

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JANUARY 30, 2012 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Carroll; Council Members: Camp, Cook, Eskridge, Hornung, Schimek; City Clerk, Joan E. Ross; Absent: Emery.

Council Chair Carroll 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.

IN REMEMBRANCE

Council Chair Carroll asked everyone to honor the memory of Lincoln Police Officer Tony Howe and keep his family in their thoughts.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of January 23, 2012 reported having done so, found same correct.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Schimek; NAYS: None; ABSENT: Emery.

PUBLIC HEARING

AMENDING CHAPTER 28.01 OF THE LINCOLN MUNICIPAL CODE RELATING TO REGULATIONS FOR CONSTRUCTION SITE DISCHARGES TO MEET ALL STATE AND FEDERAL REQUIREMENTS - Ben Higgins, Public Works & Utilities, came forward to speak about erosion and sediment control revisions to the Lincoln Municipal Code in order to keep up to date with all state and federal regulations. He said in addition to working internally with staff on revisions, drafts were sent to land-use attorneys in September; meetings were held with HBAL in October; comment postcards were sent out in November to 200 people including developers/contractors to be returned by December 9th; and notification was made known of the public hearing in January. Mr. Higgins highlighted main changes as being the following: removal of the Lower Platte South NRD as approval agency but continuing with site visits; proposing the City's Development Services Center to approve permits; removed general non-declarative statements & defined other statements as more declarative; requiring inspections every 14 days; and provisions for a fee which is currently at zero dollars; made revisions to enable the Stormwater Pollution Prevention Plan to be amended; clarified the difference in the permitting process for large/small sites. In response to Council questions regarding revisions, Mr. Higgins said there will be no financial impact to the current budget. For next year, consideration will be made to implement a fee.

Rick Krueger, President of Krueger Development, came forward to address two points. He questioned the City's authority to extend out to Tier I. He spoke in opposition to new language that allows DSC staff the authority to declare a misdemeanor.

Miki Esposito, Director of Public Works & Utilities, came forward to explain the process when there is a submission of notice to comply to builders or developers who are not in full compliance with the ordinance. She said a 10-day period of time is given to correct violations. If a builder/developer comes into compliance in that time frame, a return to compliance letter is sent and there is no fine, penalty or prosecution of any kind. Ms. Esposito described an egregious violation which would cause unrecoverable damage to a storm drain/system and a notice to comply would not be appropriate. She clarified that a notice of violation is reserved for criminal activity for which there is no compliance period.

Rod M. Confer, City Attorney, came forward to point out the fact that there is a penalty of \$100-\$500 per day for a violation. If the NOV is given, the permittee is immediately subject to that fine for every day that they continue.

REGULAR MEETING
January 30, 2012
Page 684

Ms. Esposito clarified best management practices and the allowance of maximum flexibility. In response to questions regarding the Tier I jurisdiction, Ms. Esposito said it was a compromise in 2007 between the development community and Watershed Management because stormwater drainage reaches outside of city limits so the provision needed to be applied beyond the three-mile jurisdiction. This matter was taken under advisement.

ANNEXATION NO. 11004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 418 ACRES GENERALLY LOCATED AT NORTH 48TH STREET, NORTH OF SUPERIOR STREET;

CHANGE OF ZONE NO. 11041 - APPLICATION OF THE PLANNING DIRECTOR ON BEHALF OF CITY PARKS AND RECREATION DEPARTMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL, R-3 RESIDENTIAL AND H-4 GENERAL COMMERCIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED AT NORTH 44TH STREET, NORTH OF SUPERIOR STREET - Marvin Krout, Director of Planning, came forward to state that these proposals will help clarify property boundaries in the upper Salt Creek basin as it relates to the gun club. Mr. Krout said Public Works Solid Wastewater Operations will benefit from being all within city limits which previously complicated compliance requirements. This matter was taken under advisement.

APPROVING A REAL ESTATE PURCHASE AGREEMENT AND LEASE AGREEMENT BETWEEN THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION ON BEHALF OF THE CITY OF LINCOLN AND LANCASTER COUNTY & ALFRED BENESCH & COMPANY FOR THE PURCHASE AND LEASE BACK OF PROPERTY LOCATED AT 825 J STREET - Don Killeen, Building Administrator with the Public Building Commission, came forward to present background on the agreement and answer questions. In February of 2010, the Alfred Benesch Company contacted the PBC regarding the interest in selling the property at 825 J Street. It has been in the general overall plan for the last 20 years because it is in the midst of the County/City campus. Mr. Killeen said the Benesch Company acquired the HWS engineering firm a couple of years ago and as a part of their national company's policy they do not own real estate that they occupy. Appraisals fell between the values of \$1.8 - \$1.870 and negotiations led to a potential purchase agreement of \$1,770,000 (42,600 sq. ft. of land; 1st floor building space of 19,668 sq. ft.; and 5,256 sq. ft. on the lower level) He clarified negotiated terms under a fully amortized loan over a six-year period at 4.5% interest. Mr. Killeen explained possible sales, consolidations, movement of programs and the return of office spaces to the County/City campus with this purchase. In response to Council questions regarding its history, Mr. Killeen said the Public Building Commission was established by state legislation in 1971. Lancaster County formed it in 1991 with the intent for joint city/county functions. He said the PBC owns no property but is a conduit to facilitate cooperation. Jane Kinsey, 6703 Hawkins Bend, came forward representing Lincoln Watchdogs of Government, expressing concerns about the transparency of the property purchase.

Chris Connolly, Asst. City Attorney, came forward to answer questions. He said part of the closing process will be the completed proper resolutions from the corporations showing the transfer of all assets into the Benesch & Company, including the real estate. Mr. Connolly explained reasoning that HWS's corporate philosophy was that they would own real estate -- Benesch's corporate philosophy is that they own no real estate, but rent everything.

Mr. Killeen came forward to answer Council Member Camp's question. He clarified that a five-year horizon is a pretty short term so he did not perform a discounted cash flow analysis.

This matter was taken under advisement.

ASSESSING NUISANCE ABATEMENT COSTS ASSOCIATED WITH THE CLEAN UP WORK BY THE BUILDING AND SAFETY DEPARTMENT ON THE PROPERTY GENERALLY LOCATED AT 2304 SOUTH 24TH STREET - Chris Connolly, Asst. City Attorney, came forward to state that a lien will be placed on the property. In addition, he said the City will work with the owner to set up a payment schedule so the issue can be resolved.

This matter was taken under advisement.

AUTHORIZING A REQUEST TO THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, FOR RELAXATION OF STANDARDS FOR OTHER ARTERIALS TO ALLOW USING THE NORTH 27TH STREET VIADUCT OVER THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS FOR THE 27TH STREET REHABILITATION PROJECT, CITY PROJECT 540023 - Roger Figard, Public Works & Utilities Dept., came forward to talk about the process required of municipalities, counties and the State of Nebraska when state gas tax is used. He said when state gas tax is used, there are minimum design standards to be met for municipal streets and highways. If minimum design standards cannot be met,

there is a process to request a relaxation on those design standards. Mr. Figard described technicalities in the bridge repair and stated that a request of relaxation of design standards would eliminate unwarranted additional expense and inefficient use of tax dollars. The two required documents to be sent out to the Board of Public Roads to be placed on their February Agenda are the following: a letter from the City's Street Superintendent and a formal certification from the City Council or County Board authorizing that request. This matter was taken under advisement.

HORNUNG ABSENT DURING THE VOTING SESSION

COUNCIL ACTION

REPORTS OF CITY OFFICERS

RESOLUTION SETTING THE INTEREST RATE OF 5.5882% PER ANNUM & LEVYING THE ASSESSMENTS ON ALLEY REPAVING DISTRICT 49, SEWER DISTRICT 1185, AND WATER DISTRICT 1201 FROM THE BOARD OF EQUALIZATION HEARING HELD ON JANUARY 23, 2012 - CLERK read the following resolution, introduced by Adam Hornung.

CAMP Moved its adoption:

A-86687 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that: The special taxes assessed **January 9, 2012**, to pay the costs of the improvements in **Alley Repaving District 49, Sewer District 1185** and **Water District 1201** are hereby levied and shall bear interest at **5.5882%** per annum and that the period of time in which the assessments are to be paid shall be as follows:

- 20 years - Alley Repaving District
- 20 years - Sewer District 1183
- 20 years - Water District 1201

Introduced by Adam Hornung

Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.

REPORT OF BOARD OF EQUALIZATION TO THE CITY COUNCIL ON ALLEY REPAVING DISTRICT 49, SEWER DISTRICT 1185, AND WATER DISTRICT 1201 - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Change of Zone No. 11042 - Requested by Olsson Associates, Lincoln Public Schools District Office Planned Unit Development, for a change of zone from R-1 Residential District, R-2 Residential District, B-1 Local Business District, and H-2 Highway Business District to B-1 Local Business District PUD on property generally located at the southeast corner of Cotner Blvd and O Street; for a planned unit development designation of said property which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and Design Standards to allow office and commercial uses not exceeding approximately 200,000 square feet in floor area.

Special Permit No. 06001A - Requested by Starostka Lewis, LLC for an amendment to the Grand Terrace Community Unit Plan to expand the boundary of the CUP by approximately three acres to allow for approximately seven additional residential lots on property generally located at South 84th Street and Highway 2.

Special Permit No. 12001 - Requested by Umbay Corporation for a health care facility on property generally located at S. Coddington Avenue and West O Street.

Special Permit No. 12002 - Requested by Ben and Nancy Sand for a farm winery on property generally located at 6305 W. Adams Street.

Pre-existing Special Permit No. 23G - Requested by REGA Engineering Group, Inc. to expand the boundaries of the special permit on property generally located at N. 56th Street and Madison Avenue.

MISCELLANEOUS - NONE

LIQUOR RESOLUTIONS - NONE

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

AMENDING CHAPTER 28.01 OF THE LINCOLN MUNICIPAL CODE RELATING TO REGULATIONS FOR CONSTRUCTION SITE DISCHARGES TO MEET ALL STATE AND FEDERAL REQUIREMENTS - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 28.01 of the Lincoln Municipal Code relating to Regulations for Construction Site Discharges by amending Section 28.01.020 to update the reference to the Comprehensive Plan; amending Section 28.01.030 to include or revise certain definitions; amending Section 28.01.040 to clarify a permit is required for construction activity; amending Section 28.01.050 regarding permit procedures; amending Section 28.01.060 regarding permit information; amending Section 28.01.070 regarding building permit requirements; amending Section 28.01.080 regarding SWPPP inspections and their frequency; adding a new section numbered 28.01.085 regarding maintaining the SWPPP; amending Section 28.01.090 regarding notice of termination, including notice to the City; amending Section 28.01.100 regarding deposit of sediment; amending Section 28.01.110 regarding right of entry for inspections; amending Section 28.01.120 regarding unlawful acts; adding a new section numbered 28.01.125 regarding criminal penalties; adding a new section numbered 28.01.127 regarding notice to comply for corrective action; and repealing Sections 28.01.020, 28.01.030, 28.01.040, 28.01.050, 28.01.060, 28.01.070, 28.01.080, 28.01.090, 28.01.100, 28.01.110, 28.01.120 of the Lincoln Municipal Code as hitherto existing, the second time.

ANNEXATION NO. 11004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 418 ACRES GENERALLY LOCATED AT NORTH 48TH STREET, NORTH OF SUPERIOR STREET (RELATED ITEMS: 12-4, 12-5) (ACTION DATE: 2/6/12) - 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 second time.

CHANGE OF ZONE NO. 11041 - APPLICATION OF THE PLANNING DIRECTOR ON BEHALF OF CITY PARKS AND RECREATION DEPARTMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL, R-3 RESIDENTIAL AND H-4 GENERAL COMMERCIAL TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED AT NORTH 44TH STREET, NORTH OF SUPERIOR STREET (RELATED ITEMS: 12-4, 12-5) (ACTION DATE: 2/6/12) - CLERK read an ordinance, introduced by Jon Camp, 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.

APPROVING A REAL ESTATE PURCHASE AGREEMENT AND LEASE AGREEMENT BETWEEN THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION ON BEHALF OF THE CITY OF LINCOLN AND LANCASTER COUNTY & ALFRED BENESCH & COMPANY FOR THE PURCHASE AND LEASE BACK OF PROPERTY LOCATED AT 825 J STREET (REQUEST TO CONTINUE P.H. TO 1/30/12) (1/9/12 - P.H. CON'T TO 1/30/12 W/ACTION ON 2/6/12) - CLERK read an ordinance, introduced by Doug Emery, accepting and approving a Real Estate Purchase Agreement and a Lease Agreement between the Lincoln-Lancaster County Public Building Commission, on behalf of the City of Lincoln and Lancaster County, and Alfred Benesch & Company for the purchase and leaseback of property generally located at 825 J Street, the second time.

PUBLIC HEARING - RESOLUTIONS

ASSESSING NUISANCE ABATEMENT COSTS ASSOCIATED WITH THE CLEAN UP WORK BY THE BUILDING AND SAFETY DEPARTMENT ON THE PROPERTY GENERALLY LOCATED AT 2304 SOUTH 24TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-86688 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That after hearing held before the City Council, the clean up expenses approved by the District Court of Lancaster County, Nebraska in the case of *City of Lincoln v. John R. Schupbach*, CI 10-4022 and shown on the report which is

attached hereto as Attachment "A" and made a part of this resolution are hereby assessed against the property described as Lot 14, and the North Half of the vacated East-West Alley adjacent to Lot 14, Block 6, Sheridan Place, Lincoln, Lancaster County, Nebraska, commonly known as 2304 South 24th Street, Lincoln, Nebraska and shall constitute a lien against such property until paid. Said assessment shall draw interest at the rate of 14.00% per annum.

Introduced by Jon Camp
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.

AUTHORIZING A REQUEST TO THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, FOR RELAXATION OF STANDARDS FOR OTHER ARTERIALS TO ALLOW USING THE NORTH 27TH STREET VIADUCT OVER THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS FOR THE 27TH STREET REHABILITATION PROJECT, CITY PROJECT 540023 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-86689 WHEREAS, the State of Nebraska, Board of Public Roads Classifications and Standards has established a minimum design speed for Other Arterials; and

WHEREAS, the current vertical alignment for North 27th Street at the approaches to the 27th Street Viaduct over the Burlington Northern Santa Fe railroad tracks are not sufficient to meet the minimum design speed for Arterial Streets; and

WHEREAS, the City of Lincoln will be rehabilitating the North 27th Street viaduct with an upcoming construction project;

WHEREAS, the City of Lincoln desires to submit a Request for Relaxation of the Minimum Design Standards for the minimum design speed required by the Board of Public Roads Classification and Standards so as to not substantially affect cost of the rehabilitation project to achieve the minimum design speed; and

WHEREAS, the City of Lincoln believes that the granting of such relaxation of the minimum design standards will not impair the safety of traffic within the limits of the project;

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

Pursuant to Neb. Rev. Stat. § 39-2113(5) (Reissue 2008), the City of Lincoln does hereby request that the Board of Public Roads Classifications and Standards grant a relaxation of the above described minimum design speed for Other Arterials to allow using the current vertical alignment for the 27th Street Viaduct rehabilitation project.

BE IT FURTHER RESOLVED that the Director of Public Works and Utilities is hereby authorized and directed to forward a copy of this Resolution to the Board of Public Roads Classifications and Standards as a part of the City of Lincoln's request for relaxation of the minimum design standards.

Introduced by Jon Camp
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 1 - 15, 2012 - PRIOR to reading:

COOK Moved to amend Bill No. 12R-15 in the following manner:

On Line 12, the claim of HP Properties has been settled in the amount of \$663.00 rather than \$563.00.

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.

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

A-86690 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated January 16, 2012, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Linda M. Decker	\$355.00	Carolyn Robinson	\$4,901.00
Shirley Herms	NAS*	Ashley Billings/ Neoteric Enterprises	336.71
Katie Navratil	606.94	HP Properties	<u>663.00</u> 563.00
Jason Wakefield	38.75	Mario Domoinguez	51.47
Connie Chamberlain	227.46	David Kepler	2,426.35
Ritchie R. Wallace II	769.52		
Eva Fisher	NAS*		
Lori Williams	89.75		

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.

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

AMENDING TITLE 20 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 20.12 TO ADOPT THE 2009 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES IN THE CITY OF LINCOLN; AND REPEALING CHAPTER 20.10 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Adam Hornung, amending Title 20 of the Lincoln Municipal Code by adding a new Chapter 20.12 to adopt the 2009 edition of the International Residential Code regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the City of Lincoln; and repealing Chapter 20.10 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING A REDUCTION IN THE FISCAL YEAR 2011-12 CIP BUDGET IN THE AMOUNT OF \$105,000.00 IN PARKS AND RECREATION DEPARTMENT MAINTENANCE AND THE TRANSFER OF CIP APPROPRIATIONS WITHIN THE PARKS AND RECREATION DEPARTMENT - CLERK read an ordinance, introduced by Adam Hornung, approving a reduction in the Fiscal Year 2011-12 CIP Budget in the amount of \$105,000.00 due to a loss of incoming revenue and the transfer of unencumbered appropriations between certain capital improvement projects within the Capital Projects Fund for the Parks & Recreation Department, the first time.

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

AMENDING CHAPTER 10.16 OF THE LINCOLN MUNICIPAL CODE (DRIVING WHILE INTOXICATED, UNLICENSED OR UNINSURED) BY AMENDING SECTION 10.16.030 RELATING TO THE PENALTY FOR DRIVING UNDER THE INFLUENCE OF ALCOHOLIC LIQUOR TO COMPLY WITH STATE STATUTE; BY AMENDING SECTION 10.16.040 RELATING TO THE PENALTY FOR REFUSING TO SUBMIT TO A CHEMICAL TEST OF BLOOD, BREATH OR URINE TEST TO DETERMINE THE CONCENTRATION OF ALCOHOL OR THE PRESENCE OF DRUGS IN SUCH BLOOD, BREATH OR URINE TO COMPLY WITH STATE STATUTE; AND AMENDING SECTION 10.16.045 RELATING TO RESTRICTIONS IMPOSED FOR A SECOND VIOLATION OF SECTION 10.16.030 OR 10.16.040 TO COMPLY WITH STATE STATUTE, AND DECLARING AN EMERGENCY - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 10.16 of the Lincoln Municipal Code (Driving While Intoxicated, Unlicensed or Uninsured) by amending Section 10.16.030 relating to the penalty for driving under the influence of alcoholic liquor to comply with state statute; by amending Section 10.16.040 relating to the penalty for refusing to submit to a chemical test of blood, breath or urine test to determine the concentration of alcohol or the presence of drugs in such blood, breath or urine to comply with state statute; amending Section 10.16.045

relating to restrictions imposed for a second violation of Section 10.16.030 or 10.16.040 to comply with state statute; repealing Sections 10.16.030, 10.16.040, and 10.16.045 of the Lincoln Municipal Code as hitherto existing; and declaring an emergency, the third time.

ESKRIDGE Moved to pass the ordinance as read.
Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Schimek; NAYS: None; ABSENT: Emery, Hornung.
The ordinance, being numbered #19670, is recorded in Ordinance Book #27, Page .

HORNUNG REAPPEARED FOR THE OPEN MICROPHONE SESSION

OPEN MICROPHONE

Dana Garrison, 924 Goodhue Blvd., came forward as a member of Occupy Lincoln to share information about group activities that are open to the public. In response to a letter from Law Department, she questioned why their movement would be required to leave Centennial Mall if outside renovation will not occur until 2013. Ms. Garrison shared economic factors revealing Nebraska as leading the nation in underemployment and second leading with a workforce between the ages of 16-19 and individuals over 65 still working.

This matter was taken under advisement.

Jane Svoboda, address not given, came forward to share her thoughts on various issues.

This matter was taken under advisement.

Sharon Glenn, 1805 Sumner, came forward to complain about street maintenance. As a disabled veteran with limited funds, she said it was a hardship to pay her vehicle tire repair bill of \$38 after driving through a sink hole near 27th & Euclid.

This matter was taken under advisement.

Jo Tetherow, 118 Shirley Ct., came forward as a member of Occupy Lincoln to educate people on her findings and request that Council support a resolution to end corporate personhood.

This matter was taken under advisement.

Ron Sheldon, 1626 D St., came forward to question ownership of an alley way that has numerous pot holes. He proposed that members of Occupy Lincoln should be able to stay on Centennial Mall property during the bid process.

This matter was taken under advisement.

Kevin Hauptman, 1500 N. 15th St., came forward to speak in support of Occupy Lincoln who are peaceably assembling to address their grievances with government. He expressed his views and general opinions regarding national & world issues.

This matter was taken under advisement.

Charlie Swingle, 1015 D St., came forward to state that he feels it's time for Occupy Lincoln to move on.

This matter was taken under advisement.

Barbara Nieveen, 2314 Sewell, came forward to complain of street closures due to construction. She said busy arterials such as South Street need to be completed quickly. As it relates to Occupy Lincoln, Ms. Nieveen suggested the renovation of Centennial Mall start late and finish early.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to February 6, 2012.
 Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll,
Cook, Eskridge, Hornung, Schimek; NAYS: None; ABSENT: Emery.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on February 6,
2012.
 Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll,
Cook, Eskridge, Hornung, Schimek; NAYS: None; ABSENT: Emery.

ADJOURNMENT 7:15 P.M.

CAMP Moved to adjourn the City Council meeting of January 30, 2012.
 Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll,
Cook, Eskridge, Hornung, Schimek; NAYS: None; ABSENT: Emery.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant