

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, SEPTEMBER 14, 2009 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Emery; Council Members: Camp, Carroll, Cook, Hornung, Snyder, Spatz; City Clerk, Joan E. Ross.

Council Chair Emery asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

HORNUNG Having been appointed to read the minutes of the City Council proceedings of August 31, 2009 reported having done so, found same correct.

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**PUBLIC HEARING**

APPLICATION OF RICKETY CRICKET LLC DBA N STREET WINE & LIQUOR (F/K/A N STREET DRIVE IN) FOR A CHANGE OF LOCATION OF THEIR EXISTING CLASS D LIQUOR LICENSE FROM 1835 N STREET TO 1801 O STREET - Bill Olson, 134 S. 13<sup>th</sup> St., Ste. 800, attorney for the applicant, came forward to take oath and answer questions. He said that N Street Wine & Liquor has been family-owned since 1941.

Jamie Tallman, 3227 E. Pershing Rd., came forward to take oath and answer questions stating that even with the move, the business name will remain the same. He said the front entrance still faces N Street.

Council Member Camp thanked them for complying with the City and the State on the Antelope Valley standards.

This matter was taken under advisement.

APPLICATION OF RED HERRING CONCEPTS, LLC, DBA TOAST FOR A CLASS C AND CLASS K CATERING LIQUOR LICENSE AT 570 FALLBROOK BLVD., SUITE 105;  
MANAGER APPLICATION OF MICHAEL J. MARTIN FOR RED HERRING CONCEPTS, LLC, DBA TOAST AT 570 FALLBROOK BLVD., SUITE 105 - Michael Martin, 5327 NW 3<sup>rd</sup> St., Manager/Co-owner, came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF A.S. HOSPITALITY, INC. DBA CAPITAL CITY GRILL FOR A CLASS C LIQUOR LICENSE AT 301 N. 8TH STREET;  
MANAGER APPLICATION OF RANDALL A. JONES FOR A.S. HOSPITALITY, INC. DBA CAPITAL CITY GRILL AT 301 N. 8TH STREET - Randall Jones, 20009 Nina St., Omaha, came forward to take oath and answer questions about their location in the old Magnolia Restaurant location. He said the plan is to provide an urban contemporary approach showcasing pictures of the Haymarket by a local photographer. He said while the reasonably-priced menu will feature American contemporary cuisine, there will be a French influence as well. In response to Council questions regarding a memo provided from the City Law Department revealing Mr. Aaron Smeall's failure to include required information on the liquor license application, Mr. Jones said he could not comment as he had no knowledge of these facts.

Inv. Russ Fosler, LPD, came forward to answer questions. He stated that in his opinion, nothing on Mr. Smeall's record would keep him from being part-owner of the liquor license. He said the State Liquor Control Commission will review the information and make a determination as to the lack of disclosure.

This matter was taken under advisement.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY CREATING THE CLASSIFICATION OF "CRIME ANALYSIS MANAGER" - Chief Tom Casady, LPD, came forward to state that although this is a new position, it is not an addition to the number of total police employees. He said it is a position currently supervised by a sworn police sergeant and it will be

replaced by a civilian employee instead. In relation to compensation, he said the salary range is considerably less. Chief Casady clarified that crime analysis is the process of handling police data and finding trends & crime patterns in the volume of 400 dispatches occurring daily in the city of Lincoln. He stated that the Lincoln Police Department has an international reputation for the quality of its crime analysis.

This matter was taken under advisement.

APPROVING A PREPAID DEBIT CARD AGREEMENT BETWEEN THE CITY AND U.S. BANK NATIONAL ASSOCIATION TO ENABLE THE CITY TO PARTICIPATE IN A PROGRAM TO PROVIDE PAYROLL OR OTHER FUNDS TO CITY EMPLOYEES ON A STATE OF NEBRASKA PREPAID DEBIT CARD PRODUCT AND INCORPORATING THE TERMS AND CONDITIONS OF THE NEBRASKA CARD AGREEMENT TO GOVERN SUCH AGREEMENT - Don Herz, City Finance Director, came forward to state that while there is well over 90% participation in employee direct deposit, this program targets a specific group of employees - those who are temporary for example - who do not or for some reason cannot have a checking account. Mr. Herz said an electronic transaction will cost considerably less than issuing a check and there are virtually no fees for the recipient.

This matter was taken under advisement.

**\*\* END OF PUBLIC HEARING \*\***

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JULY 31, 2009 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-85503 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended July 31, 2009, \$542,916.14 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 Jonathan Cook

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JULY 2009 FROM BLACK HILLS/NEBRASKA GAS UTILITY CO., LLC - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT FROM THE CITY TREASURER OF FRANCHISE TAX FOR THE 1ST AND 2ND QUARTERS ENDING JUNE 30, 2009 FROM TIME WARNER CABLE - CLERK presented said report which was placed on file in the Office of the City Clerk. (41-2518A)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON AUGUST 24, 2009 - 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 THE CITY COUNCIL ON AUGUST 31, 2009 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF E911 SURCHARGE FOR 2ND QUARTER 2009: TWC DIGITAL PHONE LLC; JUNE 2009: CHARTER FIBERLINK - NEBRASKA, LLC; JULY 2009: 8X8, INC., ACN COMMUNICATIONS, AT&T COMMUNICATIONS OF MIDWEST, BUDGET PREPAY, COMTEL TELCOM ASSETS, GRANITE TELECOMMUNICATIONS, INETWORKS GROUP, LEVEL 3 COMMUNICATIONS, QWEST COMMUNICATIONS COMPANY, TWC DIGITAL PHONE LLC, VONAGE AMERICA - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-02)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR 2<sup>ND</sup> QUARTER 2009: MATRIX TELECOM, MEGAPATH, RELIANCE COMMUNICATIONS, SOUTHWEST COMMUNICATIONS, TELENATIONAL COMMUNICATIONS, WINDSTREAM NEBRASKA; MAY 2009: NEBRASKA TECHNOLOGY & TELECOMM.; JUNE 2009: ACCESSLINE, ACN COMMUNICATIONS SERVICES, ADVANCED TEL INC, AIRESPRING, AT&T COMMUNICATIONS OF MIDWEST, BROADBAND DYNAMICS, BROADWING COMM., CELLCO PARTNERSHIP, CIMCO COMM., CINCINNATI BELL ANY DISTANCE, COMTEL, CTI LONG DISTANCE, GLOBAL CROSSING, GLOBALSTAR USA, GRANITE, IBM GLOBAL, IDT DOMESTIC, INTELICALL OPERATOR SERVICES, I-WIRELESS, KDDI AMERICA, MCLEODUSA, NEBRASKA TECHNOLOGY & TELECOMM., NETWORK BILLING SYSTEMS, NEW CINGULAR WIRELESS, NEW EDGE NETWORKS, NORSTAN NETWORK SERVICES, NOSVA, OMAHA CELLULAR, ONSTAR, PNG TELECOMM., PRIMUS, PUBLIC COMMUNICATIONS SERVICES, QUANTUM SHIFT, QWEST COMM., SIOUX CITY MSA, TCG OMAHA, TELECORP COMM., TRACFONE WIRELESS, TRANS NATIONAL, TON SERVICES, TWC DIGITAL PHONE, UCN, USCOC OF GREATER IOWA, USCOC OF NEBRASKA/KANSAS, VERIZON LONG DISTANCE, VERIZON SELECT, VERIZON WIRELESS, VIRGIN MOBILE USA, VOICECOM, WORKING ASSETS FUNDING SERVICE, XO COMMUNICATION SERVICES; JULY 2009: ALLTEL COMMUNICATIONS OF NEBRASKA, ATS MOBILE TELEPHONE, BT AMERICAS, BUSINESS TELECOM, COVISTA, CRICKET COMMUNICATIONS, D&D COMM., ENHANCED COMM. GROUP, FIRST COMMUNICATIONS, GLOBALCOM, I-WIRELESS, LIGHTYEAR NETWORK SOLUTIONS, MCI COMMUNICATIONS SERVICES, NETWORK BILLING SYSTEMS, NEXTEL WEST CORP., NOS COMM., NOSVA, NPCR, INC., PUBLIC COMMUNICATIONS SERVICES, SBC LONG DISTANCE, SPRINT COMMUNICATION CO., SPRINT SPECTRUM, 360NETWORKS, TOTAL HOLDINGS, TRI-M COMM., UNITE PRIVATE NETWORKS, WHOLESALE CARRIER SERVICES, WWC LICENSE, YESTEL USA, ZONE TELECOM, INC. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

#### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 1, 2010, REQUESTED BY J. MICHAEL RIERDEN ON BEHALF OF LINCOLN FEDERAL SAVINGS BANK AND STONEBRIDGE CREEK LLC APPEALING FROM THE DETERMINATION OF IMPACT FEES IMPOSED ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 39, 45, 46, 47, 49, 50 IN SECTION 25, TOWNSHIP 11 NORTH, RANGE 6 EAST GENERALLY LOCATED BETWEEN CENTURION DRIVE AND NORTH 27TH STREET ALONG BOTH SIDES OF ALVO ROAD, LANCASTER COUNTY, NEBRASKA. (MOTION TO PLACE ON PENDING - DATE CERTAIN REQUESTED) - PRIOR to reading:

CARROLL Moved to Place on Pending, Date Certain to February 1, 2010.  
Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

#### LIQUOR RESOLUTIONS

APPLICATION OF RICKETY CRICKET LLC DBA N STREET WINE & LIQUOR (F/K/A N STREET DRIVE IN) FOR A CHANGE OF LOCATION OF THEIR EXISTING CLASS D LIQUOR LICENSE FROM 1835 N STREET TO 1801 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:  
A-85504 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, including Neb. Rev. Stat. § 53-129, and the pertinent City ordinances, the City Council recommends that the application of Rickety Cricket LLC dba N Street Wine & Liquor (f/k/a N Street Drive In) to move its presently licensed premise and existing Class "D" liquor license from

1835 N Street to 1801 O Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF RED HERRING CONCEPTS, LLC, DBA TOAST FOR A CLASS C AND CLASS K CATERING LIQUOR LICENSE AT 570 FALLBROOK BLVD., SUITE 105 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85505 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 Red Herring Concepts, LLC dba Toast for a Class "C" and "K" liquor license at 570 Fallbrook Blvd., Suite 105, Lincoln, Nebraska, for the license period ending October 31, 2009, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. The premise 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF MICHAEL J. MARTIN FOR RED HERRING CONCEPTS, LLC, DBA TOAST AT 570 FALLBROOK BLVD., SUITE 105 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85506 WHEREAS, Red Herring Concepts, LLC dba Toast, located at 570 Fallbrook Blvd., Suite 105, Lincoln, Nebraska has been approved for a Retail Class "C" and "K" liquor license, and now requests that Michael J. Martin be named manager;

WHEREAS, Michael J. Martin 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 J. Martin 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF A.S. HOSPITALITY, INC. DBA CAPITAL CITY GRILL FOR A CLASS C LIQUOR LICENSE AT 301 N. 8TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

CAMP Moved approval.  
SNYDER Seconded.  
CAMP Withdrew his motion.  
CAMP Moved to continue Public Hearing with Action in one week to  
September 21, 2009.  
Seconded by Snyder & carried by the following vote: AYES: Camp,  
Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF RANDALL A. JONES FOR A.S. HOSPITALITY, INC. DBA CAPITAL  
CITY GRILL AT 301 N. 8TH STREET - PRIOR to reading:  
CAMP Moved to continue Public Hearing with Action in one week to  
September 21, 2009.  
Seconded by Snyder & carried by the following vote: AYES: Camp,  
Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY CREATING THE  
CLASSIFICATION OF "CRIME ANALYSIS MANAGER" - CLERK read an ordinance,  
introduced by Adam Hornung, amending Section 1 of Ordinance No. 18967  
passed August 6, 2007, relating to the pay schedules of employees whose  
classifications are assigned to the pay range which is prefixed by the  
letter "A," by creating the job classification of "Crime Analysis  
Manager", the second time.

**PUBLIC HEARING RESOLUTIONS**

APPROVING A PREPAID DEBIT CARD AGREEMENT BETWEEN THE CITY AND U.S. BANK  
NATIONAL ASSOCIATION TO ENABLE THE CITY TO PARTICIPATE IN A PROGRAM TO  
PROVIDE PAYROLL OR OTHER FUNDS TO CITY EMPLOYEES ON A STATE OF NEBRASKA  
PREPAID DEBIT CARD PRODUCT AND INCORPORATING THE TERMS AND CONDITIONS OF  
THE NEBRASKA CARD AGREEMENT TO GOVERN SUCH AGREEMENT - CLERK read the  
following resolution, introduced by Adam Hornung, who moved its  
adoption:

A-85507 BE IT RESOLVED by the City Council of the City of Lincoln,  
Nebraska:

That the attached Prepaid Debit Card Agreement between the City of  
Lincoln and U.S. Bank National Association to provide payroll or other  
funds to City employees by means of a Visa branded prepaid debit card  
product through inter-governmental cooperative purchasing, as per  
Section 2.18.030(o) of the Lincoln Municipal Code, with the State of  
Nebraska, for a term to expire on March 31, 2013, with an option to  
renew, in accordance with the terms and conditions contained in said  
Agreement, is hereby approved and the Mayor is authorized to execute the  
same on behalf of the City of Lincoln.

The City Clerk is directed to send an executed copy of the  
Agreement to Rebecca Petersen, U.S. Bank Retail Payment Solutions, U.S.  
Bank Plaza, 200 South 6th Street, Minneapolis, MN 55402.

Introduced by Adam Hornung

Seconded by Spatz & carried by the following vote: AYES: Camp,  
Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**PUBLIC HEARING RESOLUTION & ORDINANCES - 3<sup>RD</sup> READING**

APPROVING THE LABOR CONTRACT BETWEEN THE CITY AND THE LINCOLN M CLASS  
EMPLOYEES ASSOCIATION EFFECTIVE AUGUST 20, 2009. (8/31/09 - P.H. CON'T  
W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09R-150 to  
September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp,  
Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY CREATING THE CLASSIFICATION OF SENIOR ATTORNEY. (8/3/09 - PLACED ON PENDING; TO BE REMOVED FOR 1ST READING AT SAME TIME AS M CLASS HAS 1ST READING) (8/31/09 - P.H. CON'T W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09-97 to September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Adam Hornung, amending Section 1 of Ordinance 18971 passed August 6, 2007, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M," by creating the job classification of "Senior Attorney", the third time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY REVISING THE CLASSIFICATION OF ATTORNEY II. (8/3/09 - PLACED ON PENDING; TO BE REMOVED FOR 1ST READING AT SAME TIME AS M CLASS HAS 1ST READING) (8/31/09 - P.H. CON'T W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09-98 to September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Adam Hornung, amending Section 1 of Ordinance No. 18971 passed August 6, 2007, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M," by changing the pay range for the position of Attorney II from an M03 (\$61,228.96 - \$119,394.08) to an M02 (\$48,821.76 - \$99,569.60), the third time.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CITY'S PERSONNEL SYSTEM BY AMENDING THE TITLE PAGE TO DELETE SECTION 2.76.160 COMPENSATION PLAN, VARIABLE MERIT PAY PLAN; AMENDING SECTION 2.76.040 DEFINITIONS, TO DEFINE EXCLUDED EMPLOYEE; AMENDING SECTION 2.76.130 POSITION AND PAY RANGE ALLOCATION, RELATING TO EXCLUDED EMPLOYEES; AMENDING SECTION 2.76.135 MERIT PAY PLAN ESTABLISHED, TO INCLUDE EXCLUDED EMPLOYEES AND INCREASE THE MAXIMUM NUMBER OF MERIT PAY STEPS; AMENDING SECTION 2.76.145 MERIT PAY PLAN, ADMINISTRATION AND REQUIREMENTS FOR ADVANCEMENT, TO INCLUDE THE NEWLY DEFINED EXCLUDED EMPLOYEES; AMENDING SECTION 2.76.150 MERIT PAY PLAN, PAY INCREASES FOR EXCEPTIONAL SERVICE, TO INCLUDE THE NEWLY DEFINED EXCLUDED EMPLOYEES; AMENDING 2.76.155 LONGEVITY PAY TO ADJUST THE ANNUAL LONGEVITY PAY PLAN RELATING TO CERTAIN "N" AND EXCLUDED EMPLOYEES; DELETING ALL OF SECTION 2.76.160 VARIABLE MERIT PAY PLAN; AMENDING SECTION 2.76.175 PROMOTION, TRANSFER, DEMOTION OR TEMPORARY PROMOTION RELATING TO THE NEWLY DEFINED EXCLUDED EMPLOYEES; AMENDING SECTION 2.76.200 TEMPORARY ASSIGNMENT TO A HIGHER CLASSIFICATION RELATING TO THE NEWLY DEFINED EXCLUDED EMPLOYEES; AMENDING SECTION 2.76.380 SICK LEAVE WITH PAY, AS IT RELATES TO EMPLOYEES WITH A PAY RANGE PREFIXED BY M, A, C, E, N, OR X; AND AMENDING SECTION 2.76.395 VACATION LEAVE WITH PAY AS IT RELATES TO EMPLOYEES WITH A PAY RANGE PREFIXED BY M; AND REPEALING 2.76 TITLE PAGE AND SECTIONS 2.76.040, 2.76.130, 2.76.135, 2.76.145, 2.76.150, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.380, AND 2.76.395 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (8/3/09 - PLACED ON PENDING; TO BE REMOVED FOR 1ST READING AT SAME TIME AS M CLASS HAS 1ST READING) (8/31/09 - P.H. CON'T W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09-100 to September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Eugene Carroll, amending Chapter 2.76 of the Lincoln Municipal Code relating to the City's Personnel System by amending the Title Page to delete Section 2.76.160 Compensation Plan, Variable Merit Pay Plan; amending Section 2.76.040

Definitions, to define Excluded Employee; amending Section 2.76.130 Position and Pay Range Allocation, relating to Excluded Employees; amending Section 2.76.135 Merit Pay Plan Established, to include Excluded Employees and increase the maximum number of merit pay steps; amending Section 2.76.145 Merit Pay Plan, Administration and Requirements for Advancement, to include the newly defined Excluded Employees; amending Section 2.76.150 Merit Pay Plan, Pay Increases for Exceptional Service, to include the newly defined Excluded Employees; amending 2.76.155 Longevity Pay to adjust the annual longevity pay plan relating to certain "N" and Excluded Employees; deleting all of Section 2.76.160 Variable Merit Pay Plan; amending Section 2.76.175 Promotion, Transfer, Demotion or Temporary Promotion relating to the newly defined Excluded Employees; amending Section 2.76.200 Temporary Assignment to a Higher Classification relating to the newly defined Excluded Employees; amending Section 2.76.380 Sick Leave with Pay, as it relates to employees with a pay range prefixed by M, A, C, E, N, or X; and amending Section 2.76.395 Vacation Leave with Pay as it relates to employees with a pay range prefixed by M; and repealing 2.76 Title Page and Sections 2.76.040, 2.76.130, 2.76.135, 2.76.145, 2.76.150, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.380, and 2.76.395 of the Lincoln Municipal Code as hitherto existing, the third time.

AMENDING CHAPTER 2.78 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CITY'S PERSONNEL SYSTEM BY AMENDING SECTION 2.78.010 COMPENSATION PLAN ESTABLISHED TO EXCLUDE EMPLOYEES WITH A PAY RANGE PREFIXED BY M; AMENDING SECTIONS 2.78.020 ANNUAL LEAVE, 2.78.025 VARIABLE MERIT PAY PLAN, AND 2.78.030 SICK LEAVE TO DELETE THE REFERENCES TO EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER M; AND REPEALING 2.78 TITLE PAGE AND SECTIONS 2.78.010, 2.78.020, 2.78.025, AND 2.78.030 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (8/3/09 - PLACED ON PENDING; TO BE REMOVED FOR 1ST READING AT SAME TIME AS M CLASS HAS 1ST READING) (8/31/09 - P.H. CON'T W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09-101 to September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Eugene Carroll, amending Chapter 2.78 of the Lincoln Municipal Code relating to the City's Personnel System by amending Section 2.78.010 Compensation Plan Established to exclude employees with a pay range prefixed by M; amending Sections 2.78.020 Annual Leave, 2.78.025 Variable Merit Pay Plan, and 2.78.030 Sick Leave to delete the references to employees with a pay range prefixed by the letter M; and repealing 2.78 Title Page and Sections 2.78.010, 2.78.020, 2.78.025, and 2.78.030 of the Lincoln Municipal Code as hitherto existing, the third time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY ADJUSTING THE HOURLY PAY RANGE SCHEDULE AND SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES OF THE CITY OF LINCOLN WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "M" TO BE EFFECTIVE AUGUST 20, 2009. (8/3/09 - PLACED ON PENDING; TO BE REMOVED FOR 1ST READING AT SAME TIME AS M CLASS HAS 1ST READING) (8/31/09 - P.H. CON'T W/ACTION TO 9/14/09) - PRIOR to reading:

HORNUNG Moved to continue P.H. with Action on Bill No. 09-103 to September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Eugene Carroll, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "M" and repealing Ordinance No. 18971, passed by the City Council on August 6, 2007, the third time.

**ORDINANCE - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND ST. JAMES UNITED METHODIST CHURCH FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 2400 S. 11TH STREET, LINCOLN, NEBRASKA FROM SEPTEMBER 1, 2009 TO AUGUST 31, 2010 - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Lease Agreement between the City of Lincoln and St. James United Methodist Church for the lease of office space by the Lincoln Area Agency on Aging for its ActivAge Center program at 2400 S. 11<sup>th</sup> Street, Lincoln, NE 68502 for a term beginning September 1, 2009 through August 31, 2010, the first time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND FIRST UNITED METHODIST CHURCH/WAVERLY FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 14410 FOLKESTONE STREET, WAVERLY, NEBRASKA FROM SEPTEMBER 1, 2009 TO AUGUST 31, 2010 - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Lease Agreement between the City of Lincoln and First United Methodist Church of Waverly for the lease of office space by the Lincoln Area Agency on Aging for its ActivAge Center program at 14410 Folkestone Street, Waverly, NE 68462 for a term beginning September 1, 2009 through August 31, 2010, the first time.

APPROVING AND RATIFYING AN ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND ENTERPRISE CO., INC. DBA CORNHUSKER CENTER FOR THE LEASE OF SPACE AT 2662 CORNHUSKER HIGHWAY FOR A PERIOD OF NOVEMBER 1, 2008 THROUGH OCTOBER 31, 2010 FOR THE WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM - CLERK read an ordinance, introduced by Jonathan Cook, be it ordained by the City Council of the City of Lincoln, Nebraska: That the attached Sixth Addendum to Lease Agreement between Enterprise Company, Inc. dba Cornhusker Center, and the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department, for the lease of space located at 2662 Cornhusker Highway for a two-year term from November 1, 2008 through October 31, 2010 for the Women, Infants and Children (WIC) Program, in accordance with the terms and conditions contained in said Agreement, is hereby ratified and approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln, the first time.

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

CREATING ALLEY RE-PAVING DISTRICT NO. 49 IN THE EAST-WEST ALLEY FROM 10TH TO 11TH STREETS, BETWEEN G AND H STREETS, AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Jon Camp, creating Alley Re-paving District No. 49, defining the limits thereof, establishing the width of the alley roadway to be re-paved, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19298**, is recorded in Ordinance Book #26, Page

CREATING SPECIAL ASSESSMENT SEWER DISTRICT NO. 1185 FOR THE PURPOSE OF CONSTRUCTING AN 8-INCH DIAMETER SANITARY SEWER IN 84TH STREET, HIGHWAY 6 TO APPROXIMATELY 430 FEET SOUTH OF FLETCHER AVENUE, AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Jon Camp, creating Sewer District No. 1185, designating the real estate to be benefitted, providing for assessment of the costs



of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19299, is recorded in Ordinance Book #26, Page

CREATING WATER DISTRICT NO. 1201 FOR THE PURPOSE OF CONSTRUCTING A 16-INCH DIAMETER WATER MAIN IN 84TH STREET FROM HIGHWAY 6 TO FLETCHER AVENUE AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Jon Camp, creating Water District No. 1201, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19300, is recorded in Ordinance Book #26, Page

AMENDING TITLE 24 OF THE LINCOLN MUNICIPAL CODE, PLUMBING AND SEWERS, BY AMENDING SECTION 24.38.070 TO INCREASE PERMIT FEES RELATING TO ON-SITE WASTEWATER TREATMENT SYSTEMS AND CREATING A FEE FOR AN INSPECTOR PERMIT; AMENDING SECTION 24.42.110 RELATING TO THE TRANSFER OF PROPERTY WITH ON-SITE SYSTEMS TO INCREASE THE FEE FOR EVALUATION AND REVIEW OF PROPERTY TRANSFER INSPECTOR REPORTS AND ANY NECESSARY SITE VISITS BY HEALTH DIRECTOR; AND REPEALING SECTIONS 24.38.070 AND 24.42.110 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Title 24 of the Lincoln Municipal Code, Plumbing and Sewers, by amending Section 24.38.070 to increase permit fees relating to on-site wastewater treatment systems and creating a fee for an inspector permit; amending Section 24.42.110 relating to the transfer of property with on-site systems to increase the fee for evaluation and review of Property Transfer Inspector reports and any necessary site visits by Health Director; and repealing Sections 24.38.070 and 24.42.110 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19301, is recorded in Ordinance Book #26, Page

AMENDING TITLE 8 OF THE LINCOLN MUNICIPAL CODE RELATING TO HEALTH AND SANITATION, BY AMENDING SECTION 8.06.145 TO INCREASE OPEN BURNING PERMIT FEES; AMENDING SECTION 8.08.060 TO INCREASE BODY ART ESTABLISHMENT PERMIT FEES; AMENDING SECTION 8.08.150 TO INCREASE BODY ART PRACTITIONER PERMIT FEES; AMENDING SECTION 8.12.035 TO INCREASE SMALL FAMILY CHILD CARE HOME PERMIT FEES AND TO DECREASE THE ANNUAL FEE PAID FOR NEW CERTIFICATES OF COMPLIANCE ISSUED AFTER JULY 31 OF EACH YEAR; AMENDING SECTION 8.12.075 TO REVISE THE SMALL FAMILY CHILD CARE HOME LATE FEES TO BE A PERCENTAGE OF THE ANNUAL FEE; AMENDING SECTION 8.12.200 TO REVISE THE SMALL FAMILY CHILD CARE HOME REINSTATEMENT FEE TO BE A PERCENTAGE OF THE ANNUAL FEE; AMENDING SECTION 8.14.035 TO REPLACE A REFERENCE TO THE TERM "LEVEL III FOOD HANDLER" WITH "PREP/COOK FOOD HANDLER OR FOOD MANAGER" FOR THE TYPE OF PERMIT AN OPERATOR OR PERSON IN CHARGE OF FOOD PREPARATION MUST HOLD; AMENDING SECTION 8.14.037 TO INCREASE CHILD CARE PROGRAM PERMIT FEES; AMENDING SECTION 8.14.065 TO REVISE CHILD CARE PROGRAM LATE FEES TO BE A PERCENTAGE OF THE ANNUAL FEE; AMENDING SECTION 8.14.150 TO REVISE THE CHILD CARE PROGRAM REINSTATEMENT FEE TO BE A PERCENTAGE OF THE ANNUAL FEE; AMENDING SECTION 8.20.150 TO INCREASE FOOD CODE PERMIT FEES; AMENDING SECTION 8.24.150 TO INCREASE THE PERMIT FEE FOR A VARIANCE OF THE NOISE CONTROL ORDINANCE; AMENDING SECTION 8.38.090 TO INCREASE PUBLIC SWIMMING POOL PERMIT FEES; AMENDING SECTION 8.40.070

TO INCREASE SPA FACILITY PERMIT AND INSPECTION FEES; AMENDING SECTION 8.44.070 TO INCREASE PERMIT FEES FOR WATER WELLS; AND REPEALING SECTIONS 8.06.145, 8.08.060, 8.08.150, 8.12.035, 8.12.075, 8.12.200, 8.14.035, 8.14.037, 8.14.065, 8.14.150, 8.20.150, 8.24.150, 8.38.090, 8.40.070 AND 8.44.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Title 8 of the Lincoln Municipal Code relating to Health and Sanitation, by amending Section 8.06.145 to increase open burning permit fees; amending Section 8.08.060 to increase body art establishment permit fees; amending Section 8.08.150 to increase body art practitioner permit fees; amending Section 8.12.035 to increase small family child care home permit fees and to decrease the annual fee paid for new certificates of compliance issued after July 31 of each year; amending Section 8.12.075 to revise the small family child care home late fees to be a percentage of the annual fee; amending Section 8.12.200 to revise the small family child care home reinstatement fee to be a percentage of the annual fee; amending Section 8.14.035 to replace a reference to the term "Level III Food Handler" with "Prep/Cook Food Handler or Food Manager" for the type of permit an operator or person in charge of food preparation must hold; amending Section 8.14.037 to increase child care program permit fees; amending Section 8.14.065 to revise child care program late fees to be a percentage of the annual fee; amending Section 8.14.150 to revise the child care program reinstatement fee to be a percentage of the annual fee; amending Section 8.20.150 to increase food code permit fees; amending Section 8.24.150 to increase the permit fee for a variance of the noise control ordinance; amending Section 8.38.090 to increase public swimming pool permit fees; amending Section 8.40.070 to increase spa facility permit and inspection fees; amending Section 8.44.070 to increase permit fees for water wells; and repealing Sections 8.06.145, 8.08.060, 8.08.150, 8.12.035, 8.12.075, 8.12.200, 8.14.035, 8.14.037, 8.14.065, 8.14.150, 8.20.150, 8.24.150, 8.38.090, 8.40.070 and 8.44.070 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19302**, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 5.41 OF THE LINCOLN MUNICIPAL CODE RELATING TO SALVAGING, RECYCLING, AND COMPOSTING OPERATIONS BY AMENDING SECTION 5.41.050 TO INCREASE THE PERMIT FEES REQUIRED UNDER THAT CHAPTER; AMENDING SECTION 5.41.060 TO INCREASE THE OCCUPATION TAX LEVIED UPON SALVAGE OPERATIONS AND COMMERCIAL COMPOSTING OPERATIONS; AND REPEALING SECTIONS 5.41.050 AND 5.41.060 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 5.41 of the Lincoln Municipal Code relating to Salvaging, Recycling, and Composting Operations by amending Section 5.41.050 to increase the permit fees required under that chapter; amending Section 5.41.060 to increase the occupation tax levied upon salvage operations and commercial composting operations; and repealing Sections 5.41.050 and 5.41.060 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19303**, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE, THE LINCOLN FOOD CODE, BY AMENDING SECTION 8.20.190 TO REQUIRE THE FOOD PERMIT HOLDER RATHER THAN THE FOOD ESTABLISHMENT TO MAINTAIN STAFFING RECORDS AND TO ARRANGE FOR AND REQUIRE ALL EMPLOYEES TO HAVE A VALID FOOD HANDLER PERMIT AND/OR FOOD MANAGER PERMIT; AMENDING SECTION 8.20.300 TO PROVIDE FOR REVOCATION OF A PERMIT UNDER THE LINCOLN FOOD CODE IN ADDITION TO SUSPENSION; AMENDING SECTION 8.20.310 TO CLARIFY EXISTING LANGUAGE REGARDING CONDITIONS FOR REISSUANCE OF A SUSPENDED PERMIT; AND REPEALING SECTIONS

8.20.190, 8.20.300, AND 8.20.310 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.20 of the Lincoln Municipal Code, the Lincoln Food Code, by amending Section 8.20.190 to require the food permit holder rather than the food establishment to maintain staffing records and to arrange for and require all employees to have a valid food handler permit and/or food manager permit; amending Section 8.20.300 to provide for revocation of a permit under the Lincoln Food Code in addition to suspension; amending Section 8.20.310 to clarify existing language regarding conditions for reissuance of a suspended permit; and repealing Sections 8.20.190, 8.20.300, and 8.20.310 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.  
The ordinance, being numbered **#19304**, is recorded in Ordinance Book #26, Page

ANNEXATION 09003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 27.52 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 91ST STREET AND HIGHWAY 2 (RELATED ITEMS 09-120, 09-121) - PRIOR to reading:  
SNYDER Moved to Place Bill No. 09-120 on Pending, Date Certain to October 5, 2009.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.  
CLERK Read an ordinance, introduced by Jon Camp, 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.

CHANGE OF ZONE 09011 - APPLICATION OF ANDERMATT LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT SOUTHLAKE PUD FOR APPROXIMATELY 104,000 SQUARE FEET OF HEALTH CARE FACILITY, APPROXIMATELY 50,000 SQUARE FEET OF OFFICE, AND APPROXIMATELY 15,000 SQUARE FEET OF COMMERCIAL, AND APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES TO MODIFY STANDARDS OF THE UNDERLYING ZONING DISTRICT, SUBDIVISION REGULATIONS AND DESIGN STANDARDS, ON PROPERTY GENERALLY LOCATED AT S. 91ST STREET AND HIGHWAY 2 (RELATED ITEMS 09-120, 09-121) - PRIOR to reading:

SNYDER Moved to Place Bill No. 09-121 on Pending, Date Certain to October 5, 2009.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHANGE OF ZONE 09020HP - APPLICATION OF WILLIAM J. AND MYRNA WOOD TO DESIGNATE THE ARNOTT AND LOUISA RICKETTS MANSION AT 400 SOUTH 33RD STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Jon Camp, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the third time.

CAMP Moved to pass the ordinance as read.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.  
The ordinance, being numbered **#19305**, is recorded in Ordinance Book #26, Page

COMPREHENSIVE PLAN CONFORMANCE 09008 - DECLARING APPROXIMATELY 12.56 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 56TH STREET AND BLUFF ROAD AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - CLERK read an ordinance, introduced by Jon Camp, declaring approximately 12.56 acres of City-owned property generally located at North 56<sup>th</sup> Street and Bluff Road as surplus and authorizing the sale thereof, the third time.

CAMP Moved to pass the ordinance as read.  
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.  
The ordinance, being numbered **#19306**, is recorded in Ordinance Book #26, Page

#### **OPEN MICROPHONE SESSION**

Dale Gardner, 4415 Calvert St., came forward to present photos of his neighborhood sidewalk issues and to request resolution to the problems. He feels safety is important.

Roger Figard, Public Works & Utilities City Engineer, came forward to state that even though resources are limited, sidewalk repair is slowly progressing through the City. He said Mr. Gardner's area is slated for 2011/12 but it is possible it can be declared an emergency situation and given priority in the summer of 2010.

Council Member Camp suggested setting up a match program to accelerate the fix up but Mr. Gardner was not in favor. Camp suggested continuing the discussion about sidewalk repairs with Public Works in a Pre-Council session in the near future.

#### **MISCELLANEOUS BUSINESS**

##### **PENDING -**

CAMP Moved to extend the Pending List to September 21, 2009.  
Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

##### **UPCOMING RESOLUTIONS**

A SPECIAL PUBLIC HEARING SHALL BE HELD ON MONDAY, SEPTEMBER 21, 2009 AT 3:00 P.M. OR AS SOON THEREAFTER AS POSSIBLE ON THE FOLLOWING RESOLUTION:  
APPROVING THE 2009-2010 CITY TAX RATE OF 0.28788 PER \$100.00 OF ASSESSED VALUATION - PRIOR to reading:

CLERK Requested a motion for approval.

CAMP So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING AND RATIFYING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN FIREFIGHTERS ASSOCIATION, LOCAL NO. 644, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, EFFECTIVE AUGUST 20, 2009 THROUGH AUGUST 31, 2010 - PRIOR to reading:

CARROLL Moved to Place Bill No. 09R-158 on Pending to have Public Hearing with Action on September 28, 2009.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CAMP            Moved to approve the remainder of the resolutions to have Public Hearing on September 21, 2009.  
                  Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**ADJOURNMENT 3:48 P.M.**

CAMP            Moved to adjourn the City Council meeting of September 14, 2009.  
                  Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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Joan E. Ross, City Clerk

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Sandy L. Dubas, Senior Office Assistant

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