

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 7, 2014 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Eskridge; Council Members: Camp, Christensen, Cook, Emery, Fellers, Gaylor Baird; 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 March 31, 2014, 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

APPLICATION OF THE OLD PUB LLC DBA THE OLD PUB FOR A CLASS C LIQUOR LICENSE AT 420 SOUTH 11TH STREET;

MANAGER APPLICATION OF JACOB GROSS FOR THE OLD PUB LLC DBA THE OLD PUB AT 420 SOUTH 11TH STREET - Vic Covalt, attorney, 1045 Lincoln Mall, Suite 200, came forward to take the oath and answer questions. The Old Pub was operating at 408 S. 11th Street but has now lost it's lease and has moved to 420 S. 11th Street. He said that Doug helped finance the move and build and they are now applying for the liquor and managers license.

Jacob Gross, 408 S. 11th Street, Manager, came forward to take the oath and answer questions. He stated that he has been opened for 35 years and will be partnering up with Doug. They are asking for Council approval on both applications. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 9.30 OF THE LINCOLN MUNICIPAL CODE, DONATION BOXES, TO REMOVE REQUIREMENTS FOR PERMITS, OWNERSHIP BY CHARITIES OR USE OF A PRESCRIBED PORTION OF PROCEEDS FOR CHARITABLE PURPOSES, AND REQUIRING CERTAIN INFORMATIONAL DISCLOSURES. (3/31/14 - 2ND READING CONT'D WITH PUBLIC HEARING TO 4/7/14) - Jack Schulz, Harding & Schultz, attorney for Linc - Drop, 121 S. 13th Street, came forward to state that there has been litigation over the original ordinance that was adopted. He also said that a temporary injunction was entered by the Federal court. There is now a 2nd ordinance that has been revised and since the initial review a letter has been sent to the City Attorney and each of the Council Members, indicating there are concerns on the 2nd ordinance. Mr. Schulz said that if the amendment is adopted, it will modify the ordinance and bring the litigation to a conclusion. This is not what Linc - Drop originally wanted; however, it is some middle ground where the City's concerns can legitimately be addressed. If the amendment is not adopted the litigation will continue and the language of the new ordinance would be an issue. Discussion followed.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS; P STREET FROM 7TH TO 8TH STREETS; Q STREET FROM 7TH TO CANOPY STREETS; AND UNDER THE CANOPY ALONG CANOPY STREET FROM P TO Q STREETS FROM MAY 3, 2014 THROUGH OCTOBER 11, 2014 AND ON 8TH STREET FROM P TO Q STREETS FROM MAY 3, 2014 THROUGH AUGUST 23, 2014 - Hallie Salem, Urban Development, came forward and stated that they are seeking approval for the Lincoln Haymarket Farmers Market contract. This contract does include a slight expansion of the district into Q Street and Canopy Street. Mrs. Salem stated that they would not be in the street itself but on the sidewalk underneath the newly constructed canopy. Discussion followed.

Linda Hubka, 335 N. 8th St. Suite B, Lincoln's Haymarket Farmer's Market Manager, came forward and stated that this will be her 14th year as manager. She shared that the business owners in the Haymarket want the Farmers Market to stay in the area. Mrs. Hubka also thanked the City departments for their cooperation and partnership.

This matter was taken under advisement.

REPEALING CHAPTER 5.54 OF THE LINCOLN MUNICIPAL CODE RELATING TO TRAMPOLINE CENTERS AS THE PROVISIONS AND REQUIREMENTS OF THIS CHAPTER ARE OBSOLETE - Rod Confer, City Attorney, came forward and said that this ordinance was passed in the 1960's and was considered to be repealed in December along with the miniature golf, carnival and bowling ordinance. There was an interest of opening up trampoline centers in Lincoln, so they decided not to repeal the

trampoline ordinance at that point. Mr. Confer said the individuals that are considering to operate this kind of business stated the ordinance does not make any sense. The standards and requirements are completely different; therefore, the Building and Safety department reviewed the ordinance. Mr. Confer said that they decided that there is no need for this ordinance and the centers can be adequately regulated with the current building codes. Discussion followed.

Chad E. Blahak, Director of Building and Safety came forward and shared that when he reviewed the trampoline center they viewed it as an indoor/outdoor commercial recreational facility. These trampoline centers would be constructed with the same set of requirements. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 8.38 OF THE LINCOLN MUNICIPAL CODE RELATING TO PUBLIC SWIMMING POOLS TO ADOPT UPDATED STANDARDS FOR DESIGN, CONSTRUCTION AND OPERATION OF PUBLIC SWIMMING POOLS AND SPA FACILITIES. (RELATED ITEMS: 14-34, 14R-84, 14-35);
ADOPTING THE LINCOLN OPERATIONAL AND MANAGEMENT STANDARDS FOR PUBLIC SWIMMING POOLS PURSUANT TO LINCOLN MUNICIPAL CODE SECTION 8.38.050. (RELATED ITEMS: 14-34, 14R-84, 14-35) (ACTION DATE: 4/14/14);

REPEALING CHAPTER 8.40 OF THE LINCOLN MUNICIPAL CODE RELATING TO SPA FACILITIES AS SPA FACILITIES WILL NOW BE REGULATED UNDER REVISED LINCOLN MUNICIPAL CODE CHAPTER 8.38, PUBLIC SWIMMING POOLS. (RELATED ITEMS: 14-34, 14R-84, 14-35) - Judy Halstead, Director of Lincoln Lancaster County Health Department, came forward. She stated that March 1978 was the last time that they had done an overhaul on the swimming pool code. They are looking at amending the public swimming pool code which does not include or apply to privately owned pools. They are doing this to try to prevent injury and illness to the public. Mrs. Halstead also stated that they need to make sure that City Ordinance is consistent with the changes that the State has made as well as the policies and regulations. Discussion followed.

John Chess Jr., Environmental Health Supervisor, Health Department, came forward and answered questions regarding water testing in pools. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE NO. 14004 – DECLARING APPROXIMATELY 0.46 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN ANTELOPE VALLEY PARKWAY AND SOUTH 20TH STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 14-36, 14-37);

VACATION NO. 14002 – VACATING 20TH STREET BETWEEN K AND L STREETS, AND THE EAST/WEST ALLEY BETWEEN ANTELOPE VALLEY PARKWAY AND SOUTH 20TH STREET. (RELATED ITEMS: 14-36, 14-37) - Wynn Hjermsstad, Urban Development, came forward and said that this is a provision of a redevelopment agreement that has already been approved and is related to the redevelopment project at 21st and N street. What they are trying to do is vacate 20th street as well as the alley. Mrs. Hjermsstad stated that 7 ½ feet of the alley has never been platted as a right-of-way so that is why they are requesting the surplus and the vacation of the alley. Since 20th Street was acquired in a Quitclaim Deed with no reversionary provisions, the City is requesting this instead of the adjacent property owners. In this case, the City will retain it until it is sold to the developer as part of the redevelopment project. Discussion followed.

Tom Huston, 233 S. 13th, Suite 1900, representing Hoppe Brothers, came forward in support.

This matter was taken under advisement.

AUTHORIZING THE CITY TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY TO (1) PURCHASE AND INSTALL LIGHT POLES AND RELATED EQUIPMENT IN NEWLY DEVELOPED AREAS AND REBUILD AND RELOCATE STREET LIGHTS IN ESTABLISHED AREAS; (2) REPAIR AND REPLACE APPROXIMATELY 2,800 SIDEWALK SECTIONS WITHIN THE CITY; AND (3) CONSTRUCT STREETScape ENHANCEMENTS AND RELATED COSTS FOR AN ENTRYWAY CORRIDOR TO THE CITY - Steve Hubka, Director of Finance, came forward and stated that he was in support of the ordinance. Mr. Hubka stated that this transaction has already been before Council in a few forms as reimbursement resolutions for street lights, sidewalks and entry ways. This is a \$9.5 million dollar authorization, \$3 million for street lights, \$4 million for sidewalks and \$2.5 million for the entry way project. He shared that this will structure the principal payments. When this is blended in for Street Light COPS that is outstanding now, the requirements for annual debt service will not change or go up but they will go down for the next few years.

Scott Keen, Ameritas Investment Corp., 5900 O Street, stated that they have shipped the legal documents to Moody's and expect them to affirm the City's outstanding Triple AAA rating for its COPS financing sometime prior to the end of the month. He shared that they expect to go to the competitive sale the first week of May and have the issue settled by the middle of May. The rates are quite low. The current estimate for true interest cost and financing is between 2.2% and 2.3 % in today's market; the demand for these types of high quality issues is very high so we are expecting a competitive sale with good results for the City.

Mike Rogers, Gillmore & Bell P.C., 450 Regency Parkway, Suite 320, Omaha, came forward and stated that the ordinance would approve a lease purchase agreement between the City and Union Bank and Trust as well as a declaration of trust for the issuance of certificates of participation in the lease purchase agreement. The same set of document structures have been used on past purchase financing with the street light programs for the City.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE CITY AND SCHEMMER ASSOCIATES, INC. FOR THE CONSTRUCTION ENGINEERING SERVICES TO BE PROVIDED FOR THE LINCOLN WEST "O" STREET HISTORIC HIGHWAY PROJECT - Ernie Castillo, Comm. Development Program Specialist, Urban Development, came forward. Mr. Castillo shared that on March 10th, 2014, Council approved the resolution concurring with Department of Roads selection of Watts as the low bidder for the construction of the Lincoln West O Historic Highway Project. Today, as part of the same process with the Department of Roads, this is the construction and engineering portion of the contract with Schemmer Associates. The construction engineering for the project includes staking, the overall project management and on sight management. The contract also states consultant shall act as inspector project manager and also engineer during the project. This is a Federal Aid project with an 80/20 percent cost split. The \$23,500.00 City Portion is TIF funded. Discussion followed.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND NIFCO MECHANICAL SYSTEMS, INC. FOR THE ANNUAL REQUIREMENTS FOR INSPECTION, TESTING AND MAINTENANCE OF SPRINKLER ALARM SYSTEM AND BACKFLOW PREVENTERS, PURSUANT TO BID NO. 14-034, FOR A FOUR YEAR TERM - Rod Confer, City Attorney, came forward and stated that he was contacted by the Purchasing Department and was notified that the contractual documents were not ready and is requesting for this item to be delayed for one week. Discussion followed.

This matter was taken under advisement.

AMENDING THE UPDATED MASTER PLAN FOR WOODS PARK APPROVED BY RESOLUTION NO. A-88010 TO ADJUST THE PHASING PLAN FOR THE PROPOSED WOODS PARK TENNIS CENTER RENOVATION PROJECT - Lynn Johnson, Director of Parks and Recreation, came forward and stated that the master plan before Council is essentially the same but with one revision. There is a revision to the proposed phasing plan. He stated that there is a committee that meets weekly organizing and coordinating the fund-raising efforts for this project. The committee recommended that the proposed phasing plan associated with this project be reversed due to the potential impact that it would have on the operations of the facility. The Parks and Recreation Advisory Board has reviewed and is also recommending this to Council. Mr. Johnson said what is being proposed now is the construction of two structures that would be over a total of 6 indoor courts on the west end of the facility and then an expansion of the club house that would have additional restrooms, locker rooms, multi-purpose space and lounge space. The ultimate build out of the Woods Park Tennis Center will remain. Also, there is a lead donor who has committed funding to the project once the \$5 million dollar threshold has been reached. The fund-raising committee is confident that they will achieve the fund-raising that is associated with this. Discussion followed.

Kevin Heim, 401 S. 33rd St., Executive Director of Woods Tennis Center, came forward to speak in support. He said that the more they reviewed the initial plan he and the committee realized the significant impact that it would have on the daily operations. They reviewed their numbers from 2013 and said that they would potentially lose about \$200,000.00 dollars in revenue and half of the staff during the construction of the original phasing plan. Mr. Heim stated that would be difficult to rebuild that up.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MARCH 24, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS FEBRUARY 28, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

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RESOLUTION APPROVING THE CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FROM THE CITY TREASURER FOR THE SECOND QUARTER, FISCAL YEAR 2013-2014, ENDING FEBRUARY 28, 2014 - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption:

A-88162 BE IT HEREBY RESOLVED by the City Council of the City of Lincoln Nebraska:
That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Jon A. Camp

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

2013 CITY LAW DEPARTMENT ANNUAL REPORT - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

SETTING THE HEARING DATE OF MONDAY, APRIL 28, 2014 AT 5:30 P.M. ON THE NORTH 27TH STREET MAINTENANCE IMPROVEMENT DISTRICT, THE UNIVERSITY PLACE MAINTENANCE IMPROVEMENT DISTRICT, THE SOUTH STREET MAINTENANCE IMPROVEMENT DISTRICT, THE HAVELOCK MAINTENANCE IMPROVEMENT DISTRICT AND THE COLLEGE VIEW MAINTENANCE IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption:

A-88163 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the City Clerk be and she is hereby instructed to give ten days notice by publication according to law that the City Council will, at a regular meeting to be held on the April 21, 2014, at 3:00 P.M., assess the improvements in the following special assessment districts:

North 27th Street Maintenance Improvement District
University Place Maintenance Improvement District
South Street Maintenance Improvement District
Havelock Maintenance Improvement District
College View Maintenance Improvement District

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, April 28, 2014, at 3:00 p.m. with adjournments from day to day until said work of equalizing said assessments are completed.

Introduced by Jon A. Camp

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, APRIL 21, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF MICHAEL BEHRENS II FOR GRANITE CITY RESTAURANT OPERATIONS, INC. DBA GRANITE CITY FOOD & BREWERY AT 6150 O STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption:

A-88164 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 21, 2014 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 Manager Application of Michael Behrens II for Granite City Restaurant Operation, Inc. dba Granite City Food & Brewery located at 6150 O Street.
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon A. Camp

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

LIQUOR RESOLUTIONS

APPLICATION OF THE OLD PUB LLC DBA THE OLD PUB FOR A CLASS C LIQUOR LICENSE AT 420 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88165 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 Old Pub, LLC dba The Old Pub for a Class "C" liquor license at 420 South 11th Street, Lincoln, Nebraska, for the license period ending October 31, 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 Jon A. Camp

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

MANAGER APPLICATION OF JACOB GROSS FOR THE OLD PUB LLC DBA THE OLD PUB AT 420 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88166 WHEREAS, The Old Pub, LLC dba The Old Pub located at 420 South 11th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Jacob Gross be named manager;

WHEREAS, Jacob Gross 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 Jacob Gross 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 A. Camp

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

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

AMENDING CHAPTER 9.30 OF THE LINCOLN MUNICIPAL CODE, DONATION BOXES, TO REMOVE REQUIREMENTS FOR PERMITS, OWNERSHIP BY CHARITIES OR USE OF A PRESCRIBED PORTION OF PROCEEDS FOR CHARITABLE PURPOSES, AND REQUIRING CERTAIN INFORMATIONAL DISCLOSURES - CLERK read an ordinance, introduced by Trent Fellers, amending Chapter 9.30 of the Lincoln Municipal Code Relating to donation Boxes by amending Section 9.30.010 relating to Definitions to set forth definitions of additional terms; repealing Section 9.30.020 relating to Legislative Intent; amending Section 9.30.030 relating to Prohibitions, to delete requirements for permits and prescribing percentage of proceeds that must be used for charitable purposes, and adding provisions requiring Disclosures on Donation Boxes and prohibiting Deceptive Representations; amending Section 9.30.040 relating to Permits, by deleting any requirement for a separate Donation Box Permit; amending Section 9.30.050 relating to Enforcement; Penalties; Injunction, to delete provisions making owners of property responsible for violations on their properties and provisions requiring Donation Box Permits; and repealing Section 9.30.060 relating to Exemptions; and repealing Sections 9.30.010, 9.30.030, 9.30.040, and 9.30.050 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS; P STREET FROM 7TH TO 8TH STREETS; Q STREET FROM 7TH TO CANOPY STREETS; AND UNDER THE CANOPY ALONG CANOPY STREET FROM P TO Q STREETS FROM MAY 3, 2014 THROUGH OCTOBER 11, 2014 AND ON 8TH STREET FROM P TO Q STREETS FROM MAY 3, 2014 THROUGH AUGUST 23, 2014 - CLERK read and ordinance, introduced by Leirion Gaylor Baird, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets; P Street from 7th to 8th Streets; Q Street from 7th to Canopy Streets; and under the Canopy along Canopy Street from P to Q Streets; from May 3, 2014 through October 11, 2014, and on 8th Street from P to Q Street from May 3, 2014 through August 23, 2014, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

REPEALING CHAPTER 5.54 OF THE LINCOLN MUNICIPAL CODE RELATING TO TRAMPOLINE CENTERS AS THE PROVISIONS AND REQUIREMENTS OF THIS CHAPTER ARE OBSOLETE - CLERK read and ordinance, introduced by Leirion Gaylor Baird, repealing Lincoln Municipal Code Chapter 5.54 relating to Trampoline Centers as the provisions and requirements of this chapter are obsolete, the second time.

AMENDING CHAPTER 8.38 OF THE LINCOLN MUNICIPAL CODE RELATING TO PUBLIC SWIMMING POOLS TO ADOPT UPDATED STANDARDS FOR DESIGN, CONSTRUCTION AND OPERATION OF PUBLIC SWIMMING POOLS AND SPA FACILITIES. (RELATED ITEMS: 14-34, 14R-84, 14-35) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, amending Chapter 8.38 of the Lincoln

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Municipal Code relating to Public Swimming Pools to adopt updated standards for design, construction and operation of public pools and spa facilities and repealing Sections 8.38.010, 8.38.020, 8.38.030, 8.38.040, 8.38.050, 8.38.090, 8.38.100, 8.38.110, and 8.38.120 of the Lincoln Municipal Code as hitherto existing, the second time.

ADOPTING THE LINCOLN OPERATIONAL AND MANAGEMENT STANDARDS FOR PUBLIC SWIMMING POOLS PURSUANT TO LINCOLN MUNICIPAL CODE SECTION 8.38.050. (RELATED ITEMS: 14-34, 14R-84, 14-35) (ACTION DATE: 4/14/14)

REPEALING CHAPTER 8.40 OF THE LINCOLN MUNICIPAL CODE RELATING TO SPA FACILITIES AS SPA FACILITIES WILL NOW BE REGULATED UNDER REVISED LINCOLN MUNICIPAL CODE CHAPTER 8.38, PUBLIC SWIMMING POOLS. (RELATED ITEMS: 14-34, 14R-84, 14-35) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, repealing Lincoln Municipal Code Chapter 8.40 relating to Spa Facilities as spa facilities will now be regulated under revised Lincoln Municipal Code Chapter 8.38, Public Swimming Pools, the second time.

COMP. PLAN CONFORMANCE NO. 14004 – DECLARING APPROXIMATELY 0.46 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN ANTELOPE VALLEY PARKWAY AND SOUTH 20TH STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 14-36, 14-37) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, declaring approximately 0.46 acres of city owned property generally located between Antelope Valley Parkway and South 20th Streets as surplus, the second time.

VACATION NO. 14002 – VACATING 20TH STREET BETWEEN K AND L STREETS, AND THE EAST/WEST ALLEY BETWEEN ANTELOPE VALLEY PARKWAY AND SOUTH 20TH STREET. (RELATED ITEMS: 14-36, 14-37) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, vacating South 20th Street between K Street and L Street and the east/west alley between Antelope Valley Parkway and South 20th Street and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

AUTHORIZING THE CITY TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY TO (1) PURCHASE AND INSTALL LIGHT POLES AND RELATED EQUIPMENT IN NEWLY DEVELOPED AREAS AND REBUILD AND RELOCATE STREET LIGHTS IN ESTABLISHED AREAS; (2) REPAIR AND REPLACE APPROXIMATELY 2,800 SIDEWALK SECTIONS WITHIN THE CITY; AND (3) CONSTRUCT STREETScape ENHANCEMENTS AND RELATED COSTS FOR AN ENTRYWAY CORRIDOR TO THE CITY - CLERK read and ordinance, introduced by Leirion Gaylor Baird, authorizing and approving a lease-purchase transaction with Union Bank and Trust Company, the proceeds of which will be used to pay the costs of (1) purchasing and installing light poles and related equipment, such as light fixtures, wiring, and other items necessary to complete the installation of new street lights in newly developed residential and commercial areas as well as replacing, rebuilding and relocating street lights in established areas, (2) repairing and replacing approximately 2,800 sidewalk sections within the City, and (3) constructing streetscape enhancements and related costs for an entryway corridor to the City and to pay costs of issuance thereof; approving the issuance, sale and delivery of not to exceed \$9,500,000 principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the second time.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND USCOC OF GREATER IOWA, LLC FOR PCS TOWER AND APPURTENANCES TO LOCATE A COMMUNICATION FACILITY ON PROPERTY GENERALLY LOCATED AT 5500 W. SUPERIOR - CLERK read and ordinance, introduced by Leirion Gaylor Baird, accepting and approving the Agreement for PCS Tower and Appurtenances between the City of Lincoln, Nebraska, a municipal corporation, and USCOC of Greater Iowa, LLC for the placement of telecommunications facilities upon City property generally located at 5500 W. Superior Street (Airpark Site No. 871386) and authorizing the Mayor to sign such Agreement on behalf of the City, the second time.

PUBLIC HEARING - RESOLUTIONS

APPROVING A CONTRACT BETWEEN THE CITY AND SCHEMMER ASSOCIATES, INC. FOR THE CONSTRUCTION ENGINEERING SERVICES TO BE PROVIDED FOR THE LINCOLN WEST “O” STREET HISTORIC HIGHWAY PROJECT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88167 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Task Order Agreement between the City of Lincoln and The Schemmer Associates, Inc. for the use of Federal Aid Transportation Program Funds for construction and construction engineering services to be provided for the Lincoln West “O” Street Historic Highway Project, Project No.

ENH-5266(2), CN 12946, 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 copy of the Agreement to Ernie Castillo, Urban Development Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

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

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND NIFCO MECHANICAL SYSTEMS, INC. FOR THE ANNUAL REQUIREMENTS FOR INSPECTION, TESTING AND MAINTENANCE OF SPRINKLER ALARM SYSTEM AND BACKFLOW PREVENTERS, PURSUANT TO BID NO. 14-034, FOR A FOUR YEAR TERM - PRIOR to reading: CHRISTENSEN Moved to delay Action for one week to April 14, 2014.

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

AMENDING THE UPDATED MASTER PLAN FOR WOODS PARK APPROVED BY RESOLUTION NO. A-88010 TO ADJUST THE PHASING PLAN FOR THE PROPOSED WOODS PARK TENNIS CENTER RENOVATION PROJECT - CLERK read the following resolution, introduced by Leirion Gaylor Baird; who moved its adoption:

A-88168 WHEREAS, an updated Master Plan for Woods Park was adopted by the City Council with Resolution No. A-88010 on December 16, 2013 including renovation of the Woods Park Tennis Center; and

WHEREAS, through subsequent discussions it has been determined that an alternate approach to phasing will minimize the impact on operation and programming at the tennis center during construction; and

WHEREAS, the Park and Recreation Advisory Board reviewed said amendments to the updated Master Plan for Woods Park at its February 13, 2014 meeting and recommended approval thereof; and

WHEREAS, this recommendation is presented to City Council for final approval.

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

That the updated Woods Park Master Plan dated December 16, 2013 with phasing revisions dated February, 2014, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved and adopted as the development plan to be followed in further developing the park known as Woods Park and the facilities located thereon and therein.

Introduced by Leirion Gaylor Baird

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

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

VACATION NO. 14001 – VACATING THE NORTH-SOUTH ALLEY AND THE CONNECTION THERETO BETWEEN NORTH 14TH STREET AND CENTENNIAL MALL NORTH - PRIOR to reading:

COOK Moved to delay Action for one week to April 14, 2014.

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

CLERK Read an ordinance, introduced by, Jonathan Cook, vacating the north-south alley and connection thereto between North 14th Street and Centennial Mall North and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, for the third time.

REPEALING SECTION 5.04.120 OF THE LINCOLN MUNICIPAL CODE RELATING TO PROHIBITING MINORS ON LICENSED PREMISES WHICH SELL OR DISPENSE ALCOHOLIC LIQUOR AT RETAIL FOR CONSUMPTION ON THE PREMISES AFTER 9:00 P.M. - CLERK read an ordinance, introduced by Trent Fellers, repealing Section 5.04.120 of the Lincoln Municipal Code relating to prohibiting minors on licensed premises which sell or dispense alcoholic liquor at retail for consumption on the premises after 9:00 p.m., for the third time.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered #20005, is recorded in Ordinance Book # 209, page .

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

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

AUTHORIZING THE TRANSFER OF AN AMOUNT NOT TO EXCEED \$70,000 FROM THE FAST FORWARD FUND TO THE AIRPORT ENTRYWAY CORRIDOR IMPROVEMENT PROJECT FOR INSTALLATION OF A RIGHT-TURN LANE INTO THE WEST PLANT ENTRANCE TO THE ZOETIS FACILITY AT 601 WEST CORNHUSKER HIGHWAY.

APPROVING THE RECREATIONAL TRAILS PROGRAM PROJECT AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM PROJECT GRANT TO RENOVATE THE BILLY WOLFF TRAIL BETWEEN RANDOLPH AND 27TH STREETS.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MARCH 16-31, 2014.

REAPPOINTING TODD FITZGERALD TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2015.

REAPPOINTING JAMES CROOK TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2016.

REAPPOINTING BRADLEY BRANDT, SUSAN DEITCHLER, ANNE B. PAGEL AND JEFFREY E. SCHWEBKE TO THE PARKS AND RECREATION ADVISORY BOARD FOR TERMS EXPIRING APRIL 27, 2017.

APPOINTING ANGOK ALWIR TO THE MULTICULTURAL ADVISORY COMMITTEE FOR A TERM EXPIRING SEPTEMBER 18, 2015.

REAPPOINTING VANCE BEHRENS TO THE BUILDING CODE BOARD OF APPEALS FOR A TERM EXPIRING APRIL 1, 2017.

APPOINTING GREG SHINAUT TO THE BUILDING CODE BOARD OF APPEALS FOR A TERM EXPIRING APRIL 1, 2017.

REAPPOINTING DR. JACQUELYN MILLER TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING APRIL 15, 2017.

APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE GOVERNING BOARDS OF PUBLIC SAFETY ANSWERING POINTS IN THE COUNTIES OF CASS, FILLMORE, GAGE, JEFFERSON, JOHNSON, LANCASTER, NEMAHA, OTOE, PAWNEE, RICHARDSON, SALINE, SEWARD, THAYER AND YORK TO ESTABLISH A SOUTHEAST 911 GOVERNING COMMITTEE FOR COORDINATED REGIONAL 911 COMMUNICATIONS CAPABILITIES FOR A TWO YEAR TERM.

APPLICATION OF BISON INC. FOR USE OF PUBLIC RIGHT-OF-WAY TO CONSTRUCT A PORTION OF A LOADING DOCK RAMP ON THE NORTHWEST CORNER OF SOUTH 6TH AND L STREET.

ADJOURNMENT

4:02 P.M.

CAMP Moved to adjourn the City Council Meeting of April 7, 2014.
Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

Soulinnee Phan, Office Specialist