

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 19, 2013 AT 3:00 P.M.**

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

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

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of August 12, 2013 reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF CANOPY CONCEPTS LLC DBA JACK AND JUNE'S FOR A CLASS C LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 150;

MANAGER APPLICATION OF KEVIN W. SHINN FOR CANOPY CONCEPTS LLC DBA JACK AND JUNE'S AT 300 CANOPY STREET, SUITE 150.;

APPLICATION OF CANOPY CONCEPTS LLC DBA JACK AND JUNE'S FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 150 - Kevin W. Shinn, 356 S. 53rd St., came forward to take the oath and answer questions. This is a new restaurant concept featuring Midwestern heritage and comfort food. The soft opening is September 26th and the full launch will be on September 30th.

This matter was taken under advisement.

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA FOR A CLASS I LIQUOR LICENSE AT 601 R STREET, SUITE 150;

MANAGER APPLICATION OF EVER K. PRECIADO FOR HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA AT 601 R STREET, SUITE 150;

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 601 R STREET, SUITE 150 - Ever K. Preciado, 601 R Street, Suite 150, came forward to take the oath and answer questions. The current restaurant located at 27th and O Streets draws large crowds on game days, so this Haymarket location is a good opportunity for expansion.

This matter was taken under advisement.

APPLICATION OF HOOK'S LINCOLN INC. DBA TANNER'S BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 8600 S. 30TH STREET;

MANAGER APPLICATION OF BRETT C. CLURE FOR HOOK'S LINCOLN INC. DBA TANNER'S BAR & GRILL AT 8600 S. 30TH STREET - Sean Kelly, 7134 Pacific St., Omaha, came forward representing the applicant to take the oath and answer questions. Tanner's Bar and Grill is a sports bar that originated in Kansas City. There is also a location in Omaha. This is the 1st location in Lincoln and is expected to open within the next 30 days.

Brett Clure, 8600 S. 30th St., was on hand to answer questions.

This matter was taken under advisement.

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A CLASS C LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION);

MANAGER APPLICATION OF BRANDON J. AKERT FOR YARD INVESTMENTS, LLC DBA GATE 25 AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION);

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION) - Jeff Galyen, 100 N. 13 St., Ste. 300, Norfolk, came forward representing the applicant to take the oath and answer questions. Gate 25 was previously approved for a liquor license at their main location. This is for a smaller, neighboring property which will compliment the original location and provide space for private parties and special events.

This matter was taken under advisement.

APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A CLASS I LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 300;

MANAGER APPLICATION OF ERIC F. MARSH FOR THE CLUB AT THE YARD, LLC DBA RULE G AT 350 CANOPY STREET, SUITE 300;

APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 300 - Eric F. Marsh, 19504 Emily St., Elkhorn, came forward to take the oath and answer questions. Rule G is an events venue with a rooftop bar and patio. This will be the only establishment on the third level and will open in September.

This matter was taken under advisement.

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APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELL'S FOR A CLASS I LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 100;
MANAGER APPLICATION OF ERIC F. MARSH FOR THE BAR AT THE YARD, LLC DBA LONGWELL'S AT 350 CANOPY STREET, SUITE 100;
APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELL'S FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 100 - Eric F. Marsh, 19504 Emily St., Elkhorn, came forward to take the oath and answer questions. Longwell's will feature burgers, BBQ, and stuffed burgers. There will also be a café area for outdoor seating.

This matter was taken under advisement.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY AND THE AMALGAMATED TRANSIT UNION LOCAL NO. 1293 FOR A TERM EFFECTIVE AUGUST 15, 2013 THROUGH AUGUST 31, 2016 - Doug McDaniel, Director of Personnel, came forward to state the recently negotiated three year contract includes a 2.5% increase the first year, and 3.0% increase for 2014 & 2015.

This matter was taken under advisement.

APPROVING THE 2013-2014 MAINTENANCE AND MANAGEMENT BID BUDGETS AND PROGRAM OF WORK FOR THE DOWNTOWN LINCOLN ASSOCIATION PROGRAM FOR FISCAL YEAR 2012-2013 - Dallas McGee, Urban Development, came forward to state this resolution approves the budget and maintenance for the Downtown Lincoln Association for the years 2013 and 2014 beginning in September of this year. The budgets are prepared by the Downtown Lincoln Association. Management is assessed in total to property owners. Maintenance is assessed on a shared 50/50 basis which is split with the City. It is assistance for what would otherwise be the total responsibility of the City for maintenance of streetscapes.

Bill Schmeeckle, Assurity Life, was on hand to answer questions.

Terry Uland, President of Downtown Lincoln Association, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO AGREEMENT FOR CLEANING SERVICES FOR STARTRAN FACILITIES, BETWEEN X-TRA KLEEN INC. AND THE CITY OF LINCOLN, PURSUANT TO BID NO. 11-141, TO EXTEND THE TERM FOR AN ADDITIONAL TWO-YEAR TERM FROM AUGUST 15, 2013 THROUGH AUGUST 14, 2015 - Suzanne Siemer, Purchasing Department, came forward to answer questions.

This matter was taken under advisement.

APPROVING WATERING HOLE EAST AS A KENO SATELLITE SITE AT 8300 NORTHWOODS DRIVE - Katrina Coffee, Big Red Keno, came forward to answer questions. This location used to be Legends, so this action is to acknowledge the change in ownership.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO ACCEPT NDOR FISCAL YEAR 2014 MAINTENANCE PROGRAM FUNDING OF \$2,277,000 FOR THE MAINTENANCE RESURFACING OF SELECTED STATE HIGHWAY LINKS IN THE CITY OF LINCOLN - Roger Figard, Public Works & Utilities, came forward to state Nebraska Department of Roads chose to pump dollars back into local communities. There are highways and links located within Lincoln that City staff is responsible for seeing through, and this agreement authorizes the Mayor to sign for and accept the money. These items were broken into two resolutions because the money comes from two separate funding sources. Discussion followed.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO ACCEPT NDOR FISCAL YEAR 2014 CONSTRUCTION PROGRAM FUNDING OF \$480,000 FOR THE RESURFACING OF SELECTED STATE HIGHWAY LINKS IN THE CITY OF LINCOLN - Roger Figard, Public Works & Utilities, came forward to state this is a different program each year. Engineers review areas that need work annually and bring the projects forward for follow through action. This will finish and pay for the remaining piece between 70th and 84th Streets on Cornhusker Highway and also for the resurfacing of Sun Valley Road. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REPORT OF BOARD OF EQUALIZATION TO THE CITY COUNCIL ON GROUP I - 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 AUGUST 5, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM THE CITY TREASURER OF FRANCHISE TAX FOR THE MONTHS OF FEBRUARY, 2013 - JUNE, 2013 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 THE CITY TREASURER OF FRANCHISE TAX FROM TIME WARNER CABLE FOR THE QUARTER ENDING MARCH 31, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (41-2518A)

REPORT FROM CITY TREASURER OF THEATRE OCCUPATION TAX (INDOOR) FOR THE PERIOD OF JUNE, 2013 - MAY, 2014 FROM EDGEWOOD THEATRE, EAST PART THEATRE, LINCOLN GRAND THEATRE, SOUTH POINTE THEATRE, AND JOYO THEATRE - CLERK presented said report which was placed on file in the Office of the City Clerk. (20A)

REPORT FROM CITY TREASURER OF 911 SURCHARGE FOR THE TIME PERIOD OF JANUARY, 2013 THROUGH JUNE, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-02)

PETITIONS & COMMUNICATIONS

REFERRALS TO THE PLANNING DEPARTMENT:

Change of Zone No. 13015 - Requested by Olsson Associates, from AGR Agricultural District to R-1 Residential District, on property generally located at Frontier Road and Highway 2 (6061 and 6101 Frontier Road).

Special Permit No. 1219L - Requested by Bryan Medical Center, an amendment to allow the expansion and renovation of the existing Emergency Department at Bryan Medical Center East by reducing the front yard setback along South 48th Street and the front yard setback along Sumner Street, on property generally located at South 48th Street and Sumner Street.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 13055 to Special Permit No. 1991, Pinecrest Community Unit Plan, approved by the Planning Director on August 9, 2013, requested by Patrick Mooberry, to allow covered decks to encroach within 10 feet of the rear lot line for Lots 20 and 21, Block 1, on property generally located at N. 10th St. and Morton St.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF STOP N SHOP INC. DBA STOP N SHOP #5 FOR A CLASS D LIQUOR LICENSE AT 2200 N. 48TH STREET - PRIOR to reading:

FELLERS Moved to continue Public Hearing with Action one week to August 26, 2013.
Seconded by Emery and carried by the following vote: AYES: Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp, Cook.

MANAGER APPLICATION OF JASON K. LAESSIG FOR STOP N SHOP INC. DBA STOP N SHOP #5 AT 2200 N. 48TH STREET - PRIOR to reading:

FELLERS Moved to continue Public Hearing with Action one week to August 26, 2013.
Seconded by Emery and carried by the following vote: AYES: Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp, Cook.

APPLICATION OF CANOPY CONCEPTS LLC DBA JACK AND JUNE'S FOR A CLASS C LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87501 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 Canopy Concepts LLC dba Jack and June's for a Class "C" liquor license at 300 Canopy Street, Suite 150, Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
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 Doug Emery

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

MANAGER APPLICATION OF KEVIN W. SHINN FOR CANOPY CONCEPTS LLC DBA JACK AND JUNE'S AT 300 CANOPY STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87502 WHEREAS, Canopy Concepts LLC dba Jack and June's located at 300 Canopy Street, Suite 150, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Kevin W. Shinn be named manager; WHEREAS, Kevin W. Shinn 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:

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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 Kevin W. Shinn 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 Doug Emery

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

APPLICATION OF CANOPY CONCEPTS LLC DBA JACK AND JUNE'S FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87503

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 ordinance, the City Council recommends that the application of Canopy Concepts LLC dba Jack and June's for the issuance of an Entertainment District license to the existing Class C liquor license, located at 300 Canopy Street, Suite 150, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located on the east side of Canopy Street, commonly known as the Railyard, shown in Attachment "A".

2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District License is subject to the following requirements or restrictions:

a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.

b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.

c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.

3. The Entertainment District License manager 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.

4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

5. The premises must comply in every respect with all city and state regulations.

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

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Doug Emery

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

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA FOR A CLASS I LIQUOR LICENSE AT 601 R STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87504

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Hector El Dragon Martinez Corp. dba El Mariachi Taco Cantina for a Class "I" liquor license at 601 R Street, Suite 150, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

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 Doug Emery

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

MANAGER APPLICATION OF EVER K. PRECIADO FOR HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA AT 601 R STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87505 WHEREAS, Hector El Dragon Martinez Corp. dba El Mariachi Taco Cantina located at 601 R Street, Suite 150, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ever K. Preciado be named manager;

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

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

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

Introduced by Doug Emery

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

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 601 R STREET, SUITE 150 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87506 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 ordinance, the City Council recommends that the application of Hector El Dragon Martinez Corp. dba El Mariachi Taco Cantina for the issuance of an Entertainment District License to the existing Class I liquor license, located at 601 R Street, Suite 150, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located adjacent to the Canopy Lofts and Hobson/Hyatt Place Hotel, commonly known as the Courtyard, shown in Attachment "A" on the west side of Canopy Street.

2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District License is subject to the following requirements or restrictions:

a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.

b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.

c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.

3. The Entertainment District License manager 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.

4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

5. The premises must comply in every respect with all city and state regulations.

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

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Doug Emery

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

APPLICATION OF HOOK'S LINCOLN INC. DBA TANNER'S BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 8600 S. 30TH STREET - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87507 WHEREAS, Hook's Lincoln Inc. dba Tanner's Bar & Grill located at 8600 S. 30th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Brett C. Clure be named manager;

WHEREAS, Brett C. Clure 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

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City ordinances, the City Council recommends that Brett C. Clure 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 Doug Emery

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

MANAGER APPLICATION OF BRETT C. CLURE FOR HOOK'S LINCOLN INC. DBA TANNER'S BAR & GRILL AT 8600 S. 30TH STREET - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87508 WHEREAS, Hook's Lincoln Inc. dba Tanner's Bar & Grill located at 8600 S. 30th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Brett C. Clure be named manager;

WHEREAS, Brett C. Clure 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 Brett C. Clure 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 Doug Emery

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

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A CLASS C LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION) - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87509 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 Yard Investments, LLC dba Gate 25 for a Class "C" liquor license at 350 Canopy Street, Suite 135, Lincoln, Nebraska, for the license period ending October 31, 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. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

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 Doug Emery

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

MANAGER APPLICATION OF BRANDON J. AKERT FOR YARD INVESTMENTS, LLC DBA GATE 25 AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION) - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87510 WHEREAS, Yard Investments, LLC dba Gate 25 located at 350 Canopy Street, Suite 135, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Brandon J. Akert be named manager;

WHEREAS, Brandon J. Akert 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 Brandon J. Akert 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 Doug Emery

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

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 135 (2ND LOCATION) - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87511 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 ordinance, the City Council recommends that the application of Yard Investments, LLC dba Gate 25 for the issuance of an Entertainment District

License to the existing Class I liquor license, located at 350 Canopy Street, Suite 135, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located on the east side of Canopy Street, commonly known as the Railyard, shown in Attachment "A".

2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District License is subject to the following requirements or restrictions:

a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.

b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.

c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.

3. The Entertainment District License manager 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.

4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

5. The premises must comply in every respect with all city and state regulations.

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

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Doug Emery

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

APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A CLASS I LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 300 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87512 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 The Bar at the Yard, LLC dba Rule G for a Class "I" liquor license at 350 Canopy Street, Suite 300, Lincoln, Nebraska, for the license period ending April 30, 2014, 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. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

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 Doug Emery

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

MANAGER APPLICATION OF ERIC F. MARSH FOR THE CLUB AT THE YARD, LLC DBA RULE G AT 350 CANOPY STREET, SUITE 300 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87513 WHEREAS, The Bar at the Yard, LLC dba Rule G located at 350 Canopy Street, Suite 300, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Eric F. Marsh be named manager;

WHEREAS, Eric F. 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 Eric F. 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 Doug Emery

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

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APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 300 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87514 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 ordinance, the City Council recommends that the application of The Bar at the Yard, LLC dba Rule G for the issuance of an Entertainment District License to the existing Class I liquor license, located at 350 Canopy Street, Suite 300, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located on the east side of Canopy Street, commonly known as the Railyard, shown in Attachment "A".
2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District Licence is subject to the following requirements or restrictions:
 - a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.
 - b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.
 - c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.
3. The Entertainment District License manager 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.
4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
5. The premises must comply in every respect with all city and state regulations.
6. There shall be no business or personal alcohol related offenses by the applicant within the first year after approval.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Doug Emery

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

APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELL'S FOR A CLASS I LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 100 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87515 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 The Bar at the Yard, LLC dba Longwell's for a Class "I" liquor license at 350 Canopy Street, Suite 100, Lincoln, Nebraska, for the license period ending April 30, 2014, 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. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
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 Doug Emery

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

MANAGER APPLICATION OF ERIC F. MARSH FOR THE BAR AT THE YARD, LLC DBA LONGWELL'S AT 350 CANOPY STREET, SUITE 100 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87516 WHEREAS, The Bar at the Yard, LLC dba Longwell's located at 350 Canopy Street, Suite 100, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Eric F. Marsh be named manager;
WHEREAS, Eric F. 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 Eric F. 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 Doug Emery

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

APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELL'S FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE 100 - CLERK read the following resolution, introduced by DOUG EMERY, who moved its adoption for approval:

A-87517

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 ordinance, the City Council recommends that the application of The Bar at the Yard, LLC dba Longwell's for the issuance of an Entertainment District License to the existing Class I liquor license, located at 350 Canopy Street, Suite 100, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located on the east side of Canopy Street, commonly known as the Railyard, shown in Attachment "A".

2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District License is subject to the following requirements or restrictions:

a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.

b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.

c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.

3. The Entertainment District License manager 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.

4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

5. The premises must comply in every respect with all city and state regulations.

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

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Doug Emery

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

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

PUBLIC HEARING - RESOLUTIONS

APPROVING THE LABOR CONTRACT BETWEEN THE CITY AND THE AMALGAMATED TRANSIT UNION LOCAL NO. 1293 FOR A TERM EFFECTIVE AUGUST 15, 2013 THROUGH AUGUST 31, 2016 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87518

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

That the attached labor contract between the City of Lincoln and the Amalgamated Transit Union Local No. 1293 to be effective August 15, 2013 through August 31, 2016, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Trent Fellers

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

APPROVING THE 2013-2014 MAINTENANCE AND MANAGEMENT BID BUDGETS AND PROGRAM OF WORK FOR THE DOWNTOWN LINCOLN ASSOCIATION PROGRAM FOR FISCAL YEAR 2012-2013 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87519

WHEREAS, the City of Lincoln has entered into a contract with the Downtown Lincoln Association for the provision of services within various downtown business improvement districts; and

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WHEREAS, said contract requires the submittal of a work plan and annual budgets for work to be performed in the Downtown Management and Maintenance Districts by the Downtown Lincoln Association.

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

That the attached 2013-2014 Maintenance and Management BID Budgets and Program of Work for the Downtown Lincoln Association Program for the period of September 1, 2013 to August 31, 2014 which is attached hereto and marked as Attachment "A" is hereby approved.

Introduced by Trent Fellers

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

APPROVING AN AMENDMENT TO AGREEMENT FOR CLEANING SERVICES FOR STARTRAN FACILITIES, BETWEEN X-TRA KLEEN INC. AND THE CITY OF LINCOLN, PURSUANT TO BID NO. 11-141, TO EXTEND THE TERM FOR AN ADDITIONAL TWO-YEAR TERM FROM AUGUST 15, 2013 THROUGH AUGUST 14, 2015 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87520 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendment to Agreement for Cleaning Services for StarTran Facilities between X-Tra Kleen Inc. and the City of Lincoln, pursuant to Bid No. 11-141, to extend the term for an additional two-year term from August 15, 2013 through August 14, 2015, upon the terms and conditions as set forth in said Amendment to Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Trent Fellers

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

APPROVING THE EXTENSION OF THE MANAGEMENT AGREEMENT BETWEEN THE CITY AND SMG FOR MANAGEMENT, MARKETING, ENTERTAINMENT, ADMINISTRATION, AND PROCUREMENT SERVICES FOR PERSHING MUNICIPAL AUDITORIUM FOR A TERM OF SEPTEMBER 1, 2013 THROUGH OCTOBER 31, 2014 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87521 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the First Amendment to Management Agreement for Pershing Auditorium between the City of Lincoln and SMG to extend the management, marketing, entertainment, administration, and procurement services for Pershing Municipal Auditorium for a 14 month term from September 1, 2013 through October 31, 2014, upon the terms and conditions as set forth in said First Amendment to Management Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return a fully executed copy of the First Amendment to Management Agreement to Tom Lorenz at Pershing Auditorium.

Introduced by Trent Fellers

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

APPROVING WATERING HOLE EAST AS A KENO SATELLITE SITE AT 8300 NORTHWOODS DRIVE - PRIOR to reading:

GAYLOR BAIRD Moved to Amend Bill No. 13R-178 in the following manner:

1. On line 15, delete "Bunners" and insert in lieu thereof Watering Hole East.

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

CLERK Read the following resolution, introduced by Trent Fellers, who moved its adoption as amended:

A-87522 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 Watering Hole East, 8300 Northwoods Drive, Lincoln, NE 68505.

The City Clerk is directed to return an executed copy of this Resolution to ~~Bunners~~ Watering Hole East.

Introduced by Trent Fellers

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

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO ACCEPT NDOR FISCAL YEAR 2014 MAINTENANCE PROGRAM FUNDING OF \$2,277,000 FOR THE MAINTENANCE RESURFACING OF SELECTED STATE HIGHWAY LINKS IN THE CITY OF LINCOLN - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87523

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

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Fiscal Year 2014 Maintenance Program funding for the resurfacing of selected state highway links within the City of Lincoln, in the amount of \$2,277,000.00, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

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

Introduced by Trent Fellers

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

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO ACCEPT NDOR FISCAL YEAR 2014 CONSTRUCTION PROGRAM FUNDING OF \$480,000 FOR THE RESURFACING OF SELECTED STATE HIGHWAY LINKS IN THE CITY OF LINCOLN - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87524

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

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Fiscal Year 2014 Construction Program funding for the resurfacing of selected state highway links within the City of Lincoln, in the amount of \$480,000.00, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

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

Introduced by Trent Fellers

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

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

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

AMENDING SECTION 27.06.180 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MANUFACTURE, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP BY AMENDING THE MANUFACTURING, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP TABLE TO SHOW OUTDOOR VEHICLE STORAGE AS A PERMITTED USE IN THE B-4, I-1 AND I-3 ZONING DISTRICTS AND TO SHOW OPEN STORAGE AS A PERMITTED USE IN THE I-3 ZONING DISTRICT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 27.06.180 of the Lincoln Municipal Code relating to the Manufacture, Processing, Storage and Distribution Use Group by amending the Manufacturing, Processing, Storage and Distribution Use Group Table to show outdoor vehicle storage as permitted use in the B-4, I-1 and I-3 zoning districts and to show open storage as a permitted use in the I-3 zoning district; and repealing Section 27.06.180 of the Lincoln Municipal Code as hitherto existing, the first time.

VACATION NO. 13001 - VACATING THE SOUTH 10 FEET OF J STREET BETWEEN S. 5TH AND S. 6TH STREETS, THE WEST 10 FEET OF S. 6TH STREET BETWEEN J AND H STREETS AND THE NORTH 17 FEET OF G STREET BETWEEN S. 4TH AND S. 6TH STREETS - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating the south 10 feet of J Street between S. 5th and S. 6th Streets, the west 10 feet of S. 6th Street between J and H Streets and the north 17 feet of G Street between S. 4th and S. 6th Streets and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

AMENDING SECTION 9.20.050 OF THE LINCOLN MUNICIPAL CODE RELATING TO DISTURBING THE PEACE TO CLARIFY THAT THE PENALTY FOR SUCH OFFENSE INCLUDES THE OPTION OF BOTH A FINE AND IMPRISONMENT IN THE COUNTY JAIL - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 9.20.050 of the Lincoln Municipal Code, relating to disturbing the peace to clarify that the penalty for such offense includes the option of both a fine and imprisonment in the county jail; and repealing Section 9.20.050 of the Lincoln Municipal Code as hitherto existing, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

AMENDING RESOLUTION NO. A-86822 TO CHANGE THE PORTION OF THE LOCAL GOVERNMENT MISCELLANEOUS EXPENDITURES POLICY REGARDING MEAL REIMBURSEMENT TO TIE THE CITY'S MEAL REIMBURSEMENT RATE TO THE APPROVED FEDERAL RATE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96)

AMENDING THE 2012-2014 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2013-2014 FISCAL YEAR. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96)

APPROVING A SCHEDULE OF FEES THE CITY MAY CHARGE FOR AMBULANCE SERVICE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96)

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

PRE-EXISTING USE PERMIT NO. 9U - APPLICATION OF BCLINC, LLC TO ADJUST THE PARKING REQUIREMENTS FOR THE EDGEWOOD SHOPPING CENTER GENERALLY LOCATED AT SOUTH 56TH STREET AND HIGHWAY 2.

AUTHORIZING AND SUPPORTING THE PARKS & RECREATION DEPARTMENT'S SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM GRANT FOR REPAIR OF THE BILLY WOLFF TRAIL BETWEEN RANDOLPH AND 27TH STREET.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPT. OF ROADS FOR THE CAVETT CONNECTOR TRAIL PROJECT, NDOR PROJECT NO. ENH-55(172) CONTROL NO. 13079, TO REMOVE THE FEDERAL FUNDING CAP TO ALLOW ADDITIONAL FUNDS ABOVE THE ORIGINAL FEDERAL FUNDING CAP TO BE REIMBURSED AT THE 80% FEDERAL SHARE AMOUNT.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR MAINTENANCE RESURFACING WORK ON SELECTED PORTIONS OF HIGHWAY US-34 WITHIN THE CORPORATE LIMITS OF LINCOLN. (STATE PROJECT NO. STP-BH-HSIP-34-6(141), CN 12975).

MISCELLANEOUS BUSINESS - NONE

ADJOURNMENT 3:29 P.M.

FELLERS Moved to adjourn the City Council meeting of August 19, 2013.
Seconded by Christensen & carried by the following vote: AYES:
Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp,
Cook.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist