

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, SEPTEMBER 16, 2013 AT 3:00 P.M.**

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

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

EMERY Having been appointed to read the minutes of the City Council proceedings of September 9, 2013 reported having done so, found same correct. Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the award to a team of five individuals from the Information Services (IS) Division of the Finance Department consisting of James Anderson, Technical Support Specialist II; Chad Peters and Scott Zimmerman, Systems Analyst/Programmer II; Christopher Plock and Nicholas Wemhoff; Software Integrator. Together, they have ninety-two years of service with the City/County. County Treasurer Andy Stebbing nominated them in the categories of Customer Relations and Productivity. The team designed a new taxroll software system for a quarter of the cost of a comparable program, allowing the return of \$250,000 in unspent funds to the County.

Andy Stebbing, County Treasurer, came forward to state that this group worked long hours and completed the entire project in six months. He expressed appreciation to the City of Lincoln and the Mayor for allowing this project to be brought forward.

Steve Hubka, Director of Finance, came forward to state that there was initial talk of contracting this project out. Steve Henderson, Chief Information Officer of IS, had confidence that this team could complete the project in less time than it would take to acquire a comparable product from elsewhere. This turned out to be true. Mr. Hubka stated he is proud they are part of Finance Department.

James Anderson, IS Division of the Finance Department, came forward to graciously accept the award for the team. He thanked Terry Lowe, who initiated the project, and the entire IS Division, who does similar work everyday to provide excellent service and to save money.

Council Member Roy Christensen personally thanked this team, Mr. Stebbing, and the Mayor for the initiative and leadership shown on this project.

Nick Wemhoff, IS Division of the Finance Department, came forward to state that other people were involved in the project besides those represented. He personally thanked Terry Adams, Deputy County Treasurer, and Lloyd Otto, System Programmer, both of the Lancaster County Treasurer's Office.

This matter was taken under advisement.

PUBLIC HEARING

APPROVING A SUBLEASE AGREEMENT BETWEEN GOODWILL INDUSTRIES AND THE CITY OF LINCOLN FOR THE SUBLEASE BY GOODWILL OF 160 SQUARE FEET OF SPACE AT 1111 O STREET FOR PURPOSES OF WORKFORCE INVESTMENT ACT SERVICES AND THE AMERICAN JOB CENTER FOR A FOUR YEAR TERM OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2017 - David Landis, Director of Urban Development, came forward to state this is a straightforward sublease agreement affiliated with the One Stop Career Center. The rate cost per square foot is \$12.00, lower than the current amount, and will go up gradually over four years. In answer to Council questions, Mr. Landis stated that this is in the new Energy Square location and services will open October 2, 2013. The Department of Labor will remain in the current location a few extra months and then will move to Energy Square. Many services are now available online so there are fewer physical partners onsite. This location will continue to provide the important human aspect to people in need.

This matter was taken under advisement.

SPECIAL PERMIT 1219L - APPLICATION OF BRYAN MEDICAL CENTER TO EXPAND A NON-RESIDENTIAL HEALTH CARE FACILITY FOR RENOVATION AND EXPANSION OF THE EXISTING EMERGENCY DEPARTMENT WITH REQUESTS TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 25 FEET TO 6 FEET ON S. 48TH STREET AND TO MODIFY THE REQUIRED FRONT YARD SETBACK FROM 33.8 FEET TO 0 FEET ON SUMNER STREET ON PROPERTY GENERALLY LOCATED AT 48TH AND SUMNER STREETS - David Reese, Vice President of Clinical and Support Services with Bryan Hospital, came forward to state this has been an ongoing project working with the Planning Department to figure out ways to improve the Emergency Department. The biggest issues have been related to access. There are only

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fourteen parking stalls, which is an inadequate number. Furthermore, if parked in these stalls, patients are required to walk up an exterior ramp which is unsafe in inclement weather and for patients with health issues. The interior is also inadequate and needs to be able to accommodate increased volumes.

Wade Stange, Davis Design, Inc., came forward to state the new Emergency Department will go from sixteen to twenty similarly sized rooms surrounding a central core. The parking lot will be increased to thirty stalls and will have enhanced screening to minimize impact to neighbors across the street. There will be a new canopy so, as people are dropped off, patients will be under cover and cars can proceed easily to the lot. The stairs and elevator will be internal. Finally, there will be a separate ambulance garage so EMT workers can bring patients in and out of the hospital easily and out of the elements. Discussion followed.

Marvin Krout, Director of Planning Department, came forward to address concerns about the future growth of Bryan and the potential for changes made to 48th Street.

This matter was taken under advisement.

APPROVING THE 2013-2014 CITY TAX RATE OF .31580 PER \$100.00 OF ASSESSED VALUATION - Steve Hubka, Director of Finance, came forward to state that this resolution is the formal setting of the tax rate. It is brought forward annually and is required by the State. It already passed as part of approved budget. Discussion followed.

This matter was taken under advisement.

APPROVING TWO CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND DIAMOND VOGEL AND SHERWIN WILLIAMS PAINT COMPANY FOR THE SUPPLY AND DELIVERY OF PAINT AND RELATED PRODUCTS THROUGH LOCAL INTER-GOVERNMENTAL COOPERATIVE PURCHASING, PURSUANT TO THE UNIVERSITY OF NEBRASKA RFP #2135-13-7215, FOR A THREE YEAR TERM - Bob Walla, Assistant Purchasing Agent, was on hand to answer questions.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 16 - 31, 2013 - Whitney Otto, 6311 Campbell Drive, came forward to introduce herself.

Tim Otto, 6311 Campbell, came forward to speak on his daughter Whitney's behalf. He stated that she was driving down 43rd street and hit a deep pothole which caused damage to her vehicle. She is a student who works three jobs and she has been raised to be accountable and to do the right thing. In this case, it is the City's responsibility. Discussion followed.

Rod Confer, City Attorney, came forward to state this event happened on August 21, 2013. Public Works was consulted and confirmed the City had no prior knowledge of this pothole. The City has since repaired the hole, but in these cases, when there is no notice of the needed repair, Law cannot recommend approving the claim. Discussion followed.

Council Member Doug Emery stated it is difficult to turn some of these claims down and citizens need to let the City know of these problems.

Council Member Roy Christensen stated there is a social contract to uphold civic responsibility. The City cannot take all of the responsibility for things it does not know about.

Miki Esposito, Director of Public Works, came forward to state the City is not completely reliant on the public, but it is helpful to hear concerns, issues and complaints regarding infrastructure because it allows for mobilization and response. Discussion followed.

Council Member Jon Camp stated his concern with this particular case. This pothole seemed extreme and it is possible there are situations when the City does need to take responsibility.

Council Member Leirion Gaylor Baird stated the importance of making the public aware of the importance and availability of making these reports.

This matter was taken under advisement.

APPROVING AMENDMENT NO. 1 FOR A THREE YEAR EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN WATER SYSTEM AND THE STATE OF NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE REVIEW OF PLANS FOR CONSTRUCTION OF NEW AND REPLACEMENT DISTRIBUTION MAINS - Steve Owen, Public Works Department, came forward to state this item authorizes the three year extension with the Department of Health and Human Services, which regulates the water system. This allows for the construction of new water mains without acquiring the required approval from the State on each project, saving money and time. This option is offered to those who have developed standards that meet and follow State guidelines. Discussion followed.

This matter was taken under advisement.

APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN AND CARQUEST AUTO PARTS, LINCOLN TRUCK CENTER, AND FACTORY MOTOR PARTS FOR THE ANNUAL SUPPLY OF AUTOMOTIVE MAINTENANCE AND REPAIR PARTS TO STARTRAN, PURSUANT TO BID NO. 13-151, FOR TWO YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - Bob Walla, Assistant Purchasing Agent, came forward to state these contract agreements are a specific to StarTran; there is another contract for the other fleet services.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING DOUG BIGGERSTAFF TO THE WATER CONDITIONING BOARD OF EXAMINERS FOR A TERM EXPIRING SEPTEMBER 4, 2016 - CLERK read the following resolution, introduced by Trent Fellers who moved its adoption for approval:

A-87555 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Doug Biggerstaff to the Water Conditioning Board of Examiners for a term expiring September 4, 2016, is hereby approved.

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

APPROVING A MULTI-YEAR CONTRACT BETWEEN BRYAN COLLEGE OF HEALTH SCIENCES AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR NURSING STUDENTS TO RECEIVE FIELD AND CLINICAL TRAINING AT THE HEALTH DEPARTMENT FOR A TERM OF SEPTEMBER 1, 2013 THROUGH AUGUST 31, 2016 - CLERK read the following resolution, introduced by Trent Fellers who moved its adoption for approval:

A-87556 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Service Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department (LLCHD), and Bryan College of Health Sciences, School of Nursing, providing public health nursing students field and clinical experiences in community health nursing and/or LLCHD's WICS Program at the Health Department for a term from September 1, 2013 through August 31, 2016, upon the terms and conditions set forth in said Service Agreement, which is attached hereto marked as Attachment "A", 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 forward one fully executed original of said Agreement to Judy Halstead, Lincoln-Lancaster County Health Department Director, for transmittal to the Bryan College of Health Sciences, School of Nursing.

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

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, SEPTEMBER 30, 2013, AT 5:30 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

PROVIDE AUTHORITY TO CREATE A SPECIAL ASSESSMENT REPAVING DISTRICT FOR 66TH STREET FROM JUST SOUTH OF HIGHWAY 2 TO PINE LAKE ROAD; ALMIRA LANE FROM 66TH STREET TO 6618 ALMIRA; MARCUS ROAD FROM 66TH STREET TO 6831 MARCUS; AND ANNS COURT WITH THE COUNTY MEADOWS HOMEOWNER'S ASSOCIATION BOUNDARIES. Approved, 6-0; Cook Absent.

FELLERS So moved.

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

PETITIONS & COMMUNICATIONS

REFERRALS TO THE PLANNING DEPARTMENT:

Change of Zone No. 05026C - Requested by Will Carter, to amend the Apple's Way Planned Unit Development to delete the note which limits drive-through facilities only in conjunction with coffee shops, which also prohibits uses that operate 24-hours a day, on property generally located at Apples Way and Highway 2 (6125 Apples Way).

Change of Zone No. 13017 - Requested by HEP, Inc., from R-2 Residential District to I-1 Industrial District; from AG Agriculture District to I-1 Industrial District; from R-2 Residential District to P Public Use District; from AG Agriculture District to P Public Use District; and from H-3 Highway Commercial District to P Public Use District, on property generally located on the east side of NW 27th Street, north of Interstate 80 and northeast of NW 27th Street and West Vine Street, in the W 1/2 of Section 21-10-06 and in the SW1/4 of Section 16-10-06, Lancaster County, Nebraska.

Change of Zone No. 13020 - Requested by Broadmoor Development, from AGR Agricultural Residential District to R-4 Residential District, on property generally located at the northeast corner of Ashbrook Drive and Highway 2.

Special Permit No. 13043 - Requested by Broadmoor Development, Broadmoor Ashbrook Apartments Community Unit Plan, for approximately 220 dwelling units and a clubhouse facility, with requests to waive block length requirement, to not make a required street connection, and to adjust the maximum height, on property generally located at the northeast corner of Ashbrook Drive and Highway 2.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS - NONE

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

APPROVING A SUBLEASE AGREEMENT BETWEEN GOODWILL INDUSTRIES AND THE CITY OF LINCOLN FOR THE SUBLEASE BY GOODWILL OF 160 SQUARE FEET OF SPACE AT 1111 O STREET FOR PURPOSES OF WORKFORCE INVESTMENT ACT SERVICES AND THE AMERICAN JOB CENTER FOR A FOUR YEAR TERM OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2017 - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Sublease Agreement between the City of Lincoln, Nebraska and Goodwill Industries for the sublease of space at 1111 O Street, Lincoln, Lancaster County, Nebraska for a term of October 1, 2013 through September 30, 2017, whereby the City of Lincoln is subleasing space to Goodwill Industries for the purposes of Workforce Investment Act Services and the American Job Center, the second time.

PUBLIC HEARING - RESOLUTIONS

SPECIAL PERMIT 1219L - APPLICATION OF BRYAN MEDICAL CENTER TO EXPAND A NON-RESIDENTIAL HEALTH CARE FACILITY FOR RENOVATION AND EXPANSION OF THE EXISTING EMERGENCY DEPARTMENT WITH REQUESTS TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 25 FEET TO 6 FEET ON S. 48TH STREET AND TO MODIFY THE REQUIRED FRONT YARD SETBACK FROM 33.8 FEET TO 0 FEET ON SUMNER STREET ON PROPERTY GENERALLY LOCATED AT 48TH AND SUMNER STREETS - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87557 WHEREAS, Bryan Medical Center has submitted an application designated as Special Permit No. 1219L for authority to expand a Non-Residential Healthcare Facility (Bryan East Medical Center) for renovation and expansion of the existing Emergency Department with a request to reduce the front yard setback from 25 feet to 6 feet on S. 48th Street and to reduce the front yard setback from 33.8 feet to 0 feet on Sumner Street, on property generally located at South 48th Street and Sumner, legally described as:

Lots 116, 117, 259 I.T., and Lots 1-33, Block 3, Shurtleff's Piedmont Park, the vacated portions of Washington and Everett Streets west of the west line of S. 50th Street, including the cul-de-sac at the west intersection of said streets, a triangle area of property bounded on the east by S. 50th Street, Everett Street on the south and Washington Street on the north, the vacated portion of S. 51st Street from the north line of Sumner Street to the south line of Everett Street, and Lots 1-24, Block 6, Shurtleff's Piedmont Park, all located in the Northeast Quarter of Section 32, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for the expanded health care facility lot 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 Bryan Medical Center, hereinafter referred to as "Permittee", to expand a Non-Residential Healthcare Facility (Bryan East Medical Center) for renovation and expansion of the existing Emergency Department with a request to reduce the front yard setback from 25 feet to 6 feet on S. 48th Street and to reduce the front yard setback from 33.8 feet to 0 feet on Sumner Street on the property legally described above be and the same is hereby granted under the provisions of Section 27.63.080 of the Lincoln Municipal Code upon condition that construction of said healthcare facility be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the renovation and expansion of the existing Emergency Department facilities for Bryan East Medical Center, including an expanded parking lot and enclosed walkway, a new ambulance garage, a new patient entry and canopy, a new drive aisle and retaining wall, and a temporary parking lot and Emergency Department entrance on the Bryan Home site, along with adjustments reducing the front yard setback from 25 feet to 6 feet on S. 48th Street and the front yard setback from 33.8 feet to 0 feet on Sumner Street.

2. Before receiving building permits:

- a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five copies with all required revisions as listed below:
 - i. Remove the parking lot striping in the lot adjacent to S. 48th Street.
- b. The Permittee shall provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
- c. The construction plan must substantially comply with the approved plans.

3. Before occupying the buildings, all development and construction must substantially comply with the approved plans.

4. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an

appropriately established owners association approved by the City.

5. 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.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee and the Permittee's successors and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. 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 special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this permit shall remain in full force and effect except as specifically amended by this resolution.

Introduced by Trent Fellers

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

APPROVING THE 2013-2014 CITY TAX RATE OF .31580 PER \$100.00 OF ASSESSED VALUATION - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87558 A RESOLUTION establishing a final property tax levy for the City's 2013-014 fiscal year and adjusting the City tax rate to that adopted in the City budget resolution.

RECITALS

I.

Pursuant to Neb. Rev. Stat. § 77-1601.02, the City Council of the City of Lincoln is authorized to pass, by a majority vote, a resolution setting the final tax rate.

II.

Pursuant to Neb. Rev. Stat. § 77-1601.02, notice was published in a newspaper of general circulation on September 10, 2013, which date was at least five days prior to September 16, 2013 being the date upon which the City Council held a special public hearing called for the purpose of considering and acting upon this resolution.

III.

When the budget was adopted on August 26, 2013, the tax rate was anticipated to be .31580 per \$100 of assessed valuation. Final certified valuations from the County Assessor's office have not changed the tax rate necessary to fund the adopted budget.

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

That after notice and public hearing as required by law, the City Council does hereby set the following final levy for the City of Lincoln 2013-2014 fiscal year for a property tax request of \$54,036,096.00: \$.31580 per \$100 of assessed valuation which total rate is comprised of the following:

Bond Interest & Redemption	.03178
General	.18892
Library	.04169
Social Security	.01556
Police and Fire Pension	<u>.03785</u>
Total	.31580

Introduced by Trent Fellers

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

APPROVING TWO CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND DIAMOND VOGEL AND SHERWIN WILLIAMS PAINT COMPANY FOR THE SUPPLY AND DELIVERY OF PAINT AND RELATED PRODUCTS THROUGH LOCAL INTER-GOVERNMENTAL COOPERATIVE PURCHASING, PURSUANT TO THE UNIVERSITY OF NEBRASKA RFP #2135-13-7215, FOR A THREE YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87559 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreements between the City of Lincoln, Lancaster County, the Lincoln-Lancaster County Public Building Commission and Diamond Vogel and Sherwin Williams Paint Company for the supply and delivery of Paint and Related Products through inter-governmental cooperative purchasing, pursuant to the University of Nebraska RFP #2135-13-7215, for a three-year term, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Trent Fellers

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

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ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 16 - 31, 2013 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87560 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 September 3, 2013, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIM</u>	<u>ALLOWED/SETTLED CLAIMS</u>
Whitney Otto \$757.83	Progressive Insurance a/s/o Erik Root \$6,927.81
	Nationwide Insurance a/s/o Cornhusker
	Painting & Powerwashing/Phillip Dake 3,229.00
<u>WITHDRAWN CLAIM</u>	Rosalena Livers 831.45
Leroy Duffie \$200,000.00	Larry Curtis 901.14
	LeMars Insurance a/s/o Matt Domangue 4,522.00
	Maria Lopez-Perez 619.83

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 Trent Fellers

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

APPROVING AMENDMENT NO. 1 FOR A THREE YEAR EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN WATER SYSTEM AND THE STATE OF NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE REVIEW OF PLANS FOR CONSTRUCTION OF NEW AND REPLACEMENT DISTRIBUTION MAINS - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87561 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Amendment No. 1 to an Agreement between the City of Lincoln, on behalf of the Lincoln Water System, and the Nebraska Department of Health and Human Services for a three year extension of the Agreement for the review of plans for construction of new and replacement distribution mains, in accordance with the terms and conditions as set forth in said Amendment No. 1, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Trent Fellers

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

APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN AND CARQUEST AUTO PARTS, LINCOLN TRUCK CENTER, AND FACTORY MOTOR PARTS FOR THE ANNUAL SUPPLY OF AUTOMOTIVE MAINTENANCE AND REPAIR PARTS TO STARTRAN, PURSUANT TO BID NO. 13-151, FOR TWO YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87562 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the three attached Contract Agreements between the City of Lincoln and Carquest Auto Parts, Lincoln Truck Center, and Factory Motor Parts for the Annual Supply of Automotive Maintenance and Repair Parts to StarTran, pursuant to Bid No. 13-151, for two year terms with the option to renew for one additional two year term, upon the terms as set forth in said Contract Agreements, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Trent Fellers

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

ORDINANCE - 3RD 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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #19916, is recorded in Ordinance Book #29, Page .

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook. The ordinance, being numbered **#19917**, is recorded in Ordinance Book #29, Page .

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook. The ordinance, being numbered **#19918**, is recorded in Ordinance Book #29, Page .

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook. The ordinance, being numbered **#19919**, is recorded in Ordinance Book #29, Page .

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), the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook. The ordinance, being numbered **#19920**, is recorded in Ordinance Book #29, Page .

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook. The ordinance, being numbered **#19921**, is recorded in Ordinance Book #29, Page .

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

ANNEXATION 13003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY .11 ACRES GENERALLY LOCATED AT TUSCAN AND DURADO COURTS - CLERK read an ordinance, introduced by Doug Emery, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 13016 - APPLICATION OF FIRETHORN GOLF COMPANY FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM R-3 RESIDENTIAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT TUSCAN AND DURADO COURTS - CLERK read an ordinance, introduced by Doug Emery, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A SUBLEASE AGREEMENT BETWEEN NEBRASKA VOCATIONAL REHABILITATION AND THE CITY OF LINCOLN FOR THE SUBLEASE BY NEBRASKA VOCATIONAL REHABILITATION OF 160 SQUARE FEET OF SPACE AT 1111 O STREET FOR PURPOSES OF WORKFORCE INVESTMENT ACT SERVICES AND THE AMERICAN JOB CENTER FOR A FOUR YEAR TERM OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2017 - CLERK read an ordinance, introduced by Doug Emery, accepting and approving a Sublease Agreement between the City of Lincoln,

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Nebraska and Nebraska Vocational Rehabilitation for the sublease of space at 1111 O Street, Lincoln, Lancaster County, Nebraska for a term of October 1, 2013 through September 30, 2017, whereby the City of Lincoln is subleasing space to Nebraska Vocational Rehabilitation for the purposes of Workforce Investment Act Services and the American Job Center, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

APPOINTING DR. MICHELLE PETERSEN TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING APRIL 15, 2016.

APPOINTING MELISSA K. FILIPI TO THE KENO HUMAN SERVICES ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2016.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND GARCIA-CHICOINE ENTERPRISES, INC. FOR THE ANNUAL REQUIREMENTS OF WORK/SERVICES AND MATERIALS FOR THE REPAIR OF GUARDRAILS PURSUANT TO THE STATE OF NEBRASKA DEPARTMENT OF ROADS CONTRACT NO. HH1305, FOR A THREE YEAR TERM.

AUTHORIZING A REQUEST TO THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS, FOR RELAXATION OF THE MINIMUM DESIGN STANDARDS TO ALLOW 9 1/2 TO 10 FOOT WIDE LANES IN VAN DORN STREET FROM 33RD TO 48TH STREETS, CITY PROJECT 701773.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY FOR THE INSTALLATION OF PRIVATE CONDUIT FOR FIBER OPTIC CABLE IN SOUTH 36TH STREET TO SERVE THE SCHOOL AND PARISH PROPERTY FOR SAINT TERESA'S CHURCH AT 735 SOUTH 36TH STREET.

APPROVING A PROJECT PROGRAMMING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF ROADS TO ESTABLISH VARIOUS DUTIES AND FUNDING RESPONSIBILITIES FOR A FEDERAL AID SAFETY IMPROVEMENT PROJECT FOR CONSTRUCTION OF ADAPTIVE SIGNAL CONTROL TECHNOLOGY AND UPGRADE OF FIBER COMMUNICATIONS ALONG NORTH 27TH STREET BETWEEN O STREET AND INTERSTATE 80.

REAPPOINTING RACHEL WARMAN TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2016.

APPOINTING WANDA BLASNITZ AND JACK COOGAN TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2016.

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE - NONE

ADJOURNMENT 4:20 P.M.

CAMP Moved to adjourn the City Council meeting of September 16, 2013.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist