REGULAR MEETING  
AUGUST 2, 2010  
Page 575

THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 2, 2010 AT 3:00 P.M.

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

Council Chair Spatz 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

COOK Having been appointed to read the minutes of the City Council proceedings of July 26 reported having done so, found same correct.  

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

PUBLIC HEARING

APPLICATION OF MJBK, INC. DBA CORNHUSKER BOTTLE SHOP FOR A CLASS D LIQUOR LICENSE AT 2310 NORTH 1ST STREET;  
MANAGER APPLICATION OF MARK A. TREINEN FOR MJBK, INC. DBA CORNHUSKER BOTTLE SHOP AT 2310 NORTH 1ST STREET - Mark Treinen, 5616 Bodie Circle, came forward to take oath and answer questions.  

This matter was taken under advisement.

AMENDING SECTION 10.32.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKING OF VEHICLES ON STREETS ADJACENT TO RESIDENTIALLY ZONED PROPERTY TO EXTEND THE LENGTH OF TIME A TRUCK CABIN TRAILER AND SELF-PROPELLED MOBILE HOME, SEMI-TRAILER, TRAILER, OR TRUCK-TRACTOR MAY LAWFULLY PARK FOR LOADING OR UNLOADING, DELIVERY, OR COLLECTION OF GOODS, WARES, MERCHANDISE, OR MATERIALS FROM TWO HOURS TO FOUR HOURS - Lee Towle, 4110 W. Huntington Ave., came forward in support of the code change. He said as an owner of a camper and father of four, preparation for a camping trip should not be a stressful event to get loaded in two hours or less simply to avoid a parking ticket.  

John Austin, 826 S. 14th St., came forward to comment on residential parking. He suggested the length of time should be extended to eight hours.  
Inv. Russ Fosler, LPD, came forward to answer questions on enforcement. He clarified that the clock starts when an officer arrives at the scene to mark the tires as physical evidence, not when a concerned neighbor reports the violation.  
Tom Casady, Chief of Police, came forward to answer questions. He affirmed that police are sent out on any citizen call whether it is prior to the parking violation or after the allotted time.  

This matter was taken under advisement.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY ADJUSTING THE HOURLY PAY RANGE SCHEDULE AND SCHEDULES OF ANNUAL, MONTHLY, BIMESTERLY, AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES OF THE CITY OF LINCOLN WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY "M";  
AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER C BY CHANGING THE PAY RANGE OF THE CLASSIFICATION ENVIRONMENTAL COMPLIANCE TECHNICIAN;  
AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER N BY CHANGING THE TITLE OF THE CLASSIFICATIONS STORES CLERK II, METER READER II, AND PARKS PLUMBER II;  
AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER N BY DELETING THE CLASSIFICATIONS PUBLICATIONS SPECIALIST, RIGHT OF WAY TECHNICIAN, REAL ESTATE CLERK, STORES CLERK I, ENVIRONMENTAL HEALTH TECHNICIAN, MAINTENANCE MECHANIC, UTILITY SERVICE TECHNICIAN, METER READER I, AND PARKS PLUMBER I - Mark A. Koller, Director of Personnel, came forward to state that the amendment to the M Class is a renewal of the one-year contract; amendment to the C Class does involve a financial impact and is in response to an audit; finally, amendments to the N Class are for clean up of the pay scales with no financial impact.  

This matter was taken under advisement.
APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND EMS TECHNOLOGY SOLUTIONS, LLC FOR EMS INVENTORY MANAGEMENT SOLUTION, PURSUANT TO BID NO. 10-119, FOR A FOUR YEAR TERM WITH AN OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM;

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND COMMUNICATION SERVICES, INC. FOR THE ANNUAL REQUIREMENTS OF 802.11 A/B/G RADIOS, PURSUANT TO BID NO. 10-086, FOR A FOUR-YEAR TERM - Miles Ford, Fire Chief, came forward to answer questions. He said this money-saving purchase will assist with inventory management. In response to funding questions, Chief Ford said although the split may vary somewhat, it could be divided as follows: 80% to the EMS/Ambulance and 20% to the Fire Department.

Bob Walla, Assistant Purchasing Agent, came forward to answer questions. He clarified that the bar codes are specific to the software.

Tim Pratt, Public Works & Utilities, came forward to answer questions about the radio contract as being an as-needed purchase. He explained that the contract supplies specific radios that communicate traffic signals and link up to the Fire Department; it services storm-related outages/replacements and is key to the intelligent transportation system master plan.

Mr. Walla responded to Council questions stating that multi-year contracts streamline the system and guarantee better pricing. He said contracts today have a 30- or 60-day out clause so that if new technology were to come up three years from now, or another option was a better fit, departments can look at something else.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING WAYNE BAUER TO THE AGING PARTNERS AREA-WIDE ADVISORY COUNCIL FOR A TERM EXPIRING JULY 1, 2012 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-85935  BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Wayne Bauer to the Aging Partners Area Wide Advisory Council for a term expiring July 1, 2012, is hereby approved.

Introduced by Jonathan Cook

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

APPOINTING TOM WRIGHT, RUSS F. NEIL, ROGER (R.J.) LIPERT AND JOY CITTA TO THE ALARM REVIEW BOARD FOR TERMS EXPIRING JULY 1, 2011, JULY 1, 2011, JULY 1, 2012 AND JULY 1, 2012, RESPECTIVELY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-85936  BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Tom Wright, Russ F. Neil, Roger (R.J.) Lipert and Joy Citta to the Alarm Review Board for terms expiring July 1, 2011, July 1, 2011, July 1 2012 and July 1, 2012, respectively, is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING JOE TIDBALL, ROBERT RIPLEY AND KAREN HAND TO THE PARKS AND RECREATION ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING APRIL 27, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-85937  BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Joe Tidball, Robert Ripley and Karen Hand to the Parks and Recreation Advisory Board for three-year terms expiring April 27, 2013, is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING RICK POORE, DONALD STADING AND KATHLEEN NEARY TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2014 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:
BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Rick Poore, Donald Stading and Kathleen Neary to the Charter Revision Commission for terms expiring July 15, 2014, is hereby approved.

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

REAPPOINTING CECIL STEWARD, KIM TODD, JOHN KAY, TOM LAGING AND JEFF SEARCY TO THE CAPITOL ENVIRONS COMMISSION FOR THREE-YEAR TERMS EXPIRING JANUARY 9, 2012, JANUARY 9, 2012, JANUARY 9, 2013, JANUARY 9, 2013 AND APRIL 15, 2013, RESPECTIVELY. (REQUEST TO WITHDRAW THIS RESOLUTION; APPOINTED BY GOVERNOR) - PRIOR to reading:

COOK Moved to amend Bill No. 10R-170 in the following manner:
1. On line 2, strike the comma after the name "John Kay" and insert the word "and".
2. On line 3, strike the language "and Jeff Searcy".
3. On line 4, strike the comma after the first year "2013" and insert the word "and".
4. On lines 4 & 5 strike the language ", and April 15, 2013".

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

APPLENTING RICK POORE AND TINA UDELL TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR THREE-YEAR TERMS EXPIRING SEPTEMBER 1, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Rick Poore and Tina Udell to the Community Health Endowment Board of Trustees for three year terms expiring September 1, 2013, is hereby approved.

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

REAPPOINTING MIKE TAVLIN AND CHARLENE GONDRING TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR TERMS EXPIRING SEPTEMBER 1, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Mike Tavlin and Charlene Gondring to the Community Health Endowment Board of Trustees for terms expiring September 1, 2013, is hereby approved.

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

REAPPOINTING CATHY BEECHAM AND BERWYN JONES TO THE HISTORIC PRESERVATION COMMISSION FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Cathy Beecham and Berwyn Jones to the Historic Preservation Commission for three-year terms expiring April 15, 2013, is hereby approved.

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

REAPPOINTING GORDON SCHOLZ, JOANNE KISSEL AND MARY ANNE NELLS TO THE URBAN DESIGN COMMITTEE FOR THREE-YEAR TERMS EXPIRING FEBRUARY 1, 2012, FEBRUARY 1, 2012 AND FEBRUARY 1, 2013, RESPECTIVELY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:
BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Gordon Scholz, Joanne Kissel and Mary Anne Wells to the Urban Design Committee for three-year terms expiring February 1, 2012, February 1, 2012 and February 1, 2013, respectively, is hereby approved.
Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPOINTING STEVE SPEICHER TO THE STARTRAN ADVISORY BOARD FOR A TERM EXPIRING OCTOBER 20, 2011 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Steve Speicher to the StarTran Advisory Board for a term expiring October 20, 2011, is hereby approved.
Seconded by Jonathan Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS JUNE 30, 2010 - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 16, 2010 AT 3:00 P.M. FOR THE APPLICATION OF TRADER JOE'S COMPANY DBA TRADER JOE'S #722 FOR A CLASS C LIQUOR LICENSE LOCATED AT 3120 PINE LAKE ROAD, SUITE R - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 16, 2010, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the application of Trader Joe's Company dba Trader Joe's #722 for a Class C liquor license located at 3120 Pine Lake Road, Suite R. If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

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

THE FOLLOWING HAS BEEN PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment No. 07071 to Special Permit No. 07011 Wild Acres approved by the Planning Director on July 22, 2010 requested by ESP, Inc., to move Lot 15 on Ashland Road to a location abutting N. 1st Street on property generally located at N. 14th Street and Ashland Road.

LIQUOR RESOLUTIONS

APPLICATION OF MJBK, INC. DBA CORNHUSKER BOTTLE SHOP FOR A CLASS D LIQUOR LICENSE AT 2310 NORTH 1ST STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of MJBK Inc. dba Cornhusker Bottle Shop for a Class "D" liquor license at 2310 North 1st Street, Lincoln, Nebraska, for the license period ending April 30, 2011, 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 Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF MARK A. TREINEN FOR MJBK, INC. DBA CORNHUSKER BOTTLE SHOP AT 2310 NORTH 1ST STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

WHEREAS, MJBK, Inc. dba Cornhusker Bottle Shop located at 2310 North 1st Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Mark A. Treinen be named manager; WHEREAS, Mark A. Treinen 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 Mark A. Treinen be approved as manager 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 Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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

AMENDING SECTION 10.32.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKING OF VEHICLES ON STREETS ADJACENT TO RESIDENTIALLY ZONED PROPERTY TO EXTEND THE LENGTH OF TIME A TRUCK CABIN TRAILER AND SELF-PROPELLED MOBILE HOME, SEMITRAILER, TRAILER, OR TRUCK-TRACTOR MAY LAWFULLY PARK FOR LOADING OR UNLOADING, DELIVERY, OR COLLECTION OF GOODS, WARES, MERCHANDISE, OR MATERIALS FROM TWO HOURS TO FOUR HOURS - CLERK read an ordinance, introduced by John Spatz, amending Section 10.32.070 of the Lincoln Municipal Code relating to parking of vehicles on streets adjacent to residentially zoned property to extend the length of time a truck cabin trailer and self-propelled mobile home, semitrailer, trailer, or truck-tractor may lawfully park for loading or unloading, delivery, or collection of goods, wares, merchandise, or materials from two hours to four hours, and repealing Section 10.32.070 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY ADJUSTING THE HOURLY PAY RANGE SCHEDULE AND SCHEDULES OF ANNUAL, MONTHLY, BIMONTHLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES OF THE CITY OF LINCOLN WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY "M" - CLERK read an ordinance, introduced by Jonathan Cook, 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. 19370, passed by the City Council on April 5, 2010, the second time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CHANGING THE TITLE OF THE CLASSIFICATIONS STORES CLERK II, METER READER II, AND PARKS PLUMBER II - CLERK read an ordinance, introduced by Jonathan Cook, 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 "C," by changing the job classification "Environmental Compliance Technician" from C19 to C24, the second time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "N" BY CHANGING THE TITLE OF THE CLASSIFICATIONS STORES CLERK II, METER READER II, AND PARKS PLUMBER II - CLERK read an ordinance, introduced by Jonathan Cook, 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," by changing the job classification titles of "Stores Clerk II," "Meter Reader II," and "Parks Plumber II," to "Stores Clerk," "Meter Reader," and "Parks Plumber," respectively, the second time.

PUBLIC HEARING - RESOLUTIONS

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND EMS TECHNOLOGY SOLUTIONS, LLC FOR EMS INVENTORY MANAGEMENT SOLUTION, PURSUANT TO BID NO. 10-119, FOR A FOUR YEAR TERM WITH AN OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM. (P.H. W/ACTION CON’T. 1 WK TO 8/2/10) - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-85948
BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Contract Agreement between the City of Lincoln and EMS Technology Solutions, LLC for EMS Inventory Management Solution, pursuant to Bid No. 10-119, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.
The City Clerk is directed to transmit one original copy of said Agreement to the Purchasing Agent for delivery to EMS Inventory Management Solution.

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

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND COMMUNICATION SERVICES, INC. FOR THE ANNUAL REQUIREMENTS OF 802.11 A/B/G RADIOS, PURSUANT TO BID NO. 10-086, FOR A FOUR-YEAR TERM. (P.H. W/ACTION CON’T. 1 WK TO 8/2/10) - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-85949
BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Contract Agreement between the City of Lincoln and Communication Services, Inc. for the annual requirements of 802.11 A/B/G Radios, pursuant to Bid No. 10-086, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.
The City Clerk is directed to transmit one original copy of said Agreement to the Purchasing Agent for delivery to Communication Services, Inc.

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

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

APPROVING AMENDMENT NO. 2 TO THE VILLAGE GARDENS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND VILLAGE GARDENS DEVELOPMENT COMPANY, LLC, RELATING TO THE ANNEXATION OF APPROXIMATELY 15.5 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 62ND STREET AND YANKER HILL ROAD. (RELATED ITEMS: 10R-182, 10-99, 10-100) (ACTION DATE: 8/16/10)

ANNEXATION NO.10001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 15.5 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 62ND STREET AND YANKER HILL ROAD. (RELATED ITEMS: 10R-182, 10-99, 10-100) (ACTION DATE: 8/16/10) - CLERK read an ordinance, introduced by Doug Emery, 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 first time.
CHANGE OF ZONE NO. 10006 - APPLICATION OF VILLAGE GARDENS DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT GENERALLY LOCATED AT SOUTH 62ND STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 10R-182, 10-99, 10-100) (ACTION DATE: 8/16/10) - CLERK read an ordinance, introduced by Doug Emery, 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 first time.

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 IN POSITIONS AND PAY RANGES PREFIXED BY THE LETTER "M" ON OR AFTER SEPTEMBER 1, 2010 WILL BE IN AN AMOUNT EQUAL TO 9% OF AN EMPLOYEE'S COMPENSATION; AND TO FURTHER PROVIDE THAT THE MANDATORY EMPLOYEE CONTRIBUTION FOR EMPLOYEES HIRED IN POSITIONS AND PAY RANGES PREFIXED BY THE LETTER "M" ON OR AFTER SEPTEMBER 1, 2010 WILL BE IN AN AMOUNT EQUAL TO 7% OF AN EMPLOYEE'S COMPENSATION - CLERK read an ordinance, introduced by Doug Emery, 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 in positions and pay ranges prefixed by the letter "M" on or after September 1, 2010 will be in an amount equal to 9% of an employee's compensation; and to further provide that the mandatory employee contribution for employees hired in positions and pay ranges prefixed by the letter "M" on or after September 1, 2010 will be in an amount equal to 7% of an employee's compensation, the first time.

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 IN POSITIONS AND PAY RANGES PREFIXED BY THE LETTERS "A", "B" AND "C" ON OR AFTER SEPTEMBER 1, 2010 WILL BE IN AN AMOUNT EQUAL TO 9% OF AN EMPLOYEE'S COMPENSATION; AND TO FURTHER PROVIDE THAT THE MANDATORY EMPLOYEE CONTRIBUTION FOR EMPLOYEES HIRED IN POSITIONS AND PAY RANGES PREFIXED BY THE LETTERS "A", "B" AND "C" ON OR AFTER SEPTEMBER 1, 2010 WILL BE IN AN AMOUNT EQUAL TO 7% OF AN EMPLOYEE'S COMPENSATION - CLERK read an ordinance, introduced by Doug Emery, 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 in positions and pay ranges prefixed by the letters "A", "B" and "C" on or after September 1, 2010 will be in an amount equal to 9% of an employee's compensation, the first time.

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE, OFFICERS, DEPARTMENTS AND PERSONNEL, BY AMENDING SECTIONS 2.62.010, 2.65.010 AND 2.66.010 RELATING TO THE ESTABLISHMENT OF POLICE AND FIRE PENSION PLANS A, B AND C, RESPECTIVELY, TO AMEND THE DATE BY WHICH THE REQUIRED CITY NORMAL COST CONTRIBUTIONS TO THE POLICE AND FIRE PENSION FUND ARE TO BE MADE - PRIOR to reading:

COOK Moved to have 2nd Reading with Public Hearing on Bill No. 10-103 at 2:30 p.m. on August 9, 2010 along with Bill No. 10R-180.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder, Spatz; NAYS: Emery.

CLERK Read an ordinance, introduced by Doug Emery, amending Title 2 of the Lincoln Municipal Code, Officers, Departments and Personnel, by amending Sections 2.62.010, 2.65.010 and 2.66.010 relating to the establishment of Police and Fire Pension Plans A, B and C, respectively, to amend the date by which the required city normal cost contributions to the Police and Fire Pension Fund are to be made; and repealing Sections 2.62.010, 2.65.010, and 2.66.010 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 2.42.040 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE PARKING SERVICES DIVISION OF THE URBAN DEVELOPMENT DEPARTMENT SHALL BE RESPONSIBLE FOR MANAGING ON-STREET AND OFF-STREET PARKING OF THE CITY OF LINCOLN; AMENDING CHAPTER 10.02 OF THE LINCOLN MUNICIPAL CODE RELATING TO DEFINITIONS ASSOCIATED WITH VEHICLES AND TRAFFIC TO PROVIDE DEFINITIONS FOR "PARKING CONTROL OFFICER" AND "PARKING SERVICES ENFORCEMENT AREA"; AMENDING SECTION 10.06.010 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE DIRECTOR OF PUBLIC WORKS AND UTILITIES SHALL DETERMINE WHERE PUBLIC PARKING WILL BE METERED OR OTHERWISE REGULATED; AMENDING SECTION 10.06.070 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT PARKING CONTROL OFFICERS SHALL HAVE THE POWER TO ISSUE CITATIONS FOR THE SPECIFIC PARKING AND REGISTRATION VIOLATIONS SET FORTH IN SECTION 10.06.110(B) OF THE LINCOLN MUNICIPAL CODE; AMENDING SECTION 10.06.110 OF THE LINCOLN MUNICIPAL CODE TO SET FORTH THE VIOLATIONS FOR WHICH A PARKING CONTROL OFFICER SHALL ISSUE CITATIONS; AMENDING
SECTION 10.34.020 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE PARKING SERVICES DIVISION OF THE URBAN DEVELOPMENT DEPARTMENT SHALL BE RESPONSIBLE FOR INSTALLING PARKING METERS; AMENDING SECTION 10.34.100 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE PARKING SERVICES DIVISION OF THE URBAN DEVELOPMENT DEPARTMENT SHALL BE RESPONSIBLE FOR THE COLLECTION OF PARKING METER FEES; AMENDING SECTION 10.36.010 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE DIRECTORS OF PUBLIC WORKS AND UTILITIES AND URBAN DEVELOPMENT SHALL MAKE RECOMMENDATIONS TO THE MAYOR REGARDING THE CREATION OF OFF-STREET PARKING FACILITIES; AMENDING SECTIONS 10.36.030 AND 10.36.040 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE DIRECTOR OF URBAN DEVELOPMENT SHALL DESIGNATE, LOCATE, AND TAKE SUCH STEPS NECESSARY FOR THE EFFECTIVE OPERATION OF GATED PARKING FACILITIES; AMENDING SECTION 10.36.100 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE DIRECTOR OF URBAN DEVELOPMENT SHALL SET THE PARKING FEES TO BE COLLECTED FOR OFF-STREET PARKING FACILITIES; AMENDING SECTION 10.44.030 OF THE LINCOLN MUNICIPAL CODE TO AUTHORIZE PARKING CONTROL OFFICERS TO CONTACT THE POLICE DEPARTMENT FOR IMPOUNDMENT OF VEHICLES PARKED IN VIOLATION OF ANY PARKING ORDINANCE OF THE CITY; AMENDING SECTION 10.44.040 PROVIDE THAT THE CHIEF OF POLICE AND THE DIRECTOR OF URBAN DEVELOPMENT SHALL BE ACCOUNTABLE FOR ANY FEES COLLECTED RELATING TO IMPOUNDED VEHICLES - PRIOR to reading:

COOK Moved to have 2nd Reading with Public Hearing on Bill No. 10-104 at 2:30 p.m. on August 9, 2010 along with Bill No. 108-180.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Hornung, Snyder, Spatz; NAYS: Emery.

CLERK Read an ordinance, introduced by Doug Emery, amending Section 2.42.040 of the Lincoln Municipal Code to provide that the Parking Services Division of the Urban Development Department shall be responsible for managing on-street and off-street parking of the City of Lincoln; amending Chapter 10.02 of the Lincoln Municipal Code relating to definitions associated with Vehicles and Traffic to provide definitions for “Parking Control Officer” and “Parking Services Enforcement Area”; amending Section 10.06.010 of the Lincoln Municipal Code to provide that the Director of Public Works and Utilities shall determine where public parking will be metered or otherwise regulated; amending Section 10.06.040 of the Lincoln Municipal Code to establish a Parking Records Bureau within the Urban Development Department; amending Section 10.06.070 of the Lincoln Municipal Code to provide that Parking Control Officers shall have the power to issue citations for the specific parking and registration violations set forth in Section 10.06.110(b) of the Lincoln Municipal Code; amending Section 10.06.110 of the Lincoln Municipal Code to set forth the violations for which a Parking Control Officer shall issue citations; amending Section 10.34.020 of the Lincoln Municipal Code to provide that the Parking Services Division of the Urban Development Department shall be responsible for installing parking meters; amending Section 10.34.100 of the Lincoln Municipal Code to provide that the Parking Services Division of the Urban Development Department shall be responsible for the collection of parking meter fees; amending Section 10.36.010 of the Lincoln Municipal Code to provide that the Directors of Public Works and Utilities and Urban Development shall make recommendations to the Mayor regarding the creation of off-street parking facilities; amending Sections 10.36.030 and 10.36.040 of the Lincoln Municipal Code to provide that the Director of Urban Development shall designate, locate, and take all steps necessary for the effective operation of gated parking facilities; amending Section 10.36.100 of the Lincoln Municipal Code to provide that the Director of Urban Development shall set the parking fees to be collected for off-street parking facilities; amending Section 10.44.030 of the Lincoln Municipal Code to authorize Parking Control Officers to contact the Police Department for impoundment of vehicles parked in violation of any parking ordinance of the City; amending Section 10.44.040 provide that the Chief of Police and the Director of Urban Development shall be accountable for any fees collected relating to impounded vehicles, the first time.

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

APPROVING THE LEASE AGREEMENT BETWEEN THE CITY AND ERIK ALM FOR THE LEASE OF OFFICE SPACE BY AGING PARTNERS FOR ITS PERSONAL & FAMILY SERVICES PROGRAM AT 1325 N. CHESTNUT STREET, WACO, NE 68066 FOR A TERM OF JULY 1, 2010 THROUGH JUNE 30, 2011. (5/24/10 - PLACED ON INDEFINITE PENDING) (7/12/10 - REMOVED FROM PENDING TO HAVE 1ST READING 7/19/10, P.H. 7/26/10) - (7/12/10 - REMOVED FROM PENDING TO HAVE 1ST READING 7/19/10, P.H. 7/26/10) -
CLERK read an ordinance, introduced by Jon Camp, accepting and approving a Lease Agreement between the City of Lincoln and Erik Alm for the lease of office space by the Aging Partners for its Personal & Family Services program located at 1325 N. Chestnut Street, Wahoo, NE 68066, for a term of July 1, 2010 through June 30, 2011, 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 #19420, is recorded in Ordinance Book #26, Page 583

AMENDING CHAPTER 5.38 OF THE LINCOLN MUNICIPAL CODE RELATING TO LICENSES AND REGULATIONS FOR MOTELS, HOTELS, ROOMING, LODGING AND APARTMENT HOUSES BY AMENDING SECTION 5.38.010 TO ADD AND REVISE DEFINITIONS; AMENDING SECTION 5.38.040, COMPLIANCE WITH MINIMUM STANDARD HOUSING AND INSPECTION, TO PROVIDE FOR INSPECTIONS, SCHEDULES AND FEES FOR PERMIT ISSUANCE AND COMPLIANCE; AND AMENDING SECTION 5.38.110, PENALTY FOR VIOLATIONS, TO INCREASE THE MINIMUM FINES FOR VIOLATIONS OF THIS TITLE - PRIOR to reading:

CAMP Moved MTA #2 to amend Bill No. 10-88 in the following manner:
1. On page 5, line 4, strike "$250.00" and insert in lieu thereof "$300.00".
2. On page 5, line 5, strike "$300.00" and insert in lieu thereof "$400.00".

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

COOK Moved MTA #3 to amend Bill No. 10-88 in the following manner:
1. On page 4, line 5, delete "an inspection fee shall be charged in the amount of $75.00" and insert in lieu thereof "an inspection fee shall be charged in an amount set by the Director, subject to the approval of the Mayor"

Seconded by Carroll & 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 5.38 of the Lincoln Municipal Code relating to licenses and regulations for motels, hotels, rooming, lodging and apartment houses by amending Section 5.38.010 to add and revise definitions; amending Section 5.38.040, compliance with minimum standard housing and inspection, to provide for inspections, schedules and fees for permit issuance and compliance; amending Section 5.38.110, penalty for violations, to increase the minimum fines for violations of Chapter 5.38; and repealing Sections 5.38.010, 5.38.040, and 5.38.110 of the Lincoln Municipal Code as hitherto existing, the third time.

CARROLL Moved to pass the ordinance as amended.

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

The ordinance, being numbered #19421, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 21.05 OF THE LINCOLN MUNICIPAL CODE, THE PROPERTY MAINTENANCE CODE, BY AMENDING SECTION 21.05.120, VIOLATIONS, TO PROVIDE FOR INCREASED INSPECTIONS AND FEES FOR PROPERTIES NOT IN COMPLIANCE WITH THIS TITLE; AND AMENDING SECTION 21.05.240 TO ADD AND AMEND DEFINITIONS - PRIOR to reading:

CAMP Moved MTA #1 to amend Bill No. 10-89 in the following manner:
1. On page 2, line 30, strike "$250.00" and insert in lieu thereof "$300.00", and strike "$300.00" and insert in lieu thereof "$400.00".

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

COOK Moved MTA #2 to amend Bill No. 10-89 in the following manner:
1. On page 2, line 4, delete "an inspection fee shall be charged in the amount of $75.00" and insert in lieu thereof "an inspection fee shall be charged in an amount set by the Director, subject to the approval of the Mayor".

Seconded by Cook & 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 21.05 of the Lincoln Municipal Code, the Property Maintenance Code, by amending Section 21.05.120, violations, to provide for increased inspections and fees for properties not in compliance with this title; amending Section 21.05.240 to add and amend definitions; and repealing Sections 21.05.120 and 21.05.240 of the Lincoln Municipal Code as hitherto existing, the third time.

CARROLL Moved to pass the ordinance as amended.

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

The ordinance, being numbered #19422, is recorded in Ordinance Book #26, Page
OPEN MICROPHONE - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP    Moved to extend the Pending List to August 9, 2010.
        Seconded by Carroll & 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 August 9, 2010.
        Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT  3:50 P.M.

CAMP    Moved to adjourn the City Council meeting of August 2, 2010.
        Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant