

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 19, 2014 AT 5:30 P.M.**

The Meeting was called to order at 5:30 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

CHRISTENSEN Having been appointed to read the minutes of the City Council proceedings of May 12, 2014, reported having done so, found same correct.

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

ELECTION OF COUNCIL CHAIR PERSON AND VICE CHAIR PERSON

Council Chair Eskridge conducted nominations for the office of Chair for the City Council. Council Member Roy Christensen nominated Doug Emery, seconded by Fellers. Clerk called the roll and the motion carried, 7-0.

As newly elected Chair, Doug Emery conducted the nominations for the office of Vice Chair for the City Council. Council Member Carl Eskridge nominated Trent Fellers, seconded by Gaylor Baird. Clerk called the roll and the motion carried, 7-0.

PUBLIC HEARING

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FT. BY 448 FT. AT PINWOOD BOWL, 3201 S. CODDINGTON AVE., ON JUNE 7, 20, 24, AUGUST 2 AND 25, 2014 FROM 8:00 A.M. TO 2:00 A.M. (5/12/14 - PUBLIC HEARING & ACTION CONT'D TO 5/19/14);

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQUARE FEET AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE, ON JUNE 24 AND 25, 2014 FROM 10:00 A.M. TO 2:00 A.M. ;

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FT. BY 448 FT. AT PINWOOD BOWL, 3201 S. CODDINGTON AVE., ON AUGUST 1, 2014 FROM 8:00 A.M. TO 2:00 A.M.;

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 280 FT. BY 60 FT. TO THE NORTH AND 200 FT. BY 60 FT. TO THE SOUTH OF PERSHING AUDITORIUM, 226 CENTENNIAL MALL SOUTH, ON AUGUST 6, 2014 FROM 10:00 A.M. TO 2:00 A.M. - Tom Lorenz, General Manager of SMG Pinnacle Bank Arena, came forward to these SDLs cover several events at three venues, Pinnacle Bank Arena, Pershing Center, and Pinewood Bowl.

This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING COMPANY INC. DBA BLUE BLOOD BREWING COMPANY TO EXPAND ITS PREMISES FOR AN OUTDOOR AREA MEASURING APPROXIMATELY 20 FT. BY 18 FT. TO THE SOUTH OF THE LICENSED PREMISES AT 500 W. SOUTH ST. - Colby Coash, Partner at Blue Blood Brewing Company, came forward to take the oath and answer questions. He stated Blue Blood is doubling the size of the tasting room by adding fencing to create an outdoor area.

This matter was taken under advisement.

MANAGER APPLICATION OF RONALD TROUBA JR. FOR LINCOLN FIREFIGHTERS LOCAL 644 DBA LINCOLN FIREFIGHTERS RECEPTION HALL AT 241 VICTORY LANE - Ron Troua, Jr., 2616 Washington Street, came forward to take the oath and answer questions. The Reception Hall has had a liquor license for fourteen years with no violations. A database is kept of all servers, training, and permits.

This matter was taken under advisement.

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1500 FT. BY 400 FT. IN ZOOVILLE SQUARE IN THE LINCOLN CHILDREN'S ZOO, 1222 S. 27TH ST. ON JUNE 6, 2014 FROM 6:00 P.M. TO 12:00 A.M - John Chapo, Lincoln Children's Zoo, came forward to state that this fundraiser has been held for ten years. It occurs after hours, is an adults only event, and is closed to the general public.

This matter was taken under advisement.

TEXT AMENDMENT 14001 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE, THE ZONING CODE, TO CLARIFY THAT DWELLINGS FOR NON-RELATED PERSONS IS NOT AN ALLOWED USE IN THE AG, AGR, OR R-6 ZONING DISTRICTS BY AMENDING SECTION 27.06.080 RELATING TO THE GROUP LIVING USE GROUP TO CHANGE THE DESIGNATION OF DWELLINGS FOR NON-RELATED PERSONS IN SAID USE GROUP TABLE FROM A SPECIAL PERMITTED USE TO A PROHIBITED USE IN THE AG, AGR AND R-6 ZONING DISTRICTS; AND AMENDING SECTION 27.70.020 RELATING TO ADDITIONAL USE REGULATIONS FOR DWELLINGS FOR NON-RELATED PERSONS TO CLARIFY THAT DWELLINGS FOR NON-RELATED PERSONS AS A PERMITTED USE UNDER A COMMUNITY UNIT PLAN IS LIMITED TO THE R-1, R-2, R-3, R-4 AND R-5 ZONING DISTRICTS - Marvin Krout, Director of Planning Department, came forward to state this is a correction to the Zoning Code regarding the number of unrelated individuals occupying dwellings in certain zones. There is a special permit process to allow for exceptions. A table approved two years ago outlines which districts allow these exceptions and one district was inadvertently included when it should not have been. This text amendment will correct the table and take out the reference to the special permits in these districts. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 14002 – AMENDING SUBSECTIONS (A) AND (B) OF SECTION 27.63.680 OF THE LINCOLN MUNICIPAL CODE, SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES, TO DEFINE RESTAURANT UNDER SUBSECTION (A), AND TO ADD THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES OF A RESTAURANT AS A SPECIAL PERMITTED USE IN THE O-3 DISTRICT UNDER SUBSECTION (B) - Shad Sanford, 148 W. Lombard Dr., came forward to state this restaurant will be a pizzeria in the Highlands. There were two neighbors who were concerned about their view, and one who had concerns about the potential for increased traffic, but overall, neighbors were supportive.

Marvin Krout, Director of Planning Department, came forward to answer questions. He stated there is a special provision for restaurants in certain districts to serve alcohol even if they do not meet other qualifications for distance from residential areas. The O-3 District was inadvertently omitted from this list of eligible districts. The text amendment corrects that omission and provides a definition for restaurants in an office district. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 14007 – APPLICATION OF EIGER CORPORATION FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO B-5 PLANNED REGIONAL BUSINESS DISTRICT AND FROM B-5 PLANNED REGIONAL BUSINESS DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 91ST ST. AND PINE LAKE ROAD;

USE PERMIT 140D – APPLICATION OF EIGER CORPORATION TO EXPAND THE BOUNDARY OF THE EXISTING USE PERMIT BY APPROXIMATELY 14.6 ACRES TO ALLOW AN ADDITIONAL 722 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW TANDEM PARKING ASSOCIATED WITH MULTI-FAMILY DWELLINGS, AND TO MODIFY THE MAXIMUM HEIGHT TO 52 FT., AND TO REMOVE APPROXIMATELY 6.3 ACRES BEING REZONED TO H-4 FOR MINI-WAREHOUSING, ON PROPERTY GENERALLY LOCATED AT S. 91ST ST. AND PINE LAKE ROAD - Tim Gergen, Clark Enerson Partners, came forward representing Eiger Corporation to state this change of zone and expanded use permit is for an area next to Sam's Club and Walmart and will facilitate storage units that go with an apartment development. The height waiver will assist with a four story hotel at 84th and Hwy. 2. The conditions of the City have all been agreed to.

This matter was taken under advisement.

TEXT AMENDMENT 14003 – AMENDING CHAPTER 27.63 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.63.130 TO CLARIFY THAT THE SECTION APPLIES ONLY TO OUTDOOR RECREATIONAL FACILITIES, TO PROVIDE THAT THE PLANNING COMMISSION MAY ESTABLISH PARKING REQUIREMENTS FOR SUCH OUTDOOR RECREATIONAL FACILITIES AND PROVIDING THAT, AS PART OF THE SPECIAL PERMIT FOR AN OUTDOOR RECREATIONAL FACILITY, THE PLANNING COMMISSION MAY, SUBJECT TO SECTION 27.63.680, PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AS AN ACCESSORY USE; AND AMENDING SECTION 27.63.680 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AS AN ACCESSORY USE - Kent Seacrest, Seacrest & Kalkowski, came forward to state this item would create a special permit process to grant staff the ability to make recommendations regarding parking requirements and service of alcohol on a case by case basis. The use of the special permit allows for conditions to be placed and removes the “one size fits all” application of rules. Mr. Seacrest requested a continuation of the Public Hearing with action for two weeks to allow for clarifications and adjustments.

Rick Peo, City Law Department, came forward to answer questions. This change would streamline the process by eliminating the need for multiple applications for the same facility, and would enable decisions at the Planning Commission level while still allowing Council authority in decision making. Discussion followed.

Bob Bade, 2721 Laredo Drive, Lincoln Dodgers, came forward to state that he is in opposition to allowing alcohol near youth activities. Competition and alcohol do not mix. Discussion followed.

Mr. Seacrest returned for rebuttal and to answer questions.

This matter was taken under advisement.

- COMP. PLAN AMENDMENT 14002 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 61 ACRES OF LAND FROM URBAN RESIDENTIAL TO COMMERCIAL, GREEN SPACE AND ENVIRONMENTAL RESOURCES, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF W.CHARLESTON ST. AND SUN VALLEY BOULEVARD;
- CHANGE OF ZONE 14009 – APPLICATION OF OAK LAKE DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF W. CHARLESTON ST. AND SUN VALLEY BOULEVARD;
- USE PERMIT 14004 – APPLICATION OF OAK LAKE DEVELOPMENT, LLC TO PERMIT OUTDOOR RECREATIONAL FACILITIES AS A SPECIAL PERMITTED USE, TO DEVELOP 75,000 SQ. FT. OF COMMERCIAL USE, 175,000 SQ. FT. OF INDOOR RECREATIONAL FACILITIES AND 275 HOTEL ROOMS, INCLUDING REQUESTED WAIVERS TO MODIFY THE PARKING, SIGNAGE, MAXIMUM HEIGHT, PARKING LOT SCREENING, STREET TREES AND SIDEWALK REQUIREMENTS, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF W. CHARLESTON ST. AND SUN VALLEY BOULEVARD;
- APPROVING THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND GREAT AMERICAN SPORTS PARK, LLC AND OAK LAKE DEVELOPMENT, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN SUN VALLEY BLVD. ON THE EAST, CHARLESTON ST. AND W. CHARLESTON ST. ON THE NORTH, THE VIEW STUDENT HOUSING COMPLEX ON THE WEST, AND THE UNION PACIFIC RAIL LINE ON THE SOUTH;
- AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$2,116,463 IN TIF FUNDS AND \$1,188,889 IN ENHANCED EMPLOYMENT AREA OCCUPATION TAX FOR THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED BETWEEN SUN VALLEY BLVD. ON THE EAST, CHARLESTON ST. AND W. CHARLESTON ST. ON THE NORTH, THE VIEW STUDENT HOUSING COMPLEX ON THE WEST, AND THE UNION PACIFIC RAIL LINE ON THE SOUTH;
- AUTHORIZING A RETAIL BUSINESS OCCUPATION TAX ON RETAIL BUSINESSES LOCATED WITHIN THE GREAT AMERICAN SPORTS PARK PROJECT’S ENHANCED EMPLOYMENT AREA IDENTIFIED IN THE NORTHWEST CORRIDORS REDEVELOPMENT PLAN FOR OUTDOOR LIGHTED SPORTS FIELDS AND ASSOCIATED PARKING, RESTROOMS AND RELATED IMPROVEMENTS;
- AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS AND THE ISSUANCE OF OCCUPATION TAX REVENUE BONDS FOR THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT PROJECT - Wynn Hjermstadt, Urban Development Department, came forward to state these items are all related to the Great American Sports Park. This is a challenging site. It is in a flood plain and is a former landfill site. Considering these challenges, this is an appropriate use. There will be ten sports fields, new roads, parking, maintenance facilities, a concession area, and associated sewer and water infrastructure. This project exceeds the requirements to be declared an Enhanced Employment Area; therefore, a developer driven general occupation tax may be levied to assist in funding this project. 10.5 million dollars will come from private investment, 2.1 million from TIF funds, and 1.2 million from the occupation tax. This is a good example of the private sector creating a project that will benefit the entire City. Discussion followed.
- Rick Peo, City Law Department, came forward to answer questions on taxation of retail activities and uses of TIF funds. Discussion followed.
- Lauren Wismer, Gilmore and Bell, came forward to state that his firm drafted the TIF bond and the Occupation Tax Revenue Bond, which is similar to the TIF bond and creates no liability for the City. They are developer purchased so it is not an obligation offered to the general public. Discussion followed.
- Rick Peo stated that taxes are imposed on the designated business area. Discussion followed.
- Bob Bade, 2721 Laredo Drive, Lincoln Dodgers, came forward to state that the City needs additional fields. Teams often scramble to find available time slots and available practice fields and many even travel outside of Lincoln to practice. He stated that he has concerns about the use of astroturf on the new fields and he feels it is a potential detriment to the overall quality of the new facilities.
- Scott Sandquist, Sandquist Construction, came forward to state that at this time, there are many design issues to consider and alternatives are being weighed. No final decisions have been made. This is a complex project with many factors. The nearby wetlands will remain as they are. The fields were enlarged to allow for more diversity in the types of sports that might be played in the future. Discussion followed.
- Kent Seacrest, Seacrest and Kalkowski, came forward to state that this project and the project with Lincoln Optimist Club are getting linked and are both becoming part of a bigger vision. It is hoped that in the future there will be associated lodging, restaurants, and retail. The location is great in terms of access to downtown and the West Haymarket development, and this use is one of the best possible use options for this tricky site. None of the neighbors objected to this use, and Planning Commission gave unanimous recommendation.

Mark Palmer, Olsson Associates, came forward to describe the environmental challenges of this site. He stated that this is a historic landfill and is also in the floodplain, and the existing wetlands must also be avoided. All Department of Environmental Quality standards are being met. Discussion followed.

This matter was taken under advisement.

7:16 P.M. BREAK

7:22 P.M. RECONVENED

SPECIAL PERMIT 1662A – APPLICATION OF STAR CITY OPTIMIST YOUTH FOUNDATION TO AMEND THE SITE PLAN FOR A RECREATIONAL FACILITY, TO CHANGE THE HOURS OF OPERATION AND TO ALLOW THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES, ALONG WITH A REQUESTED WAIVER TO MODIFY THE SIDE AND FRONT YARD SETBACKS ON PROPERTY GENERALLY LOCATED AT S. FOLSOM ST. AND W. PIONEERS BOULEVARD - Ardis Moody, 410 NW 16th Street, Star City Optimist Youth Foundation, came forward to state that the goal of the Optimists is to bring out the best in kids. For many years, the Lincoln Chapter has had a vision of building a sports complex for local youth. Ten years ago, four fields with a minimal snack bar were built, but the vision for a grander sports complex was still a goal. This is an opportunity to combine the ability, knowledge, and connections of the developers in order to make that goal a reality. Alcohol has never been allowed near youth playing fields, but serving during the off season to adult-only events would provide valuable revenue. Discussion followed.

Jeremy Williams, Design Associates of Lincoln, Inc., came forward to describe the proposed site plans. The fields are larger in size to cover various age-group sports, such as softball and some baseball for ages fourteen and under. Discussion followed.

Jeff Weak, 13958 Fowler Ave, Omaha, came forward to state that as owner of We Compete Sportsplex Iowa, he has looked at this specific site and concluded that this project is viable and needed. Some benefits this project provides include the ability to program activities on multiple fields, to have multipurpose fields, and to be adaptable with scheduling. Discussion followed.

Scott Sandquist, Sandquist Construction, came forward to answer questions about the role alcohol would play in contributing to the overall financial feasibility of the entire project facility.

Kent Seacrest, Seacrest & Kalkowski, came forward to state the amendment shows the reoriented fields, clarifies the hours of operation, and provides for a waiver on one sign. There was no opposition from neighbors and Planning Staff and the Planning Commission both recommended approval. A delay is requested in order to coincide with the vote on the related item.

This matter was taken under advisement.

AMENDING THE 21ST AND N REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND HOPPE BROTHERS, LLC, APPROVED BY RESOLUTION NO. A-87644 ON NOVEMBER 4, 2013, TO REVISE THE ESTIMATED AMOUNT OF TIF AND TO ADD SOIL REMEDIATION AS A USE OF TIF - Wynn Hjernstad, Urban Development Department, came forward to state that since the original agreement was approved, the developer has done soil testing and identified some compaction issues that require remediation, which is one allowable use of TIF funds. The cost of infrastructure has also increased significantly and estimates have become more accurate. This resolution increases the TIF and changes the start date. She clarified that all of this risk falls upon the developer and not the tax payer. Discussion followed.

Tom Huston, 233 S. 13th St., Ste. 1900, came forward representing Hoppe Brothers, LLC to state that once work actually began with the property, there were some surprises and this amendment to the redevelopment agreement addresses those.

This matter was taken under advisement.

APPROVING A MULTI-YEAR CAD SOFTWARE LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND BENTLEY SYSTEMS, INC. FOR COMPUTER AIDED DRAFTING SOFTWARE FOR A THREE YEAR TERM - Tim Pratt, Public Works & Utilities Department, came forward to state it is a better value to have a 3 year contract. It includes forty-six licenses shared among one hundred eighteen people, software updates, and some online and in-person training.

Thomas Shaffer, Public Works & Utilities Department, was on hand to answer questions.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF JEFFERY R. KIRKPATRICK AS THE CITY ATTORNEY FOR A TWO-YEAR TERM EFFECTIVE JUNE 1, 2014 - Rod Confer, City Attorney, came forward to state he recommended Jeff Kirkpatrick to the Mayor as his replacement. Jeff grew up on a cattle ranch in Ainsworth, Nebraska. He graduated from the University of Nebraska, Kearney and completed his law degree with high distinction in Lincoln. Before joining the City Attorney's office in 2010, he gained twelve years of experience practicing a wide area of law at a private practice. He has been heavily involved with the West Haymarket Joint Public Agency, drew up the contract for the Pinnacle Bank Arena, and has advised LFR in their activities. He served on the library board and has also advised their activities. He is smart and experienced and will do an excellent job.

Jeff Kirkpatrick, City Law Department, came forward to state that it has been a pleasure working under Rod Confer. He left the Law Department in excellent shape. This is a particularly exciting time to be working for the City.

Teri Pope Gonzalez, 349 S. 1st Street, came forward to state for the record that Jeffery Kirkpatrick has served as her attorney in the past.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA ON BEHALF OF THE COLLEGE OF NURSING TO PROVIDE CLINICAL TRAINING FOR PUBLIC HEALTH STUDENTS AT EASTERDAY RECREATION CENTER FOR A TERM OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2016 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88264

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

That the Service Agreement between the City of Lincoln and the Board of Regents of the University of Nebraska on behalf of the UNMC College of Nursing, to provide clinical training for public health nursing students at Easterday Recreation Center for a term of January 1, 2014 through December 31, 2016, upon the terms and conditions as set forth in said Agreement, which is attached hereto and made a part hereof by reference, is hereby accepted and approved and the Mayor is hereby authorized to execute said Agreement on behalf of the City.

The City Clerk is directed to send a copy of this Resolution and one fully executed copy of the Agreement to Lynn Johnson, Director of the Parks and Recreation Department for transmittal to the parties.

Introduced by Jon Camp

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

APPOINTING JON CAMP TO THE PUBLIC BUILDING COMMISSION FOR A TERM EXPIRING AUGUST 1, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88265

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

That the appointment of Jon Camp to the Public Building Commission for a term expiring August 1, 2017 is hereby approved.

Introduced by Carl Eskridge

Seconded by Christensen and 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 MAY 5, 2014 - CLERK presented said report which was placed on file in the office of the City Clerk. (27-1)

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED MARCH 31, 2014 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88266

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

That during the month ended March 31, 2014 \$124,081.54 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ration that such balance bears to the total of all fund balances.

Introduced by Roy Christensen

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MON., JUNE 2, 2014 AT 3:00 P.M. ON THE MANAGER APPLICATION OF SCOTT SCHLATTER FOR HY-VEE LINCOLN 3 AT 5020 N. 27TH ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88267

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 2, 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 Scott Schlatter for Hy-Vee, Inc. dba Hy-Vee 3 located at 5020 N. 27th Street.

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

Introduced by Roy Christensen

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

**REGULAR MEETING
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SETTING THE HEARING DATE OF MON., JUNE 9, 2014 AT 3:00 P.M. ON THE APPLICATION OF SULTANI BROTHERS INC DBA NORTH STAR EXPRESS FOR A CLASS D LIQUOR LICENSE AT 5700 N. 33RD ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88268 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 9, 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 application of Sultani Brothers Inc. dba North Star Express for a Class D liquor license located at 5700 N. 33rd Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MON., JUNE 9, 2014 AT 3:00 P.M. ON THE APPLICATION OF HY-VEE INC. DBA HY-VEE LINCOLN 3 FOR AN EXPANSION OF THEIR LIQUOR LICENSE FROM 220' X 275' TO 246' X 371' AT 5020 N. 27TH ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88269 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 9, 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 application of Hy-Vee Inc. dba Hy-Vee Lincoln 3 for an expansion of their licensed premise area from 220' x 275' to an area approx. 246' x 371' located at 5020 N. 27th Street.

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

Introduced by Roy Christensen

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

INFORMAL PETITION TO CREATE A WATER DISTRICT IN GOODHUE BLVD., BETWEEN A & B ST., SUBMITTED BY ORMAND PLAUTZ - CLERK presented said petition which was referred to the Public Works & Utilities Department on May 19, 2014.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 14025 to Administrative Final Plat No. 01061, approved by the Planning Director on May 6, 2014, requested by Olsson Associates, to correct the dimensions of the length of the southeast line of Lot 1, Horizon Business Center 5th Addition. Property is located at 1130 Aries Drive.
Administrative Amendment No. 14029 to Special Permit No. 1895, Vavrina Meadows Planned Service Commercial, approved by the Planning Director on May 9, 2014, requested by ESP, Inc., to add to the general notes to clarify that cross parking is allowed both on the private roadways and lots, on property generally located at S. 14th St. and Yankee Hill Rd.

Administrative Amendment No. 14030 to Use Permit No. 129A, Vavrina Meadows, approved by the Planning Director on May 9, 2014, requested by ESP, Inc., to add to the general notes to clarify that cross parking is allowed both on the private roadways and lots, on property generally located at S. 14th St. and Yankee Hill Rd.

LIQUOR RESOLUTIONS

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FT. BY 448 FT. AT PINWOOD BOWL, 3201 S. CODDINGTON AVE., ON JUNE 7, 20, 24, AUGUST 2 AND 25, 2014 FROM 8:00 A.M. TO 2:00 A.M. (5/12/14 - PUBLIC HEARING & ACTION CONT'D TO 5/19/14) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88270 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 June 7, 20, 24, August 2 and 25, 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 Camp

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

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQUARE FEET AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE, ON JUNE 24 AND 25, 2014 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88271 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 June 24 and 25, 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 Camp

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

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 700 FT. BY 448 FT. AT PINWOOD BOWL, 3201 S. CODDINGTON AVE., ON AUGUST 1, 2014 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88272 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 1, 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 Camp

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

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 280 FT. BY 60 FT. TO THE NORTH AND 200 FT. BY 60 FT. TO THE SOUTH OF PERSHING AUDITORIUM, 226 CENTENNIAL MALL SOUTH, ON AUGUST 6, 2014 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88273 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 280 feet by 60 feet to the north and 200 feet by 60 feet to the south of Pershing Auditorium, 226 Centennial Mall South, Lincoln, Nebraska, on August 6, 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:

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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 Camp

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

APPLICATION OF BLUE BLOOD BREWING COMPANY INC. DBA BLUE BLOOD BREWING COMPANY TO EXPAND ITS PREMISES FOR AN OUTDOOR AREA MEASURING APPROXIMATELY 20 FT. BY 18 FT. TO THE SOUTH OF THE LICENSED PREMISES AT 500 W. SOUTH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88274 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 Blue Blood Brewing Company Inc. dba Blue Blood Brewing Company to expand its licensed premises by the addition of an outside area measuring approximately 20 feet by 18 feet to the south of the presently licensed premises located at 500 W. South Street, for a new licensed area described as a one story building approximately 70 feet by 90 feet including use of loading dock approximately 180 feet away at end of strip mall including outdoor area approximately 20 feet by 18 feet to the south, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

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 Camp

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

MANAGER APPLICATION OF RONALD TROUBA JR. FOR LINCOLN FIREFIGHTERS LOCAL 644 DBA LINCOLN FIREFIGHTERS RECEPTION HALL AT 241 VICTORY LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88275 WHEREAS, Lincoln Firefighters Local 644 dba Lincoln Firefighters Reception Hall located at 241 Victory Lane, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ronald Trouba Jr. be named manager;

WHEREAS, Ronald Trouba Jr. 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 Ronald Trouba Jr. be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1500 FT. BY 400 FT. IN ZOOVILLE SQUARE IN THE LINCOLN CHILDREN'S ZOO, 1222 S. 27TH ST. ON JUNE 6, 2014 FROM 6:00 P.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88276 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 Lincoln Children's Zoo for a Special Designated License to cover an area measuring approximately 1500 feet by 400 feet in Zooville Square in the Lincoln Children's Zoo, 1222 S. 27th Street, Lincoln, Nebraska, on June 6, 2014, between the hours of 6:00 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 Camp

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

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

TEXT AMENDMENT 14001 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE, THE ZONING CODE, TO CLARIFY THAT DWELLINGS FOR NON-RELATED PERSONS IS NOT AN ALLOWED USE IN THE AG, AGR, OR R-6 ZONING DISTRICTS BY AMENDING SECTION 27.06.080 RELATING TO THE GROUP LIVING USE GROUP TO CHANGE THE DESIGNATION OF DWELLINGS FOR NON-RELATED PERSONS IN SAID USE GROUP TABLE FROM A SPECIAL PERMITTED USE TO A PROHIBITED USE IN THE AG, AGR AND R-6 ZONING DISTRICTS; AND AMENDING SECTION 27.70.020 RELATING TO ADDITIONAL USE REGULATIONS FOR DWELLINGS FOR NON-RELATED PERSONS TO CLARIFY THAT DWELLINGS FOR NON-RELATED PERSONS AS A PERMITTED USE UNDER A COMMUNITY UNIT PLAN IS LIMITED TO THE R-1, R-2, R-3, R-4 AND R-5 ZONING DISTRICTS - CLERK read an ordinance, introduced by Jon A. Camp, amending Title 27 of the Lincoln Municipal Code, The Zoning Code, to clarify that dwellings for non-related persons is not an allowed use in the AG, AGR, or R-6 zoning districts by amending Section 27.06.080 relating to the Group Living Use Group to change the designation of Dwellings for Non-Related Persons in said Use Group Table from a special permitted use to a prohibited use in the AG, AGR and R-6 zoning districts; amending Section 27.70.020 relating to Additional Use Regulations for Dwellings for Non-related Persons to clarify that Dwellings for Non-Related Persons as a permitted use under a community unit plan is limited to the R-1, R-2, R-3, R-4, and R-5 zoning districts; and repealing Sections 27.06.080 and 27.70.020 of the Lincoln Municipal Code as hitherto existing, the second time.

TEXT AMENDMENT 14002 – AMENDING SUBSECTIONS (A) AND (B) OF SECTION 27.63.680 OF THE LINCOLN MUNICIPAL CODE, SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES, TO DEFINE RESTAURANT UNDER SUBSECTION (A), AND TO ADD THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES OF A RESTAURANT AS A SPECIAL PERMITTED USE IN THE O-3 DISTRICT UNDER SUBSECTION (B) - CLERK read the following ordinance, introduced by Jon A. Camp, amending subsections (a) and (b) of Section 27.63.680 of the Lincoln Municipal Code, Sale of Alcoholic Beverages for Consumption On the Premises, to define restaurant under subsection (a), and to add the sale of alcoholic beverages for consumption on the premises of a restaurant as a special permitted use in the O-3 district under subsection (b); and repealing Section 27.63.680 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 14007 – APPLICATION OF EIGER CORPORATION FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO B-5 PLANNED REGIONAL BUSINESS DISTRICT AND FROM B-5 PLANNED REGIONAL BUSINESS DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 91ST STREET AND PINE LAKE ROAD. (RELATED ITEMS: 14-51, 14R-130) - CLERK read an ordinance, introduced by Jon A. Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.02 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

USE PERMIT 140D – APPLICATION OF EIGER CORPORATION TO EXPAND THE BOUNDARY OF THE EXISTING USE PERMIT BY APPROXIMATELY 14.6 ACRES TO ALLOW AN ADDITIONAL 722 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW TANDEM PARKING ASSOCIATED WITH MULTI-FAMILY DWELLINGS, AND TO MODIFY THE MAXIMUM HEIGHT TO 52 FEET, AND TO REMOVE APPROXIMATELY 6.3 ACRES BEING REZONED TO H-4 FOR MINI-WAREHOUSING, ON PROPERTY GENERALLY LOCATED AT SOUTH 91ST STREET AND PINE LAKE ROAD. (RELATED ITEMS: 14-51, 14R-130)

TEXT AMENDMENT 14003 – AMENDING CHAPTER 27.63 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.63.130 TO CLARIFY THAT THE SECTION APPLIES ONLY TO OUTDOOR RECREATIONAL FACILITIES, TO PROVIDE THAT THE PLANNING COMMISSION MAY ESTABLISH PARKING REQUIREMENTS FOR SUCH OUTDOOR RECREATIONAL FACILITIES AND PROVIDING THAT, AS PART OF THE SPECIAL PERMIT FOR AN OUTDOOR RECREATIONAL FACILITY, THE PLANNING COMMISSION MAY, SUBJECT TO SECTION 27.63.680, PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AS AN ACCESSORY USE; AND AMENDING SECTION 27.63.680 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AS AN ACCESSORY USE - PRIOR to reading:

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- COOK Moved to Continue Public Hearing with Action two weeks to June 2, 2014.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
- CLERK Read the following ordinance, introduced by Jon A. Camp, amending Chapter 27.63 of the Lincoln Municipal Code by amending Section 27.63.130 to clarify that the section applies only to outdoor recreational facilities, to provide that the Planning Commission may establish parking requirements for such outdoor recreational facilities based on a determination of the parking needs and operation of the proposed uses, and providing that, as part of the special permit for an outdoor recreational facility, the Planning Commission may, subject to applicable locational requirements of Section 27.63.680, permit the sale of alcoholic beverages for consumption on the premises as an accessory use; amending Section 27.63.680 to allow the sale of alcoholic beverages for consumption on the premises as an accessory use to an outdoor recreational facility as part of a separate special permit for the outdoor recreational facility under Section 27.63.130; and repealing Sections 27.63.130; and repealing Sections 27.63.130 and 27.63.680 of the Lincoln Municipal Code as hitherto existing, the second time.
- COMP. PLAN AMENDMENT 14002 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 61 ACRES OF LAND FROM URBAN RESIDENTIAL TO COMMERCIAL, GREEN SPACE AND ENVIRONMENTAL RESOURCES, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF WEST CHARLESTON STREET AND SUN VALLEY BOULEVARD. (RELATED ITEMS: 14R-131, 14-52, 14R-132)
- CHANGE OF ZONE 14009 – APPLICATION OF OAK LAKE DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF WEST CHARLESTON STREET AND SUN VALLEY BOULEVARD. (RELATED ITEMS: 14R-131, 14-52, 14R-132) - CLERK read an ordinance, introduced by Jon A. Camp, 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.
- USE PERMIT 14004 – APPLICATION OF OAK LAKE DEVELOPMENT, LLC TO PERMIT OUTDOOR RECREATIONAL FACILITIES AS A SPECIAL PERMITTED USE, TO DEVELOP 75,000 SQ. FT. OF COMMERCIAL USE, 175,000 SQ. FT. OF INDOOR RECREATIONAL FACILITIES AND 275 HOTEL ROOMS, INCLUDING REQUESTED WAIVERS TO MODIFY THE PARKING, SIGNAGE, MAXIMUM HEIGHT, PARKING LOT SCREENING, STREET TREES AND SIDEWALK REQUIREMENTS, ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF WEST CHARLESTON STREET AND SUN VALLEY BOULEVARD. (RELATED ITEMS: 14R-131, 14-52, 14R-132)
- APPROVING THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND GREAT AMERICAN SPORTS PARK, LLC AND OAK LAKE DEVELOPMENT, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN SUN VALLEY BOULEVARD ON THE EAST, CHARLESTON STREET AND WEST CHARLESTON STREET ON THE NORTH, THE VIEW STUDENT HOUSING COMPLEX ON THE WEST, AND THE UNION PACIFIC RAIL LINE ON THE SOUTH. (RELATED ITEMS: 14R-134, 14R-135, 14-53, 14-54)
- AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$2,116,463 IN TIF FUNDS AND \$1,188,889 IN ENHANCED EMPLOYMENT AREA OCCUPATION TAX FOR THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED BETWEEN SUN VALLEY BOULEVARD ON THE EAST, CHARLESTON STREET AND WEST CHARLESTON STREET ON THE NORTH, THE VIEW STUDENT HOUSING COMPLEX ON THE WEST, AND THE UNION PACIFIC RAIL LINE ON THE SOUTH. (RELATED ITEMS: 14R-134, 14R-135, 14-53, 14-54)
- AUTHORIZING A RETAIL BUSINESS OCCUPATION TAX ON RETAIL BUSINESSES LOCATED WITHIN THE GREAT AMERICAN SPORTS PARK PROJECT'S ENHANCED EMPLOYMENT AREA IDENTIFIED IN THE NORTHWEST CORRIDORS REDEVELOPMENT PLAN FOR OUTDOOR LIGHTED SPORTS FIELDS AND ASSOCIATED PARKING, RESTROOMS AND RELATED IMPROVEMENTS. (RELATED ITEMS: 14R-134, 14R-135, 14-53, 14-54) - CLERK read an ordinance, introduced by Jon A. Camp, providing for the levy of a retail business occupation tax; establishing definitions; providing for the administration, collections, returns, delinquencies and recovery of unpaid amounts related to such occupation tax; specifying how such tax revenue will be used; providing a sunset provision for the tax; and related matters, the second time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS AND THE ISSUANCE OF OCCUPATION TAX REVENUE BONDS FOR THE GREAT AMERICAN SPORTS PARK REDEVELOPMENT PROJECT. (RELATED ITEMS: 14R-134, 14R-135, 14-53, 14-54) - CLERK read an ordinance, introduced by Jon A. Camp, authorizing and providing for the issuance by the City of Lincoln, Nebraska of (a) a tax allocation bond, note or other obligation in an aggregate principal amount not to exceed \$2,116,463 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the city's sports park redevelopment project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof and (b) an occupation tax revenue bond, note or other obligation in an aggregate principal amount to not exceed \$1,188,889 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the city's sports park redevelopment project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of such bonds, notes or other obligations; pledging certain property tax revenue and other revenue to the payment of the principal of and interest on the tax allocation bond, note or other obligation as the same become due; pledging certain occupation tax revenues to the payment of the principal of and interest on the occupation tax revenue bond, note or other obligation as the same become due; limiting payment of such bond, note or other obligation to the revenues specified herein; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of such bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

PUBLIC HEARING - RESOLUTIONS

SPECIAL PERMIT 1662A – APPLICATION OF STAR CITY OPTIMIST YOUTH FOUNDATION TO AMEND THE SITE PLAN FOR A RECREATIONAL FACILITY, TO CHANGE THE HOURS OF OPERATION AND TO ALLOW THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES, ALONG WITH A REQUESTED WAIVER TO MODIFY THE SIDE AND FRONT YARD SETBACKS ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND WEST PIONEERS BOULEVARD - PRIOR to reading:

CAMP Moved to Continue Public Hearing with Action two weeks to June 2, 2014.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

AMENDING THE 21ST AND N REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND HOPPE BROTHERS, LLC, APPROVED BY RESOLUTION NO. A-87644 ON NOVEMBER 4, 2013, TO REVISE THE ESTIMATED AMOUNT OF TIF AND TO ADD SOIL REMEDIATION AS A USE OF TIF - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88277 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached First Amendment to Redevelopment Agreement for 21st and N Streets between the City of Lincoln and Hoppe Brothers, LLC, amending the Redevelopment Agreement approved by Resolution No. A-87644 on November 4, 2013, to revise the estimated amount of TIF and to add soil remediation as a use of TIF, is hereby approved and accepted and the Mayor is authorized to execute said First Amendment to Redevelopment Agreement on behalf of the City.

The City Clerk is directed to return on fully executed copy of the Amendment to Wynn Hjermstad for transmittal to Hoppe Brothers, LLC.

Introduced by Jon Camp

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

APPROVING A MULTI-YEAR CAD SOFTWARE LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND BENTLEY SYSTEMS, INC. FOR COMPUTER AIDED DRAFTING SOFTWARE FOR A THREE YEAR TERM - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88278 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the multi-year CAD Software License Agreement between the City of Lincoln and Bentley Systems, Inc. for Computer Aided Drafting Software for a three year term, in accordance with the terms and conditions contained in said 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.

The City Clerk is directed to send one fully executed License Agreement to Tim Pratt, Engineering Services Manager, for transmittal to Bentley.

Introduced by Jon Camp

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

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APPROVING THE APPOINTMENT OF JEFFERY R. KIRKPATRICK AS THE CITY ATTORNEY FOR A TWO-YEAR TERM EFFECTIVE JUNE 1, 2014 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88279 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jeffery R. Kirkpatrick to the position of City Attorney for a two-year term effective June 1, 2014, is hereby approved.

Introduced by Jon Camp

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

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

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

COMP. PLAN CONFORMANCE NO. 14008 – APPROVING THE WEST VAN DORN REDEVELOPMENT PLAN FOR DEVELOPMENT OF APPROXIMATELY 289 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN CALVERT ST. ON THE SOUTH, ROSE ST. ON THE NORTH, 1ST ST. ON THE WEST AND S. 4TH ST. ON THE EAST. (RELATED ITEMS: 14R-138, 14-55)

CHANGE OF ZONE 14008 – APPLICATION OF SPEEDWAY PROPERTIES FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT PUD, ON PROPERTY GENERALLY LOCATED AT PARK BLVD. AND VAN DORN ST., AND APPROVING A DEVELOPMENT PLAN WITH MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE AND DESIGN STANDARDS TO ALLOW AN INDOOR SPORTS FACILITY AND OUTDOOR SOCCER FIELDS, WITH FUTURE SHOPS AND RETAIL, AND THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES ON THE UNDERLYING I-1 ZONING DISTRICT. (RELATED ITEMS: 14R-138, 14-55) - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND STANLEY JOU FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 639 N. 27TH ST - CLERK read an ordinance, introduced by Roy Christensen, approving a Real Estate Sales Agreement between the City of Lincoln and Stanley Jou authorizing the sale of City owned property described as the north half of Lot E, Hawley's Addition to Lincoln, Lancaster County, Nebraska, more commonly known as 639 N. 27th Street, the first time.

RESOLUTIONS - 1ST READING

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT, AND SAFE KIDS WORLDWIDE FOR A BROAD-BASED COMMUNITY COALITION TO REDUCE UNINTENTIONAL CHILDHOOD INJURIES FOR A TERM OF JULY 1, 2014 THROUGH JUNE 30, 2018.

APPROVING AMENDMENT NO. 3 TO A SERVICES CONTRACT BETWEEN THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR HOME VISITATION SERVICES TO CHILDREN, FAMILIES AND YOUTH, TO EXTEND THE AGREEMENT FOR A THREE MONTH TERM.

APPOINTING PHILLIP NALLEY TO THE AIR POLLUTION ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2016.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 1 - 15, 2014.

OPEN MICROPHONE

Teri Pope Gonzalez, 349 S. 1st Street, came forward to express gratitude to various citizens and members of Council for their contributions to the community, and to the Lincoln Fire Department, who attended the Salt Creek Neighborhood Association's Cinco de Mayo party.

This matter was taken under advisement.

Jane Svoboda, no address given, came forward to share her thoughts on various issues.
This matter was taken under advisement.

Mike Miller, 2510 Worthington, CEO at Key Nurse Leaders, came forward to state that he attended a basketball game and Pinnacle Bank Arena. After some investigation, he discovered that there was no designated space or accommodation for nursing mothers. He would like to see a trial area designated for this purpose.

This matter was taken under advisement.

ADJOURNMENT

8:18 P.M.

CAMP Moved to adjourn the City Council Meeting of May 19 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

Amy Hana Huffman, Office Specialist

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