

**THE MINUTES OF THE BOARD OF EQUALIZATION HELD
MONDAY, NOVEMBER 16, 2015 AT 3:00 P.M.**

The Board of Equalization met at 3:00 p.m. in the City Council Chambers of the City-County Building in Lincoln, Nebraska as required by law. Present: Jon Camp, Roy Christensen, Carl Eskridge, Trent Fellers, Leirion Gaylor Baird, Cyndi Lamm, Jane Raybould.

Council Chair Fellers 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.

ELECTION OF CHAIRPERSON

CHRISTENSEN Nominated Trent Fellers as Chair.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

FELLERS Took the Chair and proceeded with the reading of the procedures to be followed for public hearing on matters presented to the Board, with a brief explanation of the procedures.

PUBLIC HEARING

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY H, 6TH, R, AND 17TH STREETS;

CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY GENERALLY BOUNDED BY CENTENNIAL MALL, M, 9TH AND Q STREETS;

DOWNTOWN MAINTENANCE DISTRICT EXTENDING FROM 7TH ST. ON THE WEST TO 17TH ST. ON THE EAST AND FROM R ST. ON THE NORTH, TO M ST. ON THE SOUTH, INCLUDING THE PROPERTIES ABUTTING ON THE WEST SIDE OF 7TH ST. FROM N ST. TO R ST.; THE EAST SIDE OF 17TH ST. FROM Q ST. TO M ST.; THE NORTH SIDE OF R ST. FROM 7TH ST. TO 10TH ST.; THE SOUTH SIDE OF M ST. FROM 8TH ST. TO 17TH ST., BOTH SIDES OF 13TH ST. FROM M ST. TO LINCOLN MALL AND ALL OF CORNHUSKER SQUARE;

WEST HAYMARKET/DOWNTOWN MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY THE WEST LINE OF OUTLOT C, WEST HAYMARKET ADDITION FROM APPROX. K ST. ON THE SOUTH, NORTH TO N ST. AND CONTINUING NORTH ALONG THE CENTER LINE OF PINNACLE ARENA DR. TO APPROX. 9TH AND 10TH STS., SOUTH TO R ST., WEST TO 7TH ST., SOUTH TO O ST., EAST TO 8TH ST., SOUTH TO THE ALLEY SOUTH OF N ST., AND WEST TO THE EAST LINE OF OUTLOT C, WEST HAYMARKET ADDITION;

WEST HAYMARKET/DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY PINNACLE ARENA DR. ON THE WEST AND NORTH, N. 10TH ST. ON THE EAST, AND Q, R AND N ST. ON THE SOUTH;

WEST HAYMARKET/DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT OVERLAY GENERALLY BOUNDED BY PINNACLE ARENA DR. ON THE WEST AND NORTH, N. 8TH AND N. 9TH STS. ON THE EAST, AND O AND N STS. ON THE SOUTH - Ron Cane, Urban Development Dept., came forward as the staff person who prepared the proposed distribution of the assessments. The time period for these assessments are from September 1, 2014 to August 31, 2015. Discussion followed.

VOTING SESSION

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY H, 6TH, R, AND 17TH STREETS;

CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY GENERALLY BOUNDED BY CENTENNIAL MALL, M, 9TH AND Q STREETS;

DOWNTOWN MAINTENANCE DISTRICT EXTENDING FROM 7TH ST. ON THE WEST TO 17TH ST. ON THE EAST AND FROM R ST. ON THE NORTH, TO M ST. ON THE SOUTH, INCLUDING THE PROPERTIES ABUTTING ON THE WEST SIDE OF 7TH ST. FROM N ST. TO R ST.; THE EAST SIDE OF 17TH ST. FROM Q ST. TO M ST.; THE NORTH SIDE OF R ST. FROM 7TH ST. TO 10TH ST.; THE SOUTH SIDE OF M ST. FROM 8TH ST. TO 17TH ST., BOTH SIDES OF 13TH ST. FROM M ST. TO LINCOLN MALL AND ALL OF CORNHUSKER SQUARE;

WEST HAYMARKET/DOWNTOWN MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY THE WEST LINE OF OUTLOT C, WEST HAYMARKET ADDITION FROM APPROX. K ST. ON THE SOUTH, NORTH TO N ST. AND CONTINUING NORTH ALONG THE CENTER LINE OF PINNACLE ARENA DR. TO APPROX. 9TH AND 10TH STS., SOUTH TO R

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ST., WEST TO 7TH ST., SOUTH TO O ST., EAST TO 8TH ST., SOUTH TO THE ALLEY SOUTH OF N ST., AND WEST TO THE EAST LINE OF OUTLOT C, WEST HAYMARKET ADDITION;
WEST HAYMARKET/DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY PINNACLE ARENA DR. ON THE WEST AND NORTH, N. 10TH ST. ON THE EAST, AND Q, R AND N ST. ON THE SOUTH;
WEST HAYMARKET/DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT OVERLAY GENERALLY BOUNDED BY PINNACLE ARENA DR. ON THE WEST AND NORTH, N. 8TH AND N. 9TH STS. ON THE EAST, AND O AND N STS. ON THE SOUTH.

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

ADJOURNMENT

3:14 P.M.

RAYBOULD Moved to adjourn sine die the Board of Equalization Meeting.
Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Soulinnee Phan , Deputy City Clerk

Rhonda Bice, Office Specialist

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 16, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; Deputy City Clerk, Soulinnee Phan.

Council Chair Fellers 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

LAMM Having been appointed to read the minutes of the City Council proceedings of November 2, 2015, reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of September, 2015, to Michael Cutshall, Network Specialist for Information Services, Finance Department, in the categories of Customer Relations and Productivity. Mayor Beutler stated that Michael Cutshall has worked for the City since 1974 and was nominated by Jamie Wenz, 5 CITY - TV, for his work on the channels biggest project of the year, a live broadcast of the State Games of America from July 30 through August 2.

Steve Hubka, Finance Director, came forward and said he wanted to congratulate Mike on this award.

Steve Henderson, Information Services Director, came forward and stated that Mike is a front line hard worker doing what is needed every single day.

Michael Cutshall came forward and introduced Bobbie, his wife, and his IS family. Mike also said he wanted to thank Jamie Wenz for struggling with him through this, and was very impressed with the professionalism of everyone that works with Jamie. Mike thanked everyone for the award.

PUBLIC HEARING

APPROVING A GRANT CONTRACT BETWEEN THE COMMUNITY HEALTH ENDOWMENT AND THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO ASSIST LOWER INCOME AND UNINSURED LINCOLN AND LANCASTER COUNTY RESIDENTS IN ACCESSING A DENTAL HOME FOR DENTAL TREATMENT AND CONTINUITY OF CARE FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2018 FOR A GRANT IN THE AMOUNT OF - Jane Kinsey, Watchdogs of Lincoln Government, 6703 Hawkins Bend, came forward in approval but, requested clarification if this fits in with the dental program that Clinic with a Heart maintains. Ms. Kinsey asked if there was any money given to Clinic with a Heart out of this amount.

Jon Camp, Council Member, stated that City Council could have Judy Halstead, Health Department Director contact Jane Kinsey to answer questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #175 FOR A CLASS B LIQUOR LICENSE AT 6845 SOUTH 27TH STREET;
MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #175 AT 6845 SOUTH 27TH STREET - James T. Larson, 1722 U Street, Omaha, Nebraska, came forward to take the oath and request approval.

This matter was taken under advisement.

APPLICATION OF 9500, LLC DBA LAZZARI'S PIZZA FOR A CLASS C LIQUOR LICENSE AT 4701 OLD CHENEY ROAD, SUITE D;
MANAGER APPLICATION OF SETH D. REGAN FOR 9500, LLC DBA LAZZARI'S PIZZA AT 4701 OLD CHENEY ROAD, SUITE D - Seth D. Regan, 6731 LaSalle Street, came forward to take the oath and request approval.

Greg List, 1531 S. 46th Street, came forward to take the oath and stated that Lazzari's Pizza is working closely with LPD to provide a safe environment for the City of Lincoln and Lancaster County.

Jane Raybould, Council Member, asked for more information on the two suspensions that had accrued and what corrective steps have been taken.

Mr. List stated that they continue using the online training, working closely with Investigator Schafer, making sure that they are checking customers at the door, and not overserving.

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Jon Camp, Council Member, stated that there are a number of other elements in the history that does raise a little concern. If approved there would be restrictions of having no personal nor business violations within the first 1 year of operation.

Mr. List said that they understand the restrictions and that they do not want to be open late.

Ms. Raybould asked what hours they would be open.

Mr. List said 10 a.m. to 10 p.m. If there is a football game, 11 p.m. but not the late night hours of "O" Street.

Roy Christensen, Council Member, stated he had concerns with the long list of infractions, and asked if Mr. List could speak about some of these personal infractions listed.

Mr. List stated that some of the infractions were from making mistakes when he was young. All of the infractions were from poor driving and were mistakes of youth.

Cyndi Lamm, Council Member, stated that some of the infractions were alcohol related.

Mr. List stated that they were mistakes that were made in the past and that he has not repeated them.

Leirion Gaylor Baird, Council Member, asked about what changes they have made in business practices to prevent problems from happening again.

Mr. List stated that the overserving is a big issue and they are working with staff on training them with this, working with door staff and making sure that someone is always at the door to prevent customers from leaving with alcohol.

Inv. Conan Schafer, LPD, came forward to answer questions.

Carl Eskridge, Council Member, asked Mr. Schafer if they were to lose liquor license at this establishment what would that do to the liquor license at the other establishment.

Inv. Schafer stated that the liquor licenses are separate and one would not affect the other.

Discussion followed.

This matter was taken under advisement.

APPLICATION OF MATTHEW MYERS DBA THE HAPPY RAVEN FOR A CLASS C LIQUOR LICENSE AT 122 NORTH 11TH STREET, SUITE 100B;
MANAGER APPLICATION OF MATTHEW W. MYERS FOR MATTHEW MYERS DBA THE HAPPY RAVEN AT 122 NORTH 11TH STREET, SUITE 100B - Matthew Myers, 1301 Lincoln Mall, came forward to take the oath and request approval.

Jane Raybould, Council Member, asked about the pending infraction of selling to a minor.

Mr. Meyers stated that he just moved here from Morgan Town, West Virginia, and that it was a mistake on his part, he incorrectly read the date of the ID.

Ms. Raybould inquired about the hearing date.

Mr. Meyers stated the hearing has been held, he pleaded no contest and paid a fine.

Ms. Raybould asked Mr. Meyers if he had completed the training yet.

Mr. Meyers stated that he will be taking the training next month. Discussion followed

This matter was taken under advisement.

APPLICATION OF DRIVE METHOD, LLC DBA METHOD CYCLES AND CRAFTHOUSE FOR A CLASS C LIQUOR LICENSE AT 416 SOUTH 11TH STREET;
MANAGER APPLICATION OF SEAN S. DUNBAR FOR DRIVE METHOD, LLC DBA METHOD CYCLES AND CRAFTHOUSE AT 416 SOUTH 11TH STREET - Sean S. Dunbar, 4353 Washington St, came forward and to take the oath and request approval. Jason Brummels, 3315 East Pershing Rd., came forward to take the oath and stated that this establishment is a bicycle shop where they will repair bicycles and have draft beer and craft coffee.

Carl Eskridge, Council Member, asked about the long list of violations that they have.

Mr. Brummel stated that these infractions were in his late teenage years, and that he has grown up since then.

Mr. Eskridge stated that they did not include all of their violations on the application.

Mr. Brummel said that he did not think of the fact that everything was not included on the DMV Report that he received online.

Mr. Eskridge asked what Mr. Dunbar's responsibilities would be.

Mr. Dunbar stated that he would be the manager for this establishment and that Jason would be doing the website and web sales.

Mr. Eskridge asked about Mr. Dunbar's work history.

Mr. Dunbar stated that he has been in this line of work for 12 years.

Jane Raybould, Council Member, asked if he has completed the training.

Mr. Dunbar said yes.

Jon Camp, Council Member, stated that there are a number of items that he did not disclose in the application, several of them were just three years ago.

Mr. Brummel stated that he had a BMW sports car and it didn't come with a license plate mount, and he was not careful in making sure that his car had two license plates.

Cyndi Lamm, Council Member, had concerns that some of the violations were fairly recent.

Conan Schafer, Liquor Investigator LPD, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF WALKING HUBBLE, LLC DBA THE HOT MESS FOR A CLASS C LIQUOR LICENSE AT 410 SOUTH 11TH STREET;

MANAGER APPLICATION OF CAROLYN M. NOLTE FOR WALKING HUBBLE, LLC DBA THE HOT MESS AT 410 SOUTH 11TH STREET - Carolyn M. Nolte, 940 S. 20th, came forward to take the oath and request approval.

This matter was taken under advisement.

MANAGER APPLICATION OF JACKSON H. BORNEMEIER FOR SWIG, LLC DBA 9 SOUTH CHARGRILL AT 844 SOUTH STREET - Jackson H. Bornemeier, 3926 Lake Street, came forward to take the oath and request approval.

This matter was taken under advisement.

MANAGER APPLICATION OF PERRY A. PIRSCH FOR LAM KUAIFANG, LLC PERFECT DINER AT 2855 NORTH 27TH STREET - Perry A. Pirsch, Attorney, Berry Law Firm, 2650 N. 48th, came forward to take the oath and request approval. Mr. Pirsch stated that Lam Kuaifang, LLC the owners of Perfect Diner are not eligible to serve as managers under the LLC since they are not citizens of United States, so he volunteered to be the liquor manager. Mr. Pirsch has taken the managers course and will work with the staff on State Liquor Control Rules.

Cyndi Lamm, Council Member, asked if Mr. Pirsch would be at the establishment the entire time.

Mr. Pirsch stated that he would not be there the entire time but would be available for training.

Jane Raybould, Council Member, inquired about Mr. Pirschs 23 convictions on his record, and that he did not disclose those convictions.

Mr. Pirsch stated that he did not fill out the first application, Geng Ye was the person that applied for manager. Discussion followed.

This matter was taken under advisement.

ASSESSING LIENS FOR COSTS OF REGISTRATION FEES AND PENALTIES FOR NEGLECTED BUILDINGS ON THE PROPERTIES GENERALLY LOCATED AT 226 SOUTH 29TH STREET, 2125 SOUTH 14TH STREET, 2217 SOUTH 67TH STREET, 1609 SOUTH 27TH STREET, 1344 D STREET, 615 WEST JOEL STREET, AND 3015 N STREET AND ASSESSING A LIEN FOR COSTS OF DEMOLITION ON THE PROPERTY GENERALLY LOCATED AT 441 D STREET - Chad Blahak, Building & Safety Director, came forward to answer questions.

Cyndi Lamm, Council Member, asked if he could go over process and how we get to the liens.

Mr. Blahak stated the ordinance was meant to give the City a set of tools to combat decaying and problem residential properties within the City.

Ms. Lamm asked if the owners are given the opportunity to fix the problems.

Mr. Blahak stated that the property owners are sent notices twice.

Carl Eskridge, Council Member, asked what impact problem properties have on surrounding property owners.

Jon Carlson, Mayors Office, stated that it is an impact on property values and quality of life.

Chris Connelly, City Attorneys Office, came forward and said that they are trying to improve the fabric of the community by getting rid of some of these properties.

Jane Kinsey, 6703 Hawkins Bend, Watchdogs of Lincoln Government, came forward with questions. Discussion followed.

This matter was taken under advisement.

ADOPTING THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2016 TO BECOME EFFECTIVE JANUARY 1, 2016;

ADOPTING THE LINCOLN ELECTRIC SYSTEM RATE SCHEDULES TO BECOME EFFECTIVE JANUARY 1, 2016 - Laura Kapustka, VP & Chief Financial Officer LES, 1040 O Street, came forward to answer questions on LES 2016 Budget Resolution and 2016 Rate Schedule Resolution.

Jon Camp, Council Member, asked about the rate comparison and if that included the energy cost or customer service cost.

Ms. Kapustka stated that the comparison covers both.

Mr. Camp asked about the \$6.3 million going into the rate stabilization fund with the \$6.3 million does that get us to the \$28.0 million.

Ms. Kapustka said correct.

Mr. Camp asked how many years to make this happen.

Ms. Kapustka said that they do not have a set time. Wanting to be cautious to customer costs.

Carl Eskridge, Council Member, asked about the \$14.8 million dollars for the operations center.

Doug Bannom, Chief Operating Officer LES, 1040 O Street, came forward and stated that the \$14.8 million was a cash flow number for 2016.

Mr. Eskridge asked if there is a projected cost at this point.

Mr. Bannom stated the estimate at this point is \$72.0 million.

Pat Shures, address unknown, came forward and asked about the changes to the bill, she is unable to read it now.

Mr. Bannom stated that they were trying to get more information on the bill and it made the print smaller. They would look into it.

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Coby Mach, Lincoln Independent Business Association, 620 N. 48th St., came forward and stated they are in support of the budget being proposed by LES.

Andrew Pollock, Rembolt Ludtke LLP, 1201 Lincoln Mall, came forward in approval of proposed LES budget for Lincoln Employers Coalition.

Mike Dickey, address unknown, came forward in opposition of the proposed LES budget.

Jane Kinsey, Watchdogs of Lincoln Government, 6703 Hawkins Bend, came forward in opposition of the proposed LES budget. Discussion followed.

This matter was taken under advisement.

ORDINANCE AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO LEASE AGREEMENT, AND A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH AN ADJUSTMENT TO THE INTEREST RATE PROVISIONS OF THE CITY'S INDUSTRIAL DEVELOPMENT PROMISSORY REVENUE NOTE (NEBRASKA SCHOOL ACTIVITIES ASSOCIATION PROJECT) SERIES 2015 - Mike Rogers, Bond Council, Gilmore & Bell Law, 450 Regency Pkwy, Suite 320, Omaha, came forward and stated this amendment is to adjust the interest rate provisions for the borrowing to reduce the existing interest rate. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A GRANT CONTRACT BETWEEN THE COMMUNITY HEALTH ENDOWMENT AND THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO ASSIST LOWER INCOME AND UNINSURED LINCOLN AND LANCASTER COUNTY RESIDENTS IN ACCESSING A DENTAL HOME FOR DENTAL TREATMENT AND CONTINUITY OF CARE FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2018 FOR A GRANT IN THE AMOUNT OF - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89347 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Grant Contract between the Board of Trustees of the Community Health Endowment and the Lincoln-Lancaster County Health Department to assist lower income and uninsured Lincoln and Lancaster County residents in accessing a dental home for dental treatment and continuity of care for a term of July 1, 2015 through June 30, 2018 for a grant in the amount of \$492,862.00, upon the terms and conditions as set forth in said Grant Contract, is hereby approved and the Mayor is authorized to execute said Grant Contract on behalf of the City.

The City Clerk is hereby directed to transmit a copy of the executed original Grant Contract to Judy Halstead, for transmittal to the Community Health Endowment Board of Trustees.

Introduced by Leirion Gaylor Baird

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

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED SEPTEMBER 30 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89348 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended September 30, 2015, \$265,111.43 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Roy Christensen

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON OCTOBER 19, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON OCTOBER 26, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON NOVEMBER 2, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

AFFIDAVIT OF MAILING FOR THE ASSESSMENT OF WEED ABATEMENT BY THE COUNTY WEED CONTROL AUTHORITY FOR THE CALENDAR YEAR JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTH OF SEPTEMBER, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-02)

REPORT FROM THE CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS SEPTEMBER 30, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, NOVEMBER ~~16~~ 23, 2015 AT ~~3~~ 5:30 P.M. ON THE MANAGER APPLICATION OF NATHAN E. JOHNSON FOR B & R STORES, INC. DBA RUSS'S MARKET #2 AT 130 N. 66TH ST - CLERK read the following resolution introduced by, Roy Christensen, who moved its adoption:

A-89349 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 23, 2015, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Nathan E. Johnson for Russ's Market #2 at 130 N 66th Street.

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

Introduced by Roy Christensen

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

REFERRED TO THE PLANNING DEPARTMENT:

USE PERMIT NO. 107E, REQUESTED BY FIRETHORN DEVELOPMENT CORP. TO AMEND USE PERMIT 107 TO ELIMINATE THE LIMITATION ON THE NUMBER OF BUILDINGS AND ELIMINATE THE REQUIREMENT THAT AT LEAST 35,000 SQ. FT. OF FLOOR AREA, OR 50% OF THE TOTAL FLOOR AREA OF EACH BUILDING, WHICHEVER IS GREATER, HAS TO BE OCCUPIED BY A SINGLE TENANT ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & FIRETHORN LN.

CHANGE OF ZONE NO. 15029, REQUESTED BY KRUEGER DEVELOPMENT, FROM AG AGRICULTURE DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE.

CHANGE OF ZONE NO. 15030, REQUESTED BY MAPCO INC., FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT, WITH A CONDITIONAL ZONING AGREEMENT AND SITE PLAN, ON PROPERTY GENERALLY LOCATED AT 711 - 725 SOUTH STREET.

CHANGE OF ZONE NO. 15032, REQUESTED BY HIMARK PROPERTIES, LLC, FROM AG AGRICULTURE DISTRICT TO R-3 RESIDENTIAL DISTRICT, FOR APPROXIMATELY 5 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD.

CHANGE OF ZONE NO. 15033, REQUESTED BY VERMAAS & SONS, LLC, FROM AG TO R-3, INCLUDING APPROXIMATELY 5.44 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND ROKEBY ROAD.

SPECIAL PERMIT NO. 06014A, REQUESTED BY KRUEGER DEVELOPMENT, ADDING APPROXIMATELY 32 ACRES TO THE SOUTHLAKE COMMUNITY UNIT PLAN FOR 91 SINGLE-FAMILY LOTS, WITH REQUESTS FOR ADJUSTMENTS TO SETBACKS, THE LOT WIDTH TO DEPTH RATIO, AND TO ALLOW DRIVE-OVER CURBS IN PRIVATE ROADWAYS, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE.

SPECIAL PERMIT NO. 15069, REQUESTED BY VERMAAS & SONS, LLC, FOR A COMMUNITY UNIT PLAN TO ALLOW FOR THE ADDITION OF UP TO 37 DWELLING UNITS, WITH WAIVERS TO ALLOW FOR DOUBLE-FRONTAGE LOTS, WAIVE THE STORM WATER DETENTION REQUIREMENT, AND ALLOW FOR REDUCTION OF THE RADIUS OF A CUL-DE-SAC, ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND ROKEBY ROAD.

SPECIAL PERMIT NO. 1762E, REQUESTED BY TOM SMITH, THE VINTAGE HEIGHTS COMMUNITY PLAN, TO INCREASE THE NUMBER OF DWELLING UNITS FROM 964 TO 990, AND WHICH ALLOWS 84 DWELLING UNITS TO BE SERVED BY SANITARY SEWER, WHICH REQUIRES A SEWAGE PUMP LIFT STATION TO USE THE CITY'S SANITARY SEWER SYSTEM, AND A REQUEST TO WAIVE SECTION 26.23.130 OF THE SUBDIVISION ORDINANCE TO ALLOW FOR A BLOCK LENGTH OF MORE THAN 1,320 FEET, ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND OLD CHENEY ROAD.

TEXT AMENDMENT NO. 15022, REQUESTED BY U. S. PROPERTY, AMENDING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO CONDITIONAL USES IN RETAIL SALES AND SERVICES USE GROUP TO CORRECT AN ERROR MADE TO SUBSECTION (H)(2) IN A PREVIOUS TEXT AMENDMENT TO CLARIFY THAT THE FLOOR AREA RESTRICTION FOR PERSONAL SERVICES APPLIES TO THE SIZE OF THE USE AND NOT TO THE SIZE OF THE BUILDING THE USE IS LOCATED IN, AND REPEALING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING.

TEXT AMENDMENT NO. 15023, REQUESTED BY PUBLIC WORKS AND UTILITIES DEPARTMENT, AMENDING SECTIONS 1 THROUGH 10 OF CHAPTER 2.05 - STORMWATER DRAINAGE DESIGN STANDARDS TO ADD DEFINITIONS IN SECTION 1, TO PROVIDE INFORMATION IN SECTION 2 AS TO WHERE AND HOW TO OBTAIN A COPY OF THE CITY OF LINCOLN DRAINAGE CRITERIA MANUAL, AND TO UPDATE SECTIONS 2 THROUGH 10 TO CLARIFY REFERENCES TO THE CITY OF LINCOLN'S DRAINAGE CRITERIA MANUAL, THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE FLOOD INSURANCE STUDY, THE DEPARTMENT OF PUBLIC WORKS AND UTILITIES, THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF NATURAL RESOURCES, AND TO MATCH PROVISIONS INCLUDED IN ORDINANCE NO. 19990 (ADDING A NEW CHAPTER 28.03 - REGULATIONS FOR POST CONSTRUCTION STORM WATER MANAGEMENT TO THE LINCOLN MUNICIPAL CODE) AND INCLUDED IN RESOLUTION NO. A -88056 (ADOPTING A NEW CHAPTER 8 TO THE CITY OF LINCOLN'S DRAINAGE CRITERIA MANUAL).

LIQUOR RESOLUTIONS

APPLICATION OF SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #175 FOR A CLASS B LIQUOR LICENSE AT 6845 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89350 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 #175 for a Class "B" liquor license at 6845 South 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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JAMES E. LARSON FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #175 AT 6845 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89351 WHEREAS, Shopko Stores Operating Co., LLC dba Shopko #175 located at 6845 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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF 9500, LLC DBA LAZZARI'S PIZZA FOR A CLASS C LIQUOR LICENSE AT 4701 OLD CHENEY ROAD, SUITE D - PRIOR to reading:

CAMP Moved to amend Application for Lazzari's Pizza in the following manner:

1. Insert new subsection 3 to read as follows "The provision be added that they're subject to restriction of having no personal nor business violations within the first 1 year of operation."

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

CLERK Read the following resolution, introduced by Jon Camp, who moved for its adoption as amended:

A-89252 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 9500, LLC dba Lazzari's Pizza for a Class "C" liquor license at 4701 Old Cheney Road, Suite D, Lincoln, Nebraska, for the license period ending October 31, 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.
3. "The provision be added that they're subject to restriction of having no personal nor business violations within the first 1 year of operation."

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, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF SETH D. REGAN FOR 9500, LLC DBA LAZZARI'S PIZZA AT 4701 OLD CHENEY ROAD, SUITE D - PRIOR to reading:

CAMP Moved to amend Manager Application of Seth D. Regan for Lazzari's Pizza in the following manner:

1. On line 11 strike verbiage from, " The City Clerk is directed to transmit a copy of this".
2. Strike out line 12.
3. Insert new paragraph, The provision be added that they're subject to restriction of having no personal nor business violations within the first 1 year of operation.
4. Insert new paragraph, The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

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

CLERK Read the following resolution, introduced by Jon Camp, who moved for its adoption as amended:
A-89253 WHEREAS, 9500, LLC dba Lazzari's Pizza located at 4701 Old Cheney Road, Suite D, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Seth D. Regan be named manager;

WHEREAS, Seth D. Regan 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 Seth D. Regan 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.~~

The provision be added that they're subject to restriction of having no personal nor business violations within the first 1 year of operation.

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, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF MATTHEW MYERS DBA THE HAPPY RAVEN FOR A CLASS C LIQUOR LICENSE AT 122 NORTH 11TH STREET, SUITE 100B - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89354 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 Matthew Myers dba The Happy Raven for a Class "C" liquor license at 122 North 11th Street, Suite 100B, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
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 Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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MANAGER APPLICATION OF MATTHEW W. MYERS FOR MATTHEW MYERS DBA THE HAPPY RAVEN AT 122 NORTH 11TH STREET, SUITE 100B - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89355 WHEREAS, Matthew Myers dba The Happy Raven located at 122 North 11th Street, Suite 100B, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Matthew W. Myers be named manager;

WHEREAS, Matthew W. Myers 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 Matthew W. Myers 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, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF DRIVE METHOD, LLC DBA METHOD CYCLES AND CRAFTHOUSE FOR A CLASS C LIQUOR LICENSE AT 416 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for denial:

A-89256 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, pertinent City ordinances, and the following:

- a. If the applicant is of a class of person to whom no license can be issued.
- b. If the existing population of the City of Lincoln and the projected population growth of the City of Lincoln and within the area to be served are adequate to support the proposed license.
- c. If the issuance of the license would be compatible with the nature of the neighborhood or community.
- d. If existing licenses with similar privileges adequately serve the area.
- e. If there are any existing motor vehicle and/or pedestrian traffic flow issues in the area or if this application would cause motor vehicle and/or pedestrian traffic flow issues.
- f. If there is an adequate number of existing law enforcement officers in the area.
- g. If there are zoning and/or distance restrictions that prevent the issuance of a license.
- h. If there are sanitation and/or sanitary conditions on or about the area.
- i. If a citizens' protest has been made.

The City Council recommends to the Nebraska Liquor Control Commission that the application of Drive Method, LLC dba Method Cycles and Crafthouse for a Class "C" liquor license at 416 South 11th Street, Lincoln, Nebraska, be denied. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.
- d. The applicant has not demonstrated that the issuance of the license is or will be required by the present or future public convenience and necessity.

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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Lamm, Raybould; NAYS: Fellers, Gaylor Baird.

MANAGER APPLICATION OF SEAN S. DUNBAR FOR DRIVE METHOD, LLC DBA METHOD CYCLES AND CRAFTHOUSE AT 416 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for denial:

A-89257 WHEREAS, Drive Method, LLC dba Method Cycles and Crafthouse located at 416 South 11th Street, Lincoln, Nebraska requests that Sean S. Dunbar be named manager of its facility in accordance with its application for a liquor license.

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 to the

Nebraska Liquor Commission that Sean S. Dunbar be denied as manager of this business for said licensee. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.

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

Introduced by Jon Camp

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Lamm, Raybould; NAYS: Fellers, Gaylor Baird.

APPLICATION OF WALKING HUBBLE, LLC DBA THE HOT MESS FOR A CLASS C LIQUOR LICENSE AT 410 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89258 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 Walking Hubble, LLC dba The Hot Mess for a Class "C" liquor license at 410 South 11th Street, Lincoln, Nebraska, for the license period ending October 31, 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF CAROLYN M. NOLTE FOR WALKING HUBBLE, LLC DBA THE HOT MESS AT 410 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89259 WHEREAS, Walking Hubble, LLC dba The Hot Mess located at 410 South 11th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Carolyn M. Nolte be named manager;

WHEREAS, Carolyn M. Nolte 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 Carolyn M. Nolte 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JACKSON H. BORNEMEIER FOR SWIG, LLC DBA 9 SOUTH CHARGRILL AT 844 SOUTH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89260 WHEREAS, SWIG, LLC dba 9 South Chargrill located at 844 South Street, Lincoln, Nebraska has been approved for a Retail Class "IK" liquor license, and now requests that Jackson H. Bornemeier be named manager;

WHEREAS, Jackson H. Bornemeier 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 Jackson H. Bornemeier 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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MANAGER APPLICATION OF PERRY A. PIRSCH FOR LAM KUAI FANG, LLC PERFECT DINER AT 2855 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved for its adoption for approval:

A-89261 WHEREAS, Lam Kuai Fang, LLC dba Perfect Diner located at 2855 North 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Perry R. Pirsch be named manager;

WHEREAS, Perry R. Pirsch 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 Perry R. Pirsch 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

ASSESSING LIENS FOR COSTS OF REGISTRATION FEES AND PENALTIES FOR NEGLECTED BUILDINGS ON THE PROPERTIES GENERALLY LOCATED AT 226 SOUTH 29TH STREET, 2125 SOUTH 14TH STREET, 2217 SOUTH 67TH STREET, 1609 SOUTH 27TH STREET, 1344 D STREET, 615 WEST JOEL STREET, AND 3015 N STREET AND ASSESSING A LIEN FOR COSTS OF DEMOLITION ON THE PROPERTY GENERALLY LOCATED AT 441 D STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved for its adoption for approval:

A-89362 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that:

Pursuant to Section 21.09.100 of the Lincoln Municipal Code, the costs of registration fees and penalties for neglected buildings and demolition costs as shown on the list which is attached hereto, marked Exhibit "A" and made a part hereof by reference, are hereby assessed against the property set opposite each amount as shown thereon. Said assessments shall be delinquent from and after November 16, 2015 and draw interest as provided for in Neb. Rev. Stat. § 45-104.01 for assessments.

Introduced by Leirion Gaylor Baird

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

ADOPTING THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2016 TO BECOME EFFECTIVE JANUARY 1, 2016. (ACTION DATE: 12/7/15)

ADOPTING THE LINCOLN ELECTRIC SYSTEM RATE SCHEDULES TO BECOME EFFECTIVE JANUARY 1, 2016. (ACTION DATE: 12/7/15)

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

ORDINANCE AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO LEASE AGREEMENT, AND A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH AN ADJUSTMENT TO THE INTEREST RATE PROVISIONS OF THE CITY'S INDUSTRIAL DEVELOPMENT PROMISSORY REVENUE NOTE (NEBRASKA SCHOOL ACTIVITIES ASSOCIATION PROJECT) SERIES 2015 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 27.67 of the Lincoln Municipal Code relating to Parking by amending subsection (y) of Section 27.67.040 to provide that parking for greenhouses and garden centers located in the AG zoning district may be provided on unpaved areas, except for ADA accessible stalls; amending subsection (c) of Section 27.67.100 to provide that parking lots may be provided on unpaved areas in the AG zoning district where specifically authorized under the special parking requirements in Section 27.67.040; and repealing Sections 27.67.040 and 27.67.100 of the Lincoln Municipal Code as hitherto existing, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

ANNEXATION 15009 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 4.02 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 56TH STREET AND ALVO ROAD - CLERK read an ordinance, introduced by Carl Eskridge, annexing and including the below described land as part of the city of Lincoln, Nebraska and amending the corporate limits map attached to and made a part of ordinance no. 18208, to reflect the extension of the corporate limits boundary of the city of Lincoln, Nebraska established and shown thereon, the third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20264, is recorded in Ordinance Book 30.

CHANGE OF ZONE 15026 - APPLICATION OF ROGER H. SCHWISOW REVOCABLE TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 56TH STREET AND ALVO ROAD - CLERK read an ordinance, introduced by Carl Eskridge, 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, for the third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20265, is recorded in Ordinance Book 30.

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00 - PRIOR to reading:

CAMP Moved to delay Action for 3 weeks to 12/07/15 w/ continued Public Hearing.

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

CLERK Read an ordinance, introduced by Carl Eskridge, amending chapter 2.06 of the Lincoln Municipal Code relating to the Mayor's Authority to execute contracts by adding a new section numbered 2.06.120 requiring Council approval of non-bid contracts above \$50,000.00, for the third time.

RESOLUTIONS - 1ST READING

APPROVING AN AMENDMENT TO CONTRACT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION, AND SNAP-ON INDUSTRIAL FOR TOOLS AND ACCESSORIES, PURSUANT TO STATE OF NEBRASKA CONTRACT 14033 OC, FOR AN ADDITIONAL TWO YEAR TERM THROUGH SEPTEMBER 19, 2017. (*CONSENT*)

REAPPOINTING MICHAEL CORNELIUS, JEANELLE LUST, AND LYNN O. SUNDERMAN TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR TERMS EXPIRING AUGUST 24, 2021. (*CONSENT*)

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. TO ALLOW FOR UNLIMITED G.I.S. LICENSING WHICH WILL REVAMP THE CURRENT LICENSE STRUCTURE AND SIMPLIFY PURCHASES, RENEWALS, AND COSTS FOR A FOUR YEAR PERIOD. (*CONSENT*)

A RESOLUTION TO DECLARE THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES FROM THE PROCEEDS OF CITY OF LINCOLN CERTIFICATES OF PARTICIPATION IN CONNECTION WITH THE ACQUISITION AND INSTALLATION OF STREET LIGHTS, FIBER OPTIC NETWORK EQUIPMENT, FIRE APPARATUS AERIAL TRUCKS AND FIRE ENGINES, A FIRE STATION TO REPLACE THE CITY'S EXISTING FIRE STATION NO. 11, AND A NEW ROOF AND HVAC SYSTEM FOR THE CITY'S MUNICIPAL SERVICES CENTER.

AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPALITY PROGRAM AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO MAKE IMPROVEMENTS ON A PORTION OF HIGHWAY 2 THAT IS WITHIN CORPORATE LIMITS OF THE CITY OF LINCOLN. PROJECT NO. S-2-6(1034), CN 13284.

APPROVING SECOND AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT TO GRANT AUTHORITY AND AUTHORIZE CONTINUED PARTICIPATION OF THE EMERGENCY COMMUNICATIONS CENTER PSAP IN A REGIONAL 911 EQUIPMENT/NETWORK SHARING PROJECT.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF OCTOBER 16-31, 2015.

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USE PERMIT 107E - APPLICATION OF FIRETHORN DEVELOPMENT CORPORATION TO REMOVE THE LIMITATIONS ON THE MAXIMUM NUMBER OF BUILDINGS ALLOWED, ALONG WITH THE MINIMUM FLOOR AREA REQUIREMENTS FOR OFFICE BUILDING TENANTS, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND FIRETHORN LANE.

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

ANNEXATION 15011 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 48.92 ACRES AND ADJACENT O STREET RIGHT-OF-WAY ON PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND O STREET. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) - CLERK read an ordinance, introduced by Cyndi Lamm, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, for the first time.

CHANGE OF ZONE 15028 - APPLICATION OF THE OWNERS FOR APPROVAL OF A CHANGE OF ZONE REZONING APPROXIMATELY 48.92 ACRES FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT; DESIGNATING SAID PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES R-3, R-5 AND B-2 USES AND MODIFICATIONS TO THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) - CLERK read an ordinance, introduced by Cyndi Lamm, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.02 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, for the first time.

OPEN MICROPHONE

Mike Morosin, 1500 N. 15th St., came forward with concerns on Mr. Connelly, attorney, changing the wording to an agreement without disclosing information to him.
This matter was taken under advisement.

Gary Aldridge, 7112 S 45th St., came forward with complaints of unwanted phone calls.
This matter was taken under advisement.

ADJOURNMENT

5:41 P.M.

CAMP Moved to adjourn the City Council Meeting of November 16, 2015.
Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Raybould, Lamm; NAYS: None.

So ulinee Phan, Deputy City Clerk

Rhonda Bice, Office Specialist