

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 26, 2013 AT 5:30 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Eskridge; Council Members: Christensen, Cook, Emery, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier; Absent: Camp.

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

CHRISTENSEN Having been appointed to read the minutes of the City Council proceedings of August 19, 2013 reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF PERSHING CENTER FOR A SPECIAL DESIGNATED LICENSE FOR AN AREA MEASURING APPROXIMATELY 6,853 SQ. FT. AT THE CAPITOL TERRACE OF THE PINNACLE BANK ARENA AND APPROXIMATELY 428,339 SQ. FT. AT THE FESTIVAL SPACE TO THE NORTH OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON AUGUST 29, 30 & 31, 2013 & SEPTEMBER 7, 2013 FROM 7:00 A.M. TO 12:00 A.M. - Tom Lorenz, General Manager of Pershing Center and Pinnacle Bank Arena, came forward to state these applications for outdoor events were administratively applied for through Pershing in order to account for timelines. The first events encompass the grand opening of the Arena, with the ribbon cutting on the 29th and additional events the following days including the first Husker football game of the season. The expected turnout is up to approximately 2,000 individuals. Discussion followed.

This matter was taken under advisement.

APPLICATION OF STOP N SHOP INC. DBA STOP N SHOP #5 FOR A CLASS D LIQUOR LICENSE AT 2200 N. 48TH STREET. (8/19/13 - PUBLIC HEARING & ACTION CONT'D TO 8/26/13); MANAGER APPLICATION OF JASON K. LAESSIG FOR STOP N SHOP INC. DBA STOP N SHOP #5 AT 2200 N. 48TH STREET. (8/19/13 - PUBLIC HEARING & ACTION CONT'D TO 8/26/13) - Jason K. Laessig, 5440 Valley Rd., came forward to take the oath and answer questions. This will be the third Stop N Shop in Lincoln, in addition to other locations in surrounding communities. This location was purchased from an owner/occupant and this action is to transition the license into the name of Mr. Laessig.

This matter was taken under advisement.

AMENDING SECTION 27.06.180 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MANUFACTURE, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP BY AMENDING THE MANUFACTURING, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP TABLE TO SHOW OUTDOOR VEHICLE STORAGE AS A PERMITTED USE IN THE B-4, I-1 AND I-3 ZONING DISTRICTS AND TO SHOW OPEN STORAGE AS A PERMITTED USE IN THE I-3 ZONING DISTRICT - Stephen S. Henrichsen, Planning Department, came forward to state this is a clean-up item to clarify recent questions that came up regarding outdoor vehicle storage and open storage, which had been inadvertently left out of the permitted uses in these zones.

This matter was taken under advisement.

VACATION NO. 13001 - VACATING THE SOUTH 10 FEET OF J STREET BETWEEN S. 5TH AND S. 6TH STREETS, THE WEST 10 FEET OF S. 6TH STREET BETWEEN J AND H STREETS AND THE NORTH 17 FEET OF G STREET BETWEEN S. 4TH AND S. 6TH STREETS - Michael Rierdon, 654 M St., Ste. 200, came forward to state that this request is to allow for the future expansion of the operations of TMCO, the applicant. Discussion followed.

Larry Chilese, 835 S. St., clarified for Council that the area in question is for the right-of-way only, not for any part of the street.

Council Member Cook stated there has been reluctance in the past to give up right-of-way due to the uncertainty of what the area will be used for in the future.

Steve Henrichsen, Planning Department, came forward to state that it was necessary to sell the space because it is going to be used as setback. TMCO's plans include expanding right up to the property lines. Planning reviewed options and is comfortable with the amount of right-of-way space. Discussion followed.

This matter was taken under advisement.

AMENDING SECTION 9.20.050 OF THE LINCOLN MUNICIPAL CODE RELATING TO DISTURBING THE PEACE TO CLARIFY THAT THE PENALTY FOR SUCH OFFENSE INCLUDES THE OPTION OF BOTH A FINE AND IMPRISONMENT IN THE COUNTY JAIL - Rod Coner, City Attorney, came forward to state that in 2012, the section of the Lincoln Municipal Code regarding disturbing the peace was amended and reorganized and its own penalty provision was added. The LMC needed to state that the penalty could include imprisonment of up to 3 months, a \$500 fine, or both. This will also bring the law up-to-date with State statute.

This matter was taken under advisement.

REGULAR MEETING

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AMENDING RESOLUTION NO. A-86822 TO CHANGE THE PORTION OF THE LOCAL GOVERNMENT MISCELLANEOUS EXPENDITURES POLICY REGARDING MEAL REIMBURSEMENT TO TIE THE CITY'S MEAL REIMBURSEMENT RATE TO THE APPROVED FEDERAL RATE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96);

AMENDING THE 2012-2014 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2013-2014 FISCAL YEAR. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96);

APPROVING A SCHEDULE OF FEES THE CITY MAY CHARGE FOR AMBULANCE SERVICE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96);

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT, THE PARKS & RECREATION DEPARTMENT, THE LIBRARY DEPARTMENT, AND THE URBAN DEVELOPMENT DEPARTMENT. (8/12/13 - TO HAVE 2ND READING W/PUBLIC HEARING & 3RD READING WITH ACTION ON 8/26/13 TO COINCIDE WITH BUDGET RESOLUTION) (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) - Steve Hubka, Director of Finance, came forward to state that the first item is to tie the City's per diem rates to the approved Federal rates so they do not need to be amended frequently and do not fall behind the times in terms of setting appropriate dollar amounts. The substitute resolution for the second item makes changes to what was already submitted. It incorporates the latest valuations in property tax rates. Valuations increased 2.61% and with existing tax rates, that allows the City to generate an additional \$1.2 million in revenue. It is proposed that \$682,681.00 be allocated to the General Fund, which makes up for the shortfall in sales taxes, and that \$553,426.00 be allocated to the Police and Fire Pension Fund. Those are two of the best places to allocate this money in terms of maintaining the high bond rating that this City has.

John Huff, Chief of Fire Department, came forward to state the third item is the proposed rate increase for ambulance service. In answer to Council questions, Chief Huff replied that the EMS Oversight Agency was established to provide independent oversight and to make sure medical industry standards are being met. Discussion followed.

Fran Mejer, Public Works Department, came forward to state the final item is an annual ordinance requested by Public Works to close out projects for the year. Sometimes it is necessary to fund a project that is over budget with funds from another project, and this is a true up of funds used.

This matter was taken under advisement.

PRE-EXISTING USE PERMIT NO. 9U - APPLICATION OF BCLINC, LLC TO ADJUST THE PARKING REQUIREMENTS FOR THE EDGEWOOD SHOPPING CENTER GENERALLY LOCATED AT SOUTH 56TH STREET AND HIGHWAY 2 - Danay Kalkowski, Seacrest & Kalkowski, came forward to state that this is the former K-Mart location. The adjustment in parking requirements is consistent with other office zoning and similar to what was approved for Eastpark Plaza. It allows for a broader variety of tenants and uses and encourages the redevelopment of existing buildings. This step has become important for older shopping centers that are now turning over in use. Action will not affect any private parking covenants and will have no impact on surrounding neighborhoods. Planning unanimously recommended approval. Discussion followed.

Dan Rosenthal, Rega Engineering Group, Inc., was on hand to answer questions.

This matter was taken under advisement.

AUTHORIZING AND SUPPORTING THE PARKS & RECREATION DEPARTMENT'S SUBMITTAL OF A APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM GRANT FOR REPAIR OF THE BILLY WOLFF TRAIL BETWEEN RANDOLPH AND 27TH STREET - Terry Genrich, Parks & Recreation Department, came forward to state that this resolution is a requirement for the grant application. These funds will be used to rebuild the final section of the Billy Wolff Trail to be renovated. Discussion followed.

This matter was taken under advisement.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPT. OF ROADS FOR THE CAVETT CONNECTOR TRAIL PROJECT, NDOR PROJECT NO. ENH-55(172) CONTROL NO. 13079, TO REMOVE THE FEDERAL FUNDING CAP TO ALLOW ADDITIONAL FUNDS ABOVE THE ORIGINAL FEDERAL FUNDING CAP TO BE REIMBURSED AT THE 80% FEDERAL SHARE AMOUNT - Terry Genrich, Parks & Rec, came forward to state that if for some reason the project goes over budget, this acknowledges that the Federal Funding Cap has been removed and will allow for reimbursement without the request for a resolution in the future.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR MAINTENANCE RESURFACING WORK ON SELECTED PORTIONS OF HIGHWAY US-34 WITHIN THE CORPORATE LIMITS OF LINCOLN. (STATE PROJECT NO. STP-BH-HSIP-34-6(141), CN 12975) - Thomas Schafer, Public Works Department, came forward to state this is an agreement with the State which requires no City money, but because portions of project are within City limits, an approval signature is required.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON AUGUST 12, 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, SEPTEMBER 9, 2013 AT 3:00 P.M. FOR THE APPLICATION OF CHIPOTLE MEXICAN GRILL, INC. DBA CHIPOTLE MEXICAN GRILL FOR A CLASS I LIQUOR LICENSE LOCATED AT 6005 O STREET, SUITE A - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87525 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 9, 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 Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill for a Class I liquor license located at 6005 O Street, Suite A.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, SEPTEMBER 9, 2013 AT 3:00 P.M. FOR THE APPLICATION OF MCKENNY'S PUB, LLC DBA MCKENNY'S IRISH PUB FOR A CLASS I LIQUOR LICENSE LOCATED AT 151 N. 8TH STREET. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87526 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 9, 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 McKenny's Pub, LLC dba McKenny's Irish Pub for a Class I liquor license located at 151 N. 8th Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, SEPTEMBER 9, 2013 AT 3:00 P.M. FOR THE APPLICATION OF CAREY JOHNSON OIL COMPANY, INC. DBA EZ GO #81 FOR A CLASS D LIQUOR LICENSE LOCATED AT 8411 WINDMILL DRIVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87527 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 9, 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 Carey Johnson Oil Company, Inc. dba EZ Go #81 for a Class D liquor license located at 8411 Windmill Drive.

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

Introduced by Roy Christensen

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 13053 to Special Permit No. 1762D, Vintage Heights Community Unit Plan, approved by the Planning Director on August 13, 2013, requested by Tuscany Townhomes, LLC, to adjust the front setback from 20 feet to 18 feet for Lots 13, 17 & 34, Block 23 and Lot 11, Block 24, but only for the front yard where the garage opening does not face it, on property generally located near S. 84th St. and Foxtail Dr.

Administrative Amendment No. 13026 to Final Plat No. 05074, approved by the Planning Director on August 19, 2013, requested by Village Gardens Development Co., to extend the time for two years to install a landscape screen, a pedestrian sidewalk and street trees along an improved major street, and street trees along non-major streets for Village Gardens Addition. The improvements shall be completed by August 19, 2015. Property is generally located at S. 56th St. and Pine Lake Rd.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF PERSHING CENTER FOR A SPECIAL DESIGNATED LICENSE FOR AN AREA MEASURING APPROXIMATELY 6,853 SQ. FT. AT THE CAPITOL TERRACE OF THE PINNACLE BANK ARENA AND APPROXIMATELY 428,339 SQ. FT. AT THE FESTIVAL SPACE TO THE NORTH OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON AUGUST 29, 30 & 31, 2013 & SEPTEMBER 7, 2013 FROM 7:00 A.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-87528 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 Pershing Center for a Special Designated License to cover an area measuring approximately 6,853 sq. ft. at the Capitol Terrace of the Pinnacle Bank Arena and approximately 428,339 sq. ft. at the Festival Space to the north of Pinnacle Bank Arena located at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on August 29, 2013 from 12:00 p.m. to 12:00 a.m., August 30, 2013 from 12:00 p.m. to 12:00 a.m., August 31, 2013 from 11:00 a.m. to 12:00 a.m., and September 7, 2013 from 7:00 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.
5. Any food sold shall be provided by a licensed and inspected establishment.

Introduced by Trent Fellers

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

APPLICATION OF STOP N SHOP INC. DBA STOP N SHOP #5 FOR A CLASS D LIQUOR LICENSE AT 2200 N. 48TH STREET. (8/19/13 - Public Hearing & Action cont'd to 8/26/13) - - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-87529 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 Stop N Shop Inc. dba Stop N Shop #5 for a Class "D" liquor license at 2200 N. 48th Street, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
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 Trent Fellers

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

MANAGER APPLICATION OF JASON K. LAESSIG FOR STOP N SHOP INC. DBA STOP N SHOP #5 AT 2200 N. 48TH STREET. (8/19/13 - Public Hearing & Action cont'd to 8/26/13) - - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-87530 WHEREAS, Stop N Shop Inc. dba Stop N Shop #5 located at 2200 N. 48th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Jason K. Laessig be named manager;
WHEREAS, Jason K. Laessig 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 Jason K. Laessig 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 Trent Fellers

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

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

AMENDING SECTION 27.06.180 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MANUFACTURE, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP BY AMENDING THE MANUFACTURING, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP TABLE TO SHOW OUTDOOR VEHICLE STORAGE AS A PERMITTED USE IN THE B-4, I-1 AND I-3 ZONING DISTRICTS AND TO SHOW OPEN STORAGE AS A PERMITTED USE IN THE I-3 ZONING DISTRICT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 27.06.180 of the Lincoln Municipal Code relating to the Manufacture, Processing, Storage and Distribution Use Group by amending the Manufacturing, Processing, Storage and Distribution Use Group Table to show outdoor vehicle storage as permitted use in the B-4, I-1 and I-3 zoning districts and to show open storage as a permitted use in the I-3 zoning district; and repealing Section 27.06.180 of the Lincoln Municipal Code as hitherto existing, the second time.

VACATION NO. 13001 - VACATING THE SOUTH 10 FEET OF J STREET BETWEEN S. 5TH AND S. 6TH STREETS, THE WEST 10 FEET OF S. 6TH STREET BETWEEN J AND H STREETS AND THE NORTH 17 FEET OF G STREET BETWEEN S. 4TH AND S. 6TH STREETS - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating the south 10 feet of J Street between S. 5th and S. 6th Streets, the west 10 feet of S. 6th Street between J and H Streets and the north 17 feet of G Street between S. 4th and S. 6th Streets and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

AMENDING SECTION 9.20.050 OF THE LINCOLN MUNICIPAL CODE RELATING TO DISTURBING THE PEACE TO CLARIFY THAT THE PENALTY FOR SUCH OFFENSE INCLUDES THE OPTION OF BOTH A FINE AND IMPRISONMENT IN THE COUNTY JAIL - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 9.20.050 of the Lincoln Municipal Code, relating to disturbing the peace to clarify that the penalty for such offense includes the option of both a fine and imprisonment in the county jail; and repealing Section 9.20.050 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING RESOLUTION NO. A-86822 TO CHANGE THE PORTION OF THE LOCAL GOVERNMENT MISCELLANEOUS EXPENDITURES POLICY REGARDING MEAL REIMBURSEMENT TO TIE THE CITY'S MEAL REIMBURSEMENT RATE TO THE APPROVED FEDERAL RATE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) **(See further Council Action under ORDINANCES - 3RD READING.)**

AMENDING THE 2012-2014 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2013-2014 FISCAL YEAR. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) **(See further Council Action under ORDINANCES - 3RD READING.)**

APPROVING A SCHEDULE OF FEES THE CITY MAY CHARGE FOR AMBULANCE SERVICE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) **(See further Council Action under ORDINANCES - 3RD READING.)**

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT, THE PARKS & RECREATION DEPARTMENT, THE LIBRARY DEPARTMENT, AND THE URBAN DEVELOPMENT DEPARTMENT - CLERK read an ordinance, introduced by Trent Fellers, eliminating certain appropriations and approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Street Construction Fund, Capital Projects Fund, Water Fund, and Wastewater Fund for the Public Works & Utilities Department; within the Keno Fund, Maintenance Fund, and MIRF Fund for the Parks & Recreation Department; within the Keno Fund for the Library Department; and within the MIRF Fund, General Fund, Parking Lot Revolving Construction, and Parking Facility Bond Series 2012 for the Urban Development Department, the second time. **(See further Council Action under ORDINANCES - 3RD READING.)**

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 AUGUST 1 - 15, 2013 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87534 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, 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:

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<u>WITHDRAWN CLAIMS</u>	
Gale and Bernice Sup	\$198,000.00
The Hitchin' Post of Lincoln, Inc.	317,943.51

<u>ALLOWED/SETTLED CLAIMS</u>	
Larry Miller	\$3,689.00
Robert F. Siegel	50.39
Lori Davison	1,012.66
Shane Dunn	168.48
Benjamin Lucks	349.81

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 Leirion Gaylor Baird

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

PRE-EXISTING USE PERMIT NO. 9U - APPLICATION OF BCLINC, LLC TO ADJUST THE PARKING REQUIREMENTS FOR THE EDGEWOOD SHOPPING CENTER GENERALLY LOCATED AT SOUTH 56TH STREET AND HIGHWAY 2 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87535 WHEREAS, BCLINC, LLC has submitted an application in accordance with Section 27.64.010 of the Lincoln Municipal Code designated as Pre-Existing Use Permit No. 9U to amend Pre-Existing Use Permit No. 9 in order to reduce the number of required parking stalls from 4.5 stalls per 1,000 square feet of floor area for office or retail uses and one space per 100 square feet for restaurant/bar uses to one stall per 300 square feet, regardless of use, except for theaters on property generally located at Edgewood Shopping Center at S. 56th Street and Highway 2, and legally described as:

Lot 1 and Outlots A and B, Edgewood Center; Lots 1 and 2, Edgewood Center 2nd Addition; Lot 2 and Outlot A, Edgewood Center 4th Addition; Lots 1 and 2, Edgewood Center 5th Addition; Lots 1 and 2, Edgewood Center 6th Addition; and Lots 120 and 121 I.T., all located in the Southwest Quarter of Section 9, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the pre-existing use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of BCLINC, LLC, hereinafter referred to as "Permittee", to amend Pre-Existing Use Permit No. 9 to adjust the parking requirements in the Edgewood Shopping Center, on the property legally described above be and the same is hereby granted under the provisions of Section 27.64.010 of the Lincoln Municipal Code upon condition that operation of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a reduction in the required parking to one space per 300 square feet of floor area for up to 491,436 square feet of commercial floor area, except for theaters which remains unchanged at one space per 50 square feet of floor area and parking for associated uses.

2. The Permittee shall submit a revised site plan to the Planning Department showing the following changes:

a. Delete the amounts from the total column of the land use/parking table for the parking requirements.

b. Redraw the boundary of the use permit to include South 59th Street, and to not include the right-of-way stub at Shady Creek Road.

c. Add a note which states "PARKING ARRANGEMENT IS FOR THE PURPOSE OF ILLUSTRATION."

3. Prior to the issuance of a building permit:

a. The Permittee shall provide documentation from the Register of Deeds that the letter of acceptance has been recorded.

b. The construction plans must substantially comply with the approved plans.

4. All development and construction must substantially comply with the approved plans.

5. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee or an appropriately established owners association approve by the City.

6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

7. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the use permit. The City Clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

9. The site plan as approved with this resolution voids and supersedes all previously approved site plans; however the terms and conditions of all resolutions approving previous permits remain in full force and effect except as specifically amended by this resolution.

Introduced by Leirion Gaylor Baird

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

AUTHORIZING AND SUPPORTING THE PARKS & RECREATION DEPARTMENT'S SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM GRANT FOR REPAIR OF THE BILLY WOLFF TRAIL BETWEEN RANDOLPH AND 27TH STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87536 WHEREAS, the City of Lincoln through its Parks & Recreation Department proposes to apply to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant funds for the purpose of restoring the Billy Wolff Trail between Randolph Street and Capitol Parkway, and 27th Street and Capitol Parkway; and

WHEREAS, the total cost of the project will be \$250,728.00, of which the Recreational Trails Program request will be \$200,582.00, and the City of Lincoln's cost will be \$30,146.00, plus a \$20,000.00 donation from the Great Plains Trail Network; and

WHEREAS, the City of Lincoln wishes to express its support for the project and its willingness to commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for the public.

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

1. The City of Lincoln hereby expresses its support for the application being made by its Parks & Recreation Department to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program fund for the purpose of constructing and renovating the project described above and known as the Bill Wolff Trail between Randolph Street and 27th Street and its commitment to the on-going maintenance of the trail.

2. The City of Lincoln currently has the commitment for \$30,146.00 plus \$20,000.00 donation from GPTN, or 20% local matching share, for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.

3. The City of Lincoln will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public use.

4. The City of Lincoln will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in the use of the proposed project acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.

5. The City of Lincoln will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders, and all state laws that govern the grant applicant during the performance of the project.

6. The City of Lincoln will comply with the federal disability access and use standards where they can be reasonably applied in accord with the Americans with Disabilities Act of 1991.

7. The Mayor is hereby authorized to sign all documents necessary and required to make application to acquire said grant funds.

8. The City Clerk is directed to transmit a certified copy of this resolution to the Parks & Recreation Department for transmittal to the Nebraska Game and Parks Commission.

Introduced by Leirion Gaylor Baird

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

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPT. OF ROADS FOR THE CAVETT CONNECTOR TRAIL PROJECT, NDOR PROJECT NO. ENH-55(172) CONTROL NO. 13079, TO REMOVE THE FEDERAL FUNDING CAP TO ALLOW ADDITIONAL FUNDS ABOVE THE ORIGINAL FEDERAL FUNDING CAP TO BE REIMBURSED AT THE 80% FEDERAL SHARE AMOUNT - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87537 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Supplemental Agreement No. 1 between the City of Lincoln and the State of Nebraska Department of Roads for Project No. ENH-55(172), State CN-13079, to remove the federal funding cap for the Cavett Connector Trail Project to allow additional funds above the original federal funding cap to be reimbursed at the 80% Federal Share amount, in accordance with the terms and conditions contained in said Supplemental Agreement No. 1, 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 and the executed copy of this Resolution (Exhibit "A") to Terry Genrich, Parks and Recreation Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR MAINTENANCE RESURFACING WORK ON SELECTED PORTIONS OF HIGHWAY US-34 WITHIN THE CORPORATE LIMITS OF LINCOLN. (STATE PROJECT NO. STP-BH-HSIP-34-6(141), CN 12975) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87538 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Project No. STP-BH-HSIP-34-6(141), CN 12975, for maintenance and resurfacing work on selected portions of Highway US-34 within the corporate limits of Lincoln, 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 Susie Filipi, Engineering Services of the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

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

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

AMENDING RESOLUTION NO. A-86822 TO CHANGE THE PORTION OF THE LOCAL GOVERNMENT MISCELLANEOUS EXPENDITURES POLICY REGARDING MEAL REIMBURSEMENT TO TIE THE CITY'S MEAL REIMBURSEMENT RATE TO THE APPROVED FEDERAL RATE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87531 WHEREAS, the Local Government Miscellaneous Expenditure Act authorizes the City Council to reimburse expenses incurred by elected and appointed officials, employees, or volunteers; and

WHEREAS, the City Council adopted a formal policy in Resolution No. A-7093 passed November 27, 1995, which policy has been amended and readopted from time to time and most recently by Resolution No. A-86822 on May 14, 2012; and

WHEREAS, this policy governs educational workshops, conferences, training programs, official functions, hearings and meetings, registration fees, mileage, meals and lodging, travel expenditures, recognition dinners, plaques, certificates of achievement, and other miscellaneous expenditures; and

WHEREAS, this policy recognizes the various budget limitations, job assignments, and training needs of departments; and

WHEREAS, this policy needs to be updated to adjust meal reimbursement for City travel.

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

That it hereby adopts the following policy governing the expenditure of public funds for payment or reimbursement of actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers.

I. EXPENSES FOR EDUCATION, TRAINING, OR TRAVEL

Payment or reimbursement of actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers at educational workshops, conferences, training programs, official functions, hearings, job duties, or meetings whether incurred within or outside of City limits may be reimbursed as herein authorized.

Travel expenses, which are defined as those costs a traveler must pay for conducting City business and which are necessary for the purpose of travel, may be approved by the department head. It is understood that not all expenses are automatically reimbursable even if they are addressed in this resolution. Rather, the reimbursement of expenses may vary between departments and employees within a department as determined by the department head. Nothing herein shall be construed as requiring reimbursement of any meal. Under no circumstances will expenses be reimbursed in excess of those identified in this resolution.

Anyone authorized to travel for the benefit of the City has a responsibility to keep accurate, substantiated cost records, except for meals and tips, and to submit expense statements in accordance with this resolution.

A. TRANSPORTATION EXPENSES

The maximum payable transportation allowance for any motor transportation shall not exceed the actual round-trip cost of coach air fares for that particular trip.

1. Air Travel. The latest rates for air travel from the City of Lincoln will be used in calculating all transportation expenses and allowances. Coach fare shall be used. A traveler shall make reservations through a travel agency and charge the tickets to the City of Lincoln; provided, however, a traveler who wishes to take advantage of electronic tickets, shop for the

lowest fare on the Internet, or call airlines directly, will be required to personally pay for the tickets and request reimbursement from the City by submitting proper documentation. The City will not advance money for the purchase of airline tickets.

2. Motor Vehicles - Privately Owned. When the use of a private motor vehicle has been authorized, the owner of the vehicle shall be reimbursed at a mileage rate established by the Mayor in Administrative Regulation No. 4 and as the same may be amended from time to time, for the most direct round-trip route between Lincoln and the place visited. This amount shall not exceed the coach round-trip fare to and from that point and shall be documented by a City mileage reimbursement form. When more than one eligible employee performs such travel in an authorized private motor vehicle, only one eligible employee may obtain reimbursement for transportation. Lodging, meals, and other expenses for employees other than the employee receiving mileage are allowable en route to the destination if the cost does not exceed coach airfare.

3. Local Transportation. Local transportation costs, including such costs as airport limousine and taxi fare (including reasonable tips) may be reimbursed. Expenses for rental cars may be reimbursed when the employee's department head has decided that such rental will serve the best interests of the City. Requests for a rental car must be approved in writing in advance of the trip. Car rentals may be authorized when such rental will be cheaper than taxi fares or when the use of the car permits the traveler to accomplish the purpose of the trip in a more efficient manner.

4. Travel by City Owned Vehicle. A traveler may use a City owned vehicle if the employee's department head has decided that such use will serve the best interests of the City. The traveler may be reimbursed for out-of-pocket expenses, such as gasoline, etc. Receipts must be obtained for all out-of-pocket expenses incurred for a City owned vehicle. Use of the City vehicle shall be restricted to City of Lincoln purposes only, and no private passengers shall be authorized.

B. LIVING EXPENSES

1. Lodging. Hotel and/or motel lodging should be selected well in advance and should be within a reasonable distance from or at the site of the official meeting place. Reimbursement shall be for a single occupancy rate. Detailed receipts for all lodging costs must be secured.

2. Meals. Individuals traveling on City business with an overnight stay will be allowed a daily per diem to cover the cost of meals and tips. The daily per diem amount ~~shall not exceed thirty dollars (\$30.00 - \$7.00 breakfast, \$7.00 lunch, \$16.00 dinner) for most areas in the United States. Other areas in the United States are designated as high-cost areas, qualifying for a daily per diem not to exceed thirty-eight dollars (\$38.00 - \$9.00 breakfast, \$9.00 lunch, \$20.00 dinner).~~ A list of these high-cost areas will be maintained and made available by the City Controller will be determined by the U.S. General Services Administration (GSA) Meal and Incidental Expense table for each City of travel. This table can be found at: www.gsa.gov. The daily per diem shall not include the amount for incidentals. The first and last day of travel will include reimbursement of only those meals for which the employee is actually in travel status. Each Department's Director will determine whether any reimbursement shall be made and the amount of the reimbursement to be made (in compliance with the terms and not to exceed the maximums ~~set~~ above). The City will not reimburse employees for any meal provided by the conference or airline. Additionally, the City will not reimburse employees for any meal where there is no overnight stay.

3. Registration Costs. The City will pay in advance, or reimburse an eligible traveler for, the registration fee paid when a receipt for the registration fee is obtained and is included with the travel expense statement. The proper procedure for advance payment of registration is to submit a payment voucher with a copy of the completed registration form or an invoice, payable to the conference, to the Controller's Office in sufficient time to allow a warrant to be drawn and mailed to the conference prior to the deadline for registration.

4. Miscellaneous Expenses. Telephone expenses will be allowed only when necessary for City purposes. Expenses for tips should be included with the transportation and meal per diem.

5. Disallowance of Expenses. All major expenses including transportation (excluding taxi fares), lodging, and registration fees that are not supported by receipts attached to the travel expense statement may be disallowed for reimbursement at the discretion of the City Controller.

C. TRAVEL APPROVAL

When a department head decides that a trip for an employee is essential for City business, the department head may approve such travel. When the trip is to be taken by the department head, approval of the Mayor shall be obtained. Department heads shall be required to submit to the Mayor's Office a semi-annual report outlining travel requests which have been approved for department employees during that semi-annual time period. The semi-annual report shall list the department employees who were approved for travel; the purpose of the travel; and the budget impact resulting from the travel approvals.

D. TRAVEL ADVANCE

Travel advance for expenses will be granted to approved travelers. When a traveler desires an advance of funds, the department shall submit to the City Controller, a standard claim form itemizing estimated expenses. No travel advance may be considered prior to approval as set out in Section C. No advance may be considered prior to reconciliation of any prior travel advance.

E. REIMBURSEMENT PROCEDURES

1. Traveler's Processing of Expenditure Statements

a. Within ten (10) working days after completion of the authorized travel, the traveler shall complete an itemized travel expense statement, attaching all necessary supporting receipts, and other documentation (noncompliance may result in denial of future advances to an employee). Attached documentation should include at least the following: lodging receipt, auto rental receipt (when authorized by department head), and airline itinerary.

b. When arrangements are made for airline travel on weekends/Saturdays for purposes of securing lower ticket rates, payment for the hotel and meal costs incurred on the weekend are also authorized as long as the total of the lower airline ticket rate and the weekend hotel/meal costs do not exceed the Sunday/weekday airline ticket costs. It is expected that employees will exercise reasonable judgment to acquire all travel necessities at the lowest reasonable cost to the City. This may include scheduling travel in a way that results in a lower net cost to the City, such as group travel by auto, weekend travel for discount air fares, early ordering of airline tickets for the best discount fares, etc.

2. Departmental Processing of Travel Statement of Expenditures

Department heads or their designees shall examine the traveler's expense statements for proper accounting and documentation. They should insure that all necessary supporting documents and/or statements of explanation are attached before signing the travel expense statement.

3. Finance Department Audit and Payment

Upon receipt of the request for funds, the Controller shall perform an audit to insure compliance with this resolution. The City Controller is authorized to request and receive additional information on any and all expenses.

a. No Travel Advance Drawn. When no travel advance has been made, upon verification of an expense statement submitted, the City Controller shall process the payment of funds reimbursing the traveler.

b. Travel Advance Drawn. When a travel advance has been made and the cost of the trip is less than the amount advanced, the traveler shall return the balance of the funds to the City Controller within ten (10) working days after completion of travel. Upon verification of the expense statement by the Controller, a Treasurer's receipt shall be processed to deposit the balance of funds back to the fund from which the original advance was drawn.

c. Actual Expenses are Equal to Travel Advance.

When a travel advance has been made and the actual cost of the trip is equal to the amount of the advance, the procedure outlined in the preceding paragraph (b) shall be followed with the exception that no funds shall be returned by the traveler.

d. Actual Expenses are More than Travel Advance.

When the travel advance has been made and the actual cost of the trip is more than the amount advanced, then upon approval of the expense statement by the department head and verification by the City Controller, a warrant shall be issued to the traveler.

II. PLAQUES AND AWARDS

A. The Mayor's Award of Excellence

The Mayor's Award of Excellence recognizes employees who consistently provide outstanding service and work that demonstrates exemplary personal commitment to the City of Lincoln.

1. Eligibility:

All employees are eligible except Directors, Mayoral Aides, and elected officials. Individuals or teams of employees are eligible for monthly or annual awards. Entire departments, divisions or sections are not eligible as a team.

2. Nomination Procedure:

Employees or teams may be nominated by supervisors, contemporaries, subordinates, and the general public. Nominations shall be submitted by completing the Mayor's Award of Excellence Form. Nomination forms will be available from department heads, the City Personnel Office, or employee bulletin boards or at <http://www.lincoln.ne.gov/city/person/city/index.htm>. Team nominations should be specific as to each member's involvement. Additional supporting documentation such as correspondence relating to the employee's or team's performance by other City employees may be attached. All nominations must be signed by the employee's or team's department head or appropriate designee. Said signature indicates that the nomination has been validated. Nominations that are not validated must be returned to the person making the nomination within thirty (30) days. All completed nomination forms need to be returned to the City Personnel Office by the fifth (5th) day of the month for the following month's award.

3. Nomination Criteria:

Employees or teams may be nominated for the award based on any of the following criteria:

- Safety: Practices safety on the job and promotes and encourages others to do the same.
- Productivity: Always gives the best of oneself and encourages and promotes co-workers to perform their best.
- Loss Prevention: Demonstrates wise use of City resources and makes recommendations that result in substantial savings to the City outside the normal course of expected job functions.
- Customer Relations: Represents the City with a positive attitude, takes pride in one's work, and encourages co-workers to do the same.
- Valor: Performs an act of bravery, which may include life-saving, above and beyond the call of duty.

Consideration may also be given to nominations that demonstrate that the accomplishment was self-initiated and/or that the accomplishment was outside of the nominee's job description.

4. Selection Process:

All validated nominations will be reviewed by the Mayor's Award of Excellence Committee. The committee may select no more than one (1) individual or team based on selection criteria in this section. Nominees will be eligible for three (3) months. Employees or teams will not be able to receive the monthly award more than once in any consecutive twelve (12) months. If a member of a new team has been previously selected for a monthly award, it will not nullify the team's eligibility to win an award. However, a previous winner cannot receive the monetary award and day off but still can be recognized. A winner will be selected by a majority vote of membership present subject to quorum. An employee or team does not have to receive the Monthly Award to be eligible for the Mayor's Annual Award of Excellence.

5. Award Recognition:

All individuals/teams nominated will receive a letter and certificate. All individual monthly winners and team winners (five or less members) will be presented a gift certificate or card valued at fifty dollars (\$50), one day off with pay, and a plaque not to exceed a cost of fifty dollars (\$50). In the event team winners have greater than five members, there will be no monetary award; however, the team members will each receive one day off with pay and a plaque not to exceed a cost of fifty dollars (\$50). The Mayor's Annual Award of Excellence Recipient will receive a gift certificate or card valued at two hundred fifty dollars (\$250), two (2) days off with pay, and a plaque not to exceed a cost of one hundred dollars (\$100). When the annual award recipient is a team, the \$250 gift certificate or cards will be divided equally among members. When it is impossible to divide the gift certificate or cards equally, the division will be made as close to the \$250 value as possible, without going over. In the event the team winners have greater than five members, there will be no monetary award. Each team member will receive two days off with pay and a plaque not to exceed a cost of \$100. The Mayor's Annual Award of Excellence committee may recommend Annual Honorable Mention Recipients who would receive a plaque not to

exceed a cost of fifty dollars (\$50). Recommendations for the annual award will be forwarded to the Mayor for consideration and approval. All awards will be presented before the City Council. The Mayor's Monthly Award of Excellence may be presented every month and the Mayor's Annual Award of Excellence will be presented once every calendar year. All monetary awards will be considered compensation and subject to normal withholding and all applicable IRS regulations.

6. Mayor's Award of Excellence Committee:

The committee is made up of one (1) representative from each union, and a non-union representative appointed by the Mayor. Representatives will be appointed by September thirtieth (30th) of each year. The term of the committee members will be for two (2) years. A committee member shall serve no more than two (2) consecutive terms. If a committee member is unable to complete his/her term, another appointee will finish the term. Three consecutive absences or four (4) absences in a calendar year will result in notification to the respective bargaining unit.

7. Administration:

- a. The Personnel Department will oversee the Mayor's Award of Excellence Program.
- b. The City reserves the right to rescind this policy at any time.
- c. This program should not be interpreted as a negotiable item.
- d. The costs incurred to purchase the gift certificate and to fund the day(s) off with pay will be charged to the employee's department budget.
- e. The costs incurred to purchase the plaques and awards and other expenditures will be charged to the Personnel Department budget.
- f. An individual or team winner will be chosen every month by the Mayor's Award of Excellence Committee when four or more members are present.

B. Other Plaques and Awards

Employees, appointed officials, and volunteers may be given plaques, certificates of achievement, or items of value provided the cost shall not exceed one hundred dollars (\$100.00) in value, notwithstanding mandated recognition under federal volunteer programs. Such awards shall recognize outstanding service and must be approved in advance by the employee's department head, the Mayor, or by the City Council. Such awards recognizing safety achievements must be approved in advance by the safety committee.

III. MISCELLANEOUS

A. Employee Appreciation - Development Days

Within each calendar year, all departments may conduct an employee development-appreciation day for the purpose of education, planning, and department betterment.

B. Recognition Dinners/Meals

Each year recognition dinners/meals may be held for elected and appointed officials, employees, or volunteers of the local government. The maximum cost per person for such dinner shall not exceed twenty-five dollars (\$25.00). An annual recognition dinner/meal may be held separately for employees of each department or separately for volunteers or any of them in combination.

C. Expenses of Spouses

Nothing in this resolution shall authorize the expenditure of funds to pay for any expenses incurred by the spouse of an elected or appointed official, employee, or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the local government and such expenditure has been authorized as set out herein.

D. Meals for Council Members

Authorized expenditures shall not include expenditures for meals of paid members of the City Council while attending a public meeting of the Council unless it is a joint meeting with one or more other governing bodies.

BE IT FURTHER RESOLVED that Resolution No. A-86822 adopted by the City Council on May 14, 2012 as hitherto existing, be and the same is hereby repealed.

Introduced by Leirion Gaylor Baird

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

AMENDING THE 2012-2014 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2013-2014 FISCAL YEAR. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) - PRIOR to reading:

GAYLOR BAIRD Moved to Adopt Bill No. 13R-182. Seconded by Christensen.

FELLERS Moved MTA #1 to amend Bill No. 13R-182 in the following manner:

1. On page 7, after paragraph 11, add a new paragraph number 12 to read as follows:

12. Paragraph 2. of Resolution A-86975 shall be amended by adding the underlined language as follows:

"That the City Council, by adoption of the Capital Improvement Program (CIP) on Schedule 5 of this resolution, hereby authorizes the acquisition of all necessary right-of-way, easements, or other interest in land, by purchase if possible, but condemnation if necessary, for those projects included within the first two years of said CIP except that where acquisition of blighted residential property is included in such projects and the funding source for such acquisition is Community Improvement Financing, no such acquisition is authorized where the value of said property at the time of purchase by the City exceeds \$50,000 unless authorized by a separate resolution of the City Council.

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

COOK Divided the resolution into Part A, the main budget resolution; and Part B, the contents of Motion to Amend #1. (A second and vote are not required.)

COOK Moved MTA #2 to amend Bill No. 13R-182 by accepting the attached Substitute Resolution to replace the previously provided Bill No. 13R-182.

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

CLERK Read the following substitute resolution, introduced by Jonathan Cook, who moved its adoption:

A-87532 WHEREAS under the provisions of Section 26a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the City of Lincoln was submitted on July 9, 2012 and adopted on August 20, 2012; and

WHEREAS under Chapter 3.06 of the Lincoln Municipal Code the City Council may revise the previously adopted biennial budget due to the unforeseen circumstances that, the actual expenditures for the current fiscal year will exceed budgeted expenditures unless the current fiscal year 2013-14 Budget is revised; and

WHEREAS, under the provisions of Section 26a of Article IX and chapter 3.06 of the Lincoln Municipal Code and Nebraska Revised Statute 13-511, a notice and public hearing on the proposed revised budget was held on August 26, 2013, notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing;

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

1. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

	2013-14 Estimated Appropriated <u>Amount-90%</u>	2013-14 Estimated Total Tax As <u>Levied-100%</u>	2013-14 Estimated Per \$100 <u>Market Value</u>
General	\$29,093,438	\$32,326,042	0.18892
Library	6,419,899	7,133,221	0.04169
Social Security	2,396,220	2,662,467	0.01556
Police & Fire Pension	5,828,851	6,476,501	0.03785
Bond Interest & Redemption	4,894,079	5,437,866	0.03178

2. Per resolution A-82134 passed by the City Council on June 9, 2003 establishing an unreserved fund balance policy for the City, the General Fund unreserved fund balance as of the last audited financial statements as of August 31, 2012 was \$31,499,074. This August 31, 2012 unreserved balance is 22.97% of the General Fund budget for 2013-14 of \$137,124,700 included in this resolution. The August 31, 2012 unreserved balance was 2.97% more than the 20% goal for such balance set by Resolution A-82134.

3. The City Council hereby appropriates the sums identified on Schedule 1 to adopt a budget for the Pinnacle Bank Arena.

4. The City Council hereby adopts the revised budget for The Community Health Endowment as identified on Schedule 2 as revised by the Community Health Endowment Board of Directors.

5. There is hereby created the Public Works and Utilities Fiber/Conduit Fund. The purpose of the fund is to capture the financial activity, including revenues, contributions, if any, and expenses generated by additions to the city's conduit and fiber assets. This Fund shall be solely for the operation and capital needs of the City/County fiber/conduit efforts and is not a potential source of funding for other City operations or projects. There is hereby appropriated all monies now credited or which will be credited to the Public Works and Utilities Fiber/Conduit Fund, notwithstanding any sum limitations set forth in the budget attached hereto.

6. Having met the appropriate Comprehensive Plan Conformance Requirements, the Six Year Capital Improvement Program (CIP) for 2012-13 - 2017-18 adopted as Schedule 5 of Resolution A-86975 is hereby amended to include the following projects and the City Council hereby appropriates the designated funds and

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directs the Finance Director to make the necessary adjustments to the biennial budget:

- a. Parks & Rec. Dept./Holmes Golf Clubhouse (409129) appropriate \$50,000 Keno Revenue in 2013-14.
- b. Parks & Rec. Dept./Tennis Facilities Improvements (409417) appropriate \$50,000 Keno Revenue in 2013-14.
- c. Parks & Rec. Dept./Park Acq./Demo/Dev (409387) (Pinewood Bowl electric service improvements) appropriate \$40,000 Keno Revenue in 2013-14.
- d. Parks & Rec. Dept./Trail Major Maint. (409347) appropriate \$200,000 OF (RTP Grant) in 2013-14.
- e. Parks & Rec. Dept./CIP Proj. #663-Greenway Corridor Trails appropriate additional \$250,000 OF (grant/private funds) in 2013-14.
- f. Parks & Rec. Dept./West Adams/Cornhusker Highway & I-180 Entry Corridors appropriate \$1,900,000 OF in 2013-14.
- g. Lincoln Electric System/Training Facility appropriate \$1,000,000 Utility Revenues. \$1.0 million are already included in LES adopted budget.
- h. Urban Develop. Dept./Primary & Secondary Retail Corridor Project (413538.6143) appropriate \$120,000 of TIF Revenue.

1. That the unencumbered appropriations and cash (where necessary) for the following items be transferred effective August 31, 2013 up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 18001.5989	Contingency	\$92,500 92,803
70610.9220	Pub. Works/Util./Water/Atrazine Settlement	\$250,000
18002.5998	General Expense/Witness Fees	\$16,000
09250.56285621	Parks/Keno/ Consultants Misc. Contractual (use 9220 for cash transfer)	\$10,000 19,697
13001.6001	Urban Dev./ Admin/Reapprop. Funds	\$24,410
0402B.5021	Police/Admin. Support/Salaries	\$103,221
413551.6145	West "O" Detroit-Lincoln-Denver	\$25,000
18002.5856	General Expense/City Share of Lincoln Ctr. Maint.	\$10,000
To: 409129.6138	Parks/Holmes Club House (also increases 09002.9237)	\$12,000
10001.5642	Personnel/Legal Services	\$45,000
08001.5631	Bldg. & Safety/Data Processing	\$35,500
09001.9220	Sherman Field Endowment	\$250,000
18004.5621	July 4th Celebration	\$16,000
09012.9140 5621	Parks/Golf/Consultants Misc. Contractual (use 9140 for cash transfer)	\$10,000 20,000
277312.5021	Interfund Transfers/WIA \$24,410 (Also increases 19001.9227)	\$24,410
06014.5021	Police/911 Comm./Salaries \$103,221	\$103,221
18002.5966	Civic Ventures	\$25,000
413536	Urban Dev. Dept./Downtown Street Trees	\$10,000

2. That the unencumbered appropriations and cash (where necessary) for the following items be transferred effective August 31, 2013 and reappropriated up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 12101.5021	Health/Director's Office/Salaries	\$30,000
12112.5021	Health/Home & Com. Based/Salaries	\$10,000
09002.5621	Parks/Parks Admin./Misc. Contr.	\$15,901
18001.5989	Contingency	\$237,532
09250.5620	Parks/Keno/Consultants	\$1,697
0402B.5021	Police/Admin. Support/Salaries	\$596,457
413551.6145	Urb. Dev./West "O" Detroit-Lincoln-Denver	\$25,000
To: 12151.6076	Health/Dental/Misc. Equip.	\$10,000
12172.6069	Health/Computer Resources/DP Equip.	\$30,000
02011.5021	Mayor/CIC/Salaries	\$92,000
09002.5862	Parks/Parks Admin./Grounds Maint.	\$14,735
09002.5630	Parks/Parks Admin./Grounds Maint.	\$1,166
18002.5992	ADA Other Services & Charges	\$5,000
13006.5021	Urban Dev./Housing Rehab. & Real Estate/Salaries	\$8,000
18002.5649	Shared Services - Human Service	\$18,253
18002.5650	Shared Services - Civil Defense	\$16,714
18002.5652	Shared Services - Public Defender	\$44,835
18002.5661	Shared Services - Case Management	\$890
18002.5856	General Expense/City Share Lincoln Ctr. Maint.	\$10,500
09250.9246	Parks/KENO/Undesignated Parks Keno (BR0227)	\$1,697
06014.5021	Police/911 Comm./Salaries	\$596,457
18002.5966	Civic Ventures	\$25,000
18002.5621	General Expense/Misc. Contr./Consol. Task Force	\$2,050
08001.5631	Bldg. & Safety/Data Processing	\$30,000
09009.5022	Parks/SW Dist./Salaries	\$4,940
09009.5924	Parks/SW Dist./Rent of Mach. & Equip.	\$4,350

3. That the unencumbered appropriations for the following items be transferred effective August 31, 2013 and reappropriated up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 409448	Golf Course Landscaping	\$5,000
409445	Golf Course Clubhouse	\$13,500
409446	Golf Course Hard Surfacing (also reduces 09584.9237)	\$9,384
To: 09014.6076	Parks/Holmes Golf Course/Misc. Equipment (also increases 09584.9220)	\$27,884

4. That the following unexpended appropriations are reappropriated effective August 31, 2013 up to the following amounts.

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
01001.5989	City Council/Misc. Other Services & Charges	\$10,628
0401B.5628	Police/Management/Consultant Services	\$150,000
0402B.5420	Police/Admin. Support/Minor Equip.	\$10,148
0402B.5728	Police/Admin. Support/Schools & Conf.	\$5,700
0402B.5861	Police/Admin. Support/Furn. & Fix. Repair	\$4,084
0402B.5952	Police/Admin. Support/Advert./Media Serv.	\$32,344
0402B.6062	Police/Admin. Support/Audio Visual Equip.	\$50,031
0402B.6069	Police/Admin. Support/DP Equip.	\$58,558
0402B.6076	Police/Admin. Support/Misc. Equip.	\$28,775
0403B.6072	Police/Admin. Support/Furn. & Fixtures	\$8,982
04025.6069	Police/Garage/Data Proc. Equip.	\$15,000
06065.6085	Finance/Radio Shop/Radio Equipment	\$201,783
08001.5633	Bldg. & Safety/Admin./Software	\$113,548
08001.5761	Bldg. & Safety/Admin./Microfilming	\$45,000
08002.6069	Bldg. & Safety/Bus. Office/DP Equip.	\$59,044
12172.6069	Health/Computer Resources/DP Equip.	\$30,000
17004.5638	Com. Health Endowment/Misc. Contr.	\$1,957,231
18002.5081	General Expense/Health Insurance	\$265,822
18002.5082	General Expense/Dental Insurance	\$3,285
18002.5083	General Expense/Life Insurance	\$9,268
18002.5084	General Expense/StarTran Passports	\$6,270
18002.5085	General Expense/Pension	\$89,352
18002.5089	General Expense/EAP	\$9,055
18002.5093	General Expense/Deferred Comp.	\$1,453
18002.5621	General Expense/Misc. Contractual	\$40,000
18002.5624	General Expense/Auditing Service	\$49,603
18002.5636	General Expense/Demolition of Buildings	\$82,268
18002.5642	General Expense/Legal Services	\$99,021
18002.5657	General Expense/Human Serv. Contracts	\$237,046
18002.5659	General Expense/Oracle Financial System	\$609,094
18002.5856	General Expense/City Share of Lincoln Center Maint.	\$38,962
18002.5865	General Expense/Minor Bldg. & Grounds Improve.	\$7,500
18002.5970	General Expense/Court & Litigation	\$99,347
18002.5998	General Expense/Witness Fees	\$61,588
18002.5878	General Expense/Problem Resolution Team	\$60,838
18002.5880	General Expense/Graffiti Abatement	\$60,859
18002.6024	General Expense/City Share Impact Fees (Low Income)	\$327,999
18002.6027	General Expense/City Share Impact Fees (Econ. Dev.)	\$240,000
18052.5633	Development Services Center/Software	\$75,831
06034.5272	Health Care Fund/ Program Supplies	\$389
72400.6998	Pub. Works & Util./Sts. & Hwys./Jet Flusher	\$80,000
79140.5272	Pub. Works & Util./Sts. & Hwys./Program Supplies	\$38,865
79140.5621	Pub. Works & Util./Sts. & Hwys./Misc. Contractual	\$58,528
79140.5989	Pub. Works & Util./Sts. & Hwys./Durable Markings	\$849,540

5. There is hereby appropriated to each departmental operating budget 100% of the unencumbered operating appropriations as shown in the final Appropriation Status Report as of August 31, 2013 up to the amount shown below:

<u>Fund</u>	<u>Amount</u>
Aging	\$136,000
Animal Control	\$100,000
General	\$4,720,000
Health	\$823,000
Library	\$160,000
StarTran	\$450,000
911 Communications	\$292,000

Introduced by Jonathan Cook

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

COOK Moved to Delay action on Part B, MTA #1, for two weeks until September 9, 2013.

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

APPROVING A SCHEDULE OF FEES THE CITY MAY CHARGE FOR AMBULANCE SERVICE. (RELATED ITEMS: 13R-181, 13R-182, 13R-183, 13-96) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87533 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, the 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, 2013.

Introduced by Leirion Gaylor Baird

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

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT, THE PARKS & RECREATION DEPARTMENT, THE LIBRARY DEPARTMENT, AND THE URBAN DEVELOPMENT DEPARTMENT - CLERK read an ordinance, introduced by Trent Fellers, eliminating certain appropriations and approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Street Construction Fund, Capital Projects Fund, Water Fund, and Wastewater Fund for the Public Works & Utilities Department; within the Keno Fund, Maintenance Fund, and MIRF Fund for the Parks & Recreation Department; within the Keno Fund for the Library Department; and within the MIRF Fund, General Fund, Parking Lot Revolving Construction, and Parking Facility Bond Series 2012 for the Urban Development Department, the third time.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered #19912, is recorded in Ordinance Book #29, Page .

RESOLUTION - FOR ACTION ONLY

HEARING ON ONE AND SIX YEAR STREETS AND HIGHWAYS PROGRAM AS REQUIRED BY STATE STATUTE (ACTION DATE: 8/26) - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87539 WHEREAS, the City Council of the City of Lincoln, Nebraska adopted the 2012-2014 biennial budget for the City of Lincoln and the first two years of the One and Six Year Streets and Highways Program of the Capital Improvement Budget by passage of Resolution No. A-86975 on August 20, 2012; and

WHEREAS, § 39-2512(6) of the Nebraska Revised Statutes requires the City to annually submit to the Board of Public Roads Classifications and Standards a report regarding the One and Six Year Program for the City of Lincoln's Streets and Highways Program; and

WHEREAS, Nebraska Administrative Code, Title 428, Chapter 3, requires that an annual public hearing of the City Council be held to approve the One and Six Year Streets and Highways Program for the City of Lincoln and authorize the City to submit the annual report required by Neb. Rev. Stat. § 39-2512(6).

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

1. That pursuant to the provisions of Nebraska Administrative Code Title 428, Chapter 3, Section 011.01, a legal notice advertising the public hearing of the City Council to adopt the One and Six Year Streets and Highways Program for the City of Lincoln was published in the Lincoln Journal Star on Sunday, July 14, 2013, and notice of the hearing has been posted as required by Nebraska Administrative Code.

2. That the City Council, by holding a public hearing on the re-authorization of the One and Six Year Streets and Highways Program of the City of Lincoln has complied with the statutory and administrative code requirements so as not to jeopardize incentive payments made by the State to the City of Lincoln as provided in Neb. Rev. Stat. § 39-2512 and hereby further authorizes the City Street Superintendent Roger Figard, as City Engineer, to submit the City's annual report to the Board of Public Roads Classifications and Standards as statutorily required.

3. The City Clerk is directed to return a copy of this adopted Resolution to Roger Figard for transmittal to the State of Nebraska Board of Public Roads Classifications and Standards.

Introduced by Jonathan Cook

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

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

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "E" TO CREATE THE CLASSIFICATION OF PAYROLL SPECIALIST - CLERK read an ordinance, introduced by Roy Christensen, amending Section 1 of Ordinance No. 19906 passed August 12, 2013, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "E," to create the job classification of "Payroll Specialist", the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "E" BY CHANGING THE TITLE AND PAY RANGE OF PAYROLL SUPERVISOR TO PAYROLL ADMINISTRATOR - CLERK read an ordinance, introduced by Roy Christensen, amending Section 1 of Ordinance No. 19906 passed August 12, 2013, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "E," by amending Classification Code 1130 to create a new job classification "Payroll Administrator" by renaming the current Class Title "Payroll Supervisor" as "Payroll Administrator," and amending the pay range of said classification from (E11) to (E19), the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "N" BY CHANGING THE TITLE OF CUSTOMER SERVICE ASSISTANT II TO CUSTOMER SERVICE ASSISTANT - CLERK read an ordinance, introduced by Roy Christensen, amending Section 1 of Ordinance No. 19909 passed August 12, 2013, relating to the pay schedules of employees whose classification are assigned to the pay range which is prefixed by the letter "N," by changing the current job classification of "Customer Service Assistant II" to "Customer Service Assistant", the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "E" TO ADD ADDITIONAL PAY RANGES E16 TO E20 - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 19906, passed August 12, 2013, relating to schedules of pay ranges for employees of the City of Lincoln whose classification are assigned to a pay range which is prefixed by the letter "E," by adding additional pay ranges E16 to E20, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "E" TO CHANGE THE PAY RANGE OF OMBUDSMAN FROM E02 TO E12 - CLERK read an ordinance, introduced by Roy Christensen, amending Section 1 of Ordinance No. 19906 passed August 12, 2013, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "E," by changing the pay range for the job classification "Ombudsman" from (E02) to (E12).

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "N" BY DELETING THE CLASS TITLES OF CUSTOMER SERVICE ASSISTANT I AND PERMIT TECHNICIAN - CLERK read an ordinance, introduced by Roy Christensen, amending Section 1 of Ordinance No. 19909 passed August 12, 2013, relating to the pay schedules of employees whose classification are assigned to the pay range which is prefixed by the letter "N," by deleting the job classification of "Customer Service Assistant I" and "Permit Technician", the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

REAPPOINTING DOUG BIGGERSTAFF TO THE EXAMINING BOARD OF PLUMBERS FOR A TERM EXPIRING SEPTEMBER 4, 2016.

APPOINTING JOHN P. NEAL TO THE CABLE ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2014.

APPROVING THE 2013-14 WORK PLAN FOR THE INTERLOCAL AGREEMENT ON STORMWATER MANAGEMENT BETWEEN THE CITY AND LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO ADDRESS STORMWATER QUALITY AND QUANTITY ISSUES.

APPROVING SUPPLEMENT NO. 1 TO THE PRELIMINARY ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE SCHEMMER ASSOCIATES, INC. FOR ADDITIONAL WORK NECESSARY TO COMPLETE THE FEDERAL AID PROJECT NO. HSIP-5227(7), CONTROL NO. 12944, AT NORTH 14TH STREET AND THE EASTBOUND OFF-RAMP TO U.S. HIGHWAY 6.

APPOINTING BOB CALDWELL, SHARON WHERRY AND MICHAEL STROUP TO THE PINNACLE BANK ARENA ADVISORY COMMITTEE FOR TERMS EXPIRING AUGUST 31, 2017.

APPOINTING DAVID MCBRIDE AND JAMES O'HANLON TO THE PINNACLE BANK ARENA ADVISORY COMMITTEE FOR TERMS EXPIRING AUGUST 31, 2015.

APPOINTING MIKE AYARS AND THOMAS BALL TO THE PINNACLE BANK ARENA ADVISORY COMMITTEE FOR TERMS EXPIRING AUGUST 31, 2016.

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.

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Mike Morosin, 1500 N. 15th St., came forward to state his concerns regarding the misrepresentation of facts in connection with a court case. This matter was taken under advisement.

ADJOURNMENT 6:41 P.M.

CHRISTENSEN Moved to adjourn the City Council meeting of August 26, 2013.
Seconded by Cook & carried by the following vote: AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist