

MINUTES OF THE BOARD OF EQUALIZATION HELD
MONDAY, NOVEMBER 9, 2009 IMMEDIATELY PRECEDING
REGULAR CITY COUNCIL MEETING

The Board of Equalization met at 3:00 p.m. in the City Council Chambers of the County-City Building in Lincoln, Nebraska as required by law.

Members Present: Jon Camp, Eugene Carroll, Jonathan Cook, Doug Emery, Adam Hornung, Jane Snyder, John Spatz.

EMERY The first order of business is to elect a chair.

COOK I move that we elect Doug Emery as chair.

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

EMERY 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 STREET;

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

DOWNTOWN MAINTENANCE DISTRICT GENERALLY EXTENDING FROM 7TH STREET ON THE WEST TO 17TH STREET ON THE EAST AND FROM R STREET ON THE NORTH, TO M STREET ON THE SOUTH AND SHALL IN ADDITION THERETO INCLUDE THE PROPERTIES ABUTTING ON THE WEST SIDE OF 7TH STREET FROM N STREET TO R STREET; THE PROPERTIES ABUTTING ON THE NORTH SIDE OF R STREET FROM 7TH STREET TO 10TH STREET AND THE PROPERTIES ABUTTING THE SOUTH SIDE OF M STREET FROM 8TH STREET TO 17TH STREET. IN ADDITION, THE DISTRICT SHALL INCLUDE PROPERTIES ABUTTING BOTH SIDES OF 13TH STREET FROM M STREET TO LINCOLN MALL AND ALL OF CORNHUSKER SQUARE.

Ron Cane, Urban Development Department, came forward as the staff person who prepared these assessments to answer any questions.

VOTING SESSION

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT generally bounded by H, 6TH, R, and 17TH Street;

CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY generally bounded by Centennial Mall, M, 9TH and Q Streets;

DOWNTOWN MAINTENANCE DISTRICT generally extending from 7th Street on the west to 17th Street on the east and from R Street on the north, to M Street on the south and shall in addition thereto include the properties abutting on the west side of 7th Street from N Street to R Street; the properties abutting on the north side of R Street from 7th Street to 10th Street and the properties abutting the south side of M Street from 8th Street to 17th Street. In addition, the district shall include properties abutting both sides of 13th Street from M Street to Lincoln Mall and all of Cornhusker Square.:

SPATZ Moved approval of all as assessed.

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

ADJOURNMENT

3:08 P.M.

CAMP Moved to adjourn Sine Die the Board of Equalization meeting.

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

THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 9, 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

CAMP Having been appointed to read the minutes of the City Council proceedings of November 2, 2009 reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF OLD FEDERAL PLACE LLC DBA JASMINE ROOM FOR A CLASS CK LIQUOR LICENSE AND TO EXPAND THE LICENSED AREA TO INCLUDE UNIT 113 (THE CELLAR) ON PROPERTY GENERALLY LOCATED AT 129 NORTH 10TH STREET;

MANAGER APPLICATION OF MONTE L. FROEHLICH FOR JASMINE ROOM/THE CELLAR AT 129 NORTH 10TH STREET - Monte Froelich, Manager of Old Federal Place LLC, no address given, took the oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF JAMES HARMAN DBA CHEAPEST DAMN CIGARETTES FOR A CLASS D LIQUOR LICENSE AT 4821 CORNHUSKER HIGHWAY - Michael Rierden, 645 "M" Street, Suite 200, took the oath and came forward representing James Harman to state the liquor application meets all requirements of the Nebraska Liquor Control Act.

James Harman, no address given, took the oath and stated in answer to a question that it would be too expensive to change "Damn" to "Darn" in the business name.

This matter was taken under advisement.

CHANGE OF ZONE 09025 - APPLICATION OF LINCOLN FEDERAL BANCORP FOR A CHANGE OF ZONE FROM R-5 RESIDENTIAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH 33RD STREET AND YANKEE HILL ROAD - Michael Rierden, 645 "M" Street, Suite 200, came forward on behalf of Lincoln Federal Bancorp to answer questions.

This matter was taken under advisement.

MISC. 09009-1 - AMENDING SECTION 26.23.140 OF THE LINCOLN MUNICIPAL CODE TO EXPAND THE EXCEPTIONS TO THE REQUIREMENT THAT EVERY LOT SHALL FRONT UPON AND TAKE ACCESS TO A PUBLIC STREET; AND REPEALING SECTION 26.23.140 AS HITHERTO EXISTING - Marvin Krout, Director of Planning Dept., came forward to state there are two unrelated subdivision item amendments to the subdivision code. The first deals with the exceptions to the general rule that you would find in any subdivision ordinance that a platted, recorded lot has to have access and frontage to a public street. There is a unified plan and a way to guarantee there will be proper access even though it may be indirect to a public or private street. It is proposed to make one more exception to the list for cases that have H4 zoning. In those cases similar to a Use Permit which they will have a unified plan to make sure that circulation and access are adequate even though it's not direct to a public or private street. It is felt since the subdivision ordinance is being opened up for the second amendment this would be the time to make an addition we have been meaning to make.

This matter was taken under advisement.

MISC. 09009-2 - AMENDING SECTION 26.31.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO MODIFICATION OF REQUIREMENTS TO GRANT THE PLANNING DIRECTOR AUTHORITY TO EXTEND THE TIME FOR INSTALLATION OF REQUIRED SUBDIVISION IMPROVEMENTS AND TO PROVIDE A PROCEDURE FOR APPEALS OF SUCH APPROVALS BY THE PLANNING DIRECTOR; AND REPEALING SECTION 26.31.010 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - Marvin Krout, Director of Planning, came forward to state this is streamlining the amendment. The subdivision ordinance requires that as part of approving a final plat it be guaranteed by a financial type of guarantee for all improvements necessary according to City standards for providing services to those lots. Improvements such as street paving, sidewalks, street lighting, street trees all of these types of improvements are guaranteed financially and will be installed within a certain time frame. An extension can be requested and is being proposed that the Planning Director handle these extensions administratively subject to an appeal to the Planning Commission. A portion of the improvement can be extended. The cost of filing the extension is less than if it goes before the Planning Commission and there is no additional fee if appealed. If a City project is delayed they would be reluctant to delay the developer's project.

This matter was taken under advisement.

APPROVING SUN VALLEY BAR & GRILL AS A KENO SATELLITE SITE AT 300 WEST P STREET - John Hewitt, no address given, came forward to state this is a change of ownership. The son is buying the business from his dad.

This matter was taken under advisement.

APPROVING AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND NEBRASKA GAME & PARKS COMMISSION FOR OPERATION OF THE ARCHERY RANGE LOCATED WITHIN HELEN BOOSALIS PARK AT 44TH AND SUPERIOR STREETS - Steve Hiller, Parks & Recreation, this is a second amendment with the Games & Parks Commission to develop a Master Plan for the archery shooting range. The Master Plan will cost \$85,308 with the Nebraska Game & Parks paying \$65,000 and the City the remainder. We do have grandiose plans for this archery range to include a fairly large indoor building with a cost estimate of approximately 1.5 to 2 million dollars. These funds would primarily come from the Games & Park Commission who are seeking grant dollars from several national organizations who are willing to fund it. There is a component of a small bore shooting range to be included.

This matter was taken under advisement.

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE SCHOOL DISTRICT OF THE CITY OF LINCOLN FOR USE OF LPS FACILITIES BY THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO CONDUCT EMERGENCY MASS CLINIC OPERATIONS - Judy Halstead, Health Department, this is a four year agreement with Lincoln Public Schools which allows us to use their facilities in the case of an emergency. The Health Director already has authority to take over public buildings if necessary in an emergency under the Emergency Act and under Lincoln Municipal Code 8.18.140 Communicable Disease Act.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA-LINCOLN, DEPT. OF FOOD SCIENCE AND TECHNOLOGY, TO PROVIDE ONLINE FOOD HANDLERS TRAINING PROGRAMS FOR THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR A TERM OF DECEMBER 1, 2009 THROUGH NOVEMBER 30, 2013 - Scott Holmes, Manager of Environmental Health Division of Health Dept., stated this particular project will develop online food handler training and work closely with their Outreach Education Department to develop a program which is competency based on the understanding of research equivalent to in-person training.

This matter was taken under advisement.

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

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REPORT OF CITY TREASURER OF CASH ON HAND AT THE CLOSE OF BUSINESS SEPTEMBER 30, 2009 - CLERK presented said report which was placed on file in the Office of the City Clerk.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED SEPTEMBER 30, 2009 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-85577 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended September 30, 2009, \$377,460.74 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 Jon Camp

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

PETITIONS & COMMUNICATIONS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF OLD FEDERAL PLACE LLC DBA JASMINE ROOM FOR A CLASS CK LIQUOR LICENSE AND TO EXPAND THE LICENSED AREA TO INCLUDE UNIT 113 (THE CELLAR) ON PROPERTY GENERALLY LOCATED AT 129 NORTH 10TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85578 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 Old Federal Place LLC dba Jasmine Room/The Cellar for a Class "CK " liquor license and to expand the licensed premises to include Unit 113 at 129 North 10th Street, Lincoln, Nebraska, for the license period ending October 31, 2020, be approved with the condition that the premise complies 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 MONTE L. FROEHLICH FOR JASMINE ROOM/THE CELLAR AT 129 NORTH 10TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85579 WHEREAS, Old Federal Place LLC dba Jasmine Room/The Cellar located at 129 North 10th Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Monte L. Froehlich be named manager;

WHEREAS, Monte L. Froehlich 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 Monte L. Froehlich 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 JAMES HARMAN DBA CHEAPEST DAMN CIGARETTES FOR A CLASS D LIQUOR LICENSE AT 4821 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85580 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 James Harmon dba Cheapest Damn Cigarettes for a Class "D" liquor license at 4821 Cornhusker Highway, Lincoln, Nebraska, for the license period ending April 30, 2010, be approved with the condition that the premise complies 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.

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

CHANGE OF ZONE 09025 - APPLICATION OF LINCOLN FEDERAL BANCORP FOR A CHANGE OF ZONE FROM R-5 RESIDENTIAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH 33RD STREET AND YANKEE HILL ROAD - CLERK read an ordinance, introduced by John Spatz, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

MISC. 09009-1 - AMENDING SECTION 26.23.140 OF THE LINCOLN MUNICIPAL CODE TO EXPAND THE EXCEPTIONS TO THE REQUIREMENT THAT EVERY LOT SHALL FRONT UPON AND TAKE ACCESS TO A PUBLIC STREET; AND REPEALING SECTION 26.23.140 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by John Spatz, amending Section 26.23.140 of the Lincoln Municipal Code to expand the exceptions to the requirement that every lot shall front upon and take access to a public street; and repealing Section 26.23.140 of the Lincoln Municipal Code as hitherto existing, the second time.

MISC. 09009-2 - AMENDING SECTION 26.31.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO MODIFICATION OF REQUIREMENTS TO GRANT THE PLANNING DIRECTOR AUTHORITY TO EXTEND THE TIME FOR INSTALLATION OF REQUIRED SUBDIVISION IMPROVEMENTS AND TO PROVIDE A PROCEDURE FOR APPEALS OF SUCH APPROVALS BY THE PLANNING DIRECTOR; AND REPEALING SECTION 26.31.010 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by John Spatz, amending Section 26.31.010 of the Lincoln Municipal Code relating to modification of requirements to grant the Planning Director authority to extend the time for installation of required subdivision improvements and to provide a procedure for appeals of such approvals by the Planning Director; and repealing Section 26.31.010 of the Lincoln Municipal Code as hitherto existing, the second time.

PUBLIC HEARING RESOLUTIONS

APPROVING SUN VALLEY BAR & GRILL AS A KENO SATELLITE SITE AT 300 WEST P STREET - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85581 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purposes of providing for a joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of a keno type lottery with EHPV Lottery Services, LLC, a Nebraska limited liability company; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno Contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno Contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of Sun Valley Bar & Grill, 300 West P Street, Lincoln, NE 68528.

The City Clerk is directed to return an executed copy of this Resolution to Sun Valley Bar & Grill and a copy to EHPV Lottery Services, LLC.

Introduced by John Spatz

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

ACCEPTING A WARRANTY DEED FROM SHOEMAKER'S TRUCK STATION, INC. DEDICATING THE PROPERTY AS STREET RIGHT-OF-WAY FOR THE EXTENSION OF S.W. 48TH STREET SOUTH OF WEST O STREET TO THE SOUTHERN BOUNDARY OF THE SHOEMAKER'S PROPERTY - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85582 WHEREAS, the City of Lincoln Redevelopment Agreement (Shoemaker's Travel Plaza Redevelopment Project) between Shoemaker's Truck Station, Inc. and the City of Lincoln required Shoemaker's Truck Station, Inc. to deed to the City the necessary right-of-way for the extension of S.W. 48th Street, south from West O Street to the southern boundary of the Shoemaker's Truck Station, Inc. property; and

WHEREAS, Shoemaker's Truck Station, Inc. has conveyed to the City by Corporation Warranty Deed a tract of land composed of a portion of Lot 37 I.T., located in the Northwest Quarter of Section 30, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska (Lot 37 I.T.); and

WHEREAS, the City desires to accept said conveyance and to declare and dedicate said property for use as street right-of-way to be known as S.W. 48th Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a portion of Lot 37 I.T. as described in the attached Corporation Warranty Deed from Shoemaker's Truck Station, Inc. attached hereto as Attachment "A" and incorporated hereby by this reference, is hereby declared and dedicated to be used for street right-of-way to be known as S.W. 48th Street.

The City Clerk is directed to forward a copy of this Resolution to Steve Titus, Department of Public Works & Utilities.

Introduced by John Spatz

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

APPROVING AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND NEBRASKA GAME & PARKS COMMISSION FOR OPERATION OF THE ARCHERY RANGE LOCATED WITHIN HELEN BOOSALIS PARK AT 44TH AND SUPERIOR STREETS - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85583 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Amendment No. 2 to the Interlocal Agreement between the Nebraska Game and Parks Commission and the City of Lincoln Parks and Recreation Department, for the operation of the archery range located in Helen Boosalis Park generally located at 44th and Superior Streets to include provisions for hiring a consultant to develop a master plan and budget for the indoor shooting range and park area, upon the terms and conditions set forth in said Amendment No. 2 attached hereto, is hereby approved.

The City Clerk is hereby directed to transmit a certified copy of the executed originals of said Agreements to Lynn Johnson, Parks and Recreation Department, for transmittal to the Nebraska Game and Parks Commission and Prairie Bowman Archery Club.

Introduced by John Spatz

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

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE SCHOOL DISTRICT OF THE CITY OF LINCOLN FOR USE OF LPS FACILITIES BY THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO CONDUCT EMERGENCY MASS CLINIC OPERATIONS - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85584 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Service Agreement between the City of Lincoln and School District of the City of Lincoln, aka Lincoln Public Schools, to allow the City to use Lincoln Public Schools facilities by the Lincoln-Lancaster County Health Department to conduct emergency mass clinic operations during emergency or crisis situations, upon the terms and conditions set forth in said Service Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to forward one fully executed original of said Agreement to Bruce Dart, Lincoln-Lancaster County Health Department Director, for transmittal to Lincoln Public Schools.

Introduced by John Spatz

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA-LINCOLN, DEPT. OF FOOD SCIENCE AND TECHNOLOGY, TO PROVIDE ONLINE FOOD HANDLERS TRAINING PROGRAMS FOR THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR A TERM OF DECEMBER 1, 2009 THROUGH NOVEMBER 30, 2013 - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85585 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Agreement between the City of Lincoln and the University of Nebraska-Lincoln, Department of Food Science and Technology, to provide online food handlers training programs for the Lincoln-Lancaster County Health Department upon the terms and conditions as set forth in said Agreement, which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby accepted and approved and the Mayor is hereby authorized to execute said Agreement on behalf of the City.

The City Clerk is directed to send a copy of this Resolution and one fully executed Agreement to Bruce Dart, Lincoln-Lancaster County Health Department Director for transmittal to the University of Nebraska-Lincoln.

Introduced by John Spatz

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

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (as required) - NONE

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

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER M BY CHANGING THE TITLE OF DEPUTY FIRE CHIEF TO BATTALION CHIEF, BY CHANGING THE TITLE OF DEPUTY FIRE CHIEF OF TRAINING TO DIVISION CHIEF OF TRAINING AND BY CHANGING THE TITLE OF AND REVISING THE CLASSIFICATION OF DEPUTY FIRE CHIEF OF MAINTENANCE TO DIVISION CHIEF OF MAINTENANCE - CLERK read an ordinance, introduced by Jane Snyder, 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 current job classification titles of "Deputy Fire Chief" to "Battalion Chief"; "Deputy Fire Chief of Training" to "Division Chief of Training"; and "Deputy Fire Chief of Maintenance" to "Division Chief of Maintenance," the third time.

SNYDER 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 #19327, is recorded in Ordinance Book #26, Page

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER C BY CHANGING THE PAY RANGE FOR THE JOB CLASSIFICATION OF URBAN SEARCH AND RESCUE SPECIALIST - CLERK read an ordinance, introduced by Jane Snyder, amending Section 3 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 "C," by changing the pay range of the job classification "Urban Search and Rescue Specialist" from C17 to C23, the third time.

SNYDER 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 #19328, is recorded in Ordinance Book #26, Page

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGES WHICH ARE PREFIXED BY THE LETTERS N AND C BY CHANGING THE TITLE AND PAY RANGE FOR THE JOB CLASSIFICATION OF RADIO SYSTEM LEAD TECHNICIAN (N20) TO RADIO SYSTEM SPECIALIST (C27) AND BY CHANGING THE TITLE AND PAY RANGE FOR THE JOB CLASSIFICATION OF RADIO SYSTEM LEAD TECHNICIAN (N21) TO RADIO SYSTEM LEAD SPECIALIST (C28) - CLERK read an ordinance, introduced by Jane Snyder, amending Section 1 of Ordinance No. 18972 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 "N," and amending Section 3 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 "C," by changing the current job classification title of "Radio System Technician" to "Radio System Specialist" and changing the related pay range from N20 to C27, and changing the current job classification title of "Radio System Lead Technician" to "Radio System Lead Specialist" and changing the related pay range from N21 to C28, the third time.

SNYDER 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 #19329, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE HP 09020 - AMENDING ORDINANCE NO. 19305, PASSED BY THE CITY COUNCIL ON SEPTEMBER 14, 2009, TO ACCEPT A CORRECTED EXHIBIT "A", GUIDELINES FOR PRESERVATION FOR RICKETS MANSION, ATTACHED TO THE ORDINANCE - CLERK read an ordinance, introduced by Jane Snyder, amending Ordinance No. 19305 passed by the City Council of the City of Lincoln, Nebraska on September 14, 2009, to adopt the correct Exhibit "A", Preservation Guidelines for Ricketts Mansion, 400 South 33rd Street, the third time.

SNYDER 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 #19330, is recorded in Ordinance Book #26, Page

ADOPTING AN AMENDED AND RESTATED CITY OF LINCOLN EMPLOYEES' RETIREMENT PLAN AND TRUST FOR CIVILIAN (NON-UNIFORMED SERVICE) EMPLOYEES PROVIDING FOR A CHANGE IN EMPLOYER CONTRIBUTIONS FOR EMPLOYEES HIRED AFTER A DATE CERTAIN AND ADOPTING IRS INTERIM AMENDMENTS NO. 1 AND NO. 2. (10/5/09 - Action Delayed to 10/12/09) (10/12/09 - Action Delayed to 10/19/09) - PRIOR to reading:

COOK Moved to delay action of Bill No. 09-132 for one week to 11/16/09.

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

CLERK Read an ordinance, introduced by Jane Snyder, adopting an amended and restated version of the City of Lincoln Employees' Retirement Plan and Trust to provide that the employer contribution for employees hired on or after November 4, 2010 will be an amount equal to 3% of an employee's compensation up to and including \$4,800.00 plus 6% of his or compensation in excess of \$4,800.00 plus 6% of his or compensation in excess of \$4,800.00; to adopt Interim Amendment No. 1 relating to final IRS regulations under Internal Revenue Code Section 415 and Section 411(d)(6); and to adopt Interim Amendment No. 2 relating to the plan qualification requirements under the Pension Protection Act of 2006 (PPA) and other I.R.S. guidance; and to repeal Ordinance No. 17685 as hitherto existing, the third time.

OPEN MICROPHONE SESSION

Teri Pope-Gonzalez, 349 S. 1st Street, came forward to present pictures in regard to the issue of the dust from Delgado Concrete that is settling in her area causing an unhealthy environment.
This matter was taken under advisement.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to November 16, 2009.
 Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on November 16, 2009.
 Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT 3:46 P.M.

CAMP Moved to adjourn the City Council meeting of November 9, 2009.
 Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

