permit to allow for a specialized use that would normally fit into an industrial or highway commercial district. If approved, it will be a recycling facility involved with the salvage and resale of high-end auto parts. Planning Commission approved it for this proposed use, subject to conditions, but the landmark designation is an ordinance and requires Council approval. This location has historical significance because it was a secret Air Force remote command center built during the Cold War. There is unanimous recommendation from both the Planning Commission and the Historic Preservation Board to approve this landmark designation.

This matter was taken under advisement.

COUNCIL ACTION

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

CHANGE OF ZONE 13005 - APPLICATION OF OSI BROTHERS, LLC, ON BEHALF OF THE OWNER DAVID W. BRATCHER, LLC, FOR A CHANGE OF ZONE FROM AG AGRICULTURE DISTRICT TO AG AGRICULTURE DISTRICT WITH LANDMARK OVERLAY, TO DESIGNATE THE LINCOLN AIR FORCE BASE REMOTE FACILITY GENERALLY LOCATED AT 6901 WEST ADAMS STREET, AS A LANDMARK - CLERK read the following resolution, introduced by DiAnna Schimek, amending the City of Lincoln Zoning District Map attached to and made part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

PUBLIC HEARING - RESOLUTIONS - NONE

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

AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF WATER REVENUE REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA TO REFUND OUTSTANDING WATER REVENUE BONDS OF THE CITY AND RELATED MATTERS - CLERK read an ordinance, introduced by Lloyd Hinkley, being the Fifth Series Ordinance adopted under and Pursuant to Ordinance No. 18088 authorizing the issuance of Water Revenue Refunding Bonds, Series 2013, of the City of Lincoln, Nebraska in a principal amount not to exceed thirty-two million dollars (\$32,000,000); fixing in part and providing for the fixing in part of the details of the Bonds; Providing for the sale of the Bonds and the application of the proceeds thereof; authorizing the execution and delivery of certain documents and taking other action in connection with the foregoing; and related matters, the third time.

HINKLEY Moved to pass the ordinance as read.

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

The ordinance, being numbered #19881, is recorded in Ordinance Book #28, Page .

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required) - NONE

RESOLUTIONS - 1ST READING - ADVANCE NOTICE - NONE

MISCELLANEOUS BUSINESS

VACATING THE NORTH 4 FEET OF Q STREET BETWEEN NORTH 18TH STREET AND N. ANTELOPE VALLEY PARKWAY; AND THE SOUTH 4 FEET OF R STREET BETWEEN NORTH 18TH STREET AND N. ANTELOPE VALLEY PARKWAY. (2/25/13 - PLACED ON INDEFINITE PENDING) (REQUEST TO WITHDRAWN PER APPLICANT)

CARROLL Moved to Withdraw Bill No. 13-16B.
Seconded by Emery and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

MAYOR'S PRESENTATION

Mayor Chris Beutler came forward to state that City medallions are presented to individuals who have served the community at an extraordinarily high level. The medallion features the images of President Abraham Lincoln and Chief Standing Bear. Both leaders exhibited integrity, determination, passion and commitment to doing the right thing. All of the outgoing Council members have embodied these qualities during their time of service to our City.

Lloyd Hinkley's dedication to his community was evident when he chose to offer his service to the Council at a critical time of transition. His straightforward and evenhanded leadership helped make what could have been a divisive appointment into a proud moment. He has handled the challenge with grace and has helped in creating a unified and harmonious community.

Gene Carroll's time on the Council has coincided with the ascent of Lincoln to its position as a world class city and his contributions have been enormous. He has been a passionate supporter of the Arena project and has helped guide its successful construction in a very meaningful way. His background in development has been instrumental in creating taxpayer savings on a variety of projects across the community. His vision will be remembered for decades to come when the 21st and N Street project is concluded. Mr. Carroll has been an altogether great leader for Lincoln.

This will be the first time in twenty years that DiAnna Schimek will not be a public servant. She has earned a reputation for her integrity, determination, and for doing the right thing and has been a respected and reasonable voice on a large number of key issues, both in the legislature, and as a member of the City Council. She truly embodies the spirit of public service. Because Madame Schimek was previously presented with the City medallion, today she is presented with flowers. This gift is to honor both her service to our community and our affection for her.

Outgoing City Council members Lloyd Hinkley, Eugene Carroll and DiAnna Schimek, graciously accepted their honors and reflected on their experiences.

Sitting City Council members individually expressed gratitude and praise for the service of each outgoing Council member.

ADJOURNMENT 5:56 P.M.

CAMP Moved to adjourn the City Council meeting of May 20, 2013.
Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist

THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 20, 2013 AT 5:30 P.M.
(NEW CITY COUNCIL)

RECONVENED: 5:58 P.M.

City Clerk, Teresa J. Meier, came forward to administer the Oath of Office to the newly elected City Council members, Roy Christensen, Trent Fellers, and Leirion Gaylor Baird. After administering the oath, she congratulated and presented the newly elected City Council members.

ELECTION OF CHAIRPERSON

Mayor Chris Beutler called the meeting to order and 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.

Mayor Beutler then called for nominations for the Chairperson for the City Council. Council member Jonathan Cook nominated Carl Eskridge. The motion was carried 7-0.

Newly elected Chairperson, Carl Eskridge, conducted the nominations for the Vice Chair for the City Council. Council member Jonathan Cook nominated Doug Emery. The motion was carried 7-0.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of May 20, 2013 reported having done so, found same correct.

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

PUBLIC HEARING - NONE

COUNCIL ACTION

REPORTS OF CITY OFFICERS

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MAY 6, 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, JUNE 3RD, 2013 AT 3:00 P.M. FOR THE APPLICATION OF D'LEON'S TACO RICO, INC. DBA GUAPO'S BAR AND GRILL FOR A CLASS C LIQUOR LICENSE LOCATED AT 2310 NORTH 1ST STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-87336 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 3rd, 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 D'Leon's Taco Rico, Inc. dba Guapo's Bar and Grill for a Class C liquor license located at 2310 North 1st Street.

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

Introduced by Jon Camp

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REGULAR MEETING
May 20, 2013
Page 620

SETTING THE HEARING DATE OF MONDAY, JUNE 10TH, 2013 AT 3:00 P.M. FOR THE APPLICATION OF MO CHARA, LLC DBA THE WATERING HOLE EAST FOR A CLASS C LIQUOR LICENSE LOCATED AT 8300 NORTHWOODS DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-87337 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 10th, 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 Mo Chara, LLC dba The Watering Hole East for a Class C liquor license located at 8300 Northwoods Drive.

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

Introduced by Jon Camp

Seconded by Emery and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 12031 to Special Permit No. 1302A, The Ridge Community Unit Plan, approved by the Planning Director on May 10, 2013, requested by WHACO Corporation, to relocate the required sidewalk on Lone Tree Drive and Lone Tree Circle, on property generally located at S. 27th St. and Ridge Blvd.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required) - NONE

PUBLIC HEARING - RESOLUTIONS

A RESOLUTION IN APPRECIATION OF EUGENE CARROLL FOR HIS SERVICE TO THE CITY AS A MEMBER OF THE CITY COUNCIL - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87338 WHEREAS, EUGENE CARROLL has heretofore well and truly served as a member of the Lincoln City Council from May, 2009 to May 2013; and

WHEREAS, it is appropriate for the City Council, on behalf of the citizens of the City of Lincoln, to publicly express their appreciation and gratitude for Eugene's untiring service and many contributions to making the City of Lincoln great and to cause said expression of appreciation and gratitude to be forever made a part of the records of the official proceedings of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, on behalf of themselves and all the citizens of the City of Lincoln, that the appreciation and gratitude of all are hereby extended to

EUGENE CARROLL

for his service as a member of the City Council of the City of Lincoln, together with warmest and best wishes for continued good health, happiness, and success in all his future endeavors.

Introduced by Doug Emery

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

A RESOLUTION IN APPRECIATION OF LLOYD HINKLEY FOR HIS SERVICE TO THE CITY AS A MEMBER OF THE CITY COUNCIL - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87339 WHEREAS, LLOYD HINKLEY has heretofore well and truly served as a member of the Lincoln City Council from December, 2012 to May 2013; and

WHEREAS, it is appropriate for the City Council, on behalf of the citizens of the City of Lincoln, to publicly express their appreciation and gratitude for Lloyd's untiring service and many contributions to making the City of Lincoln great and to cause said expression of appreciation and gratitude to be forever made a part of the records of the official proceedings of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, on behalf of themselves and all the citizens of the City of Lincoln, that the appreciation and gratitude of all are hereby extended to

LLOYD HINKLEY

for his service as a member of the City Council of the City of Lincoln, together with warmest and best wishes for continued good health, happiness, and success in all his future endeavors.

Introduced by Doug Emery

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

A RESOLUTION IN APPRECIATION OF DIANNA SCHIMEK FOR HER SERVICE TO THE CITY AS A MEMBER OF THE CITY COUNCIL - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87340 WHEREAS, DIANNA SCHIMEK has heretofore well and truly served as a member of the Lincoln City Council from October, 2011 to May 2013; and

WHEREAS, it is appropriate for the City Council, on behalf of the citizens of the City of Lincoln, to publicly express their appreciation and gratitude for DiAnna's untiring service and many contributions to making the City of Lincoln great and to cause said expression of appreciation and gratitude to be forever made a part of the records of the official proceedings of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, on behalf of themselves and all the citizens of the City of Lincoln, that the appreciation and gratitude of all are hereby extended to

DIANNA SCHIMEK

for her service as a member of the City Council of the City of Lincoln, together with warmest and best wishes for continued good health, happiness, and success in all her future endeavors.

Introduced by Doug Emery

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCE - 3RD READING & RELATED RESOLUTIONS (as required) - NONE

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

CHANGE OF ZONE 13007 - APPLICATION OF WILLIAM AND MARCIA THORNTON FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO R-7 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY TO DESIGNATE THE CONRAD A. SCHAAF HOUSE GENERALLY LOCATED AT 659 SOUTH 18TH STREET AS A LANDMARK - CLERK read an ordinance, introduced by Jon Camp, amending the City of Lincoln Zoning District Map attached to and made part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

APPROVING AN AMENDMENT TO THE FY 12/13 CIP TO AUTHORIZE AND APPROPRIATE \$5.728 MILLION IN TIF FUNDS FOR THE P STREET STREETScape PROJECT ON PROPERTY GENERALLY LOCATED IN THE RIGHTS OF WAY ALONG P STREET FROM 11TH STREET TO CENTENNIAL MALL, AND 9TH, 11TH, 12TH, 13TH AND 14TH STREETS FROM O TO Q STREET, IN DOWNTOWN LINCOLN.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY AND THE AMALGAMATED TRANSIT UNION FOR A ONE YEAR TERM EFFECTIVE AUGUST 16, 2012 THROUGH AUGUST 14, 2013.

AMENDING THE NEBRASKA INNOVATION CAMPUS REDEVELOPMENT AGREEMENT ADOPTED BY RESOLUTION NO. A-86109 ON NOVEMBER 8, 2010 BY REPLACING EXHIBIT E, PROJECT AREA PHASE I, AND INCLUDING A NEW LEGAL DESCRIPTION.

APPROVING A FUNDING AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR FRACTURE CRITICAL BRIDGE INSPECTION OF THE EAST LEG OF THE BIG X AND A BRIDGE ACCESS TO CITY PROPERTY AT THE ASHLAND WATER TREATMENT PLANT (STATE PROJECT NO. STP-NBIS(99), CN 00886).

APPROVING A FUNDING AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS TO RECEIVE A DISTRIBUTION OF STATE CASH THROUGH THE FEDERAL FUNDS PURCHASE PROGRAM FOR BRIDGE REPAIR AND MAINTENANCE.

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

APPOINTING CATHERINE BEECHAM TO THE LINCOLN CITY-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 24, 2013.

REAPPOINTING CATHERINE BEECHAM TO THE LINCOLN CITY-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 24, 2019.

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE - NONE

REGULAR MEETING
May 20, 2013
Page 622

ADJOURNMENT 6:05 P.M.

CAMP Moved to adjourn the City Council meeting of May 20, 2013.
 Seconded by Cook & carried by the following vote: AYES: Camp,
 Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist