

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, OCTOBER 28, 2013 AT 5:30 P.M.**

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

Council Chair Eskridge announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

FELLERS Having been appointed to read the minutes of the City Council proceedings of October 21, 2013 reported having done so, found same correct. Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

RECOGNITION

Council Chair Eskridge recognized and welcomed members of Troupe 25 in attendance.

YOUTH AMBASSADORS - ADDRESS TO CITY COUNCIL

Council Chair Eskridge welcomed members of the youth ambassadors in attendance.

Dayna Krannawitter, Community Learning Center, came forward to state that this month is a celebration Lights on Afterschool, which is a national event to help shine the light on the important part that extended learning opportunities play in youth development and student achievement. The ambassadors here today represent the quality leaders that are being encouraged through hands-on learning and real life experiences. We will continue to find ways to make sure that all children have access to these wonderful learning opportunities.

Kayla Bratrsovsky, Ambassador from Schoo Middle School, came forward to state that she loves CLC because when she was chosen to be an ambassador in 3rd grade, she was very shy. Being an ambassador has helped her to speak out and make a difference. She enjoyed visiting with State Senators because they have the power to make decisions.

Emery Throener, Ambassador from Mickle Middle School, came forward to state that Community Learning Centers are important because kids have a safe place to go before and after school and during the summer. Her favorite experience last summer was taking a trip to the Henry Doorly Zoo in Omaha. She asked for the continued support of the Community Learning Centers.

Council Member Emery thanked the Ambassadors and congratulated them on their leadership and poise.

Council Chair Eskridge stated that Council is proud of all the work the Ambassadors are doing and that they will become great leaders.

PUBLIC HEARING

APPROVING THE 21ST AND N REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND HOPPE BROTHERS LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN L AND N, 21ST AND THE ANTELOPE VALLEY CHANNEL; K AND L, 20TH TO ANTELOPE VALLEY PARKWAY, AND CITY RIGHT-OF-WAY ALONG N ST. FROM S. 17TH ST. THROUGH THE S. 23RD ST. INTERSECTION AND L ST. FROM S. ANTELOPE VALLEY PARKWAY TO 21ST ST;

APPROVING AN AMENDMENT TO THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$4,474,000 \$4,763,000 IN TIF FUNDS FOR THE 21ST AND N REDEVELOPMENT PROJECT;

AUTHORIZING THE ISSUANCE OF 21ST AND N STS. REDEVELOPMENT PROJECT TAX ALLOCATION BONDS - David Landis, Director of Urban Development, came forward to state that the City selected the proposal of the Hoppe Brothers for this project. They recommended a multi-use area which includes a 13,000 square foot building with 1st floor retail and upper level apartments, sixty-three row houses, the first of which will be completed in November of 2014, and a 30,000 square foot grocery store anticipated to be completed in July of 2015. The investment of the developers is approximately \$22.5 million and the investment of TIF funds is approximately \$4.7 million. This agreement acknowledges the interests of the City first by addressing the N Street Protected Bikeway and the relocation of City facilities. After those interests are met, other steps follow, including land acquisition, demolition, asbestos removal, and infrastructure improvements. Discussion followed.

Tom Huston, 233 S. 13th Street, Ste. 1900, came forward on behalf of Hoppe Brothers to state this agreement has been negotiated for several months and the items before Council today would authorize the project to proceed. In answer to Council questions, Mr. Huston replied that there are still language changes being worked out so Action will not occur until the meeting of next week. Discussion followed.

Lauren Wismer, Gilmore & Bell, 1248 O Street, Ste. 710, came forward to state this looks very similar to other Tax Increment Financing ordinances drafted by his firm.

Fred Hoppe, 1600 Stony Hill Road, was on hand to answer questions.

Mike Morosin, 1500 N. 15th Street, came forward to state that TIF dollars seem to work well for many projects but there are questions about what happens when finished projects are assessed at a value less than they were projected to be, and how the dollars are allocated.

Brad Hedrick, Vice President of Operations at Windstream, 1440 M Street, came forward to state that Windstream owns the property that is to the east of 20th Street, between K and L. That street will be vacated as part of this plan and it is the only area of concern for Windstream.

Timothy Sieh, Law Department, came forward to advise Mr. Hedrick that the Windstream legal counsel can contact him at any time for discussion.

David Landis returned to answer Council questions. He stated if valuations do not match the projections, the developer is responsible for making up the difference. TIF funds are held by the City and developers provide invoices for incurred expenses. They are then reimbursed for proven expenses that are within the development agreement. Discussion followed.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING RODNEY M. CONFER AS THE CITY ATTORNEY FOR A TWO-YEAR TERM EFFECTIVE NOVEMBER 1, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87629 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Rodney M. Confer as the City Attorney for a two-year term effective November 1, 2013 is hereby approved.

Introduced by Jonathan Cook

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

ASSESSMENT RESOLUTION FOR DOWNTOWN CORE IMPROVEMENT DISTRICT FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 4, 2013, AT 3:00 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87630 I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Core Business Improvement District Overlay including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Core Business Improvement District Overlay", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$159,701.79; that the property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Core Business Improvement District Overlay.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 4th day of November, 2013, at 3:00 p.m., and on the ____ day of _____, 2013, at _____ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Trent Fellers

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

ASSESSMENT RESOLUTION FOR DOWNTOWN MAINTENANCE IMPROVEMENT DISTRICT FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 4, 2013, AT 3:00 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87631

I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Maintenance Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Maintenance Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$230,979.00 that the property set forth in the proposed Distribution of Assessment is specially benefited by such activities and improvement; that each piece and parcel of property described is specially benefited in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 4th day of November, 2013, at 3:00 p.m., and on the ____ day of _____, 2013, at _____ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Trent Fellers

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

ASSESSMENT RESOLUTION FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 4, 2013, AT 3:00 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87632

I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Business Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Business Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$339,540.37; that the property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 4th day of November, 2013, at 3:00 p.m., and on the ____ day of _____, 2013, at _____ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON OCTOBER 14, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS - NONE

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required) - NONE

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 OCTOBER 1 - 15, 2013 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87633 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 October 16, 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:

DENIED CLAIM	ALLOWED/SETTLED CLAIMS
Pamela Truscott \$1,208.86	Jeff Green \$ 475.62
	Progressive Insurance
	a/s/o Patrick Harrington 6,794.81
	State Farm Insurance
	a/s/o Lois J. Irons 3,150.87

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

PUBLIC HEARING - ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

APPROVING THE 21ST AND N REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND HOPPE BROTHERS LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN L AND N, 21ST AND THE ANTELOPE VALLEY CHANNEL; K AND L, 20TH TO ANTELOPE VALLEY PARKWAY, AND CITY RIGHT-OF-WAY ALONG N ST. FROM S. 17TH ST. THROUGH THE S. 23RD ST. INTERSECTION AND L ST. FROM S. ANTELOPE VALLEY PARKWAY TO 21ST ST. (RELATED ITEMS: 13R-241, 13R-242, 13-129) (ACTION DATE: 10/28/13) (10/21/13 - PUBLIC HEARING CONT'D TO 10/28/13) (10/21/13 - ACTION DELAYED ONE WEEK TO 11/04/13) - PRIOR to reading:

COOK Moved to delay Action on Bill No. 13R-241 for one week to 11/04/13.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING AN AMENDMENT TO THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$4,474,000 \$4,763,000 IN TIF FUNDS FOR THE 21ST AND N REDEVELOPMENT PROJECT. (RELATED ITEMS: 13R-241, 13R-242, 13-129) (ACTION DATE: 10/28/13) (10/21/13 - PUBLIC HEARING CONT'D TO 10/28/13) (10/21/13 - ACTION DELAYED ONE WEEK TO 11/04/13) - PRIOR to reading:

COOK Moved to delay Action on Bill No. 13R-242 for one week to 11/04/13.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

AUTHORIZING THE ISSUANCE OF 21ST AND N STS. REDEVELOPMENT PROJECT TAX BONDS. (RELATED ITEMS: 13R-241, 13R-242, 13-129) (10/21/13 - PUBLIC HEARING CONT'D TO 10/28/13) (10/21/13 - ACTION DELAYED ONE WEEK TO 11/04/13) - PRIOR to reading:

COOK Moved to delay Action on Bill No. 13-129 for one week to 11/04/13.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Roy Christensen, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, Notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$5,000,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's 21st & N Streets Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgement in determining and finalizing certain terms and provision of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

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

CREATING PAVING DISTRICT NO. 2633 IN WEST NANCE AVENUE FROM N.W. 8TH STREET TO N.W. 9TH STREET - CLERK read an ordinance, introduced by Roy Christensen, creating Paving District No. 2633, defining the limits thereof, establishing the width of the roadway to be paved and the width of the grading to be done, providing for the curbing, guttering, and relaying of sidewalks, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #19940, is recorded in Ordinance Book #209, Page .

CHANGE OF ZONE 05026C - APPLICATION OF DICKEY'S BARBEQUE TO AMEND THE APPLE'S WAY PLANNED UNIT DEVELOPMENT TO DELETE THE NOTE WHICH PROHIBITS FAST FOOD RESTAURANTS WITH DRIVE-THROUGH FACILITIES AND BUSINESSES WHICH OPERATE 24 HOURS A DAY, ON PROPERTY GENERALLY LOCATED AT SOUTH 66TH STREET AND HIGHWAY 2 - CLERK read an ordinance, introduced by Roy Christensen, amending the Development Plan for the Apple's Way Planned Unit Development on property generally located at South 66th Street and Highway 2 and legally described as Lot 1 and Lot 2, Block 1, Lots 1-5, Block 3, and Outlot B, all in Apples Way Addition, and Lots 1 and 2, Apples Way 1st Addition, Lincoln, Lancaster County, Nebraska, to allow fast food restaurants with drive-through facilities as permitted uses on Lot 3, Block 3, Apples Way Addition, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #19941, is recorded in Ordinance Book #209, Page .

CHANGE OF ZONE 13017 - APPLICATION OF DARYLL LIGHTNER FOR A CHANGE OF ZONE FROM AG AGRICULTURE DISTRICT AND R-2 RESIDENTIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, AND FROM AG AGRICULTURE DISTRICT, R-2 RESIDENTIAL DISTRICT AND H-3 HIGHWAY COMMERCIAL DISTRICT TO P PUBLIC USE DISTRICT, ON PROPERTY GENERALLY LOCATED AT N.W. 27TH STREET AND WEST VINE STREET - CLERK read an ordinance, introduced by Roy Christensen, 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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #19942, is recorded in Ordinance Book #209, Page .

CHANGE OF ZONE 13021 - APPLICATION OF BRUCE BRINKMAN FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO O-3 OFFICE PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND EIGER DRIVE - CLERK read an ordinance, introduced by Roy Christensen, 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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #19943, is recorded in Ordinance Book #209, Page .

AMENDING SECTIONS 6.02.300, 6.12.045, 6.12.130, 6.12.132, 6.12.136, 6.12.140, AND 6.12.145 OF THE LINCOLN MUNICIPAL CODE RELATING TO CATS TO DELETE THE WORDS "HOBBY KENNEL" AS IT IS AN OBSOLETE AND DUPLICATIVE TERM - CLERK read an

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ordinance, introduced by Roy Christensen, amending Sections 6.02.300, 6.12.045, 6.12.130, 6.12.132, 6.12.136, 6.12.140, and 6.12.145 of the Lincoln Municipal Code relating to Cats to delete the words "hobby kennel" as it is an obsolete and duplicative term; and repealing Sections 6.02.300, 6.12.045, 6.12.130, 6.12.132, 6.12.136, 6.12.140, and 6.12.145 of the Lincoln Municipal Code as hitherto existing, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19944**, is recorded in Ordinance Book #209, Page .

AMENDING SECTION 6.04.150 OF THE LINCOLN MUNICIPAL CODE RELATING TO SHELTER FEES TO INCREASE THE FIRST TIME IMPOUNDMENT FEE BY \$5.00 PER ANIMAL - CLERK read an ordinance, introduced by Roy Christensen, amending Section 6.04.150 of the Lincoln Municipal Code relating to Shelter Fees to increase the first time impoundment fee by \$5.00 per animal; and repealing Section 6.04.150 of the Lincoln Municipal Code as hitherto existing, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19945**, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 6.10 OF THE LINCOLN MUNICIPAL CODE, DANGEROUS AND POTENTIALLY DANGEROUS DOGS, BY DELETING SECTION 6.10.100, BITES UNLAWFUL, AND AMENDING SECTION 6.10.090, CONFISCATION, TO DELETE A REFERENCE TO SAID SECTION 6.10.100 - CLERK read an ordinance, introduced by Roy Christensen, amending Chapter 6.10 of the Lincoln Municipal Code, Dangerous and Potentially Dangerous Dogs, by deleting Section 6.10.100, Bites Unlawful, and amending Section 6.10.090, Confiscation, to delete a reference to said Section 6.10.100; and repealing Section 6.10.090 of the Lincoln Municipal code as hitherto existing, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19946**, is recorded in Ordinance Book #209, Page .

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

CHANGE OF ZONE 13023 - APPLICATION OF MBA APARTMENTS, LLC FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHWEST OF S. 56TH ST. AND HWY. 2 - CLERK read an ordinance, introduced by Trent Fellers, amending the Lincoln Zoning Districts 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.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

USE PERMIT 102A - APPLICATION OF ST. PATRICK'S CATHOLIC CHURCH TO REDUCE THE FRONT YARD SETBACK ON PORTIONS OF N. 61ST ST., MORRILL AVE., AND N. 62ND ST. FOR A BUILDING EXPANSION AND PARKING LOT, ON PROPERTY GENERALLY LOCATED AT N. 61ST ST. AND MORRILL AVE.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY FOR THE INSTALLATION OF FIBER OPTIC CABLE IN MADISON AVE. TO CONNECT 5240 MADISON AVE. TO JOHNSON HALL AT NEBRASKA WESLEYAN UNIVERSITY.

APPOINTING ANN BLEED TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD TO FILL AN UNEXPIRED TERM EXPIRING DECEMBER 31, 2013.

REAPPOINTING ANN BLEED TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2016.

ADOPTING THE LINCOLN ELECTRIC SYSTEM RATE SCHEDULES PROVIDING FOR A SYSTEM AVERAGE RATE INCREASE OF 2.9%, EFFECTIVE JANUARY 1, 2014. (ACTION DATE: 11/25/13)

ADOPTING THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2014, TO BECOME EFFECTIVE JANUARY 1, 2014. (ACTION DATE: 11/25/13)

PENDING LIST - DATE CERTAIN

CREATING SPECIAL ASSESSMENT RE-PAVING DISTRICT NO. 158 FOR THE PURPOSE OF RECONSTRUCTING PORTIONS OF 66TH ST., ALMIRA LANE, MARCUS RD., AND ANNS CT. WITHIN THE COUNTRY MEADOWS HOMEOWNERS ASSOCIATION BOUNDARIES, AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES. (10/7/13 - ACTION DELAYED WITH CONT'D PUBLIC HEARING FOR 3 WEEKS TO 10/28/13) (10/21/13 - ACTION DELAYED WITH CONT'D PUBLIC HEARING TO 11/4/13) - PRIOR to reading:

COOK Moved to Delay Action with continued Public Hearing on Bill No. 13-108 to 12/09/2013.

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

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE

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

 This matter was taken under advisement.

 Mike Morosin, 1500 N. 15th Street, came forward to state the City never finished work on the removal of mold from his home.

 This matter was taken under advisement.

ADJOURNMENT 6:21 P.M.

CAMP Moved to adjourn the City Council meeting of October 21, 2013.

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

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist

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