THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 7, 2016 AT 3:00 P.M.

CAMP Having been appointed to read the minutes of the City Council proceedings of February 29, 2016, reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the Mayor’s Award of Excellence for the month of January, 2015 to Officer Christopher Vigil, from the Operations Division of the Police Department. He was nominated by Officer Luke Bonkiewicz in the Category of Productivity. Mayor Beutler said Officer Vigil wrote more warnings and citations than 90% of LPD Officers, and his warrants, misdemeanors, and felonies all ranked in the top 4 among LPD Officers. Mayor Beutler stated that the felony numbers were especially impressive, Officer Vigil totaled the most felonies for a single officer unit in the last 20 years. Of those felonies, prosecutors were able file on 90%, which is a good indication by police standards of his diligent, meticulous police work. Officer Vigil's efforts have substantially improved life for the residents in his teams area.

Officer Christopher Vigil, Operations Division Police Department, came forward and introduced his wife, Rachel, and stated that he is honored to receive this award, and could not have done it without great team members and great employees from LPD.

Brian Jackson, Interim Chief of Police, came forward and stated he has had the honor of having Officer Vigil work for him in the past, and was very impressed with him then, as he is now. Police Chief Jackson stated that we have a fantastic Police Department, our future is very bright for the Lincoln Police Department with great staff.

APPLICATION OF APPIAN WAY LODGING, LLC DBA FAIRFIELD INN AND SUITES FOR A CLASS I LIQUOR LICENSE AT 8455 ANDERMATT DRIVE;
MANAGER APPLICATION OF JOHN E. KLIMPEL FOR APPIAN WAY LODGING, LLC DBA FAIRFIELD INN AND SUITES AT 8455 ANDERMATT DRIVE - John Klimpel, 5930 South 114th, came forward to take the oath and requested approval.

Carl Eskridge, Council Member, asked if there was a bar in the facility.

Mr. Klimpel said there was not, they will only be having alcohol on Tuesday through Thursday, between 5:00 p.m. and 8:00 p.m. to give customers a free drink. Discussion followed.

This matter was taken under advisement.

APPLICATION OF RACHEL RICE-MATTSON DBA THE TOP HAT TAVERN FOR A CLASS I LIQUOR LICENSE AT 736 WEST CORNHUSKER HIGHWAY;
MANAGER APPLICATION OF RACHEL A. RICE-MATTSON FOR RACHEL RICE-MATTSON DBA THE TOP HAT TAVERN AT 736 WEST CORNHUSKER HIGHWAY - Mike Kelley, Kelley & Jerram PLLC, 7134 Pacific Street, Omaha, and Rachel Rice-Mattson, 7001 Holdrege Street, came forward to take the oath and requested approval.

Mr. Kelley stated that Ms. Rice-Mattson’s husband will only being going to this business for maintenance reasons and will not take part in running this business. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 172 FOR A CLASS B LIQUOR LICENSE AT 3400 NORTH 27TH STREET;
MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 172 AT 3400 NORTH 27TH STREET - James Larson, 17212 U Street, Omaha, came forward to take the oath and requested approval.

Jon Camp, Council Member, asked Mr. Larson if he manages a number of ShopKo's. Mr. Larson said yes, and he is the Nebraska Agent for all the States liquor license. Discussion followed.

This matter was taken under advisement.
APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 39 FOR A CLASS B LIQUOR LICENSE AT 4200 SOUTH 27TH STREET;

MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 39 AT 4200 SOUTH 27TH STREET - James Larson, 17212 U Street, Omaha, came forward to request approval.

Leirion Gaylor Baird, Council Vice Chair, asked Ms. Peters about the information she had alerted Council about concerning this application.

Tonya Peters, Assistant City Attorney, came forward and stated that the zoning district for this application is a B1. One of the requirements for B1 zoning is they need to have a 100 foot buffer from residential areas or would need to get a special permit to sell alcohol. The area to the east of this establishment does not have the 100 foot buffer required to have a liquor license. In the past, we have had an establishment changed to B2 zoning, their business was closer to the residential area than ShopKo is now.

Roy Christensen, Council Member, inquired about the rule that states why B1 zoning needs a special permit and B2 does not.

Ms. Peters stated the rule is in Chapter 27.63.680 of the Zoning Code. Discussion followed.

Mr. Christensen asked why we have different requirements for different zones.

David Cary, Planning Director, came forward and said the zones were set up that way. He could provide the history of when this occurred to Council, he said he did not have that information with him today. The main purpose of the B1 zoning area is to have some separation from residential areas to those locations that are selling alcohol.

Mr. Christensen stated the answer is from years ago, before businesses like this were able to sell alcohol, when the only place to go and buy alcohol was a liquor store. This was put in place as a way to protect the liquor stores.

Ms. Gaylor Baird asked Ms. Peters what the options were for this applicant.

Ms. Peters said one option would be if they met the zoning requirements and were able to get a special permit for that area, another option would be change the zoning for that area, or to give them a denial and they can reapply. Discussion followed.

Cyndi Lamm, Council Member, inquired about past businesses that were in that area and what they did to be able to sell alcohol.

Mr. Cary said he would check into it, although, depending on when the establishment was at that location it may have been grandfathered in.

Mr. Cary asked why we have different requirements for different zones.

Ms. Peters said that she thought it was around $400 for the application. Discussion followed.

Mr. Camp asked about the costs of the application fee.

Mr. Cary said it would be about a 2 month period for this process. Discussion followed.

Mr. Camp asked Mr. Larson if he had a preference of what action ShopKo would like Council to take.

Mr. Larson said he would like for this to be approved by Council, then ShopKo would do what was required for zoning to get the approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF ROGER E. ADDISON FOR LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET AT 5220 O STREET - Roger Addison, 8150 Hascall Street, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF BISON COURTSIDE, LLC DBA COURTSIDE BANQUET HALL FOR A CHANGE OF LOCATION OF THEIR EXISTING CLASS I LIQUOR LICENSE AT 710 HILL STREET TO 333 SPEEDWAY CIRCLE, #2 - Joel Schossow, 2608 Park Blvd., came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF MCKENNY'S PUB, LLC DBA MCKINNEY'S IRISH PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 70 FEET AT 151 NORTH 8TH STREET, #140 ON MARCH 17, 2016 FROM 8:00 A.M. TO 1:00 A.M. - Joel Schossow, 2608 Park Blvd., came forward and stated this is similar to last year's St. Patrick Festival and they are requesting to do the same thing this year.

Leirion Gaylor Baird, Council Vice Chair, asked how it went last year.

Joel Schossow said last years festival went well, this years will be the same setup. Discussion followed.

Carl Eskridge, Council Member, inquired about the hours listed on the application.

Mr. Schossow said the 8:00 a.m. is just to have time to get things setup. He feels this year might be busier than last year and may start around 2:00 p.m. Discussion followed.

Jon Camp, Council Member, asked about P Street and it being closed all day, what has been worked out with the City for this.
Mr. Schossow said he will be getting a sign that lights up to post in the area 3 days in advance to let the public know. There will be a walk way for the public to get through P Street. We are also planning on covering the parking meters, along with security staff at both entrances. McFarland will also be helping with security staff. Discussion followed. This matter was taken under advisement.

APPLICATION OF MO CHARA, LLC DBA MCFARLAND & SON'S PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 100 FEET AT 710 P STREET ON MARCH 17, 2016 FROM NOON TO 2:00 A.M. - Stacie Cole, 1550 South Coddington Ave., came forward and requested approval. Leirion Gaylor Baird, Council Vice Chair, asked what they have planned. Ms. Cole said they would be doing the same as last year, they had a great turnout. Carl Eskridge, Council Member, inquired about the hours listed on the application. Ms. Cole stated that they have hired a live band that is scheduled to play until 12:00 a.m., they plan on moving inside after that. Discussion followed. This matter was taken under advisement.

APPROVING TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR AS A KENO SATELLITE AT 317 SOUTH 11TH STREET - Katrina Coffey, Vice President for Marketing at Big Red Keno, 11248 John Galt Blvd., Omaha, came forward to request approval. Discussion followed. This matter was taken under advisement.

TEXT AMENDMENT 16001 - AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT ZONED AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL 140, AND REPEALING SECTIONS 27.59.010 THROUGH 27.59.040, 27.59.060 THROUGH 27.59.090, 27.59.110, 27.59.120, 27.59.140, AND 27.59.150 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - Bill Austin, Baylor Evnen, 1248 O Street, came forward to request approval and answer questions. Jon Large, Deputy Director of Engineering for Lincoln Airport, came forward and stated this amendment is to expand the zoning protections and the approach protection we have with the Lincoln Airport, and to bring local zoning codes into compliance with State Law. We have had zoning protection around the Lincoln Airport since 1965, with a 3 mile radius going around the Airport. In 2013 the State passed LB-140 which allows for, or requires, the zoning board to adopt expanded zoning. This will extend out the approach 10 miles from the runway end. The intent of this is to preclude the construction of new very tall structure. Discussion followed. Mr. Austin stated the downtown area for the most part is in a special zone area with a 275 foot exception. The real affect with this change will be with the County Zoning. This amendment is continuing what is already in place, it will not change what already exists. Discussion followed. Cyndi Lamm, Council Member, asked if City Council or the City has the authority to grant waivers for places that are already in existence. Mr. Large stated that there is not any need for a waiver on structures that already exist. Mr. Austin stated that there is an appeal process with the State for future structures. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCAS TER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR ACCESS TO THE ELECTRONIC REGISTRATION SYSTEM, NEBRASKA VERSION ERS II, FOR A PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2020 - CLERK read the following resolution, introduced by Jane Raybould, Jon Camp moved its adoption: BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Agreement between the Lincoln-Lancaster County Health Department Nebraska and Nebraska Department of Health and Human Services for access to the Electronic Registration System – Nebraska Version ERS II program for a period of January 1, 2016 to December 31, 2020, in accordance with the terms and conditions contained in said Agreement, which is attached hereto marked as Attachment “A”, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.
The City Clerk is directed to return one executed Agreement to Stephen Frederick, Lincoln-Lancaster County Health Department, for transmittal to the Nebraska Department of Health and Human Services. Introduced by Jane Raybould
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON FEBRUARY 22, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)


A-89525 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That a public hearing date of Monday, March 21, 2016, at 3:00 p.m. or as soon thereafter as possible is hereby set on the assessment of costs incurred by the City for building demolition located on property at 1709 N. 29th St. and 336 S. 27th St. and assessment of fees & penalties for Neglected Buildings on property located at 1609 S. 27th St., 226 S. 29th St., 2217 N. 67th St., 1344 D St., 3015 N St., 3275 Hitchcock, 7030 Yosemite Dr., 4543 St. Paul Ave., 1405 N. 15th St., 2000 W. Van Dorn St., 659 S. 19th St., 2511 R St., 2125 S. 14th St., 1709 N. 29th St.

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MARCH 21, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MATTHEW T. TAYLOR FOR TOPSPIN LLC DBA TAVERN ON THE SQUARE AT 816 P STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89526 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 21, 2016, 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 Matthew T. Taylor for Topspin LLC dba Tavern on the Square at 816 P Street.
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

SETTING THE HEARING DATE OF MONDAY, MARCH 21, 2016 AT 3:00 P.M. ON THE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #2973, HOLDER OF A CLASS D LIQUOR LICENSE, TO ALLOW FOR REMODELING OF THE INTERIOR OF THE EXISTING STORE AT 3560 N. 48TH ST., SUITE 1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89527 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 21, 2016, 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 Casey's Retail Company dba Casey's General Store #2973, holder of a Class D Liquor License, to allow for remodeling of the interior of the existing store at 3560 N. 48th St., Suite 1.
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

SETTING THE HEARING DATE OF MONDAY, MARCH 21, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF CHRIS ROSIAK FOR WBC ENTERPRISES DBA NIGHT OWL PUB AT 3233 ½ S. 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:
BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 21, 2016, 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 Chris Rosiak for WBC Enterprises dba Night Owl Pub at 3233 ½ S. 13th Street.

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

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

SETTING THE HEARING DATE OF MONDAY, MARCH 21, 2016 AT 3:00 P.M. ON THE APPLICATION OF SDL LLC DBA HAMPTON INN & SUITES FOR A CLASS I LIQUOR LICENSE AT 1055 W. BOND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 21, 2016, 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 SDL LLC dba Hampton Inn & Suites for a Class I Liquor License at 1055 W. Bond Street.

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

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

LIQUOR RESOLUTIONS

APPLICATION OF APPIAN WAY LODGING, LLC DBA FAIRFIELD INN AND SUITES FOR A CLASS I LIQUOR LICENSE AT 8455 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

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 Appian Way Lodging, LLC dba Fairfield Inn and Suites for a Class "I" liquor license at 8455 Andermatt Drive, Lincoln, Nebraska, for the license period ending April 30, 2016, 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 Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

MANAGER APPLICATION OF JOHN E. KLIMPEL FOR APPIAN WAY LODGING, LLC DBA FAIRFIELD INN AND SUITES AT 8455 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

WHEREAS, Appian Way Lodging, LLC dba Fairfield Inn and Suites located at 8455 Andermatt Drive, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that John E. Klimpel be named manager;

WHEREAS, John E. Klimpel 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 John E. Klimpel 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.
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Introduced by Jon Camp
Seconded by Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF RACHEL RICE-MATTSON DBA THE TOP HAT TAVERN FOR A CLASS I LIQUOR LICENSE AT 736 WEST CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-89532 WHEREAS, Rachel Rice-Mattson dba The Top Hat Tavern located at 736 West Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Rachel A. Rice-Mattson be named manager;
WHEREAS, Rachel A. Rice-Mattson 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 Rachel A. Rice-Mattson 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 Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

MANAGER APPLICATION OF RACHEL A. RICE-MATTSON FOR RACHEL RICE-MATTSON DBA THE TOP HAT TAVERN AT 736 WEST CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-89533 WHEREAS, Rachel Rice-Mattson dba The Top Hat Tavern located at 736 West Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Rachel A. Rice-Mattson be named manager;
WHEREAS, Rachel A. Rice-Mattson 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 Rachel A. Rice-Mattson 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 Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 172 FOR A CLASS B LIQUOR LICENSE AT 3400 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-89534 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 Shopko Stores Operating Co., LLC dba Shopko 172 for a Class “B” liquor license at 3400 North 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2016, 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 Camp
Seconded by Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 172 AT 3400 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-89535 WHEREAS, Shopko Stores Operating Co., LLC dba Shopko 172 located at 3400 North 27th Street, Lincoln, Nebraska has been approved for a Retail Class "B" liquor license, and now requests that James E. Larson be named manager;
WHEREAS, James E. Larson 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 James E. Larson 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaynor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 39 FOR A CLASS B LIQUOR LICENSE AT 4200 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89536 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 Shopko Stores Operating Co., LLC dba Shopko 39 for a Class “B” liquor license at 4200 South 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. The applicant obtains a valid special permit, including the parking requirements.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaynor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO 39 AT 4200 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89537 WHEREAS, Shopko Stores Operating Co., LLC dba Shopko 39 located at 4200 South 27th Street, Lincoln, Nebraska has been approved for a Retail Class “B” liquor license, and now requests that James E. Larson be named manager;

WHEREAS, James E. Larson 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 James E. Larson 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaynor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

MANAGER APPLICATION OF ROGER E. ADDISON FOR LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET AT 5220 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89538 WHEREAS, Lakes Venture, LLC dba Fresh Thyme Farmers Market located at 5220 O Street, Lincoln, Nebraska has been approved for a Retail Class “C” liquor license, and now requests that Roger E. Addison be named manager;

WHEREAS, Roger E. Addison 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 Roger E. Addison 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaynor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF BISON COURTSIDE, LLC DBA COURTSIDE BANQUET HALL FOR A CHANGE OF LOCATION OF THEIR EXISTING CLASS I LIQUOR LICENSE AT 710 HILL STREET TO 333 SPEEDWAY CIRCLE, #2 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89539 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
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That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, including Neb. Rev. Stat. § 53-129, and the pertinent City ordinances, the City Council recommends that the application of Bison Courtside, LLC dba Courtside Banquet Hall, to move its presently licensed premises and existing Class “I” liquor license from 710 Hill Street to 333 Speedway Circle, #2, Lincoln, Nebraska, be approved with the 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 Camp  
Seconded by Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF MCKENNY’S PUB, LLC DBA MCKINNEY’S IRISH PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 70 FEET AT 151 NORTH 8TH STREET, #140 ON MARCH 17, 2016 FROM 8:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89540  
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 McKenny’s Pub, LLC dba McKinney’s Irish Pub for a special designated license to cover an outdoor area measuring approximately 30 feet by 70 feet at 151 North 8th Street, #140, Lincoln, Nebraska, on March 17, 2016, between the hours of 8:00 a.m. and 1:00 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 Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

APPLICATION OF MO CHARA, LLC DBA MCFARLAND & SON’S PUB FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 100 FEET AT 710 P STREET ON MARCH 17, 2016 BETWEEN NOON AND 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89541  
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 Mo Chara, LLC dba McFarland & Son’s Irish Pub for a special designated license to cover an area measuring approximately 30 feet by 100 feet at 710 P Street, Lincoln, Nebraska, on March 17, 2016, between the hours of noon 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 Christensen & carried by the following vote:  AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

PUBLIC HEARING - RESOLUTIONS

APPROVING TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR AS A KENO SATELLITE AT 317 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jane Raybould, Roy Christensen moved its adoption:

A-89542  
WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purpose of providing for a joint City-County keno lottery; and  
WHEREAS, the City has entered into a contract for the operation of a keno type lottery with EHPV Lottery Services, LLC, a Nebraska limited liability company; and  
WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno Contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and
WHEREAS, all requirements under the Interlocal Agreement and the Keno Contract governing the establishment and location of keno satellite sites have been met. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of Two Loon Ventures, LLC dba Thirsty Sports Bar, 317 South 11th Street, Lincoln, NE 68508.

The City Clerk is directed to return an executed copy of this Resolution to Thirsty Sports Bar, 317 South 11th Street, Lincoln, NE 68508.

Introduced by Jane Raybould
Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould.

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

TEXT AMENDMENT 16001 - AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT HAZARD AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL 140, AND REPEALING SECTIONS 27.59.010 THROUGH 27.59.040, 27.59.060 THROUGH 27.59.090, 27.59.110, 27.59.120, 27.59.140, AND 27.59.150 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.010 to revise existing definitions and add new definitions; amending Section 27.59.020 relating to location and boundaries by establishing the area included within the airport hazard area; amending Section 27.59.030 to establish and revise descriptions for the approach zones, the operation zones, the transition zones, and the turning zones; amending Section 27.59.040 relating to the height restrictions to revise language and change references; amending Section 27.59.060 requiring height permits within the airport hazard area under certain circumstances, and prohibiting the issuance of a height permit for structures of appurtenances that exceed the height restrictions as established by Chapter 27.59; amending Section 27.59.070 relating to airport hazards; amending Section 27.59.080 relating to nonconforming height; amending Section 27.59.110 relating to powers of the Board of Zoning Appeals by increasing the number of votes required for action to four (4); amending Section 27.59.120 relating to the Airport Zoning Commission by updating statutory references; amending Section 27.59.140 relating to appeals from the Board of Zoning Appeals by updating statutory references; amending Section 27.59.150 relating to penalties for violations by deleting references to imprisonment and increasing the maximum fine to $500.00; adopting a revised Lincoln Airport Zoning Map; and repealing Sections 27.59.010, 27.59.020, 27.59.030, 27.59.040, 27.59.060, 27.59.070, 27.59.080, 27.59.090, 27.59.110, 27.59.120, 27.59.140 and 27.59.150 as hitherto existing, the second time.

**ORDINANCES - 3RD READING & RELATED RESOLUTIONS**

APPROVING (1) AMENDMENT TO THE MASTER SITE LEASE FROM THE CITY AND THE COUNTY OF LANCASTER, NEBRASKA TO THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION; (2) AMENDMENT TO THE MASTER LEASE AGREEMENT FROM THE COMMISSION TO THE COUNTY AND THE CITY; AND (3) THE ISSUANCE OF THE COMMISSION'S TAX SUPPORTED LEASE RENTAL REVENUE BONDS, SERIES 2016 - CLERK read an ordinance, introduced by Cyndi Lamm, an ordinance of the City of Lincoln, Nebraska (The "City") approving (A) an amendment to the master site lease among the City and the County of Lancaster, Nebraska (The "County"), jointly, as lessee and the Lincoln-Lancaster County Public Building Commission (The "Commission"), as lessee, with respect to the various facilities operated by the Commission (The "Premises"),(B) an amendment to the master lease agreement among the commission, as lessor, and the City and the County, jointly, as lessee, with respect to the premises, and © the issuance of not to exceed $16,100,000 in aggregated stated principal amount of the Commission's Tax Supported Lease Rental Revenue Bonds, Series 2016; and related matters, the third time.

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

This ordinance, being numbered #20300, is recorded in Ordinance Book #30.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "M" BY REESTABLISHING THE PAY RANGE OF M56 AND ASSIGNING CLASS CODE 3017 TO THE EXISTING BATTALION CHIEF CLASSIFICATION FOR THOSE EMPLOYEES WORKING THE 56 HOUR WORK WEEK - CLERK read an ordinance, introduced by Cyndi Lamm, amending Ordinance No. 20063 passed August 11, 2014, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to pay range which prefixed by the letter "M" by reestablishing the pay range of M56 and assigning class code 3017 to the existing "Battalion Chief" classification for those employees working the 56 hour work week, the third time.
LAMM Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould  
This ordinance, being numbered #20301, is recorded in Ordinance Book #30.

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND C STREET, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SUPERIOR STREET AND LEWIS AVENUE - CLERK read an ordinance, introduced by Cyndi Lamm, approving a Real Estate Purchase Agreement between the City of Lincoln and C Street, LLC authorizing the sale of City owned property generally located at the southwest corner of Superior Street and Lewis Avenue, Lincoln, Nebraska, the third time.  
LAMM Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould  
This ordinance, being numbered #20302, is recorded in Ordinance Book #30.

RESOLUTIONS - 1ST READING


SPECIAL PERMIT 1762E - APPLICATION OF PINE LAKE DEVELOPMENT, LLC TO AMEND THE VINTAGE HEIGHTS COMMUNITY UNIT PLAN TO INCREASE THE NUMBER OF DWELLING UNITS FROM 964 TO 990, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND OLD CHENEY ROAD. (RELATED ITEMS: 16R-43, 16R-44)

APPROVING THE VINTAGE HEIGHTS CUP PUMP STATION AND FORCE MAIN AGREEMENT BETWEEN THE CITY OF LINCOLN AND PINE LAKE DEVELOPMENT, LLC ASSOCIATED WITH SPECIAL PERMIT NO. 1762E REGARDING THE PUMP STATION AND FORCE MAIN TO BE CONVEYED TO AND OPERATED BY THE CITY TO SEWER 85 ADDITIONAL DWELLING UNITS WITHIN THE EXISTING VINTAGE HEIGHTS CUP. (RELATED ITEMS: 16R-43, 16R-44)

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

STREET & ALLEY VACATION 15006 - VACATING SOUTH 50TH STREET BETWEEN A STREET AND EVERETT STREET AND EVERETT STREET AND WASHINGTON STREET BETWEEN SOUTH 50TH STREET AND SOUTH 52ND STREET. (RELATED ITEMS: 16-18, 16R-45) - CLERK read an ordinance, introduced by Jon Camp, vacating South 50th Street from the south line of A Street south to the north line of Everett Street and Everett Street and Washington Street from the east line of South 50th Street east to the west line of South 52nd Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

SPECIAL PERMIT 1219M - APPLICATION OF BRYAN MEDICAL CENTER TO CONSTRUCT A 93,286 SQUARE FOOT MEDICAL OFFICE BUILDING, PARKING, AND GREENSPACE, AND A WAIVER TO INCREASE THE BUILDING HEIGHT OF THE DISTRICT, FOR EXPANSION OF BRYAN MEDICAL CENTER EAST CAMPUS, ON PROPERTY GENERALLY LOCATED AT SOUTH 50TH STREET AND A STREET. (RELATED ITEMS: 16-18, 16R-45) (ACTION DATE: 3/21/16)

APPROVING THE TELEGRAPH DISTRICT PHASE I REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, EADO, LLC, AND 401 BUILDING, LLC RELATING TO THE REDEVELOPMENT OF PROPERTIES GENERALLY LOCATED AT 401 SOUTH 21ST STREET AND 333 SOUTH 21ST STREET FOR RENOVATION OF TWO EXISTING STRUCTURES, AND RELATED IMPROVEMENTS, TO BE USED FOR OFFICE, RETAIL, AND PARKING. (RELATED ITEMS: 16R-46, 16R-47, 16-19) (ACTION DATE: 3/21/16)

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE $1,617,558 IN TIF FUNDS FOR THE TELEGRAPH DISTRICT PHASE I PROJECT. (RELATED ITEMS: 16R-46, 16R-47, 16-19) (ACTION DATE: 3/21/16)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE TELEGRAPH DISTRICT PHASE I REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Jon Camp, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed $1,617,557 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 Telegraph District Phase 1 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 the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the
principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of
the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts;
deleagating, authorizing and directing the Finance Director to exercise his independent discretion and judgement
in determining and finalizing certain terms and provisions of the 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 first time.

APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA GOLF AND TURF,
AND BRUNING STATE BANK FOR THE LEASE OF 120 GOLF CARTS AND FIVE UTILITY VEHICLES
FOR USE BY THE LINCOLN PARKS AND RECREATION GOLF DIVISION - CLERK read an ordinance,
introduced by Jon Camp, accepting and approving a Master Lease Agreement between the City of Lincoln,
Nebraska, Nebraska Golf and Turf, Inc., and Bruning State Bank for the lease of 120 golf carts for use by the
City of Lincoln Parks and Recreation Golf Division for a six-year term, the first time.

ADJOURNMENT
3:59 P.M.
CAMP Moved to adjourn the City Council Meeting of March 7, 2016.
Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge,
Gaylor Baird, Lamm; NAYS: None; ABSENT: Fellers, Raybould

Teresa Meier, City Clerk
Rhonda Bice, Office Specialist