

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 13, 2012 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Hornung; Council Members: Camp, Carroll, Cook, Emery, Schimek; Deputy City Clerk, Teresa J. Meier; Absent: Eskridge.

Council Chair Hornung 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**

SCHIMEK Having been appointed to read the minutes of the City Council proceedings of August 8, 2012 reported having done so, found same correct.

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

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of June 2012 to Chris Myers, Northeast District Park Supervisor of the Parks division for the Parks and Recreation Department, in the category of Productivity. Mr. Myers was nominated by Dan Murray, Parks Administrative Officer, and Jerry Shorney, Assistant Director of Parks, for his dedication, creativity and organization. He invested many hours creating spreadsheets that ultimately eliminated duplication and saved 176 staff hours. His project will also enable the Parks Department to more accurately determine costs and collect and organize data for future trending.

Jerry Shorney, Assistant Director of Parks, came forward to state that Mr. Myers consistently puts forth extra effort to make every project he is involved with successful. He offered his congratulations.

Chris Myers came forward to introduce his family and graciously accept his award.

**PUBLIC HEARING**

APPOINTING CAROL SPEICHER TO THE LIBRARY BOARD FOR A TERM OF SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2019 - Pat Leach, Director of Lincoln City Libraries, came forward to introduce Carol Speicher.

Carol Speicher came forward to thank the Mayor and the City Council for the opportunity to serve the community in this position.

Council Member Jon Camp thanked Ms. Speicher for her dedication.

This matter was taken under advisement.

APPLICATION OF STL OF NEBRASKA, INC. DBA TARGET STORE T-0879 FOR A CLASS DK LIQUOR LICENSE AT 5330 SOUTH 56TH STREET;

MANAGER APPLICATION OF KALEIGH J. CHALUPA FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0879 AT 5330 SOUTH 56TH STREET - Kaleigh J. Chalupa came forward to take the oath and answer questions. There are over 1200 Target stores nationwide that sell liquor. This is the final location in Lincoln to add the liquor license.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. FOR A CLASS L LIQUOR LICENSE AT 2100 MAGNUM CIRCLE, SUITE 1;

MANAGER APPLICATION OF MARCUS A. POWERS FOR ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. AT 2100 MAGNUM CIRCLE, SUITE 1 - Marcus A. Powers came forward to take the oath and answer questions. This packaging microbrewery is located in a portion of the Magnum Circle warehousing district at the intersection of O Street and Highway 77. This will not be a brew pub; it will be similar to a winery where people can see how the local beer is crafted and enjoy tastings held on the premises.

This matter was taken under advisement.

APPLICATION OF GREENFIELD'S CAFÉ INC. DBA GREENFIELD'S CAFÉ FOR A SPECIAL DESIGNATED LIQUOR LICENSE FOR AN AREA COVERING AN OUTDOOR AREA MEASURING APPROXIMATELY 85 FEET BY 60 FEET AT 7900 SOUTH 87TH STREET ON AUGUST 25, 2012 FROM 11:00 A.M. TO 12:00 A.M. - James Donaldson, 7900 S. 87<sup>th</sup> Street, came forward to state that Greenfield's has been updating their image and menu to become an upscale casual dining café. Based on the success of a smaller event held earlier, Greenfield's would like to have this small blues festival and are requesting to extend their liquor license beyond their patio space to accommodate a larger crowd.

This matter was taken under advisement.

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APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND HABITAT FOR HUMANITY INC. FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 2445 N.W. 52ND STREET FOR AN AMOUNT OF \$20,000.00 - David Landis, Director of Urban Development, came forward to describe the acquisition of the seven lots of land owned by they City, and the subsequent actions taken to get them back into private ownership. In 2007, the neighborhood association was consulted. They supported the surplussing of this land with the request that the properties be developed into single family owned and occupied homes. The sale of this second lot to Habitat for Humanity accomplishes that goal.

This matter was taken under advisement.

CHANGE OF ZONE 12022 - AMENDING SECTION 27.07.030 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AS A TEMPORARY PERMITTED CONDITIONAL USE OF A BUILDING OR PREMISES IN THE AG AGRICULTURE DISTRICT, IN ADDITION TO ITS MAIN USE, FOR ANY USE APPROVED BY THE LANCASTER COUNTY BOARD OF COMMISSIONERS BY THE GRANTING OF AN AMUSEMENT LICENSE FOR SUCH USE, PROVIDED SAID CONDITIONAL USE IS LIMITED TO ONE EVENT PER CALENDAR YEAR - Marvin Krout, Director of Planning, came forward to explain that this item was initiated by the Planning Department with the support of the County Board. Since the 1930s, preceding City and County zoning, the County Board has had the authority to issue amusement licenses in unincorporated areas. They have their own public hearing and notification process, which may include neighbors, County law enforcement, rural fire districts, County engineers, and the Health Department. The County zoning codes explicitly permit the issuance of these amusement licenses. Recently, the Building and Safety and the Planning Departments were added to the notification list. There have been requests for amusement licences within the 3-mile zoning jurisdiction of the City, but the City does not have the same explicit authority to allow for the issuance of this license. This is a request to add language similar to the County zoning text that says a use can be permitted conditionally in the AG District of the City's 3-mile zoning jurisdiction. The Planning Commission held a public hearing on this matter and give their unanimous recommendation that this amendment be approved.

This matter was taken under advisement.

APPROVING THE AGREEMENT REGARDING THE ANNEXATION OF SKY RANCH ACRES BETWEEN THE CITY AND SKY RANCH ACRES NEIGHBORHOOD ASSOCIATION FOR THE DEVELOPMENT OF 30.11 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 108TH STREET AND HOLDREGE STREET;  
ANNEXATION 10004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 37 ACRES GENERALLY LOCATED AT NORTH 108TH STREET AND HOLDREGE STREET - Ronald Wilhelm, President of Sky Ranch Acres Neighborhood Association, came forward to state that over the last 3 years, the neighborhood has been studying the need for replacement of their wastewater treatment plant. It was concluded that the best solution would annexation within the City limits to utilize water treatment or wastewater disposal plants, recognizing that there will be no water available until a water district is created. They have met with various departments of the City and have completed an annexation agreement. In answer to Council questions, Mr. Wilhelm replied that there are 29 residences in the area. As part of the City, they would expect to receive other City services in the future, such as fire and police protection.

This matter was taken under advisement.

CHANGE OF ZONE 05012A - APPLICATION OF SOUTH POINTE CHRISTIAN CHURCH AND LINCOLN STORAGE/WOOD BRIDGE COMMERCIAL ASSOCIATES TO AMEND THE WOOD BRIDGE PLANNED UNIT DEVELOPMENT TO INCREASE THE MINI-STORAGE AREA FROM APPROXIMATELY 58,700 SQUARE FEET TO 84,500 SQUARE FEET, ON PROPERTY GENERALLY LOCATED AT PINE LAKE ROAD AND HELEN WITT DRIVE - Christopher Krueger, Krueger Development, came forward on behalf of Lincoln Storage. After completing a new parking lot, the South Pointe Christian Church has an area of undeveloped ground leftover. An agreement has been reached to expand the existing self-storage facility, which will generate additional revenue for the church.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JULY 16 - 31, 2012 - David Watermeier, attorney representing Minerva Martinez, came forward to state his client was treated at the Lancaster County Health Department for a wisdom tooth extraction in August of 2011. The dentist successfully extracted the top two teeth. As he was attempting to remove a lower tooth, he broke Ms. Martinez's jaw. She was taken to Bryan Hospital where she was treated and her jaw was wired shut. She is now seeking to have her medical expenses covered by the City. This totals approximately \$9,600.00, including reimbursement for bills already paid out of pocket by Ms. Martinez. In answer to Council questions, Mr. Watermeier stated that one explanation given of this event was a lack of medical history on Ms. Martinez. Her original claim was for \$50,000.00, but she is now seeking to get her medical expenses covered.

Rod Confer, City Attorney, came forward to state that the City Law Department has been analyzing this claim for a significant amount of time. At last contact with Mr. Watermeier, he had been unable to make contact with his client. In view of his presentation today and movement on the part of his client, this claim could be removed from recommendation for denial so that more time could be spent on its resolution. Approval of the claim is not recommended at this time.

This matter was taken under advisement.

APPROVING AMENDMENT TO BID NO. 10-165 CONTRACT AGREEMENT BETWEEN THE CITY AND HERSEY METERS COMPANY, LLC DBA MUELLER SYSTEMS TO PROVIDE THE ANNUAL REQUIREMENTS OF HERSEY WATER METER PARTS FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014;

APPROVING AMENDMENT TO BID NO. 10-167 CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BADGER METER, INC. FOR THE ANNUAL REQUIREMENTS FOR 6-10" FIRE SERVICE COLD WATER METERS, FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014;

APPROVING AMENDMENT TO BID NO. 10-128 CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BADGER METER, INC. FOR THE ANNUAL REQUIREMENTS FOR COLD WATER METERS, 5/8" TO 2" WITH AUTOMATED METER READING ERT MODULES, FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - Vince Mejer, Purchasing Agent, came forward to answer questions.

This matter was taken under advisement.

APPROVING A PROJECT PROGRAMMING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF ROADS TO ESTABLISH VARIOUS DUTIES AND FUNDING RESPONSIBILITIES FOR A FEDERAL AID PROJECT FOR THE CONSTRUCTION OF SAFETY IMPROVEMENTS AT NORTH 66TH STREET AND FREMONT STREET - Kent Evans, Public Works & Utilities Department, came forward as Project Manager to answer questions.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

APPOINTING CAROL SPEICHER TO THE LIBRARY BOARD FOR A TERM OF SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2019 - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-86946 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Carol Speicher to the Library Board for a term expiring August 31, 2019 is hereby approved.

Introduced by Eugene Carroll

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

REAPPOINTING MIKE MCNIFF TO THE EXAMINING BOARD OF PLUMBERS FOR A TERM EXPIRING SEPTEMBER 4, 2015 - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-86947 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Mike McNiff to the Examining Board of Plumbers for a term expiring September 4, 2015 is hereby approved.

Introduced by Eugene Carroll

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

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JUNE 30, 2012 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval:

A-86948 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That during the month ended June 30, 2012, \$53,167.04 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Jonathan Cook

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

### PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 12028 to Special Permit No. 06001A, Grand Terrace Community Unit Plan, approved by the Planning Director on August 6, 2012, requested by Civil Design Group, increasing the maximum allowed height of the apartment buildings on Lot 30, Block 1, to 38 feet, delineating the building envelope for the apartment buildings using the required 38' setback, delineating the required 20' setback for all other improvements including parking and accessory buildings, and a parking plan where up to a maximum of 15% of the required spaces can be provided as tandem parking stalls, on property generally located near South 84<sup>th</sup> Street and Highway 2.

Administrative Amendment No. 12035 to Special Permit No. 04054, Hartland Homes Southwest 1<sup>st</sup> Addition Community Unit Plan, approved by the Planning Director on July 31, 2012, requested by Kathryn Sousek, to allow a reduction in the rear yard to 10 feet for accessory buildings, on property located at 1660 SW Lacey Lane.

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Waiver No. 12012 approved by the Planning Director on August 6, 2012, requested by Jeff Koch, to adjust the Design Standard for Outdoor Lighting to allow outdoor lighting to exceed 2.0 vertical foot-candles at the property line along R Street, generally located at the southeast corner of North 8<sup>th</sup> Street and R Street.

**MISCELLANEOUS REFERRALS - NONE**

**LIQUOR RESOLUTIONS**

APPLICATION OF STL OF NEBRASKA, INC. DBA TARGET STORE T-0879 FOR A CLASS DK LIQUOR LICENSE AT 5330 SOUTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86949 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 STL of Nebraska, Inc. dba Target Store T-0879 for a Class "DK" liquor license at 5330 South 56th Street, Lincoln, Nebraska, for the license period ending April 30, 2013, 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 premises must comply in every respect with all city and state regulations.

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF KALEIGH J. CHALUPA FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0879 AT 5330 SOUTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86950 WHEREAS, STL of Nebraska, Inc. dba Target Store T-0879 located at 5330 South 56th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Kaleigh J. Chalupa named manager; WHEREAS, Kaleigh J. Chalupa 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 Kaleigh J. Chalupa 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 Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Schimek; NAYS: None; ABSENT: Eskridge.

APPLICATION OF ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. FOR A CLASS L LIQUOR LICENSE AT 2100 MAGNUM CIRCLE, SUITE 1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86951 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 Zipline Brewing Co. LLC dba Zipline Brewing Co. for a Class "L" liquor license at 2100 Magnum Circle, Suite 1, Lincoln, Nebraska, for the license period ending April 30, 2013, be approved with the condition that:

1. The applicant obtains a valid special permit, including the parking requirements.

2. 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.

3. The premises must comply in every respect with all city and state regulations.

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF MARCUS A. POWERS FOR ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. AT 2100 MAGNUM CIRCLE, SUITE 1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86952 WHEREAS, Zipline Brewing Co. LLC dba Zipline Brewing Co. located at 2100 Magnum Circle, Suite 1, Lincoln, Nebraska has been approved for a Retail Class "L" liquor license, and now requests that Marcus A. Powers named manager;

WHEREAS, Marcus A. Powers 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 Marcus A. Powers 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 Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Schimek; NAYS: None; ABSENT: Eskridge.

APPLICATION OF GREENFIELD'S CAFÉ INC. DBA GREENFIELD'S CAFÉ FOR A SPECIAL DESIGNATED LIQUOR LICENSE FOR AN AREA COVERING AN OUTDOOR AREA MEASURING APPROXIMATELY 85 FEET BY 60 FEET AT 7900 SOUTH 87TH STREET ON AUGUST 25, 2012 FROM 11:00 A.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86953

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 Greenfield's Café Inc. dba Greenfield's Café for a Special Designated License to cover an area measuring 85 feet by 60 feet adjacent to the licensed premises at 7900 South 87th Street, Lincoln, Nebraska, on August 25, 2012 between the hours of 11:00 a.m. and 12:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

Introduced by Jon Camp

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

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

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND HABITAT FOR HUMANITY INC. FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 2445 N.W. 52ND STREET FOR AN AMOUNT OF \$20,000.00 - CLERK read an ordinance, introduced by Eugene Carroll, approving a Real Estate Sales Agreement between the City of Lincoln and Lincoln/Lancaster County Habitat for Humanity Inc. authorizing the sale of surplus property generally located at 2445 N.W. 52<sup>nd</sup> Street, the second time.

CHANGE OF ZONE 12022 - AMENDING SECTION 27.07.030 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AS A TEMPORARY PERMITTED CONDITIONAL USE OF A BUILDING OR PREMISES IN THE AG AGRICULTURE DISTRICT, IN ADDITION TO ITS MAIN USE, FOR ANY USE APPROVED BY THE LANCASTER COUNTY BOARD OF COMMISSIONERS BY THE GRANTING OF AN AMUSEMENT LICENSE FOR SUCH USE, PROVIDED SAID CONDITIONAL USE IS LIMITED TO ONE EVENT PER CALENDAR YEAR - CLERK read an ordinance, introduced by Eugene Carroll, amending Section 27.07.030 of the Lincoln Municipal Code to provide that any use approved by the Lancaster County Board of Commissioners by the granting of an amusement license for such use shall be allowed as a permitted conditional use in the AG Agriculture District, provided said conditional use is limited to one event per calendar year; and repealing Section 27.07.030 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING THE AGREEMENT REGARDING THE ANNEXATION OF SKY RANCH ACRES BETWEEN THE CITY AND SKY RANCH ACRES NEIGHBORHOOD ASSOCIATION FOR THE DEVELOPMENT OF 30.11 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 108TH STREET AND HOLDREGE STREET. (RELATED ITEMS: 12R-182, 12-100)(ACTION DATE: 8/20/12)

ANNEXATION 10004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 37 ACRES GENERALLY LOCATED AT NORTH 108TH STREET AND HOLDREGE STREET (RELATED ITEMS: 12R-182, 12-100)(ACTION DATE: 8/20/12) - CLERK read an ordinance, introduced by Eugene Carroll, 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 05012A - APPLICATION OF SOUTH POINTE CHRISTIAN CHURCH AND LINCOLN STORAGE/WOOD BRIDGE COMMERCIAL ASSOCIATES TO AMEND THE WOOD BRIDGE PLANNED UNIT DEVELOPMENT TO INCREASE THE MINI-STORAGE AREA FROM APPROXIMATELY 58,700 SQUARE FEET TO 84,500 SQUARE FEET, ON PROPERTY GENERALLY LOCATED AT PINE LAKE ROAD AND HELEN WITT DRIVE - CLERK read an ordinance, introduced by Eugene Carroll, amending the development plan for the Wood Bridge Planned Unit Development in order to increase the floor area for mini-storage from approximately 58,700

square feet to 84,500 square feet on property generally located at Pine Lake Road and Helen Witt Drive and legally described as: Lots 1 through 5, and Outlots A and B, Wood Bridge 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska, the second time.

**PUBLIC HEARING - RESOLUTIONS**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JULY 16 - 31, 2012 - PRIOR to reading:

CARROLL Made Motion to Amend No. 1 to Bill No. 12R-186 to remove the claim of Roger A. Berner in the amount of \$874.57 from the list of Allowed/Settled Claims.

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

EMERY Moved to Amend Bill No. 12R-186 by removing the claim of Minerva Martinez in the amount of \$50,000.00 from the list of Denied Claims.

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

CLERK Read the following resolution, introduced by Eugene Carroll, who moved its adoption as amended:

A-86954 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 August 1, 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:

DENIED CLAIMS	ALLOWED/SETTLED CLAIMS
<del>Minerva Martinez</del> \$ <del>50,000.00</del>	Donna Swanson \$ 4,284.47
Krystle Park 1,000,000.00	Timothy A. Gutz 766.57
	<del>Roger A. Berner 874.57</del>
	Sally Jones 4,750.00
	Sandra Janssen 1,637.44
	Corinna Muratella 14,375.00

\* 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 Eugene Carroll

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

APPROVING AMENDMENT TO BID NO. 10-165 CONTRACT AGREEMENT BETWEEN THE CITY AND HERSEY METERS COMPANY, LLC DBA MUELLER SYSTEMS TO PROVIDE THE ANNUAL REQUIREMENTS OF HERSEY WATER METER PARTS FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86955 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendment to Agreement for the Annual Requirements for Hersey Water Meter Parts, pursuant to Bid No. 10-165, between the City of Lincoln and Hersey Meters Company, LLC dba Mueller Systems for an additional two year term from August 1, 2012 through July 31, 2014, upon the terms and conditions as set forth in said Amendment to Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Eugene Carroll

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

APPROVING AMENDMENT TO BID NO. 10-167 CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BADGER METER, INC. FOR THE ANNUAL REQUIREMENTS FOR 6-10" FIRE SERVICE COLD WATER METERS, FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86956 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendment to Agreement for the Annual Requirements for 6-10" Fire Service Cold Water Meters, pursuant to Bid No. 10-167, between the City of Lincoln and Badger Meter, Inc. for an additional two year term from August 1, 2012 through July 31, 2014, upon the terms and conditions as set forth in said Amendment to Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Eugene Carroll

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

APPROVING AMENDMENT TO BID NO. 10-128 CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BADGER METER, INC. FOR THE ANNUAL REQUIREMENTS FOR COLD WATER METERS, 5/8" TO 2" WITH AUTOMATED METER READING ERT MODULES, FOR AN ADDITIONAL TWO YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86957 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendment to Agreement for the Annual Requirements for Cold Water Meters, 5/8" to 2" with Automated Meter Reading ERT Modules, pursuant to

Bid No. 10-128, between the City of Lincoln and Badger Meter, Inc. for an additional two year term from August 1, 2012 through July 31, 2014, upon the terms and conditions as set forth in said Amendment to Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Eugene Carroll

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

APPROVING A SCHEDULE OF FEES THE CITY MAY CHARGE FOR AMBULANCE SERVICE - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86958 WHEREAS, in accordance with Title 7 of the Lincoln Municipal Code, the City Council has authority to approve a schedule of maximum fees which the City may charge for ambulance service rendered by the City of Lincoln; and

WHEREAS, Lincoln Fire and Rescue has proposed such a schedule of maximum fees for comment and review by Lincoln/Lancaster County EMS Oversight Authority, Inc. ("Oversight Authority"), the City's emergency medical services oversight agency; and

WHEREAS, Oversight Authority has concluded the proposed maximum fees are reasonable; and

WHEREAS, the proposed rate schedule is before the City Council for its consideration and approval; and

WHEREAS, the City Council finds that the proposed rate schedule, based on the reasonable costs of providing ambulance service, represents reasonable maximum user fees to be charged for the provision of ambulance service by the City of Lincoln

NOW, THEREFORE, BE IT RESOLVED by the City Council, the proposed rate schedule attached hereto, marked as Attachment "A", and made a part hereof by reference, is hereby approved and shall take effect September 1, 2012.

Introduced by Eugene Carroll

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

APPROVING A PROJECT PROGRAMMING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF ROADS TO ESTABLISH VARIOUS DUTIES AND FUNDING RESPONSIBILITIES FOR A FEDERAL AID PROJECT FOR THE CONSTRUCTION OF SAFETY IMPROVEMENTS AT NORTH 66TH STREET AND FREMONT STREET - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86959 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Project Programming Agreement between the City of Lincoln and the State of Nebraska Department of Roads for the use of Federal Highway Safety Improvement Program Funds for the construction of safety improvements at North 66th Street and Fremont Street, NDOR Project No. HSIP-5253(1), NDOR Control No. 13227, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to Kent Evans, Engineering Services Division of the Department of Public Works & Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Eugene Carroll

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

### ORDINANCE - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)

AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY FOR THE ACQUISITION OF STREET LIGHTS, A TELEPHONE SYSTEM AND IMPROVEMENTS TO THE CITY'S MUNICIPAL SERVICE CENTER - CLERK read an ordinance, introduced by Jon Camp, authorizing and approving a lease-purchase transaction with Union Bank and Trust Company, the proceeds of which will be used to pay the costs of (A) acquiring and installing street lights and related improvements and certain electronic communication equipment and related software and (B) remodeling, renovating, equipping and furnishing certain real property of the City; approving the issuance, sale, and delivery of not to exceed \$10,000,000 principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered #19759, is recorded in Ordinance Book #27, Page .

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY ADJUSTING THE HOURLY PAY RANGE SCHEDULE AND SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES OF THE CITY OF LINCOLN WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 16, 2012 - CLERK read an ordinance, introduced by Jon Camp, 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 "X" and repealing Ordinance No. 19743, passed by the City Council on July 23, 2012, the third time.

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CAMP Moved to pass the ordinance as read.  
Seconded by Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Schimek; Nays: None; ABSENT: Eskridge.  
The ordinance, being numbered **#19760**, is recorded in Ordinance Book #27, Page .

AMENDING SECTION 2.76.365 OF THE LINCOLN MUNICIPAL CODE, HOURS OF WORK, TO ALLOW EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "X" AND ELIGIBLE TO RETIRE TO ELECT A REDUCED WORK SCHEDULE - CLERK read an ordinance, introduced by Jon Camp, amending Section 2.76.365 of the Lincoln Municipal Code relating to hours of work to allow employees with a pay range prefixed by the letter "X" and eligible to retire to elect a reduced work schedule; and repealing Section 2.76.365 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.  
Seconded by Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Schimek; Nays: None; ABSENT: Eskridge.  
The ordinance, being numbered **#19761**, is recorded in Ordinance Book #27, Page .

APPROVING THE TRANSFER OF UNSPENT AND UNENCUMBERED APPROPRIATIONS AND CASH (IF ANY) BETWEEN AND ELIMINATING APPROPRIATIONS WITHIN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE STREET CONSTRUCTION FUND, WATER FUND, WASTEWATER FUND, AND SOLID WASTE FUND FOR THE PUBLIC WORKS & UTILITIES DEPARTMENT; WITHIN THE CAPITAL PROJECTS FUND AND SOLID WASTE FUND FOR THE PARKS & RECREATION DEPARTMENT; AND WITHIN THE CAPITAL PROJECTS FUND FOR THE URBAN DEVELOPMENT DEPARTMENT - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of unspent and unencumbered appropriations and cash (if any) and eliminating appropriations between certain capital improvement projects within the Street Construction Fund, Water Fund, Wastewater Fund, and Solid Waste Fund for the Public Works & Utilities Department; within the Capital Projects Fund for the Parks & Recreation Department; and within the Capital Projects Fund for the Urban Development Department, the third time.

CAMP Moved to pass the ordinance as read.  
Seconded by Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Schimek; Nays: None; ABSENT: Eskridge.  
The ordinance, being numbered **#19762**, is recorded in Ordinance Book #27, Page .

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

COMP. PLAN CONFORMANCE 12008 - DECLARING APPROXIMATELY .16 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF SOUTH 21ST STREET AND O STREET; .03 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF SOUTH ANTELOPE VALLEY PARKWAY AND M STREET; AND .19 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF CAPITOL PARKWAY AND J STREET, AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF. (RELATED ITEMS: 12-86, 12-104, 12-106) (ACTION DATE: 8/27/12) - CLERK read an ordinance, introduced by Jonathan Cook, declaring approximately .16 acres of City owned property generally located southwest of South 21<sup>st</sup> Street and O Street; .03 acres of property generally located southwest of S. Antelope Valley Parkway and M Street; and .19 acres of property generally located southeast of Capitol Parkway and J Street as surplus, the first time.

VACATION 10019 - VACATING RANDOLPH STREET BETWEEN SOUTH 25TH STREET AND CAPITOL PARKWAY; A PORTION OF H STREET WEST OF SOUTH 25TH STREET; A PORTION OF THE EAST-WEST ALLEY WEST OF SOUTH 25TH STREET; AND A PORTION OF CAPITOL PARKWAY SOUTH OF J STREET. (RELATED ITEMS: 12-86, 12-104, 12-106) (ACTION DATE: 8/27/12) - CLERK read an ordinance, introduced by Jonathan Cook, vacating Randolph Street between South 25<sup>th</sup> Street and Capitol Parkway; a portion of H Street west of South 25<sup>th</sup> Street; a portion of the east-west alley west of South 25<sup>th</sup> Street; and a portion of Capitol Parkway south of J Street, and retaining title thereto in the City of Lincoln, Nebraska, the first time.

APPROVING A REAL ESTATE SALES AND EXCHANGE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN PUBLIC SCHOOLS FOR THE EXCHANGE AND SALE OF PROPERTY GENERALLY LOCATED SOUTHEASTERLY OF CAPITOL PARKWAY AND J STREET AND THE CONVEYANCE OF A PORTION OF VACATED CAPITOL PARKWAY AND J STREET TO LINCOLN PUBLIC SCHOOLS .(RELATED ITEMS: 12-86, 12-104, 12-106) (ACTION DATE: 8/27/12) - CLERK read an ordinance, introduced by Jonathan Cook, approving a Real Estate Purchase and Exchange Agreement between the City of Lincoln and Lancaster County School District 001 authorizing the exchange and sale of property generally located southeasterly of Capitol Parkway and J Street, the first time.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN PUBLIC SCHOOLS FOR THE FUNDING OF A RENOVATION PROJECT AT SHERMAN FIELD AND THE USE OF SHERMAN FIELD BY LPS - CLERK read an ordinance, introduced by Jonathan Cook, approving and Interlocal Agreement between the City of Lincoln and Lancaster County School District 001 for the funding of a renovation project at Sherman Field and for the use Sherman Field by Lincoln Public Schools for a period of ten years, the first time.



APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN PUBLIC SCHOOLS FOR DEVELOPMENT OF A PLAYGROUND, WALKWAYS AND RELATED SITE IMPROVEMENTS IN BELMONT PARK ASSOCIATED WITH BELMONT ELEMENTARY SCHOOL AND THE LINCOLN EDUCARE FACILITY - CLERK read an ordinance, introduced by Jonathan Cook, approving an Interlocal Agreement Regarding Playground between the City of Lincoln and Lancaster County School District 001 for development of a playground, walkways and related site improvements in Belmont Park associated with Belmont Elementary School and the Lincoln Educare facility for a period of twenty years with an option to renew for additional five year terms, the first time.

COMP. PLAN CONFORMANCE 12009 - ADOPTING AND APPROVING THE "HOLDREGE/IDYLVILD REDEVELOPMENT PLAN" WITHIN AN AREA GENERALLY BOUNDED BY N. 37TH STREET ON THE EAST AND N. 34TH STREET ON THE WEST, HOLDREGE STREET ON THE NORTH AND APPLE STREET ON THE SOUTH FOR REDEVELOPMENT ACTIVITIES CONSISTING OF PUBLIC IMPROVEMENTS, A NEW FRATERNITY AND A MIXED USE DEVELOPMENT. (RELATED ITEMS: 12R-190, 12-105) (ACTION DATE: 8/27/12)

CHANGE OF ZONE 12018 - APPLICATION OF KINPORT CORPORATION FOR A CHANGE OF ZONE FROM B-1 LOCAL BUSINESS DISTRICT, R-6 RESIDENTIAL DISTRICT AND R-5 RESIDENTIAL DISTRICT TO B-1 LOCAL BUSINESS DISTRICT PUD, FROM R-2 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT PUD, AND FROM R-6 RESIDENTIAL DISTRICT TO R-6 RESIDENTIAL DISTRICT PUD, ON PROPERTY GENERALLY LOCATED AT NORTH 35TH STREET AND HOLDREGE STREET FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY, AND APPROVAL OF A DEVELOPMENT PLAN TO ALLOW APPROXIMATELY 66,000 SQUARE FEET OF COMMERCIAL FLOOR AREA AND APPROXIMATELY 40 RESIDENTIAL DWELLING UNITS. (RELATED ITEMS: 12R-190, 12-105) (ACTION DATE: 8/27/12) - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

**RESOLUTIONS - 1<sup>ST</sup> READING - ADVANCE NOTICE**

DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN TO CALL AN ELECTION REGARDING THE PROPOSITION OF THE ISSUANCE BY THE CITY OF ITS GENERAL OBLIGATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,900,000 FOR THE PURPOSE OF PAYING THE COSTS INCIDENT TO ENGINEERING, ACQUIRING, CONSTRUCTING AND/OR FURNISHING IMPROVEMENTS TO AND EXTENSIONS OF THE CITY'S STORMWATER DRAINAGE AND FLOOD MANAGEMENT SYSTEM.

APPROVING THE APPOINTMENT OF JOHN HUFF AS FIRE CHIEF EFFECTIVE SEPTEMBER 7, 2012 (EFFECTIVE DATE CORRECTED TO AUGUST 30, 2012 FOR ACTION ON 08/20/12).

APPROVING THE APPOINTMENT OF JIM PESCHONG AS POLICE CHIEF EFFECTIVE FEBRUARY 2, 2013 (EFFECTIVE DATE CORRECTED TO JANUARY 31, 2013 FOR ACTION ON 08/20/12).

COMP. PLAN CONFORMANCE 12010 - ADOPTING AND APPROVING THE PROPOSED AMENDMENT TO THE 48TH AND O STREET REDEVELOPMENT PLAN TO EXPAND THE AREA TO INCLUDE THE GATEWAY SENIOR LIVING CENTER RETIREMENT CAMPUS LOCATED NORTH OF O STREET BETWEEN 52ND STREET AND 56TH STREET AND TO ADD A REDEVELOPMENT PROJECT FOR THE EXPANSION OF SKILLED NURSING AND INDEPENDENT LIVING FACILITIES. (RELATED ITEMS: 12R-191, 12R-192, 12R-193) (ACTION DATE: 12/20/12)

APPROVING THE GATEWAY SENIOR LIVING PROJECT - PHASE I REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND GATEWAY PROPERTIES, INC. RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED NORTH OF O STREET BETWEEN 52ND STREET AND 56TH STREET. (RELATED ITEMS: 12R-191, 12R-192, 12R-193) (ACTION DATE: 12/20/12)

AMENDING THE FY 11/12 CIP TO AUTHORIZE AND APPROPRIATE \$1,606,500.00 IN TIF FUNDS FOR GATEWAY SENIOR LIVING CENTER - PHASE I PROJECTS. (RELATED ITEMS: 12R-191, 12R-192, 12R-193) (ACTION DATE: 12/20/12)

APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY FOR A COMMUNICATIONS CENTER TO CONTINUE TO SERVE THE COMMUNICATIONS NEEDS OF THE LINCOLN POLICE DEPARTMENT, LINCOLN FIRE & RESCUE, LANCASTER COUNTY SHERIFF'S OFFICE, AND THOSE RURAL FIRE/EMS AGENCIES WITH MEMBERSHIP IN THE LANCASTER COUNTY MUTUAL AID ASSOCIATION.

**MISCELLANEOUS BUSINESS - NONE**

**OPEN MICROPHONE**

Jane Svoboda, no address given, came forward to speak on various issues. This matter was taken under advisement.

Jo Tetherow, 3118 Shirley Ct., came forward to state that government should return to the people and be kept away from corporations by passing a resolution stating that corporations are not people and money is not speech. This matter was taken under advisement.

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David Cobb, National Projects Director of Democracy Unlimited and spokesperson for Move to Amend, came forward to state that Move to Amend is a multi-racial, multi-ethnic, non-partisan group coming together from all parts of the nation to call for an amendment to the Constitution that would abolish the court created idea that money equals speech and that corporations have inherent constitutional rights.

This matter was taken under advisement.

Carol Smith, 1814 Sumner St., came forward to present a petition with over 400 signatures from Lincoln citizens asking Council to pass the Move to Amend resolution.

This matter was taken under advisement.

Donna Roller, no address given, came forward to state that as a the owner of a small farm under threat from the Keystone Pipeline, she feels powerless and has no voice to protect her land from this large corporation that has spent 11 million dollars influencing the State Legislature.

This matter was taken under advisement.

Don Tilley, 4533 Starr Street, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

Ginny Wright, 5111 Vine Street, #101, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

Jim Anderson, 1322 A Street, #7, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

Jim Hansbrough, 2424 Scotch Pine Trail, came forward as a resident of the neighborhood where the new Wal-Mart location is proposed. There is concern about the threat to the safety of neighborhood children created by traffic taking shortcuts through residential streets. He requests that no entrance be allowed off of Grainger Street, only an exit.

This matter was taken under advisement.

Alexandra Keriakedes, 1631 J Street, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

Jim Cunningham, 800 F Street, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

Charlotte Knoflicek, 1009 South 48<sup>th</sup> Street, came forward in support of a Move to Amend resolution.

This matter was taken under advisement.

**ADJOURNMENT 4:33 P.M.**

CAMP Moved to adjourn the City Council meeting of August 13, 2012.

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

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Teresa J. Meier, Deputy City Clerk

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Amy H. Huffman, Senior Office Assistant