

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 8, 2013 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Eskridge; Council Members: Camp, Carroll, Cook, Emery, Hinkley, Schimek; City Clerk, Teresa J. Meier.

Council Chair Eskridge 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

HINKLEY Having been appointed to read the minutes of the City Council proceedings of April 1, 2013 reported having done so, found same correct.

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

PUBLIC HEARING

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P STREET FROM 7TH TO 8TH STREETS FROM MAY 4, 2013 THROUGH OCTOBER 12, 2013 AND ON 8TH STREET FROM P TO Q STREETS FROM MAY 4, 2013 THROUGH AUGUST 24, 2013 - Linda Hubka, 3169 Puritan Avenue, Market Manager for the Haymarket Farmers' Market, to answer questions. She requested permission to use 8th Street during the month of May to alleviate problems that vendors may have accessing Ironhorse Park until Q Street is paved. Ms. Hubka stated this year will mark the 28th year of the Market. Hubka responded affirmatively to Council Member Emery's request that she speak with a representative of the Post Office to assure they will not have entry/exit issues on market Saturdays.
This matter was taken under advisement.

TEXT CHANGE 13003 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTIONS 27.52.010, 27.52.020, 27.53.010, AND 27.53.020 TO ADOPT THE FLOOD INSURANCE RATE MAP (FIRM) FOR LANCASTER COUNTY NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013 AND THE FLOOD INSURANCE STUDY (FIS) FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013, AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (RELATED ITEMS 13-47, 13-48);

TEXT CHANGE 13004 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO LAND SUBDIVISION BY AMENDING SECTIONS 26.24.010 AND 26.25.010 TO ADOPT THE FLOOD INSURANCE RATE MAP (FIRM) FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013 AND THE FLOOD INSURANCE STUDY FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013, AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (RELATED ITEMS 13-47, 13-48) - Ben Higgins, Public Works & Utilities Watershed Management, Senior Engineer, came forward to explain the reason for amending the Code as being a date change to April 16, 2013, for flood plain map revisions in Lancaster County. Mr. Higgins recounted the public process that was followed. In response to Council questions, Mr. Higgins said there are very few changes in the City of Lincoln proper.

Mike Dennis, 1845 S. 48th St., came forward representing his business property at 1648 South 3rd Street. He said in early 2000, he met all the requirements set out by the flood plain map to build his new building above the elevation required and completed a lengthy form for FEMA. He asked for assistance from Council to remove his property from the flood plain.

Mr. Higgins came forward to offer his contact information to Mr. Dennis and help him get out of the flood plain, if warranted.

This matter was taken under advisement.

CHANGE OF ZONE 12028 - APPLICATION OF PARK RIDGE APARTMENTS TOO, LLC FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT WEST C STREET AND SOUTH FOLSOM STREET - Bob Stephens, 2829 Van Dorn, came forward as developer to answer questions. In response to Council questions, Mr. Stephens said he believes he has reached a tentative agreement with a nearby property owner to purchase the right-of-way.

Erin Bright, Engineer from Olsson Associates, was on hand to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 13004 - APPLICATION OF TDP PHASE ONE, LLC FOR A CHANGE OF ZONE FROM B-4 LINCOLN CENTER BUSINESS DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT WITH A SPECIAL SIGN DISTRICT DESIGNATION KNOWN AS "THE RAILYARD SPECIAL SIGN DISTRICT" ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND Q STREET - Brett West, 3042 Sheridan Blvd., came forward representing WRK for TDP Phase One, LLC to answer questions about a two-fold issue. First, he clarified that The Cube is a digital video board, not a sign. Secondly, he said the signage that spans two buildings is neither a wall nor monument sign but rather a portal to draw pedestrians into the plaza space. He said the Canopy Street Lofts will open August 1 and the Railyard on August 31.

This matter was taken under advisement.

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APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "LINCOLN CHILDREN'S ZOO WATER QUALITY EDUCATION PROJECT" - Ben Higgins, Public Works & Utilities Watershed Management, Senior Engineer, came forward to answer questions about the cooperative project. He said a grant provides for 60% funding by NDEQ with cost-shares from NRD and Lincoln Children's Zoo. Conceptual projects include a green roof on the Animal Kingdom Building, bio-filtration, pervious pavement and rehab of inadequate drainage. Mr. Higgins emphasized that with 180,000 visitors to the zoo annually, it is a prime location for stormwater quality education efforts. This matter was taken under advisement.

APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "ANTELOPE CREEK WATER QUALITY PROJECTS AND PROGRAMS" - Ben Higgins, Public Works & Utilities Watershed Management, Senior Engineer, came forward to answer questions about the Antelope Creek Watershed Basin Management Plan consisting of four projects & a non-structural program with cost-sharing from the NRD. The grant is for 60% funding of the construction costs. The series of bio-filtration practices along/adjacent to Antelope Creek in Antelope Park between A Street and Sheridan Boulevard. The goal is to bring the creek back to a more natural hydrologic state to slow the water down & spread it out to soak in. The non-structural program educates/encourages people to use rain barrels, rain gardens, downspout disconnections and promotes the use of non-phosphorus fertilizer & native grasses. Mr. Higgins said to talk about all these concepts, including the zoo project, there will be an open house on May 2, 2012, at the Auld Recreation Center.

Council Chair Eskridge requested that Mr. Higgins justify the reasoning for all these projects. Mr. Higgins explained that all the drainage in Lincoln runs down through inlets, into the storm drain pipes and out to creeks & streams. He said there is now a requirement to have a federal & state permit for water drainage through all our systems. The storm water permit is renewable every five years -- it requires the City to list planned projects as well as completing federal requirements. He said streams in Lincoln do not meet their recreational uses because of too much e-coli and possibly fertilizer. The goal is to stay ahead of the game by starting with Antelope Creek and fulfilling efforts to clean up as much as possible.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE UNIVERSITY OF NEBRASKA-LINCOLN TO PROVIDE PRACTICUM OR SHADOWING EXPERIENCES FOR STUDENTS AT THE HEALTH DEPARTMENT IN THE WIC, HEALTH PROMOTION AND EARLY CHILDHOOD SPECIAL EDUCATION PROGRAMS FOR A TERM OF JANUARY 1, 2013 THROUGH DECEMBER 31, 2014. (REQUEST P.H. ON 4/8/13 CONSENT AGENDA) - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87282 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Service Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the University of Nebraska-Lincoln to provide practicum or shadowing experiences for students at the Health Department in the Women, Infants & Children (WIC), Health Promotion and Early Childhood Special Education Programs for a term of January 1, 2013 through December 31, 2014, in accordance with the terms, conditions and assurances contained in said Agreement is hereby approved and the Mayor is hereby authorized to execute the Service Agreement on behalf of the City.

The City Clerk is directed to return an executed copy of the Agreement to Judy Halstead, Director of the Lincoln Lancaster County Health Department.

Introduced by Lloyd Hinkley

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

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED FEBRUARY 28, 2013 - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87283 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That during the month ended February 28, 2013, \$179,466.23 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 DiAnna Schimek

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

SETTING THE HEARING DATE OF MONDAY, APRIL 29, 2013 AT 5:30 P.M. ON THE NORTH 27TH STREET MAINTENANCE IMPROVEMENT DISTRICT, THE UNIVERSITY PLACE MAINTENANCE IMPROVEMENT DISTRICT, THE SOUTH STREET MAINTENANCE IMPROVEMENT DISTRICT AND THE HAVELOCK STREET MAINTENANCE IMPROVEMENT DISTRICT - Approved, 7-0.

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, APRIL 22, 2013 AT 3:00 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:
13-53 TO PROVIDE AUTHORITY TO CREATE AND ORDER CONSTRUCTED A PAVING DISTRICT WITHOUT MAJORITY PETITION IN 1ST STREET FROM P TO Q INCLUDING THE 1ST AND P STREET INTERSECTION AND Q STREET FROM 1ST TO 2ND STREET AND ASSESS THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES - Approved, 7-0.

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS FEBRUARY 28, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MARCH 25, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, APRIL 22, 2013 AT 3:00 P.M. FOR THE APPLICATION OF WAL-MART STORES, INC. DBA WALMART STORE 2432 FOR A CLASS D LIQUOR LICENSE LOCATED AT 2501 GRAINGER PARKWAY - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87284 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 22, 2013, 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 Wal-Mart Stores, Inc. dba Walmart Store 2432 for a Class D liquor license located at 2501 Grainger Parkway.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by DiAnna Schimek

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

SETTING THE HEARING DATE OF MONDAY, APRIL 22, 2013 AT 3:00 P.M. FOR THE APPLICATION OF DEMPSEY'S LINCOLN, INC. DBA DEMPSEY'S BURGER PUB FOR A CLASS C LIQUOR LICENSE LOCATED AT 228 N. 12TH STREET, SUITE 100 - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87285 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 22, 2013, 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 Dempsey's Lincoln, Inc. dba Dempsey's Burger Pub for a Class C liquor license located at 228 N. 12th Street, Suite 100.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by DiAnna Schimek

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

SETTING THE HEARING DATE OF MONDAY, APRIL 22, 2013 AT 3:00 P.M. FOR THE APPLICATION OF DOANTRANG THI TRINH DBA HOUSE OF HUNAN RESTAURANT FOR A CLASS I LIQUOR LICENSE LOCATED AT 5601 S. 56TH STREET - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87286 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 22, 2013, 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 Doantrang Thi Trinh dba House of Hunan Restaurant for a Class I liquor license located at 5601 S. 56th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by DiAnna Schimek

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

SETTING THE HEARING DATE OF MONDAY, APRIL 22, 2013 AT 3:00 P.M. FOR THE APPLICATION OF CHATTERS, LLC DBA RICH BAR & LOUNGE FOR A CLASS C LIQUOR LICENSE LOCATED AT 1640 O STREET, SUITE 3 - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87287 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 22, 2013, 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 Chatters, LLC dba Rich Bar & Lounge for a Class C liquor license located at 1640 O Street, Suite 3.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by DiAnna Schimek

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

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REFERRALS TO THE PLANNING DEPARTMENT:

CHANGE OF ZONE NO. 12030 - APP. OF ROKEBY HOLDINGS LTD., FROM AG AGRICULTURE DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND COUNTRYVIEW ROAD.

SPECIAL PERMIT NO. 12034 - APP. OF ROKEBY HOLDINGS LTD., GRAND VIEW ESTATES COMMUNITY UNIT PLAN, WITH UP TO 174 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND COUNTRYVIEW ROAD.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 13006 TO SPECIAL PERMIT NO. 270 - APPROVED BY THE PLANNING DIRECTOR ON MARCH 26, 2013 REQUESTED BY ARCHITECTURAL INNOVATIONS TO REVISE THE LAYOUT OF THE EXISTING PARKING, ELIMINATE ONE DRIVEWAY ONTO S. 50TH STREET AND UPDATE THE LANDSCAPE PLAN ON PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF S. 50TH STREET AND N STREET.

ADMINISTRATIVE AMENDMENT NO. 12069 TO SPECIAL PERMIT NO. 1674 - CHENEY RIDGE COMMUNITY UNIT PLAN, APPROVED BY THE PLANNING DIRECTOR ON APRIL 1, 2013 REQUESTED BY SOUTHVIEW, INC. TO REVISE THE APARTMENT LAYOUT, TO INCREASE THE MAXIMUM APARTMENT BUILDING HEIGHT TO 43 FEET AND TO SHOW THE ORIGINAL APARTMENT LOT DIVIDED INTO ONE LOT FOR THE APARTMENT COMPLEX AND AN OUTLOT TO BE OWNED AND MAINTAINED BY LINCOLN CHRISTIAN SCHOOL ON PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF S. 84TH STREET AND CHENEY RIDGE ROAD.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS - NONE

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

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P STREET FROM 7TH TO 8TH STREETS FROM MAY 4, 2013 THROUGH OCTOBER 12, 2013 AND ON 8TH STREET FROM P TO Q STREETS FROM MAY 4, 2013 THROUGH AUGUST 24, 2013 - CLERK read an ordinance, introduced by Lloyd Hinkley, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets and P Street from 7th to 8th Streets, from May 4, 2013 through October 12, 2013, and on 8th Street from P to Q Street from May 4, 2013 through August 24, 2013, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

TEXT CHANGE 13003 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTIONS 27.52.010, 27.52.020, 27.53.010, AND 27.53.020 TO ADOPT THE FLOOD INSURANCE RATE MAP (FIRM) FOR LANCASTER COUNTY NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013 AND THE FLOOD INSURANCE STUDY (FIS) FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013, AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. (RELATED ITEMS 13-47, 13-48) - CLERK read an ordinance, introduced by Lloyd Hinkley, amending Title 27 of the Lincoln Municipal Code relating to Zoning by amending Sections 27.52.010, 27.52.020, 27.53.010, and 27.53.020 to adopt the Flood Insurance Rate Map (FIRM) for Lancaster County Nebraska and Incorporated Areas Revised April 16, 2013 and the Flood Insurance Study (FIS) for Lancaster County, Nebraska and Incorporated Areas Revised April 16, 2013, as required by the Federal Emergency Management Agency; and repealing Sections 27.52.010, 27.52.020, 27.53.010, and 27.53.020 of the Lincoln Municipal Code as hitherto existing, the second time.

TEXT CHANGE 13004 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO LAND SUBDIVISION BY AMENDING SECTIONS 26.24.010 AND 26.25.010 TO ADOPT THE FLOOD INSURANCE RATE MAP (FIRM) FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013 AND THE FLOOD INSURANCE STUDY FOR LANCASTER COUNTY, NEBRASKA AND INCORPORATED AREAS REVISED APRIL 16, 2013, AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. (RELATED ITEMS 13-47, 13-48) CLERK read an ordinance, introduced by Lloyd Hinkley, amending Title 26 of the Lincoln Municipal Code relating to Land Subdivision by amending Sections 26.24.010 and 26.25.010 to adopt the Flood Insurance Rate Map (FIRM) for Lancaster County, Nebraska and Incorporated Areas Revised April 16, 2013 and the Flood Insurance Study for Lancaster County, Nebraska and Incorporated Areas Revised April 16, 2013, as required by the Federal Emergency Management Agency; and repealing Sections 26.24.010 and 26.25.010 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 12028 - APPLICATION OF PARK RIDGE APARTMENTS TOO, LLC FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT WEST C STREET AND SOUTH FOLSOM STREET - CLERK read an ordinance, introduced by Lloyd Hinkley, 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.

CHANGE OF ZONE 13004 - APPLICATION OF TDP PHASE ONE, LLC FOR A CHANGE OF ZONE FROM B-4 LINCOLN CENTER BUSINESS DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT WITH A SPECIAL SIGN DISTRICT DESIGNATION KNOWN AS "THE RAILYARD SPECIAL SIGN DISTRICT" ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND Q STREET - CLERK read an ordinance, introduced by Lloyd Hinkley, designating certain property bounded by N. 7th Street on the east, R Street on the north, Canopy Street on the west and Q Street on the south (known as the "Railyard"), as a Special Sign District in accordance with the provisions of Section 27.69.300 of the Lincoln Municipal Code and adopting special criteria for signs in said district, the second time.

PUBLIC HEARING - RESOLUTIONS

APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "LINCOLN CHILDREN'S ZOO WATER QUALITY EDUCATION PROJECT" - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87288 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Inter-Governmental Agreement between the City of Lincoln and the Nebraska Department of Environmental Quality regarding the implementation of the Section 319 Project entitled "Lincoln Children's Zoo Water Quality Education Project," upon the terms and conditions as set forth in said Agreement, is hereby approved, and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for Section 319 grant funding to improve water quality and address water quality in and around Lincoln Children's Zoo.

The City Clerk is hereby directed to transmit an executed original Agreement to Ben Higgins, Public Works & Utilities Department, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Lloyd Hinkley

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

APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "ANTELOPE CREEK WATER QUALITY PROJECTS AND PROGRAMS" - CLERK read the following resolution, introduced by Lloyd Hinkley, who moved its adoption:

A-87289 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Inter-Governmental Agreement between the City of Lincoln and the Nebraska Department of Environmental Quality regarding the implementation of the Section 319 Project entitled "Antelope Creek Water Quality Projects and Programs," upon the terms and conditions as set forth in said Agreement, is hereby approved, and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for Section 319 grant funding to improve water quality in a tributary to Antelope Creek in Antelope Park.

The City Clerk is hereby directed to transmit an executed original Agreement to Ben Higgins, Public Works & Utilities Department, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Lloyd Hinkley

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

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

VACATION NO. 13002 - VACATING SCHMIDT DRIVE BETWEEN W. DENTON ROAD AND SOUTH 1ST STREET - CLERK read an ordinance, introduced by Doug Emery, vacating Schmidt Drive between W. Denton Road and South 1st Street and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

EMERY Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19864**, is recorded in Ordinance Book #28, Page .

AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A MASTER TAX-EXEMPT LEASE PURCHASE AGREEMENT AND RELATED DOCUMENTS WITH U.S. BANK, OR AN AFFILIATE THEREOF, IN THE AMOUNT OF \$512,317 FOR THE ACQUISITION OF GOLF COURSE GROUNDS MAINTENANCE EQUIPMENT FOR USE BY THE CITY - CLERK read and ordinance, introduced by Doug Emery, an ordinance of the City of Lincoln, Nebraska authorizing and approving a Master Tax-exempt Lease/Purchase Agreement and Property Schedule No. 1 with U.S. Bankcorp Government Leasing and Finance, Inc. and a related escrow agreement for maintenance equipment in the amount of \$512,317.00; and related matters, the third time.

EMERY Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19865**, is recorded in Ordinance Book #28, Page .

RESOLUTION - FOR ACTION ONLY

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 16 - 28, 2013. (3/25/13 - ACTION DELAYED TO 4/8/13 ON CLAIM OF BRUCE DAVIDSON) - CLERK read the following resolution, introduced by DiAnna Schimek, who moved its adoption:

A-87290

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 March 1, 2013, 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>
Bruce D. Davidson	\$ 5,505.00

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 DiAnna Schimek

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

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

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "A" BY CHANGING THE PAY RANGE OF THE CLASSIFICATION OF "SYSTEMS SOFTWARE INTEGRATOR" - CLERK read an ordinance, introduced by DiAnna Schimek, amending Section 1 of Ordinance No. 19601 passed August 15, 2011, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A", by amending the pay range of the job classification Systems Software Integrator from (A15) to (A17), the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MARCH 16 - 31, 2013.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF LINCOLN AND E&A CONSULTING GROUP FOR ADDITIONAL DESIGN PHASE SERVICES FOR THE SOUTH 56TH STREET, SHADOW PINES DRIVE TO OLD CHENEY ROAD PROJECT, PROJECT NO. LCLC-5241(5), CONTROL NO. 13141.

APPROVING THE CONTRACT FOR CONSTRUCTION DESIGN SERVICES BETWEEN THE CITY OF LINCOLN AND OLSSON ASSOCIATES FOR ENGINEERING AND RELATED PROFESSIONAL SERVICES FOR THE CONSTRUCTION DESIGN OF STORM DRAIN IMPROVEMENTS NEAR 56TH AND COLFAX STREETS.

MISCELLANEOUS BUSINESS - NONE

RECOGNITION

Council Chair Eskridge acknowledged the presence of Boy Scout Troop 56 and Cub Scout Pack 56 chartered by North American Martyrs Catholic Church.

OPEN MICROPHONE

Jane Svoboda, address not given, came forward to speak about various issues.

This matter was taken under advisement.

ADJOURNMENT 6:14 P.M.

CAMP Moved to adjourn the City Council meeting of April 8, 2013.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll,
Cook, Eskridge, Emery, Hinkley, Schimek; NAYS: None.

Teresa J. Meier, City Clerk

Sandy L. Dubas, Office Specialist

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