

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 21, 2014 AT 3:00 P.M.**

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

Council Chair Eskridge announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

EMERY Having been appointed to read the minutes of the City Council proceedings of April 14, 2014, reported having done so, found same correct.

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

ANNUAL MAYOR'S AWARD OF EXCELLENCE

Mayor Beutler came forward to state that each spring all of the monthly nominees and winners from the previous year are considered for the Annual Mayor's Award of Excellence. He said all nominations are reviewed by a committee which includes a representative from each union and a non-union representative appointed by the Mayor. Mayor Beutler asked committee members and 2013 monthly winners who were in attendance to stand and be recognized.

The 2013 Annual Honorable Mention Award of Excellence was presented to LaNita 'Red' Nelson, Kitchen Manager, for the Mayor's Aging Partners division. Red was selected as the July 2013 MAE winner for the categories of Customer Relations, Productivity, and Valor.

LaNita 'Red' Nelson came forward to humbly accept the award.

June Pedersen, Director of Aging Partners, came forward to state they are very proud of Red & what she did.

The 2013 Annual Award of Excellence was presented to Caleb Whisenhunt, Bus Operator, for the Public Works & Utilities StarTran division. Caleb was selected as the January 2013 MAE winner for the category of Valor. In addition to the annual award, Mayor Beutler presented Caleb with the Mayor's Medallion.

Caleb Whisenhunt came forward to humbly accept the award.

Mike Weston, Operation Superintendent for Startran, came forward to he believed Caleb did save the young ladies life & is a great example of the great people they have working for StarTran.

Michael Davis, Transit Manager for Startran, came forward to state he was impressed with Caleb's quick reaction & potentially saved a life. Stated Caleb is professional on a daily basis & is a great example of the driver's we have working for StarTran.

PUBLIC HEARING

MANAGER APPLICATION OF MICHAEL S. BEHRENS, II FOR GRANITE CITY RESTAURANT OPERATIONS, INC. DBA GRANITE CITY FOOD & BREWERY AT 6150 O STREET - Michael Behrens, 3246 S St., Lincoln, came forward to take the oath & answer questions. This is just a change in manager. I have been with Granite City for 4 months and was previously employed with Romano's Macaroni Grill.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 30,000 SQ. FT. IN THE ARENA OF PINNACLE BANK ARENA, APPROXIMATELY 4,500 SQ. FT. IN THE PREMIUM LOUNGE OF PINNACLE BANK ARENA, APPROXIMATELY 6,800 SQ. FT. AT THE CAPITAL TERRACE OF PINNACLE BANK ARENA AND APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 3, 2014 FROM 8:00 A.M. TO 12:00 A.M.;

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 30, JUNE 7, JUNE 21, AND AUGUST 20, 2014 FROM 10:00 A.M. TO 2:00 A.M.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON APRIL 25, 2014 FROM 10:00 A.M. TO 2:00 A.M. - Tom Lorenz, General Manager for Pinnacle Bank

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Arena, 400 Pinnacle Arena Drive, came forward to answer questions. On April 25th it is for Larry The Cable Guy & the one's on May 30, June 7, June 21, & Aug. 20 are all for concerts. There's an area on the northeast corner of the Arena called Stadium Terrace & pre-event, we may have some opportunity to close that off & do some bands or things like that. The larger request is for May 3rd which is Beerfest and the reason we need to SDL the whole area is in order to resell back any extra beverages to the distributor.

This matter was taken under advisement.

CHANGE OF ZONE 14003 - APPLICATION OF B&J PARTNERSHIP FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT NORTH 31ST STREET CIRCLE AND CORNHUSKER HIGHWAY - Michael Rierden, Rierden Law, 645 M St Suite 200, attorney for applicant, came forward to state the reason behind this request is so the applicant can build some rental storage facilities. It will be one building with 3 or 4 bays.

This matter was taken under advisement.

STREET NAME CHANGE 14001 – RENAMING TRANSFORMATION DRIVE AS NORTH 21ST STREET AND RENEWABLE DRIVE AS TRANSFORMATION DRIVE LOCATED IN NEBRASKA INNOVATION CAMPUS ADDITION - Tim Gergen, Clark Enersen Partners, representing owners/developers of Innovation Campus came forward. Just here today for a street name change changing Transformation Drive to N. 21st St. The purpose is to allow for better directions to be given to out-of-town guests to Innovation Campus to help them align better with the existing north-south streets of Lincoln all being numbered streets. This is also to change Renewable Drive to Transformation Drive. Discussion followed.

This matter was taken under advisement.

APPROVING A COMMERCIAL NET GROUND LEASE FOR SITE NO. 2850 IN LINCOLN AIR PARK WEST BETWEEN THE CITY OF LINCOLN AND AIRPORT AUTHORITY OF THE CITY OF LINCOLN FOR THE LEASE OF 80 ACRES OF PROPERTY LOCATED IN AIR PARK WEST FOR A 30 YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL 10 YEAR TERM - Jim Peschong, Chief of Police, came forward. This agreement is between the Police Department & the Airport Authority for a new shooting range for the Police Department. We are hoping this could become a regional safety training campus. The military has signed on with this project so we'll have money to buy some supplies, targets, etc. but the military is going to do the majority of the work, build the berms for backstops, etc. There is some potential also to have the military use it for their 2 week annual training where, for example, we would have building supplies on hand to build a building & the military members would construct it.

Jon Camp, Council Member, inquired if there is any liability towards clean up after the term is up.

Chief Peschong responded there would probably be some. We have that in our current contract with the Airport Authority & we are contracting with a firm from Colorado with a cost of approximately \$125,000.

Discussion followed.

Leirion Gaylor Baird, Council Member, stated they received some clarification on the lease cost in the pre-Council meeting. We saw on the Fact Sheet where there was a cost of \$2720 per year but that there is a charge back to the Airport Authority.

Chief Peschong stated the Airport Authority has to show there is some kind of fee being charged for the land. However, the Airport Authority has agreed to pay that amount of money to us for qualifying their officers for their State Firearms Certification. So, there are actually no dollars spent.

Discussion followed.

Dave Wedin, 3434 S. 28th St., professor at UNL's School of Natural Resources & Director of Nine Mile Prairie, came forward in support.

This matter was taken under advisement.

APPROVING THE AMENDED AND RESTATED MANAGEMENT AND MAINTENANCE CONTRACT FOR WEST HAYMARKET AND DOWNTOWN BUSINESS IMPROVEMENT DISTRICTS BETWEEN THE CITY OF LINCOLN AND DOWNTOWN LINCOLN ASSOCIATION;

APPROVING THE AMENDED 2013-2014 MAINTENANCE AND MANAGEMENT BID BUDGETS AND PROGRAM OF WORK FOR THE DOWNTOWN LINCOLN ASSOCIATION PROGRAM TO REFLECT THE ADDITIONAL COSTS FOR THE DOWNTOWN LINCOLN ASSOCIATION TO PERFORM THE WORK WITHIN THE NEWLY CREATED WEST HAYMARKET/DOWNTOWN MAINTENANCE, MANAGEMENT AND CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICTS - Dave Landis, Urban Development Director, came forward. In August, we set the budget for the Downtown BID. There are actually 3 BID's...one in maintenance & two in management. In January, we added a new area to those BID's, the West Haymarket area. Therefore, we have new area's that need maintained and the budget set back in August does not allow for those extra costs. Our current maintenance budget for Downtown is \$547,000. This adds \$65,000 to that. However, the City's portion is half that because DLA & their members provide the other half from the landowners in the area. So total cost is approximately \$612,000 but this is just for 6 months so next year you'll see different numbers. The management budgets have to be changed as well. Those numbers are totally born by landowners & nothing

at the cost of the City. That number is about \$50,000. Under this proposal, that too will need to be altered in the next budget cycle. The money spent in the maintenance area includes planting beds, irrigation, weeding, removing garbage, cleaning sidewalks, fertilizer, flower care, snow removal, handicap ramps, & trimming of small trees & shrubs. If this wasn't approved, we would still have these maintenance needs but they would fall solely on the City.

Terry Uland, Downtown Lincoln Association, 206 S. 13th St., came forward in support.
This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON APRIL 7, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

APPROVING THE ASSESSMENT RESOLUTION FOR COLLEGE VIEW MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88192

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

1. The cost of providing for the maintenance, repair and reconstruction of public improvements and facilities in the College View Business Improvement District including:
 - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
 - b. Removal of litter from sidewalks, planting areas and beautification areas in the South 48th Street right-of-way;
 - c. Removal of trash from the South 48th Street trash receptacles;
 - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
 - e. Care and maintenance of all landscaping to ensure plant health and appearance and create a safe environment;
 - f. Monitoring quantity of water applied and perform adjustments to controller and head direction and flow as necessary

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the College View Business Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$5,368.77.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the College View Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 5th day of May, 2014, at 3:00 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Doug Emery

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

APPROVING THE ASSESSMENT RESOLUTION FOR HAVELOCK MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88193

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

1. The cost of providing for the maintenance of certain public facilities in the Havelock Business Improvement District including:
 - a. Replacing of all landscaping followed by care and maintenance of said landscaping to include watering, fertilizing, weeding, pruning, spraying, mulching, and removal of dead plants, shrubs and trees as necessary;

- b. Installation and maintenance of irrigation system for landscaping including seasonal shut off in the fall and startup in the spring;
- c. Removal of trash from trash and cigarette receptacles;
- d. Removal of litter from sidewalks, planting beds, planting areas, and the Pedestrian Walk Way on the north side of Havelock Avenue between 62nd and 63rd Streets;
- e. Maintenance of street furniture, planters, ornamental lights, and trash and cigarette receptacles;
- f. Snow removal

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Havelock Business Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$4,588.30.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Havelock Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 5th day of May, 2014, at 3:00 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Doug Emery

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

APPROVING THE ASSESSMENT RESOLUTION FOR NORTH 27TH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88194 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the North 27th Street Maintenance Business Improvement District including:
 - a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
 - b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
 - c. Maintenance (excluding repair) of sidewalks;
 - d. General maintenance of median signs including repair and repainting;

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$14,680.77.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 5th day of May, 2014, at 3:00 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Doug Emery

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

APPROVING THE ASSESSMENT RESOLUTION FOR SOUTH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88195

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

1. The cost of providing for the maintenance of certain public facilities in the South Street Business Improvement District including:
 - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
 - b. Removal of litter from sidewalks, median planting beds, planting areas in the South Street right-of-way and the 14th Street plaza area;
 - c. Removal of trash from the 14th Street plaza area trash receptacles;
 - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
 - e. Care and maintenance of all landscaping, including watering, fertilizing, weeding, pruning, spraying, mulching and removal and replacement of dead plants and shrubs and trees;

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the South Street Business Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$11,862.71.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the South Street Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 5th day of May, 2014, at 3:00 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Doug Emery

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

APPROVING THE ASSESSMENT RESOLUTION FOR UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88196

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

1. The cost of providing for the maintenance of certain public facilities in the University Place Maintenance Business Improvement District including:
 - a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
 - b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
 - c. Maintenance (excluding repair) of sidewalks;
 - d. General maintenance of median signs including repair and repainting;

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the University Place Maintenance Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$16,223.32.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the University Place Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

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BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 5th day of May, 2014, at 3:00 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Doug Emery

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2014 AT 3:00 P.M. FOR THE APPLICATION OF PLOUGHSHARE BREWING CO, LLC DBA PLOUGHSHARE BREWING CO. FOR A CLASS C LIQUOR LICENSE LOCATED AT 1630 P STREET - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88197 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 5, 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 Ploughshare Brewing Co, LLC dba Ploughshare Brewing Co LLC dba Ploughshare Brewing Co. for a Class C liquor license located at 1630 P St.

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

Introduced by Doug Emery

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

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF JORDAN WELLS FOR PIZZA HUT LOCATED AT 6414 O STREET - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88198 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 5, 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 Jordan Wells for Pizza Hut located at 6414 O St.

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

Introduced by Doug Emery

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

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF TARYN MCDOWELL FOR TARGET STORE 217 LOCATED AT 333 N. 48TH STREET - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88199 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 5, 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 Taryn McDowell for Target Store 217 located at 333 N. 48th Street.

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

Introduced by Doug Emery

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

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2014 AT 3:00 P.M. ON THE APPLICATION OF COUNTRYVIEW STUDIOS, INC. DBA ART & SOUL FOR AN ADDITION TO THE LICENSED PREMISE TO INCLUDE AN OUTDOOR AREA APPROX 11' X 67' ON THE EAST SIDE OF THE BUILDING LOCATED AT 5740 HIDECOTE DRIVE - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88200 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 5, 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 Countryview Studios, Inc. dba Art & Soul for an addition to the licensed premise to include an outdoor area approx. 11' x 67' on the east side of the building located at 5740 Hidecote Drive.

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

Introduced by Doug Emery

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

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2014 AT 3:00 P.M. ON THE APPLICATION OF HECTOR EL DRAGON MARTINEZ CORP. DBA EL MARIACHI TACO CANTINA FOR AN EXPANSION OF THEIR INDOOR LICENSED PREMISE AREA FROM 31' X 76' TO AN AREA APPROX 53' X 76' AT 601 R ST., SUITE 150 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-88201 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 5, 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 Hector El Dragon Martinez Corp. dba El Mariachi Taco Cantina for an expansion of their indoor licensed premise area from 31' X 76' to an area approx 53' X 76' at 601 R St., Suite 150.

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

Introduced by Doug Emery

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Waiver of Design Standards No. 14003 approved by the Planning Director on April 8, 2014, requested by Design Associates of Lincoln, Inc., to allow outdoor lighting to exceed 2.0 vertical foot-candles at the east property line adjacent to an outlot for a parking lot on property generally located on the northeast corner of N. 84th Street and Holdrege Sreet.

Administrative Amendment No. 14013 to Use Permit No. 126C, Wilderness Woods Office Park, approved by the Planning Director on April 10, 2014, requested by Wilderness Woods Holding, LLC to change Lot 6 from 31,500 square feet of office to a 51 unit apartment building on property generally located at Executive Woods Drive and Yankee Hill Road.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF MICHAEL S. BEHRENS, II FOR GRANITE CITY RESTAURANT

OPERATIONS, INC. DBA GRANITE CITY FOOD & BREWERY AT 6150 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88202 WHEREAS, Granite City Restaurant Operations, Inc. dba Granite City Food & Brewery located at 6150 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" and Class "L" liquor license, and now requests that Michael S. Behrens, II be named manager;

WHEREAS, Michael S. Behrens, II 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 Michael S. Behrens, II 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 Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 30,000 SQ. FT. IN THE ARENA OF PINNACLE BANK ARENA, APPROXIMATELY 4,500 SQ. FT. IN THE PREMIUM LOUNGE OF PINNACLE BANK ARENA, APPROXIMATELY 6,800 SQ. FT. AT THE CAPITAL TERRACE OF PINNACLE BANK ARENA AND APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 3, 2014 FROM 8:00 A.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88203 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 30,000 sq. ft. in the Arena of Pinnacle Bank Arena, approximately 4,500 sq. ft. in the Premium Lounge of Pinnacle Bank Arena, approximately 6,800 sq. ft. at the Capital Terrace of Pinnacle Bank Arena and approximately 13,000 sq. ft. at the Stadium Terrace of Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on May 3, 2014, between the hours of 8:00 a.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.

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

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON MAY 30, JUNE 7, JUNE 21, AND AUGUST 20, 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-88204 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage, LLC dba Pinnacle Bank Arena for a Special Designated License to cover an area measuring approximately 13,000 sq. ft. at the Stadium Terrace of Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on May 30, June 7, June 21, and August 20, 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 Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQ. FT. AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON APRIL 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-88205 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 April 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 Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF OMAHA EXPOSITION & RACING INC. DBA LINCOLN RACE COURSE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 40 FEET BY 75 FEET AT 7055 S. 1ST STREET ON MAY 1, 2, 3, AND 4, 2014 FROM 9:00 A.M. TO 12:00 A.M. - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action for 1 week to 4/28/14.

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

APPLICATION OF JSD LLC DBA HUSKERVILLE PUB AND PIZZA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 65 FEET BY 45 FEET AT 2805 NW 48TH STREET ON MAY 3, 2014 FROM 11:00 A.M. TO 2:00 A.M. - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action for 1 week to 4/28/14.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook,
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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

CHANGE OF ZONE 14003 - APPLICATION OF B&J PARTNERSHIP FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT NORTH 31ST STREET CIRCLE AND CORNHUSKER HIGHWAY - CLERK read an ordinance, introduced by Jonathan Cook, 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.

STREET NAME CHANGE 14001 – RENAMING TRANSFORMATION DRIVE AS NORTH 21ST STREET AND RENEWABLE DRIVE AS TRANSFORMATION DRIVE LOCATED IN NEBRASKA INNOVATION CAMPUS ADDITION - CLERK read an ordinance, introduced by Jonathan Cook, changing the name of Transformation Drive and Renewable Drive located in Nebraska Innovation Campus Addition to North 21st Street and Transformation Drive, respectively, as recommended by the Street Name Committee, the second time.

APPROVING A COMMERCIAL NET GROUND LEASE FOR SITE NO. 2850 IN LINCOLN AIR PARK WEST BETWEEN THE CITY OF LINCOLN AND AIRPORT AUTHORITY OF THE CITY OF LINCOLN FOR THE LEASE OF 80 ACRES OF PROPERTY LOCATED IN AIR PARK WEST FOR A 30 YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL 10 YEAR TERM - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Lease Agreement between the City of Lincoln, Nebraska and the Airport Authority of the City of Lincoln, Nebraska for the lease of 80 acres of property located in Lincoln Air Park West for 30 year term with the option to renew for one additional 10 year term, the second time.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE AMENDED AND RESTATED MANAGEMENT AND MAINTENANCE CONTRACT FOR WEST HAYMARKET AND DOWNTOWN BUSINESS IMPROVEMENT DISTRICTS BETWEEN THE CITY OF LINCOLN AND DOWNTOWN LINCOLN ASSOCIATION - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval:

A-88206 WHEREAS, the City of Lincoln and the Downtown Lincoln Association have previously entered into an agreement under which the Downtown Lincoln Association has provided various management and maintenance services as contemplated under the various downtown business improvement districts for a term of September 1, 2011 through August 31, 2015; and

WHEREAS, the City and the Downtown Lincoln Association are desirous of expanding the area covered by the Management and Maintenance Contract to include the West Haymarket/Downtown Maintenance, Management, and Core Management Districts.

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

That the Amended and Restated Management and Maintenance Contract for West Haymarket and Downtown Business Improvement Districts, attached hereto as Attachment "A", and made a part hereof by reference, be and the same is hereby approved and the Mayor is hereby authorized to execute the same on behalf of the City.

The City Clerk is directed to return one fully executed copy of said contract to the Urban Development Department for transmittal to Downtown Lincoln Association.

Introduced by Jonathan Cook

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

APPROVING THE AMENDED 2013-2014 MAINTENANCE AND MANAGEMENT BID BUDGETS AND PROGRAM OF WORK FOR THE DOWNTOWN LINCOLN ASSOCIATION PROGRAM TO REFLECT THE ADDITIONAL COSTS FOR THE DOWNTOWN LINCOLN ASSOCIATION TO PERFORM THE WORK WITHIN THE NEWLY CREATED WEST HAYMARKET/DOWNTOWN MAINTENANCE, MANAGEMENT AND CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICTS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval:

A-88207 WHEREAS, the City of Lincoln has entered into an Amended and Restated Contract with the Downtown Lincoln Association for the provision of services within various Downtown and West Haymarket/Downtown Maintenance, Management, and Core Management Business Improvement Districts; and

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WHEREAS, said Amended and Restated Contract requires the submittal of a work plan and annual budgets for work to be performed in the Downtown and West Haymarket/Downtown Maintenance, Management, and Core Management Business Improvement Districts by the Downtown Lincoln Association; and

WHEREAS, the approved 2013-2014 Maintenance and Management BID Budgets and Program of Work for the Downtown Lincoln Association Program for the period of September 1, 2013 to August 31, 2014 does not include funding for the new work to be performed in the West Haymarket/Downtown Maintenance, Management, and Core Management Districts which were approved in January of 2014; and

WHEREAS, the Downtown Lincoln Association has submitted the attached Amended 2013-2014 Maintenance and Management BID Budgets and Program of Work for the Downtown Lincoln Association Program to reflect the additional costs from February 1, 2014 through August 31, 2014 for the Downtown Lincoln Association to perform the work within the newly created West Haymarket/Downtown Maintenance, Management, and Core Management Business Improvement Districts.

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

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

Introduced by Jonathan Cook

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

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

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

COOK Moved to amend Bill No. 14-27 in the following manner: On page 1, line 8, delete "3, 4,".

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

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

COOK Moved to pass the ordinance as amended.

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

The ordinance, being numbered #20015, is recorded in Ordinance Book #29, Page .

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

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

RESOLUTIONS - 1ST READING

APPOINTING DON ARP TO THE AUDIT ADVISORY BOARD FOR A TERM EXPIRING MARCH 4, 2017.

APPROVING ALLEY, INC. DBA THE ALLEY AS A KENO SATELLITE SITE AT 1031 M STREET.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND NEBRASKA LABLINC FOR THE ANNUAL REQUIREMENTS FOR CITY-COUNTY BLOOD CHEMISTRY PROFILE, PURSUANT TO QUOTE NO. 4760, FOR A FOUR YEAR TERM.

COMP. PLAN CONFORMANCE 14006 – AMENDING THE NORTHWEST CORRIDORS REDEVELOPMENT PLAN TO INCLUDE THE "WEST HAYMARKET SPORTS PARK" PROJECT CONSISTING OF YOUTH SPORTS FACILITIES AND RELATED COMMERCIAL USES OVER APPROXIMATELY 65.7 ACRES, GENERALLY LOCATED WEST OF SUN VALLEY BLVD, SOUTH OF CHARLESTON STREET, NORTH OF THE UNION PACIFIC RAIL LINE AND EAST OF THE VIEW STUDENT HOUSING PROJECT.

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

APPROVING SUPPLEMENTAL AGREEMENT NO. 2 BETWEEN THE CITY OF LINCOLN,
LANCASTER COUNTY, AND THE STATE DEPT. OF ROADS FOR FUNDING OF THE LINCOLN
SOUTH BELTWAY.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND STATE DEPT.
OF ROADS TO SUPPLEMENT THE SHARED USE PATH ON NW 48TH FROM O STREET TO VINE
STREET AS PART OF THE STATE PROJECT ON I-80 FROM NW 56TH TO US-77 SOUTH
INTERCHANGE AND APPROPRIATE THE CITY'S FEDERAL AID TO PROJECTS IM-NH-80-
9(862), IM-NH-80-9(863) AND IM-NH-80-9(864).

OPEN MICROPHONE - NONE

ADJOURNMENT

3:55 P.M.

CAMP Moved to adjourn the City Council Meeting of April 21, 2014.
 Seconded by Christensens & carried by the following vote: AYES: Camp, Christensen, Cook,
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

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