

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JUNE 24, 2013 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Eskridge; Council Members: Camp, Christensen, Cook, Emery, Fellers, Gaylor Baird; 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

FELLERS Having been appointed to read the minutes of the City Council proceedings of June 17, 2013 reported having done so, found same correct.

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING

APPOINTING SARAH PEETZ TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2014 - Sarah Peetz, Vice President for Community Outreach at Lincoln Community Foundation, came forward to answer questions and to state that she is honored to be considered for appointment to the LES Board.

This matter was taken under advisement.

CHANGE OF ZONE 13006 - APPLICATION OF NEIGHBORWORKS LINCOLN AND NEW HORIZONS ENTERPRISES, LLC FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO R-7 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY TO DESIGNATE THE BOWMAN-CAMERON HOUSE, GENERALLY LOCATED AT 1201 D STREET, AS A LANDMARK. (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2ND READING (PUBLIC HEARING) WITH 3RD READING & ACTION ON THAT DATE) - Pamela L. Dingman, Engineering Design Consultants, came forward on behalf of New Horizons Enterprises and NeighborWorks to state that New Horizons is an environmental consulting firm specializing in lead and asbestos abatement. They have completed several projects in town, including the old Assurity Building. Owner Stephanie Isaacson would like to occupy the second floor of this house, using the ground floor for her business whenever she is working in Lincoln. This is a public/private partnership with NeighborWorks, who own this property.

Marvin Krout, Director of Planning, came forward to state that this property is in a neighborhood that is zoned Residential. Normally, office use is not allowed, but if the building is designated as a landmark, there is the opportunity to use a Special Permit for Historic Preservation, which would allow for additional uses other than residential and would provide for the preservation of the building. Planning Commission has approved the Special Permit and it has also been reviewed by the Everett Neighborhood and the Historic Preservation Board and both have also recommended approval. This location is close to downtown and is exactly the type of mixed, light office use consistent with the goals of the Comprehensive Plan.

This matter was taken under advisement.

CHANGE OF ZONE 13010 - APPLICATION OF JOHN HOLLINGSWORTH AND CAMERON TOWNHOMES FOR A CHANGE OF ZONE FROM AGR AGRICULTURE RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND CUMBERLAND DRIVE. (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2ND READING & PUBLIC HEARING) - Mike Eckert, Civil Design Group, came forward on behalf of John Hollingsworth and Cameron Townhomes to state that this Community Unit Plan has been in progress since February. Staff discovered that a small portion of the area is still zoned AGR Agriculture Residential, so the goal is to bring everything into the R-3 CUP. Our CUP will appear before Planning Commission this upcoming Wednesday.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND MIDWEST PUMP AND EQUIPMENT CO. FOR UNIT PRICE CONTRACT FOR PARTS AND SERVICE FOR QUINCY AIR COMPRESSOR FOR STARTRAN, PURSUANT TO QUOTE NO. 4300, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - Bob Walla, Assistant Purchasing Agent, came forward to answer questions.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND G K SERVICES FOR THE ANNUAL REQUIREMENTS TO SUPPLY AND DELIVER STARTRAN UNIFORM RENTAL, PURSUANT TO QUOTE NO. 4431, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - Bob Walla, Assistant Purchasing Agent, came forward to answer questions.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING KATHI WIESKAMP TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2016 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87388 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Kathi Wieskamp to the Parks and Recreation Advisory Board for a term expiring April 27, 2016, is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING LEO BENES, RUSS F. NEIL AND THOMAS WRIGHT TO THE ALARM APPEALS BOARD FOR TERMS EXPIRING JULY 1, 2015 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87389 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Leo Benes, Russ F. Neil and Thomas Wright to the Alarm Appeals Board for terms expiring July 1, 2015, is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING GEORGIA GLASS TO THE LINCOLN HOUSING AUTHORITY BOARD FOR A TERM EXPIRING JULY 1, 2018 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87390 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Georgia Glass to the Lincoln Housing Authority Board for a term expiring July 1, 2018 is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING PAUL BARNETT AND DR. STEVEN EGGLAND TO THE CABLE ADVISORY BOARD FOR TERMS EXPIRING JULY 1, 2014 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87391 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Paul Barnett and Dr. Steven Egglan to the Cable Advisory Board for terms expiring July 1, 2014 is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING JERROD JAEGER AND JIM JOHNSON TO THE CABLE ADVISORY BOARD FOR TERMS EXPIRING JULY 1, 2016 - PRIOR to reading:

EMERY Moved MTA #1 to amend Bill No. 13R-127 in the following manner:

1. On line 2 strike "Jerrod Jaeger and".
2. On line 3 strike the word "terms" and insert in lieu thereof the words a term.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87392 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of ~~Jerrod Jaeger and~~ Jim Johnson to the Cable Advisory Board for ~~terms~~ a term expiring July 1, 2016 is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING SARAH PEETZ TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2014 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87393 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Sarah Peetz to the Lincoln Electric System Administrative Board for a term expiring December 31, 2014 is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING KELLY O'HANLON TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING JUNE 1, 2014 - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87394 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Kelly O'Hanlon to the Parks & Recreation Advisory Board for a term expiring June 1, 2014 is hereby approved.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REQUEST OF PUBLIC WORKS TO SET THE PUBLIC HEARING DATE OF MONDAY, JULY 15, 2013 AT 3:00 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

13R-140 AUTHORITY TO ORDER PAVING DISTRICT 2631 CONSTRUCTED, BEING IN GLADSTONE FROM 35TH TO 36TH ST. AND IN 36TH ST. FROM GLADSTONE TO HARTLEY, AND ASSESS THE COST THEREOF AGAINST THE BENEFITED PROPERTY. Approved, 7-0.

EMERY So moved.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JUNE 10, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 13036 to Change of Zone No. 05026B, Apple's Way Planned Unit Development, approved by the Planning Director on June 13, 2013, requested by Old City Homes, Inc., to adjust the side setback for Lot 4, Block 2 (6308 Artisan Way) from 10' to 9', on property generally located near S. 63rd St. and Highway 2.

Waiver No. 12024, approved by the Planning Director on June 17, 2013, requested by Scott Anderson, to extend the time for two years to install sidewalks on S. 86th Street, landscape screen and street trees for Anderson's Place 1st Addition. The improvements shall be completed by June 17, 2015. Property is generally located at N. 84th St. and Leighton Ave.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS -NONE

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

CHANGE OF ZONE 13006 - APPLICATION OF NEIGHBORWORKS LINCOLN AND NEW HORIZONS ENTERPRISES, LLC FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO R-7 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY TO DESIGNATE THE BOWMAN-CAMERON HOUSE, GENERALLY LOCATED AT 1201 D STREET, AS A LANDMARK (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2ND READING (PUBLIC HEARING) WITH 3RD READING & ACTION ON THAT DATE) - CLERK Read an ordinance, introduced by Jonathan Cook, amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as Landmark, the second time. (See final Action under "Ordinances - 3rd Reading")

CHANGE OF ZONE 13010 - APPLICATION OF JOHN HOLLINGSWORTH AND CAMERON TOWNHOMES FOR A CHANGE OF ZONE FROM AGR AGRICULTURE RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND CUMBERLAND DRIVE (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2ND READING & PUBLIC HEARING) - CLERK Read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

PUBLIC HEARING - RESOLUTIONS

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND MIDWEST PUMP AND EQUIPMENT CO. FOR UNIT PRICE CONTRACT FOR PARTS AND SERVICE FOR QUINCY AIR COMPRESSOR FOR STARTRAN, PURSUANT TO QUOTE NO. 4300, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

A-87395 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln and Midwest Pump and Equipment Co. for unit pricing of Parts and Service for Quincy Air Compressor for StarTran, pursuant to Quote No. 4300, for a two-year term with the option to renew for one additional two-year term, upon the terms as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Doug Emery

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND G K SERVICES FOR THE ANNUAL REQUIREMENTS TO SUPPLY AND DELIVER STARTRAN UNIFORM RENTAL, PURSUANT TO QUOTE NO. 4431, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

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A-87396

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Contract Agreement between the City of Lincoln and GK Services for the annual requirements to supply and deliver StarTran Uniform Rental, pursuant to Quote No. 4431, for a two-year term with the option to renew for one additional two-year term, upon the terms as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Doug Emery

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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

CHANGE OF ZONE 13006 - APPLICATION OF NEIGHBORWORKS LINCOLN AND NEW HORIZONS ENTERPRISES, LLC FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO R-7 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY TO DESIGNATE THE BOWMAN-CAMERON HOUSE, GENERALLY LOCATED AT 1201 D STREET, AS A LANDMARK (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2ND READING (PUBLIC HEARING) WITH 3RD READING & ACTION ON THAT DATE) - CLERK Read an ordinance, introduced by Jonathan Cook, amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as Landmark, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird.

The ordinance, being numbered **#19889**, is recorded in Ordinance Book #28, Page .

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

AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF ANTELOPE VILLAGE REDEVELOPMENT PROJECT TAX ALLOCATION BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Fellers, authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes, or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$800,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Antelope Village Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

AMENDING SECTION 5.04.165 OF THE LINCOLN MUNICIPAL CODE RELATING TO OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTOR VEHICLES BY ADDING A NEW SUBSECTION (C) TO CLASSIFY A VIOLATION OF THIS SECTION AS AN INFRACTION AND PRESCRIBING THE PENALTY FOR VIOLATION OF THAT SECTION CONSISTENT WITH STATE STATUTES - CLERK read an ordinance, introduced by Fellers, amending Section 5.04.165 of the Lincoln Municipal Code relating to open alcoholic beverage containers in motor vehicles by adding a new subsection (c) to classify a violation of this section as an infraction and prescribing the penalty for violation of that section, consistent with state statutes; and repealing Section 5.04.165 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND 1320 P LLC FOR A WALL EASEMENT AT 1320 P STREET IN CONJUNCTION WITH DEVELOPMENT OF CIVIC PLAZA, GRANTING OF A BUILDING RESTRICTION EASEMENT ALONG THE EASTERN BOUNDARY OF THE CIVIC PLAZA, AND PROVIDING AN OPTION FOR THE DEVELOPMENT AND OPERATION OF A SIDEWALK CAFÉ IN THE SOUTHEASTERN AREA OF THE CIVIC PLAZA. (RELATED ITEMS: 13-75, 13R-139) - CLERK read an ordinance, introduced by Fellers, accepting and approving the Agreements between the City of Lincoln and 1320 P LLC for a wall easement at 1320 P Street in conjunction with development of Civic Plaza, granting of a building restriction easement along the eastern boundary of Civic Plaza, and providing an option for the development and operations of a sidewalk café in the southeastern area of Civic Plaza and authorizing the Mayor to sign such Agreement and related documents on behalf of the City, the first time.

AMENDING THE FIRST YEAR (2012-2013) OF THE SIX YEAR CIP TO ADD THE CIVIC PLAZA PROJECT GENERALLY LOCATED AT 13TH AND P STREETS TO THE PARKS AND RECREATION DEPARTMENT LIST OF CAPITAL IMPROVEMENT PROJECTS AND APPROVING THE APPROPRIATION OF \$400,925 IN TIF FUNDS AND \$100,001 IN KENO FUNDS FOR THE PROJECT. (RELATED ITEMS: 13-75, 13R-139).

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

AMENDING THE FUNDING SHOWN FOR PARKS AND RECREATION CIP PROJECT 660 STEVENS CREEK PARK SITE ACQUISITION BY CHANGING AND INCREASING THE APPROPRIATION FROM \$1,000,000 OF OTHER FINANCING TO \$1,157,400 OF ADVANCE ACQUISITION FUNDS AND AUTHORIZING THE FINANCE DIRECTOR TO INCREASE APPROPRIATIONS FOR AND APPROVE THE EXPENDITURE OF \$1,157,400 FROM WITHIN THE ADVANCE ACQUISITION FUND FOR THE PROJECT.

APPROVING OVERLORD LLC DBA BUNNERS AS A KENO SATELLITE SITE AT 2785 SOUTH 17TH STREET.

APPROVING THE 2013 - 2017 STRATEGIC PLAN FOR COMMUNITY DEVELOPMENT STRATEGIES TO BE CARRIED OUT IN LINCOLN.

APPROVING THE FISCAL YEAR 2013 ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT PER CITY ORDINANCE WHEN FUNDING APPROPRIATIONS COMES FROM MORE THAN ONE FISCAL YEAR CIP FOR THE PRESCOTT AVENUE FROM 47TH STREET TO 48TH STREET PAVING PROJECT, CITY PROJECT NO. 540616.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND GRAYBAR ELECTRIC COMPANY FOR THE ANNUAL REQUIREMENTS OF ELECTRICAL PRODUCTS, PURSUANT TO COUNTY OF LOS ANGELES, CALIFORNIA CONTRACT NO. MA-IS-1340234-1, FOR A THREE YEAR TERM.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2013.

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE

Jane Svoboda, no address given, came forward to share her thoughts on various issues.

This matter was taken under advisement.

Mike Morosin, 1500 N. 15th St., came forward to share the words of President John Adams in honor Independence Day.

This matter was taken under advisement

ADJOURNMENT 5:50 P.M.

CAMP Moved to adjourn the City Council meeting of June 24, 2013.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist

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