

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, MAY 5, 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**

**GAYLOR BAIRD** Having been appointed to read the minutes of the City Council proceedings of April 28, 2014, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPLICATION OF UPDOWNTOWNERS, INC. DBA GO LINCOLN GO AND CELEBRATE LINCOLN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FEET BY 100 FEET NORTH/SOUTH IN 13TH STREET BETWEEN M AND O STREETS AND 700 FEET BY 100 FEET EAST/WEST IN N STREET BETWEEN 12TH TO 14TH STREETS ON JUNE 6 AND 7, 2014 FROM 11:00 A.M. TO 12:30 A.M. (4/28/14 - PUBLIC HEARING & ACTION DELAYED TO 5/5/14) - Tad Fraizer, 233 S. 13<sup>th</sup> St., Suite 1535, Board Member & Attorney for Updowntowners, came forward. He apologized to Council for not being present at last week's Council meeting.

Nathan S. McKown, 206 S. 13<sup>th</sup> St., Suite 101, Event Chair for Updowntowners, came forward. He recapped the event shows for both Friday & Saturday evening and discussed the precautions that are being utilized for security at these events. He stated that they are engaging in the services of a private security company that they have used last year, Securitas a big event security outfit located in Omaha. Mr. McKown also shared that they have talked to Captain Koluch from LPD and discussed officer levels for overtime officer usage. There will be two LPD officers staffed both Friday & Saturday evenings in addition with the full private security. Gate checks and arm bands will also be a form of security at this event. Discussion followed.

This matter was taken under advisement.

APPLICATION OF DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 51 FEET BY 65 FEET AT 1412 O STREET ON MAY 10, 2014 FROM 2:00 P.M. TO 2:00 A.M. (4/28/14 - PUBLIC HEARING & ACTION DELAYED TO 5/5/14) - Scott Hatfield, 1412 O St., owner of Duffy's Tavern, came forward. Mr. Hatfield stated that they are having a concert in the back parking lot of Duffy's which they have done in the past. It is a Universe contest and AZP 21 & over show. Discussion followed.

This matter was taken under advisement.

APPLICATION OF PLOUGHSHARE BREWING CO., LLC DBA PLOUGHSHARE BREWING CO. FOR A CLASS C LIQUOR LICENSE AT 1630 P STREET;  
MANAGER APPLICATION OF MATT STINCHFIELD FOR PLOUGHSHARE BREWING CO., LLC DBA PLOUGHSHARE BREWING CO. AT 1630 P STREET. - Matt Stinchfield, 3621 Everett St., Manager of Ploughshare Brewing Co., came forward to take the oath and answer questions. He stated that he is applying for the Liquor License Class C and will ultimately be back to apply for a Class L in September. Mr. Stinchfield shared that Ploughshare Brewing is a 10,000 sq. ft. warehouse building, which 7000 ft is on-site parking for customers. He stated that 2/3 of the facility is designated for the manufacturing and selling of the beer. This will be operating on a later date in the fall. The front 1/3 of the building is be a tack room and in the interim period they are selling other regional craft beers and wines.

This matter was taken under advisement.

MANAGER APPLICATION OF JORDAN WELLS FOR PEAK INTERESTS LLC DBA PIZZA HUT AT 6414 O STREET - Jordan Wells, 131 College Park Cr. #11, Assistant Manager, came forward to take the oath and answer questions. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF TARYN MCDOWELL FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0217 AT 333 N. 48TH STREET - Taryn McDowell, 5036 Garland St., Assistant Manager, came forward to take the oath and answer questions. Ms. McDowell stated that this is her first time as a manager and has completed all training that is required.

This matter was taken under advisement.

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APPLICATION OF COUNTRYVIEW STUDIOS INC. DBA ART & SOUL TO EXPAND ITS PREMISES TO INCLUDE AN OUTDOOR AREA FOR A NEW LICENSED AREA DESCRIBED AS APPROXIMATELY 43 FEET BY 110 FEET INCLUDING AN OUTDOOR AREA APPROXIMATELY 11 FEET BY 67 FEET ON THE EAST SIDE OF THE BUILDING LOCATED AT 5740 HIDCOTE DRIVE - Justina Slattery, 5740 Hidecote Dr., General Manager, came forward to take the oath and answer questions. She stated she has come before Council before regarding the expansion to include the doorway and now will be taking it back to ensure that the sidewalk is large enough and meets fire code. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 24, 2014 FROM 10:00 A.M. TO 2:00 A.M.;

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FEET BY 448 FEET AT PINWOOD BOWL, 3201 SOUTH CODDINGTON AVE., ON AUGUST 8, 2014 FROM 8:00 A.M. TO 2:00 A.M.;

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA KNOWN AS THE FESTIVAL SPACE LOCATED NORTH OF PINNACLE BANK ARENA AND THE BNSF TRACKS ON MAY 16, 2014 FROM 12:00 P.M. TO 12:00 A.M. - Tom Lorenz, 400 Pinnacle Arena Dr., General Manager of SMG Lincoln, came forward. The first item #16 is for Zac Brown, which is the area in the northeast corner. We have two options, either they will use it for an "Eat and Great" where the artist will perform and then will cook with some of the patrons that are there, or it will be a completely fenced in area for a pre-party. Item #17 is for a Pinewood Bowl show. This show is for the Boston & The Doobie Brothers show on August 8<sup>th</sup>. Item #18 is an SDL for the festival space for a baseball tailgate. There will be no parking in the festival space, it will be an enclosed area, pure tailgate of individuals walking in from the Saltdog parking. Discussion followed.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO., LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 48 FEET BY 26 FEET INSIDE AND 70 FEET BY 72 FEET OUTSIDE AT 2100 MAGNUM CIR. ON MAY 17, 2014 FROM 2:00 P.M. TO 9:00 P.M. - Marcus Powers, 2100 Magnum Cr., Owner, came forward. He stated that this is the third iteration of the "Beer to There" series. This is a bike ride that goes from each local brewery throughout Lincoln. It's a co-planned event with all the local brewery's. The previous two iterations ended at Blue Blood Brewery and this years event will end at Zipline Brewery.

This matter was taken under advisement.

APPLICATION OF JAMES ARTHUR VINEYARDS FOR SPECIAL DESIGNATED LICENSES TO COVER AN AREA MEASURING APPROXIMATELY 12 FEET BY 80 FEET AT 803 Q STREET ON MAY 17, 2014 FROM 9:00 A.M. TO 10 P.M., MAY 18, 2014 FROM 12:00 P.M. TO 6:00 P.M., MAY 24, 2014 FROM 9:00 A.M. TO 10:00 P.M., MAY 25, 2014 FROM 12:00 P.M. TO 6:00 P.M., MAY 31, 2014 FROM 9:00 A.M. TO 10:00 P.M., JUNE 1, 2014 FROM 12:00 P.M. TO 6:00 P.M., JUNE 7, 2014 FROM 9:00 A.M. TO 10:00 P.M., JUNE 8, 2014 FROM 12:00 P.M. TO 6:00 P.M., JUNE 14, 2014 FROM 9:00 A.M. TO 10:00 P.M., AND JUNE 15, 2015 FROM 12:00 P.M. TO 6:00 P.M. - Jim Ballard, 1503 West Stream Rd., Owner & wine maker, came forward. Mr. Ballard shared that they are in the process of getting the dock on their premise licensed, but in the interim they have applied for SDL's to take advantage of the weekends. They want their patrons to purchase their wines and then be able to enjoy their drinks in the dock area. He also stated that he is working with Brix & Stone to create some appetizers plates or menu to compliment the beverages. Discussion followed.

This matter is taken under advisement.

COMP. PLAN AMENDMENT 14001 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 5.5 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 70TH STREET AND PINE LAKE ROAD FROM URBAN RESIDENTIAL TO COMMERCIAL. (RELATED ITEMS: 14R-110, 14-44)(ACTION DATE: 5/12/14);

CHANGE OF ZONE 14004 - APPLICATION OF PAUL ROGGE FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO H-4 GENERAL COMMERCIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 70TH STREET AND PINE LAKE ROAD. (RELATED ITEMS: 14R-110, 14-44) - Tom Huston, 233 S. 13<sup>th</sup>, Suite 1900, Attorney, came forward. He shared that the two items in front of Council are a follow up on the action that the Planning Commission had several weeks ago. The comprehensive plan designates the area as Urban Residential due to the challenges it has on access. Mr. Huston stated that after his client reviewed this, they

were able to come up with the two uses that will change the comprehensive plan from urban residential to commercial. The site plans that were ultimately approved by the Planning Commission shows 20,000 sq. ft. of office buildings on the southeast corner and self storage use all of which are low traffic generated uses. Mr. Huston said that his clients worked extensively with the neighborhood and the adjacent properties who are in support. Discussion followed.

This matter was taken under advisement.

ANNEXATION 14001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.71 ACRES GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 14-45, 14-46);

CHANGE OF ZONE 14005 - APPLICATION OF HIMARK GOLF FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 14-45, 14-46) - Stephen S. Henrichsen, Planning Department, came forward. He stated that the City is the applicant for these items. There is a small area that was left off initially with Himark. Mr. Henrichsen shared that they were working through some issues with the rural water district and that agreement was approved last year. Now they will be adding new residential lots and they want to be able to finish off the last part of the future street with the annexation and change of zone. Discussion followed.

This matter was taken under advisement.

AUTHORIZING THE PURCHASE AGREEMENT FOR THE SALE OF SURPLUS PROPERTY GENERALLY LOCATED AT 1112 WASHINGTON STREET TO AUSTIN D. SHARP FOR THE SUM OF \$89,000.00 - Dallas McGee, Urban Development, Assistant Director, came forward. Mr. McGee stated that this is a property where they provided a First Time Home Buyers Loan in 2011. The homeowner was unable to make the payments on the loan so Urban Development purchased the home for \$19,000.00 in March 2013. He stated this was to protect the initial investment of \$46,000.00. The property was put on the market for \$89,000.00 and has been purchased. Profits from the sale will be applied back to the programs to help other first time home buyers. Discussion followed.

Steve Werthmann, Urban Development, came forward to answer questions. He stated that this is done through Neighborworks who provides down payment and closing cost assistance to first time home buyers. The home buyers would need to come up with \$1,500.00 of their own money. Discussion followed.

Carla Waldbaum, 5901 N 27<sup>th</sup> St, CRS, GRI Home Real Estate, came forward to clarify and answer questions.

Austin Sharp, 4631 Meredith, came forward in support.

This matter was taken under advisement.

ACCEPTING AND APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT AND JOSHUA'S GLEN, LLC TO PRESERVE THE NATURAL RESOURCES OVER THE EASEMENT AREA DESCRIBED AS OUTLOTS A AND C, JOSHUA GLEN 1ST ADDITION AND GENERALLY LOCATED IN THE BEAL'S SLOUGH FLOODPLAIN NEAR 56TH STREET AND SHADOW PINES DRIVE - Benjamin Higgins, Public Works & Utilities Wastewater, came forward. He stated that they have had a conservation easement before over this area, the flood plain area and some wooded areas. When this development came through there was a need to be able to access an area to the south for future development. They took about ½ acre of the flood plain area. Mr. Higgins stated that this conservation here is mitigation for the other flood plain.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF DENTON, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF DENTON;

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF DAVEY, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF DAVEY;

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF RAYMOND, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF RAYMOND;

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF PANAMA, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF PANAMA - Judy Halsted, Lincoln Lancaster County Health Department, Director, came forward. Mrs. Halsted shared

that these are the inter-local agreements with these villages. These are 10 year agreements and the last time they were revised was about 40 years ago. All of the villages have already voted and provided the appropriate information for you. There are no City dollars involved with this the cost of providing these services are recouped through the fees.

This matter was taken under advisement.

ACCEPTING AND APPROVING THE 2014-2015 WORK PLAN BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE HEALTH DEPARTMENT'S SECTION 105 AIR QUALITY PROGRAM GRANT - Judy Halsted, Lincoln Lancaster County Health Department, Director, came forward. She said this is a grant they have had for a number of years and it is a two year renewal. This allows us to secure the grant for \$194,000.00 from the Nebraska Department of Environmental Quality. Mrs. Halsted stated that the funds that are the "in kind" match for this are also fee related funds. This also allows them to enhance the air quality program. Discussion followed.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BURWOOD GROUP, INC. FOR THE ANNUAL REQUIREMENTS FOR WEBSense MAINTENANCE, PURSUANT TO QUOTE NO. 4756, FOR A THREE YEAR TERM - Pat Leach, Lincoln City Libraries, Director came forward. This is a contract with the Burwood Group, the company that provides Websense, which provides filtering, malware and protection for the libraries computers. Discussion followed.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND URIBE REFUSE SERVICES FOR THE ANNUAL REQUIREMENTS FOR SCRAP TIRE RECYCLING, PURSUANT TO QUOTE NO. 4764, FOR A FOUR YEAR TERM. - Gene Hanlon, Public Works & Utilities, Recycling Coordinator, came forward. He stated that the State of Nebraska bans the disposal of tires in the landfills but instead of telling the public that they are unable to dispose of those items, the garbage haulers will still pick them up and put them aside in collection containers. They accept those items at the transfer station and landfills. Mr. Hanlon said the contract allows them to recycle those items in the containers. Discussion followed.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

REAPPOINTING RONALD GEARY TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2016 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88224 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Ronald Geary to the Board of Mechanical Examiners for a term expiring April 4, 2016, is hereby approved.

Introduced by Trent Fellers

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

REAPPOINTING JOHN HENRY "JACK" ZOHNER TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2017 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88225 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of John Henry "Jack" Zohner to the Board of Mechanical Examiners for a term expiring April 4, 2017, is hereby approved.

Introduced by Trent Fellers

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

APPOINTING THOMAS C. HUSTON TO THE URBAN DESIGN COMMITTEE FOR A TERM EXPIRING FEBRUARY 1, 2015 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88226 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Thomas C. Huston to the Urban Design Committee for a term expiring February 1, 2015, is hereby approved.

Introduced by Trent Fellers

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook,

Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON APRIL 28, 2014 - 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, MAY 19, AT 5:30 P.M. FOR THE MANAGER APPLICATION OF RONALD TROUBA, JR. FOR LOCAL 644 DBA LINCOLN FIREFIGHTERS RECEPTION HALL LOCATED AT 241 VICTORY LANE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88227 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 19, 2014 at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Ronald Trouba Jr. for Local 644 dba Lincoln Firefighters Reception Hall located at 241 Victory Lane.

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

Introduced by Leirion Gaylor Baird

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

#### PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 14009 to Final Plat No. 13033, Grand Terrace 3rd Addition, approved by the Planning Director on April 23, 2014, requested by Starostka-Lewis, LLC, to correct typographical errors on the final plat, on property generally located at S. 77th St. and Highway 2.

Administrative Amendment No. 14023 to Use Permit No. 102A, St. Patrick's Church, approved by the Planning Director on April 23, 2014, requested by St. Patrick Church Corp., to revise the transition in the front yard setback along Morrill Ave., on property generally located at N. 61st St. and Morrill Ave.

Administrative Amendment No. 14021 to Special Permit No. 1985, Athey Painting, approved by the Planning Director on April 24, 2014, requested by Athey Painting, to add a 20 foot x 24 foot accessory building, thereby increasing the total building square footage on the site to 11,780 square feet, on property located at 9410 Yankee Hill Rd.

Administrative Amendment No. 14014 to Special Permit No. 04009, Anderson's Place, approved by the Planning Director on April 24, 2014, requested by ESP, Inc., to reduce the front yard setback along N. 84th Street to 20 feet, revise the layout of the mini storage and revise the landscape plan, on property generally located at N. 94th St. and Leighton Ave.

RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED FOR THE COSTS OF THE IMPROVEMENTS IN THE COLLEGE VIEW BUSINESS IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88228 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

The special taxes assessed April 28, 2014, to pay the costs of the improvements in the College View Business Improvement District are hereby levied and shall bear interest at 14% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Leirion Gaylor Baird

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

RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED FOR THE COSTS OF THE IMPROVEMENTS IN THE HAVELOCK BUSINESS IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88229 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

The special taxes assessed April 28, 2014, to pay the costs of the improvements in the Havelock Street Maintenance Improvement District are hereby levied and shall bear interest at 14% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Leirion Gaylor Baird

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

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RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED FOR THE COSTS OF THE IMPROVEMENTS IN THE NORTH 27TH STREET BUSINESS IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88230 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:  
The special taxes assessed April 28, 2014, to pay the costs of the improvements in the North 27<sup>th</sup> Street Maintenance Business Improvement District are hereby levied and shall bear interest at 14% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Leirion Gaylor Baird

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

RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED FOR THE COSTS OF THE IMPROVEMENTS IN THE SOUTH ST IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88231 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:  
The special taxes assessed April 28, 2014, to pay the costs of the improvements in the South Street Maintenance Business Improvement District are hereby levied and shall bear interest at 14% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Leirion Gaylor Baird

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

RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED FOR THE COSTS OF THE IMPROVEMENTS IN THE UNIVERSITY PLACE MAINTENANCE IMPROVEMENT DISTRICT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88232 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:  
The special taxes assessed April 28, 2014, to pay the costs of the improvements in the University Place Business Maintenance Improvement District are hereby levied and shall bear interest at 14% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Leirion Gaylor Baird

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

**LIQUOR RESOLUTIONS**

APPLICATION OF UPDOWNTOWNERS, INC. DBA GO LINCOLN GO AND CELEBRATE LINCOLN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FEET BY 100 FEET NORTH/SOUTH IN 13TH STREET BETWEEN M AND O STREETS AND 700 FEET BY 100 FEET EAST/WEST IN N STREET BETWEEN 12TH TO 14TH STREETS ON JUNE 6 AND 7, 2014 FROM 11:00 A.M. TO 12:30 A.M. (4/28/14 - PUBLIC HEARING & ACTION DELAYED TO 5/5/14) - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88233 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 Updowntowners, Inc. dba Go Lincoln Go and Celebrate Lincoln for a Special Designated License to cover an area measuring approximately 700 feet by 100 feet north/south in 13th Street between M and O Streets and 700 feet by 100 feet east/west in N Street between 12th and 14th Streets, Lincoln, Nebraska, on June 6 and 7, 2014, between the hours of 11:00 a.m. and 12:30 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 51 FEET BY 65 FEET AT 1412 O STREET ON MAY 10, 2014 FROM 2:00 P.M. TO 2:00 A.M. (4/28/14 - PUBLIC HEARING & ACTION DELAYED TO 5/5/14) - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88234 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 Duffy's Tavern for a Special Designated License to cover an area measuring approximately 51 feet by 65 feet at 1412 O Street, Lincoln, Nebraska, on May 10, 2014, between the hours of 2:00 p.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF PLOUGHSHARE BREWING CO., LLC DBA PLOUGHSHARE BREWING CO. FOR A CLASS C LIQUOR LICENSE AT 1630 P STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88235 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 Ploughshare Brewing Co., LLC dba Ploughshare Brewing Co. for a Class "C" liquor license at 1630 P 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF MATT STINCHFIELD FOR PLOUGHSHARE BREWING CO., LLC DBA PLOUGHSHARE BREWING CO. AT 1630 P STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88236 WHEREAS, Ploughshare Brewing Co., LLC dba Ploughshare Brewing Co. located at 1630 P Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Matt Stinchfield be named manager;

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

APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA TO EXPAND ITS PREMISES AND TO INCLUDE AN OUTDOOR AREA FOR A NEW LICENSED AREA DESCRIBED AS APPROXIMATELY 53 FEET BY 76 FEET, INCLUDING AN OUTDOOR AREA APPROXIMATELY 31 FEET BY 12 FEET, AT 601 R STREET, STUDIO 150 - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action for 1 week to 5/12/14.

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

MANAGER APPLICATION OF JORDAN WELLS FOR PEAK INTERESTS LLC DBA PIZZA HUT AT 6414 O STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88237 WHEREAS, Peak Interests LLC dba Pizza Hut located at 6414 O Street, Lincoln, Nebraska has been approved for a Retail Class "A" liquor license, and now requests that Jordan Wells be named manager;

WHEREAS, Jordan Wells 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

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Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jordan Wells 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF TARYN MCDOWELL FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0217 AT 333 N. 48TH STREET - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88238 WHEREAS, STL of Nebraska, Inc. dba Target Store T-0217 located at 333 N. 48th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Taryn McDowell be named manager;

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

APPLICATION OF COUNTRYVIEW STUDIOS INC. DBA ART & SOUL TO EXPAND ITS PREMISES TO INCLUDE AN OUTDOOR AREA FOR A NEW LICENSED AREA DESCRIBED AS APPROXIMATELY 43 FEET BY 110 FEET INCLUDING AN OUTDOOR AREA APPROXIMATELY 11 FEET BY 67 FEET ON THE EAST SIDE OF THE BUILDING LOCATED AT 5740 HIDCOTE DRIVE - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88239 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 Countryview Studios, Inc. dba Art & Soul to expand its licensed premises to include an outdoor area for a new licensed area described as approximately 43 feet by 110 feet, including an outdoor area approximately 11 feet by 67 feet on the east side of the building located at 5740 Hidcote Drive be approved upon condition that the premises complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 24, 2014 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88240 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 SMG Food & Beverage, LLC dba Pinnacle Bank Arena for a Special Designated License to cover an area measuring approximately 13,000 sq. ft. at the Stadium Terrace of Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on May 24, 2014, between the hours of 10:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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



APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FEET BY 448 FEET AT PINWOOD BOWL, 3201 SOUTH CODDINGTON AVE., ON AUGUST 8, 2014 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88241 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 SMG Food & Beverage, LLC for a Special Designated License to cover an area measuring approximately 700 feet by 448 feet at Pinewood Bowl, 3201 South Coddington Ave., Lincoln, Nebraska, on August 8, 2014, between the hours of 8:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA KNOWN AS THE FESTIVAL SPACE LOCATED NORTH OF PINNACLE BANK ARENA AND THE BNSF TRACKS ON MAY 16, 2014 FROM 12:00 P.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88242 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 SMG Food & Beverage, LLC dba Pinnacle Bank Arena for a Special Designated License to cover an area known as the Festival Space located north of Pinnacle Bank Arena and the BNSF tracks, Lincoln, Nebraska, on May 16, 2014, between the hours of 12:00 p.m. and 12:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF ZIPLINE BREWING CO., LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 48 FEET BY 26 FEET INSIDE AND 70 FEET BY 72 FEET OUTSIDE AT 2100 MAGNUM CIR. ON MAY 17, 2014 FROM 2:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88243 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 Zipline Brewing Co., LLC dba Zipline Brewing Co. for a Special Designated License to cover an area measuring approximately 48 feet by 26 feet inside and 70 feet by 72 feet outside at 2100 Magnum Circle, Lincoln, Nebraska, on May 17, 2014, between the hours of 2:00 p.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.

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3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF JAMES ARTHUR VINEYARDS FOR SPECIAL DESIGNATED LICENSES TO COVER AN AREA MEASURING APPROXIMATELY 12 FEET BY 80 FEET AT 803 Q STREET ON MAY 17, 2014 FROM 9:00 A.M. TO 10 P.M., MAY 18, 2014 FROM 12:00 P.M. TO 6:00 P.M., MAY 24, 2014 FROM 9:00 A.M. TO 10:00 P.M., MAY 25, 2014 FROM 12:00 P.M. TO 6:00 P.M., MAY 31, 2014 FROM 9:00 A.M. TO 10:00 P.M., JUNE 1, 2014 FROM 12:00 P.M. TO 6:00 P.M., JUNE 7, 2014 FROM 9:00 A.M. TO 10:00 P.M., JUNE 8, 2014 FROM 12:00 P.M. TO 6:00 P.M., JUNE 14, 2014 FROM 9:00 A.M. TO 10:00 P.M., AND JUNE 15, 2015 FROM 12:00 P.M. TO 6:00 P.M. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-88244 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 James Arthur Vineyards for a Special Designated License to cover an area measuring approximately 12 feet by 80 feet at 803 Q Street, Lincoln, Nebraska, on May 17, 2014 from 9:00 a.m. to 10:00 p.m., May 18, 2014 from 12:00 p.m. to 6:00 p.m., May 24, 2014 from 9:00 a.m. to 10:00 p.m., May 25, 2014 from 12:00 p.m. to 6:00 p.m., May 31, 2014 from 9:00 a.m. to 10:00 p.m., June 1, 2014 from 12:00 p.m. to 6:00 p.m., June 7, 2014 from 9:00 a.m. to 10:00 p.m., June 8, 2014 from 12:00 p.m. to 6:00 p.m., June 14, 2014 from 9:00 a.m. to 10:00 p.m., and June 15, 2015 from 12:00 p.m. to 6:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

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

COMP. PLAN AMENDMENT 14001 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 5.5 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 70TH STREET AND PINE LAKE ROAD FROM URBAN RESIDENTIAL TO COMMERCIAL. (RELATED ITEMS: 14R-110, 14-44)

CHANGE OF ZONE 14004 - APPLICATION OF PAUL ROGGE FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO H-4 GENERAL COMMERCIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 70TH STREET AND PINE LAKE ROAD. (RELATED ITEMS: 14R-110, 14-44) - CLERK read an ordinance, introduced by Trent Fellers, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

ANNEXATION 14001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.71 ACRES GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 14-45, 14-46) - CLERK read an ordinance, introduced by Trent Fellers, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208 to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 14005 - APPLICATION OF HIMARK GOLF FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 14-45, 14-46) - CLERK read an ordinance, introduced by Trent Fellers, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

AUTHORIZING THE PURCHASE AGREEMENT FOR THE SALE OF SURPLUS PROPERTY GENERALLY LOCATED AT 1112 WASHINGTON STREET TO AUSTIN D. SHARP FOR THE SUM OF \$89,000.00 - CLERK read an ordinance, introduced by Trent Fellers, approving a Purchase Agreement between the City of Lincoln, as Seller, and Austin D. Sharp, as Buyer, authorizing the sale of City owned property described as the east 43 feet of the south 82 feet and the east 13 feet of the north 60 feet of Lot 8 and the west 5 feet of Lot 9, Block 29, Dawsons Addition to South Lincoln, more commonly known as the 1112 Washington Street, the second time.

### PUBLIC HEARING - RESOLUTIONS

ACCEPTING AND APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT AND JOSHUA'S GLEN, LLC TO PRESERVE THE NATURAL RESOURCES OVER THE EASEMENT AREA DESCRIBED AS OUTLOTS A AND C, JOSHUA GLEN 1ST ADDITION AND GENERALLY LOCATED IN THE BEAL'S SLOUGH FLOODPLAIN NEAR 56TH STREET AND SHADOW PINES DRIVE - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88245 WHEREAS, The City of Lincoln and the Lower Platte South Natural Resource District desire to acquire a permanent conservation easement from Joshua's Glen, LLC to preserve and protect area, wetlands, natural drainageways, and tree masses over approximately .59 acres of property generally located in the vicinity of the Beal's Slough floodplain near S. 56th Street and Shadow Pines Drive and legally described on Exhibit "A" to the Conservation Easement attached hereto as Attachment "A"; and

WHEREAS, conveyance of this conservation easement to the City of Lincoln and the Lower Platte South Natural Resources District would further the goals of the Comprehensive Plan relating to preserving the flood storage capacity by restricting the development of the property.

WHEREAS, the Planning Commission found this proposed conservation easement to be in conformity with the Comprehensive Plan as approved by Resolution No. PC-01387 on April 16, 2014.

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

That Joshua's Glen, LLC's offer to grant a conservation easement to the City of Lincoln and the Lower Platte South Natural Resources District over the property legally described above and in accordance with the terms of the Conservation Easement Agreement, attached hereto and marked as Attachment "A", is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Conservation Easement Agreement on behalf of the City of Lincoln, Nebraska.

BE IT FURTHER RESOLVED that the City Clerk is directed to return the original Conservation Easement to Tom Cajka, Planning Department, for recording with the Register of Deeds.

Introduced by Trent Fellers

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF DENTON, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF DENTON - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88246 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the Village of Denton, Nebraska to provide health regulation inspection and enforcement within the corporate limits and the zoning jurisdiction of the Village of Denton, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed original Contract to Scott Holmes, Lincoln-Lancaster County Health Department, for transmittal to the Village of Denton.

Introduced by Trent Fellers

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

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APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF DAVEY, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF DAVEY - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88247 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the Village of Davey, Nebraska to provide health regulation inspection and enforcement within the corporate limits and the zoning jurisdiction of the Village of Davey, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed original Contract to Scott Holmes, Lincoln-Lancaster County Health Department, for transmittal to the Village of Davey.

Introduced by Trent Fellers

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF RAYMOND, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF RAYMOND - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88248 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the Village of Raymond, Nebraska to provide health regulation inspection and enforcement within the corporate limits and the zoning jurisdiction of the Village of Raymond, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed original Contract to Scott Holmes, Lincoln-Lancaster County Health Department, for transmittal to the Village of Raymond.

Introduced by Trent Fellers

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE VILLAGE OF PANAMA, NEBRASKA TO PROVIDE HEALTH REGULATION INSPECTION AND ENFORCEMENT WITHIN THE CORPORATE LIMITS AND THE ZONING JURISDICTION OF THE VILLAGE OF PANAMA - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88249 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the Village of Panama, Nebraska to provide health regulation inspection and enforcement within the corporate limits and the zoning jurisdiction of the Village of Panama, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed original Contract to Scott Holmes, Lincoln-Lancaster County Health Department, for transmittal to the Village of Panama.

Introduced by Trent Fellers

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

ACCEPTING AND APPROVING THE 2014-2015 WORK PLAN BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE HEALTH DEPARTMENT'S SECTION 105 AIR QUALITY PROGRAM GRANT - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88250 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Workplan for LLCHD: Section 105 Air Quality Program between the Nebraska Department of Environmental Quality and the Lincoln Lancaster County Health Department regarding the FFY 2014-2015 Workplan for Lincoln Lancaster County Health Department Section 105 Air Quality Program, is hereby accepted and approved.

The City Clerk is directed to return an executed copy of this Resolution to Judy Halstead, Director of the Lincoln/Lancaster County Health Department for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Trent Fellers

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 BURWOOD GROUP, INC. FOR THE ANNUAL REQUIREMENTS FOR WEBSense MAINTENANCE, PURSUANT TO QUOTE NO. 4756, FOR A THREE YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88251 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln and Burwood Group, Inc. for the annual requirements for Websense Maintenance, pursuant to Quote No. 4756, for a three year term, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Trent Fellers

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 URIBE REFUSE SERVICES FOR THE ANNUAL REQUIREMENTS FOR SCRAP TIRE RECYCLING, PURSUANT TO QUOTE NO. 4764, FOR A FOUR YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88252 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln and Uribe Refuse Services for the annual requirements for Scrap Tire Recycling, pursuant to Quote No. 4764, for a four year term, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Trent Fellers

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

#### **ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)**

CREATING WATER DISTRICT NO. 1206 TO CONSTRUCT A 6-INCH DIAMETER WATER MAIN IN H STREET FROM 26TH STREET TO 27TH STREET AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Doug Emery, creating Water District No. 1206, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

EMERY Moved to pass the ordinance as read.

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

The ordinance, being numbered #20019, is recorded in Ordinance Book #29, Page .

#### **ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required) - NONE.**

#### **RESOLUTIONS - 1<sup>ST</sup> READING**

MISC. NO. 14001 -- DECLARING THE VAN DORN REDEVELOPMENT AREA #2 CONSISTING OF APPROXIMATELY 289.1 ACRES GENERALLY LOCATED BETWEEN S. 1ST STREET TO THE WEST, CALVERT STREET TO THE SOUTH, VACATED RAILROAD RIGHT-OF-WAY WEST OF 8TH STREET ADJACENT TO STANDING BEAR PARK TO VAN DORN STREET TO THE EAST, AND THE NORTH PROPERTY LINE OF SAWYER SNELL PARK TO THE NORTH, AS BLIGHTED AND SUBSTANDARD.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION, AND EAGLE SERVICES FOR THE ANNUAL REQUIREMENTS FOR PORTABLE CHEMICAL TOILET SERVICES, PURSUANT TO BID NO. 14-056, FOR A FOUR YEAR TERM.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF APRIL 16-30, 2014.

APPROVING THE HARTLEY FLATS REDEVELOPMENT AGREEMENT BETWEEN TJK INVESTMENTS INC. AND THE CITY OF LINCOLN RELATING TO THE REDEVELOPMENT OF THE PROPERTIES CONSISTING OF 13 UNITS LOCATED AT 444, 436 AND 422 NORTH 27TH STREET.

**ADJOURNMENT**

**4:09 P.M.**

CAMP            Moved to adjourn the City Council Meeting of May 5, 2014.  
                    Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook,  
                    Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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Teresa J. Meier, City Clerk

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Soulinnee Phan, Office Specialist