

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 4, 2014 AT 3:00 P.M.**

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

Council Chair Emery 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

CAMP Having been appointed to read the minutes of the City Council proceedings of July 28, 2014, reported having done so, found same correct.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING

APPLICATION OF RENA INC. DBA THE FOXY TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION TO THE AREA FOR A NEW LICENSED AREA DESCRIBED AS A SINGLE STORY BUILDING APPROXIMATELY 48 FEET BY 92 FEET WITH AN OUTDOOR AREA APPROXIMATELY 17 FEET BY 22 FEET LOCATED AT ~~5020 NORTH 27TH STREET~~ 1823 O ST. - Don Arena, 1823 O St., took oath & came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF IMMACULATE HEART OF MARY CHURCH FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 40 FEET BY 50 FEET IN THE CHURCH PARKING LOT AT 6345 MADISON AVE. ON AUGUST 23, 2014 FROM 11:00 A.M. TO 11:59 P.M. AND AUGUST 24, 2014 FROM 10:00 A.M. TO 6:00 P.M. - Tim Cao, 7411 S 37th St., came forward to answer any questions regarding their annual church fair.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 176 FEET BY 83 + 56 (STADIUM TERRACE), 900 FEET BY 490 FEET (FESTIVAL SPACE), AND 2,082 FEET BY 18 FEET (PEDESTRIAN BRIDGE) GENERALLY LOCATED AT PINNACLE BANK ARENA, 400 PINNACLE ARENA DRIVE ON AUGUST 14, 15, 16, AND 17, 2014 FROM 11:00 A.M. TO 1:00 A.M. - Tom Lorenz, 400 Pinnacle Arena Dr., came forward to answer any questions regarding Ribfest.

This matter was taken under advisement.

APPLICATION OF YIN FAMILY LLC DBA HIRO 88 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.;

APPLICATION OF YARD INVESTMENTS LLC DBA GATE 25 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.;

APPLICATION OF BREEZY ISLAND LLC DBA BREEZY ISLAND FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.;

APPLICATION OF BW&R CANOPY LLC DBA BUFFALO WINGS & RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.;

APPLICATION OF ASTRA VEGA LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.

APPLICATION OF PEACE A PIE LLC DBA MELLOW MUSHROOM FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.

APPLICATION OF CLUB AT THE YARD DBA RULE G FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M.

APPLICATION OF BAR AT THE YARD DBA LONGWELL'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - Brett West, WRK, LLC, 440 N. 8th St., Suite 140, came forward to answer any questions. Stated this event is to celebrate their one year anniversary.

This matter was taken under advisement.

**REGULAR MEETING
AUGUST 4, 2014
PAGE 510**

VACATION 14003 - VACATING THE EAST/WEST ALLEY BETWEEN NORTH 10TH STREET AND VACATED NORTH 11TH STREET WITHIN BLOCK 28, ORIGINAL LINCOLN - Marvin Krout, Planning Director, came forward to state this is a request for vacation of a remaining portion of an alley in the downtown area. Most of the block is owned by UNL. There's also a church that's on the south portion of the block. UNL is just asking to vacate the remaining portion of the alley which provides access to the church & the University for parking so that they can maintain it & control it themselves. It doesn't provide access to any other property. The church & UNL have a private agreement about the maintenance & access and so we've recommended approval.

This matter was taken under advisement.

ANNEXATION 13005 - AMENDING ORDINANCE NO. 19952 TO ACCEPT A SUBSTITUTE MAP TO CORRECTLY SHOW THE BOUNDARY LINE OF THE ANNEXED PROPERTY GENERALLY LOCATED AT N.W. 27TH STREET AND HIGHWAY 34. - Marvin Krout, Planning Director, came forward to explain that the previous map included with Ord. 19952 showed we were annexing too much property along Hwy. 34 so we would ask you to adopt the corrected map so we can keep that portion of Hwy. 34 out in the County.

This matter was taken under advisement.

AMENDING TITLE 21 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 21.09 ENTITLED "REGISTRATION OF NEGLECTED BUILDINGS" TO ESTABLISH A REGISTRATION SYSTEM FOR MONITORING VACANT AND NEGLECTED RESIDENTIAL BUILDINGS WITHIN THE CITY - Jon Carlson, Manager of the City's Stronger, Safer Neighborhood Program, came forward to state this is part of our continued work to eliminate problem properties. We've identified a need for stronger enforcement language to deal with a small pool of properties that continue to be an issue, approx. 50 - 100, scattered across the community. Energy is focused on property owners who have had multiple contacts with the City. Once they cross that deterioration threshold, Building & Safety sends a notice to the owner declaring the property neglected & requiring them to register the building. Registration has to include a plan & a time table to improve the property or demolish it. These don't have to be Building & Safety approved construction plans but it can't be chicken scratches on the back of a napkin either. It's gotta be a reasonable plan to show that you're going to be able to effect those repairs or demolish it within that time frame. They also have to provide a registered agent that we can have good contact with for notices. And, lastly, they have to pay a \$500 registration fee for each 90 day period the property remains on the list. If they fail to come down, the City can register the building & place a lien on their property for the registration fee. In addition to that, if they fail to register, they can be assessed up to a \$500 civil penalty for failure to comply with the registration process. That also goes as a lien against the property. The lien & the fine can be assessed every 90 day period that the property stays on the list. As those liens build up, we could potentially foreclose on the property & place it up for auction. We want to make the list of neglected properties & the liens very transparent, we want to invite the widest range of potential purchasers for these, & we also want to make sure in our conversations that we're supporting the new purchaser. The property owner may decide to sell on their own & that's fine but it has to be an arms length transaction. We don't want them to just play games & say they're selling it to their brother-in-law & then he sells it back. If you sell the property, the neglected status remains but the Director of Building & Safety can waive the new fees for the new property owner. Discussion followed.

Greg Baker, 1039 S. 11th St., came forward in support

Dick Patterson, 230 S. 29th St., came forward in support.

Shawn Reba, representing Neighborworks Lincoln, 2240 Q St., came forward in support.

Barbara Areadt, 1601 Woodsvieview St, came forward in support but hopes the ordinance has some teeth to it. Discussion followed.

Jane Sebby, 320 S. 29th St., came forward in support.

Patte Newman, 1110 Lamplighter, came forward in support. Stated when she served on City Council, they tried to get one similar to this done quickly in 2007 & didn't get it done. But is glad to see this come forward.

Mark Kohler, 700 S. 18th St., came forward in support.

Deb Kuwamoto, 339 S 29th St, came forward in support.

This matter was taken under advisement.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "B" TO BE EFFECTIVE AUGUST 14, 2014;

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" TO CHANGE THE PAY RANGE OF INFORMATION & FISCAL SERVICES MANAGER FROM M01 TO M02;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E" TO BE EFFECTIVE AUGUST 14, 2014;

- AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 14, 2014;
- AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ALLOWING A ONE TIME LUMP SUM PAYMENT FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "M";
- AMENDING SECTION 2.76.155 OF THE LINCOLN MUNICIPAL CODE RELATING TO COMPENSATION PLAN; LONGEVITY PAY FOR AN INCREASE OF LONGEVITY PAY TO COINCIDE WITH THE NEGOTIATED LMCEA LABOR AGREEMENT FOR UNREPRESENTED EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "M";
- AMENDING SECTION 2.76.160 OF THE LINCOLN MUNICIPAL CODE RELATING TO COMPENSATION PLAN & VARIABLE MERIT PAY PLAN TO REDUCE THE PROBATIONARY INCREASE TO COINCIDE WITH THE NEGOTIATED LMCEA LABOR AGREEMENT FOR UNREPRESENTED EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "M";
- AMENDING SECTION 2.76.370 OF THE LINCOLN MUNICIPAL CODE RELATING TO AUTHORIZED HOLIDAYS FOR AN INCREASE IN PERSONAL HOLIDAYS HOURS AND ALLOWABLE USAGE TO COINCIDE WITH THE NEGOTIATED PAGE LABOR CONTRACT FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "N" OR "X";
- AMENDING SECTION 2.76.385 OF THE LINCOLN MUNICIPAL CODE RELATING TO FUNERAL LEAVE TO DELETE OBSOLETE LANGUAGE FOR "M" PAY RANGES AND TO ADD CERTAIN USES TO COINCIDE WITH THE NEGOTIATED PAGE LABOR CONTRACT FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "N" OR "X";
- AMENDING SECTION 2.76.395 OF THE LINCOLN MUNICIPAL CODE RELATING TO VACATION LEAVE WITH PAY TO INCREASE VACATION ACCRUALS AT THE 12 YEAR LEVEL FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "A", "C", OR "E" - Doug McDaniel, Human Resources Director, came forward to request approval of these items.

Don Taute, City Attorney's Office, came forward regarding Items 35, 36, & 37. The fact sheets that were presented to Council as well as the blurb or summary of the legislation before you on the agenda indicates those are for the unrepresented employees & that is typically what we have to do for those employees anyhow because they're not covered by the bargaining agreement. But the Motion to Amend was to specifically put that language into the ordinance, making that distinction between the negotiated represented & the unrepresented M's because there's a little bit of a hang up in trying to get the contract executed. That has been resolved. As of about 45 minutes ago, the contract was signed & so when Council takes action next week, it's likely that we won't need to address the motions to amend. The intent, at this point, is to get the contract Request for Resolution down to the Clerk's Office this week so it would be placed on the Council's Agenda for Introduction on the 18th with action on the 25th.

This matter was taken under advisement.

- APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT FOR 48TH AND NORMAL BOULEVARD BETWEEN THE CITY OF LINCOLN AND GALE AND CINDY MATSON AND WELLS AND TAMI MANGRUM, LLC TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 14018 ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER SOUTH 48TH STREET AND NORMAL BOULEVARD. (RELATED ITEMS 14R-203, 14-98) (ACTION DATE: 8/11/14)
- CHANGE OF ZONE 14018 - APPLICATION OF MATSON-MANGRUM, LLC FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO O-2 SUBURBAN OFFICE DISTRICT AND FROM O-2 SUBURBAN OFFICE DISTRICT TO B-1 LOCAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 48TH STREET AND NORMAL BOULEVARD. (RELATED ITEMS 14R-203, 14-98) - Mark Hunzeker, Baylor Evnen Law, 1248 O St., Suite 600, came forward representing applicants. The proposal stems from a restaurant tenant that wants to locate in the existing building zoned B-1. The parking requirements for restaurants make it difficult to make that work. We propose that we be able to park some of the employees in the existing parking lot to the north which is associated with a piece of property that's currently zoned O-2 which provides more parking than the use in the O-2 building needs. It was determined that the zoning ordinance does not permit the use of that parking because it's in a block face which has some residential zoning in it. So, we propose to rezone one of the two lots that are currently zoned O-2 & to rezone one single-family home which is immediately north of the O-2 zoning along Normal Blvd., also owned by Mr. Matson, to accommodate both the parking & legal access to and from Normal Blvd. from that parking to the north of the building. Planning gave their approval. Met with neighbors prior to Planning Commission. The agreement restricts the use of the property which reflects the concerns expressed at the meeting with the neighbors. We also agreed that in the event that the house which is being rezoned from Residential to Office ever changes use from residential to non-residential, that it's access to S. 47th St. would be eliminated & that access would come to that property from the interior of the properties. In addition, Mr. Matson has agreed to put a speed bump in the existing driveway that goes from S. 47th St. into his property. He's agreed there would be no a drive-thru window associated with the restaurant & that restaurant employees

**REGULAR MEETING
AUGUST 4, 2014
PAGE 512**

would be required to park on the commercially zoned property & not on S. 47th Street. He has already signed an agreement with the City to relinquish the access to a curb cut which is immediately off the corner of 48th & Normal Blvd. on 48th Street. Discussion followed.

This matter was taken under advisement.

CAMP Moved to reopen the public hearing on the Neihardt, Meier's, & Blue Blood SDL applications. Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF JOHN G. NEIHARDT FOUNDATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 225 FEET BY 150 FEET AT FERGUSON HOUSE, 700 SOUTH 16TH STREET ON AUGUST 16, 2014 FROM 6:00 P.M. TO 9:00 P.M. - Paul Hammel, Vice President of Neihardt Foundation, came forward requesting approval. Commended the City Clerk's Office for working with us on it.

This matter was taken under advisement.

APPLICATION OF MEIER'S CORK N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 210 FEET BY 300 FEET AT 3111 COVERED BRIDGE DRIVE ON AUGUST 22, 2014 FROM 4:30 P.M. TO 11:00 P.M. - Kevin Meier, 1244 South St., came forward requesting approval of this private event for the Realtors Association at the Rezac residence.

This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING CO., INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 70 FEET BY 90 FEET AT 500 W. SOUTH STREET, LINCOLN, NEBRASKA, ON AUGUST 15, 2014, BETWEEN THE HOURS OF 12:00 P.M. AND 11:00 P.M. - Nick Schiffermiller, Blue Blood Brewing, 500 W. South St., came forward requesting approval for this private event for DSN.

This matter was taken under advisement.

SPECIAL PERMIT 1665C - APPLICATION OF CHATEAU DEVELOPMENT LLC TO AMEND THE VAN DORN MEADOWS 1ST ADDITION COMMUNITY UNIT PLAN TO REVISE THE LAYOUT FROM NINE SINGLE-FAMILY LOTS TO 10 TWO-FAMILY DWELLING UNITS AND A 20 UNIT MULTIPLE-FAMILY BUILDING ON PROPERTY GENERALLY LOCATED AT SHERMAN STREET AND HOLMES PARK ROAD. (7/28/14 - PUBLIC HEARING & ACTION DELAYED FOR 1 WEEK TO 8/4/14) - Mark Hunzeker, Baylor Evnen Law, 1248 O St., Suite 600, came forward representing applicants. We started working on potential layouts for this site about a year ago. The initial layout was a proposal for 60 multi-family apartment units which we took in to discuss with the Planning Department. The thought that that was probably a little too many & thought that we ought to go back & try again. We came up with a plan for 40 apartment units in three buildings. The Planning Department didn't say yea or nay but suggested we have a meeting with the neighbors before making a formal application. We met with them in December, 2013. We got a very strong message that they thought that was a) too many units and b) would rather see some townhomes rather than apartments. After that, we did a couple of things with the site plan & met again with Planning. We cut the number of units down from 40 to 30: 10 townhome units/duplex units located along the east property line & 20 multi-family units in a single building located at the west end of the site. We took that revised plan to the neighbors. We received a letter from the neighbors at the end of April, 2014 stating they didn't want multi-family buildings & that they had three points to make: 1) We should develop the property as townhomes with 9 or 10 duplex units; 2) if that number of units was agreeable, they would not object to building rental units or 2 story units; & 3) they would continue to oppose any multi-family apartment buildings. So, we brought forward that plan with 30 units, went to the Planning Commission with a favorable recommendation from the Planning Department. The Planning Commission voted 6-2 in favor of our proposal. Between Planning Commission & here, you have had numerous meetings with many of the neighbors and, likewise, many of you have met with us and we've been encouraged, very clearly, to reduce the number of units along the lines of what our neighbors have been saying since back in April. So, here we are with a plan for 20 attached single-family units or townhomes. All shown on 1 lot. Before they are built, whether they are on one lot or on 20 lots with an outlot surrounding them will be determined by a plat which must be filed. This footprint for townhomes is very common. Believe this plan addresses concerns. Request approval. Discussion followed.

Stephan Gaspar, 3100 S. 72nd St., managing partner of Chateau Development, came forward to state we submitted plans we thought would get approved, have made numerous compromises, & would request Council approval.

Bob Creager, 1630 K St., attorney, representing two homeowner's associations, came forward to speak in opposition.

Jenne Rodriguez, 3431 Fox Hollow Cir., came forward in opposition. Discussion followed.

Henry Rodriguez - 3431 Fox Hollow Cir., came forward in opposition. Discussion followed.

Jim Klein, no address give, lives in Fox Hollow, came forward in opposition.

Steven Witt, 3621 Holmes Park Rd., came forward in opposition.

Gayle O'Hanlon, 3233 Sherman Place, came forward in opposition.

Rodney Hutt, 7312 Sherman St., came forward in opposition.

Susan Brooks, 3253 Sherman Place, came forward in opposition.

Discussion followed with Staff questions.

Mr. Hunzeker came forward to state that this project, as originally proposed with 30 units, 20 units in a multi-family building & 10 townhouses, could have been approved by the Planning Director administratively. Four hundred and sixty-nine units were approved under the CUP. From the developer's perspective, that means he has some flexibility in where those go, what kind of units they are & how dense they are on a particular portion of his site. Mr. Gaspar has been very, very accommodating. Lots of changes get made at this table from what happens at the Planning Department level, the Planning Commission level & when it gets to Council. This process isn't new and believes the City Attorney's office would answer in the affirmative if asked whether it's permissible or appropriate. Chateau Development has come to you with a new plan that is in compliance with what we were told, at least as far back as April, the neighbors wanted. We think this is reasonable. We think Chateau has a well deserved reputation for quality developments. Discussion followed.

Doug Emery, Council Chair, inquired of the City Attorney if he was comfortable with the action going forward.

Jeff Kirkpatrick, City Attorney, came forward to state yes. It fits within the guidelines of what Council has done with other projects.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 14013 - APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE "P STREET EAST REDEVELOPMENT PROJECT" FOR STREETScape ENHANCEMENTS WITHIN PUBLIC RIGHTS-OF-WAY GENERALLY LOCATED BETWEEN CENTENNIAL MALL, N. 17TH STREET, P STREET, AND Q STREET. - Dave Landis, Urban Development Director, came forward to request approval. This is similar to the redevelopment of Yolande Avenue where the City is the applicant. This project is consistent with the Comp. Plan, the 2005 Downtown Master Plan, the 2012 Master Plan Update, & the Design Workshop P Street Analysis that's going on right now. That project runs out at Centennial Mall. We're asking to use \$170,000 out of the City's small TIF fund that we operate. This is where we don't go to a bank for a developer & the developer does a developer purchased bond, we are the bank. We started doing this about 10 or 12 years ago & we've done it about 12 different times. We're asking to do two blocks of P Street. Ploughshare and the Federal Credit Union think it's a good idea and would like it done. Discussion followed.

Tim Sieh, City Attorney, came forward to explain the City, itself, can be a redeveloper. So that takes care of the "but for" test.

Matt Stitchfield, 3621 Everett St., Ploughshare Brewing Co., came forward to state that it would be helpful to have some outdoor seating. With the width of the current sidewalk, even if the flower beds were moved, the best they could do is seat 2 people at a time against the side of our building with a 3 foot easement for ADA reasons taking up 5 ft. of the sidewalk & leaving the remainder of the sidewalk to meet City code. Would like to see an improvement in parking. Discussion followed.

This matter was taken under advisement.

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$170,000 IN TIF FUNDS FOR THE P STREET EAST REDEVELOPMENT PROJECT ON PUBLIC RIGHTS-OF-WAY ADJACENT TO 1630 P STREET IN GREATER DOWNTOWN LINCOLN. - Dave Landis, Urban Development Director, came forward to request approval. Discussion followed.

This matter was taken under advisement.

AMENDING THE FY 13/14 CIP TO AMEND THE EXISTING P STREET STREETScape CIP PROJECT TO INCLUDE P STREET FROM CENTENNIAL MALL TO 17TH STREET AND 16TH AND 17TH STREETS FROM P TO Q STREETS IN GREATER DOWNTOWN LINCOLN. - Dave Landis, Urban Development, came forward to request approval. Stated if there are funds available from savings in the existing P Street project, we want to be able to use them here. We accept that \$170,000 doesn't go very far in making radical or significant changes in a couple of block faces but we're looking under every rock we can find. Discussion followed.

This matter was taken under advisement.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE PUBLIC ASSOCIATION OF GOVERNMENT EMPLOYEES (PAGE) TO BE EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2016 - Doug McDaniel, Human Resources Director, came forward to request approval. PAGE represents our skilled & unskilled trades and our clerical staff. Explained some of the highlights of the new contract.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING AN INTERGOVERNMENTAL AGREEMENT AMENDMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE 2012 STORMWATER GRANT TO EXTEND THE TERM FROM JUNE 30, 2014 TO NOVEMBER 30, 2014 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88423 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Intergovernmental Agreement Amendment between the City of Lincoln and the Nebraska Department of Environmental Quality (NDEQ) regarding grant funding from the state Stormwater Management Plan Program, previously entered into by the parties by Resolution No. A-87145 on December 17, 2012, to extend the termination date from June 30, 2014 to November 30, 2014, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one executed copy of said Intergovernmental Agreement Amendment to Ben Higgins, Public Works & Utilities Department for delivery to NDEQ.

Introduced by Leirion Gaylor Baird

Seconded by Christensen 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 JULY 21, 2014 - 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 MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE APPLICATION OF LINCOLN COMMUNITY PLAYHOUSE FOR A CLASS I LIQUOR LICENSE AT 2500 S 56TH ST. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88424 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Lincoln Community Playhouse for a Class I Liquor License at 2500 S 56th St.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE MANAGER APPLICATION OF BARBARA EHRISMAN FOR WHITEHEAD OIL CO. DBA U-STOP #14 AT 2700 PORTER RIDGE RD. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88425 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Manager Application of Barbara Ehrisman for Whitehead Oil Co. dba U-stop #14 at 2700 Porter Ridge Rd.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE MANAGER APPLICATION OF JEFFREY SCOTT FOR WHITEHEAD OIL CO. DBA U-STOP #24 AT 110 W. FLETCHER, SUITE 101 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88426 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Manager Application of Jeffrey Scott for Whitehead Oil Co. dba U-stop #24 at 110 W. Fletcher, Suite 101.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MARY EVERETT FOR WHITEHEAD OIL CO. DBA U-STOP #5 AT 8231 E O ST. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88427 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Manager Application of Mary Everett for Whitehead Oil Co. dba U-stop #5 at 8231 E O St.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE MANAGER APPLICATION OF JUSTIN COFFMAN FOR WHITEHEAD OIL CO DBA U-STOP #9 AT 3244 CORNHUSKER - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88428 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Manager Application of Justin Coffman for Whitehead Oil Co dba U-stop #9 at 3244 Cornhusker.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE APPLICATION OF MSKDJ INC. DBA SCHILLINGBRIDGE CORK & TAP HOUSE FOR A CLASS L LIQUOR LICENSE AT 575 FALLBROOK BLVD. SUITE 109 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88429 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 MSKDJ Inc. dba Schillingbridge Cork & Tap House for a Class L Liquor License at 575 Fallbrook Blvd. Suite 109.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE APPLICATION OF IDC BAR AND GRILL INC DBA IDC BAR AND GRILL FOR A CLASS C LIQUOR LICENSE AT 3223 CORNHUSKER HWY, SUITE 1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88430 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 IDC Bar and Grill Inc dba IDC Bar and Grill for a Class C Liquor License at 3223 Cornhusker Hwy, Suite 1.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MON., AUGUST 18, 2014 AT 3:00 P.M. ON THE APPLICATION OF LINCOLN BLUE SUSHI LLC DBA BLUE SUSHI SAKE GRILL FOR A DELETION FROM THEIR LICENSE PREMISE BY ELIMINATING 20 FT. X 15 FT. ON R STREET FROM THEIR L-SHAPED OUTDOOR AREA AT 808 R STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88431 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 18, 2014, 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 Lincoln Blue Sushi LLC dba Blue Sushi Sake Grill for a deletion from their license premise by eliminating 20 ft. x 15 ft. on R Street from their L-shaped outdoor area at 808 R Street.

**REGULAR MEETING
AUGUST 4, 2014
PAGE 516**

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

Introduced by Jon Camp

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

REFERRED TO THE PLANNING DEPARTMENT:

Text Amendment No. 14007, requested by the Director of Planning, amending Title 27 of the Lincoln Municipal Code to correct errors made in previous text amendments and to clarify existing language without changing the intent of the language, by amending Section 27.02.200 to clarify the definition of "story" to provide for a more clear understanding of where the first story of a structure begins; amending Section 27.06.160 relating to the Major Entertainment and Event Use Group to provide guidance as to when a venue should be classified as "major event entertainment," e.g. 500 seats or more; amending Section 27.06.170 by amending the Use Group Table to designate Cabinet Shops and Stores as a conditional use in the H-2 zoning district; amending Section 27.57.180 to add "council member" to the list of persons who may appeal; amending Sections 27.61.040 and 27.61.050 to add "or this Chapter" as a reference to clarify what methods can be used to structurally alter, reconstruct, or restore a nonconforming structure; amending Section 27.64.010 to add "any council member" to the list of persons who may appeal; amending Section 27.67.066 to update parking for H-3 uses to reflect specific uses that were allocated a parking reduction prior to Use Groups approval; amending Section 27.69.030 general provisions for signs, to clarify that roof signs are permitted but are regulated under Section 27.69.310 and to require a certain spacing between the location of any sign and an abutting residential premises located in a residential district; amending Section 27.69.240 to clarify that menu boards, although a type of freestanding sign, have their own regulations; amending Section 27.69.290 to clarify that window signs are not counted toward the allocated percentage of wall signage; amending Section 27.69.310 to insert language needed for consistency between this section and Section 27.69.030; amending Section 27.72.180 to provide that a commercial use abutting a residential district does not need to comply with the residential district provisions if the adjacent land in the residential district may be used for a commercial use under a PUD; and repealing Sections 27.02.200; 27.06.160, 27.06.170, 27.61.040, 27.61.050, 27.67.066, 27.69.030, 27.69.240, 27.69.290, 27.69.310, and 27.72.180 of the Lincoln Municipal Code as hitherto existing.

Change of Zone No. 12018a, requested by Stallion Ventures, LLC, an amendment to the Holdrege/Idylwild Revelopment Planned Unit Development, to increase the allowable dwelling units from 40 to 60, on property, generally located at Idylwild Drive and Holdrege Street.

Use Permit No. 48a, requested by Robert Weigel, to clarify that R-T Residential Transition District uses are allowed in the office buildings located in Alpine Village, on property generally located at South 48th Street and Normal Boulevard (2300 South 48th Street). The Planning Commission action is final, unless appealed to the City Council.

Special Permit No. 14020, requested by Jason R. Woita, for authority to expand a nonstandard single-family residence into the front yard setback, on property generally located at South 31st Street and Sherman Street (3245 South 31st Street). The Planning Commission action is final, unless appealed to the City Council.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 14040 to Northern Lights Commercial Center Use Permit No. 116, requested by Olsson Associates, approved by the Planning Director on July 21, 2014, to reduce the setback along Holdrege St. and N. 84th St. to 20 feet, on property generally located at N. 84th St and Holdrege St.

Administrative Amendment No. 14024 to Change of Zone No. 3134D, Willow Springs Planned Unit Development - Lot 1, Block 4, requested by Olsson Associates, approved by the Planning Director on July 23, 2014, to adjust the front yard setback for Lot 1, Block 4 (S. 78th St. and Weeping Willow Ln.) from 30' to 20' adjacent to South 78th St., on property generally located at South 78th Street and Pioneers Blvd.

Administrative Amendment No. 14041 to Special Permit No. 1813A, The Preserve on Antelope Creek Community Unit Plan, requested by Civil Design Group, approved by the Planning Director on July 23, 2014, to adjust the rear setback from 25' to 20' for Lots 10 and 11, Block 4, for 4629 and 4637 Hawthorne Lane, generally located at S. 80th St. and Pioneers Blvd.

LIQUOR RESOLUTIONS

APPLICATION OF RENA INC. DBA THE FOXY TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION TO THE AREA FOR A NEW LICENSED AREA DESCRIBED AS A SINGLE STORY BUILDING APPROXIMATELY 48 FEET BY 92 FEET WITH AN OUTDOOR AREA APPROXIMATELY 17 FEET BY 22 FEET LOCATED AT ~~5020 NORTH 27TH STREET~~ 1823 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88432 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 Rena Inc. dba The Foxy to expand its Class C licensed premises to include a reconstructed area for a new licensed area described as a single story building approximately 48 feet by 92 feet including

an outdoor area measuring approximately 22 feet by 17 feet, at 1823 O Street, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 176 FEET BY 83 + 56 (STADIUM TERRACE), 900 FEET BY 490 FEET (FESTIVAL SPACE), AND 2,082 FEET BY 18 FEET (PEDESTRIAN BRIDGE) GENERALLY LOCATED AT PINNACLE BANK ARENA, 400 PINNACLE ARENA DRIVE ON AUGUST 14, 15, 16, AND 17, 2014 FROM 11:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88433 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 SMG Food & Beverage, LLC dba Pinnacle Bank Arena for a special designated license to cover an area measuring approximately 176 feet by 83 + 56 feet (Stadium Terrace), 900 feet by 490 feet (Festival Space), and 2,082 feet by 18 feet (Pedestrian Bridge) generally located at Pinnacle Bank Arena, 400 Pinnacle Arena Drive, Lincoln, Nebraska, on August 14, 15, 16, and 17, 2014, between the hours of 11:00 a.m. and 1:00 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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF JOHN G. NEIHARDT FOUNDATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 225 FEET BY 150 FEET AT FERGUSON HOUSE, 700 SOUTH 16TH STREET ON AUGUST 16, 2014 FROM 6:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88434 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 John G. Neihardt Foundation for a special designated license to cover an area measuring approximately 225 feet by 150 feet at Ferguson House, 700 South 16th Street, Lincoln, Nebraska, on August 16, 2014, between the hours of 6:00 p.m. and 9:00 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF IMMACULATE HEART OF MARY CHURCH FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 40 FEET BY 50 FEET IN THE CHURCH PARKING LOT AT 6345 MADISON AVE. ON AUGUST 23, 2014 FROM 11:00 A.M. TO 11:59 P.M. AND AUGUST 24, 2014 FROM 10:00 A.M. TO 6:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88435 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

**REGULAR MEETING
AUGUST 4, 2014
PAGE 518**

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 Immaculate Heart of Mary Church for a special designated license to cover an area measuring approximately 40 feet by 50 feet in the church parking lot at at 6345 Madison Ave., Lincoln, Nebraska, on August 23, 2014, between the hours of 11:00 a.m. and 11:59 p.m., and on August 24, 2014, between the hours of 10:00 a.m. and 6:00 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF YIN FAMILY LLC DBA HIRO 88 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88436 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 Yin Family LLC dba Hiro 88 for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF YARD INVESTMENTS LLC DBA GATE 25 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88437 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 Yard Investments LLC dba Gate 25 for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF BREEZY ISLAND LLC DBA BREEZY ISLAND FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88438 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 Breezy Island LLC dba Breezy Island for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF BW&R CANOPY LLC DBA BUFFALO WINGS & RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88439 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 BW&R Canopy LLC dba Buffalo Wings & Rings for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF ASTRA VEGA LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88440 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 Astra Vega LLC dba Vega for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

**REGULAR MEETING
AUGUST 4, 2014
PAGE 520**

APPLICATION OF PEACE A PIE LLC DBA MELLOW MUSHROOM FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88441 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 Peace A Pie LLC dba Mellow Mushroom for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF CLUB AT THE YARD DBA RULE G FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88442 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 Club at the Yard dba Rule G for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF BAR AT THE YARD DBA LONGWELL'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 9, 2014 FROM 5:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88443 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 Bar at the Yard dba Longwell's for a special designated license to cover an area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 9, 2014, between the hours of 5:00 p.m. and 11:59 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF MEIER'S CORK N BOTTLE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 210 FEET BY 300 FEET AT 3111 COVERED BRIDGE DRIVE ON AUGUST 22, 2014 FROM 4:30 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88444 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 Meier's Cork N Bottle for a special designated license to cover an area measuring approximately 210 feet by 300 feet at 3111 Covered Bridge Drive, Lincoln, Nebraska, on August 22, 2014, between the hours of 4:30 p.m. and 11:00 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF BLUE BLOOD BREWING CO., INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 70 FEET BY 90 FEET AT 500 W. SOUTH STREET, LINCOLN, NEBRASKA, ON AUGUST 15, 2014, BETWEEN THE HOURS OF 12:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88445 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 Blue Blood Brewing Co., Inc. for a special designated license to cover an area measuring approximately 70 feet by 90 feet at 500 W. South Street, Lincoln, Nebraska, on August 15, 2014, between the hours of 12:00 p.m. and 11:00 p.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.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

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

VACATION 14003 - VACATING THE EAST/WEST ALLEY BETWEEN NORTH 10TH STREET AND VACATED NORTH 11TH STREET WITHIN BLOCK 28, ORIGINAL LINCOLN - CLERK read an ordinance, introduced by Leirion Gaylor Baird, vacating the east/west alley between North 10th Street and vacated North 11th Street within Block 28, Original Lincoln and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

ANNEXATION 13005 - AMENDING ORDINANCE NO. 19952 TO ACCEPT A SUBSTITUTE MAP TO CORRECTLY SHOW THE BOUNDARY LINE OF THE ANNEXED PROPERTY GENERALLY LOCATED AT N.W. 27TH STREET AND HIGHWAY 34 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Ordinance No. 19952 to clarify that the annexation of land described in Ordinance No. 19952 as part of the City of Lincoln, Nebraska and the corresponding amendment to the Corporate Limits Map attached to and made a part of Ordinance No. 18208 did not include Purple Heart Highway, but does include Wildrose Lane and County Road 618, the second time.

AMENDING TITLE 21 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 21.09 ENTITLED "REGISTRATION OF NEGLECTED BUILDINGS" TO ESTABLISH A REGISTRATION SYSTEM FOR MONITORING VACANT AND NEGLECTED RESIDENTIAL BUILDINGS WITHIN THE CITY - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 21 of the

**REGULAR MEETING
AUGUST 4, 2014
PAGE 522**

Lincoln Municipal Code by adding a new Chapter 21.90 entitled "Registration of Neglected Buildings" to establish a registration system for monitoring vacant and neglected residential buildings within the City as a means to decrease the number of such neglected buildings and to prevent them from becoming a burden to the neighborhood and community or a threat to the public health, safety, and welfare, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "B" TO BE EFFECTIVE AUGUST 14, 2014 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "B"; and repealing Ordinance No. 19602, passed by the City Council on August 15, 2011, the second time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" TO CHANGE THE PAY RANGE OF INFORMATION & FISCAL SERVICES MANAGER FROM M01 TO M02 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 1 of Ordinance No. 19908 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 "M", by changing the pay range for the job classification "Information and Fiscal Services Manager" from M01 to M02, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E" TO BE EFFECTIVE AUGUST 14, 2014 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E"; and repealing Ordinance No. 19906, passed by the City Council on August 12, 2013, as amended by Ordinance No. 19919, passed by the City Council on September 16, 2013, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 14, 2014 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X"; and repealing Ordinance 19911, passed by the City Council on August 12, 2013, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ALLOWING A ONE TIME LUMP SUM PAYMENT FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "M" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving a one time lump sum payment in the amount of 1.25% of the current annual pay for employees of the City of Lincoln, Nebraska, whose classifications are assigned to pay ranges prefixed by the letter "M" as adopted by Ordinance No. 19908, the second time.

AMENDING SECTION 2.76.155 OF THE LINCOLN MUNICIPAL CODE RELATING TO COMPENSATION PLAN; LONGEVITY PAY FOR AN INCREASE OF LONGEVITY PAY TO COINCIDE WITH THE NEGOTIATED LMCEA LABOR AGREEMENT FOR UNREPRESENTED EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "M" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 2.76.155 of the Lincoln Municipal Code relating to longevity pay to increase the longevity pay of employees with a pay range prefixed by the letter "M"; and repealing Section 2.76.155 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 2.76.160 OF THE LINCOLN MUNICIPAL CODE RELATING TO COMPENSATION PLAN & VARIABLE MERIT PAY PLAN TO REDUCE THE PROBATIONARY INCREASE TO COINCIDE WITH THE NEGOTIATED LMCEA LABOR AGREEMENT FOR UNREPRESENTED EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "M" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 2.76.160 of the Lincoln Municipal Code relating to the variable merit pay plan for employees with a pay range prefixed by the letter "M" to reduce the probationary increase for such employees from 4.5" to 3"; and repealing Section 2.76.160 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 2.76.370 OF THE LINCOLN MUNICIPAL CODE RELATING TO AUTHORIZED HOLIDAYS FOR AN INCREASE IN PERSONAL HOLIDAYS HOURS AND ALLOWABLE USAGE TO COINCIDE WITH THE NEGOTIATED PAGE LABOR CONTRACT FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "N" OR "X" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 2.76.370 of the Lincoln Municipal Code relating to authorized

holidays to increase the number of hours of personal holidays for those employees with a pay range prefixed by the letter "N" and "X" from 9 hours to 16 hours; and repealing Section 2.76.370 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 2.76.385 OF THE LINCOLN MUNICIPAL CODE RELATING TO FUNERAL LEAVE TO DELETE OBSOLETE LANGUAGE FOR "M" PAY RANGES AND TO ADD CERTAIN USES TO COINCIDE WITH THE NEGOTIATED PAGE LABOR CONTRACT FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "N" OR "X" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 2.76.385 of the Lincoln Municipal Code relating to funeral leave to delete obsolete references to "an employee with a pay range prefixed by the letter "M" who works a fifty-six hour work week", and to provide for the usage of funeral leave to attend the funeral or bereave the death of certain relatives for employees with a pay range prefixed by the letter "N" and "X"; and repealing Section 2.76.385 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 2.76.395 OF THE LINCOLN MUNICIPAL CODE RELATING TO VACATION LEAVE WITH PAY TO INCREASE VACATION ACCRUALS AT THE 12 YEAR LEVEL FOR EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "A", "C", OR "E" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 2.76.395 of the Lincoln Municipal Code relating to vacation leave with pay to provide for a vacation accrual of 148 hours after twelve years of service for employees with a pay range prefixed by the letters "A", "C", and "E", to provide a department head may require vacation leave be taken not less than one hour at a time; and to provide employees with a pay range prefixed by "A", "C", and "E" may accumulate vacation leave to a maximum of 80 hours over and above the employee's maximum annual earning rate; and repealing Section 2.76.395 of the Lincoln Municipal Code, the second time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT FOR 48TH AND NORMAL BOULEVARD BETWEEN THE CITY OF LINCOLN AND GALE AND CINDY MATSON AND WELLS AND TAMI MANGRUM, LLC TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 14018 ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER SOUTH 48TH STREET AND NORMAL BOULEVARD. (RELATED ITEMS 14R-203, 14-98) (ACTION DATE: 8/11/14)

CHANGE OF ZONE 14018 - APPLICATION OF MATSON-MANGRUM, LLC FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO O-2 SUBURBAN OFFICE DISTRICT AND FROM O-2 SUBURBAN OFFICE DISTRICT TO B-1 LOCAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 48TH STREET AND NORMAL BOULEVARD. (RELATED ITEMS 14R-203, 14-98) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

PUBLIC HEARING - RESOLUTIONS

SPECIAL PERMIT NO. 1665C - APPLICATION OF CHATEAU DEVELOPMENT LLC TO AMEND THE VAN DORN MEADOWS 1ST ADDITION COMMUNITY UNIT PLAN TO REVISE THE LAYOUT FROM NINE SINGLE-FAMILY LOTS TO 10 TWO-FAMILY DWELLING UNITS AND A 20 UNIT MULTIPLE-FAMILY BUILDING ON PROPERTY GENERALLY LOCATED AT SHERMAN STREET AND HOLMES PARK ROAD - PRIOR to reading:

FELLERS Moved Motion to Amend #1 to amend Bill 14R-193 to accept & substitute Resolution No. 14R-193S attached hereto.

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

CLERK Read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88446 WHEREAS, Chateau Development LLC has submitted an application designated as Special Permit No. 1665C to amend the Van Dorn Meadows 1st Addition Community Unit Plan to revise the layout from nine single-family lots to show 10 two-family dwelling units and a 20 unit multiple-family building on property generally located at Sherman Street and Holmes Park Road and legally described as:

Outlot B, Van Dorn Meadows 1st Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on May 28, 2014 on said application and conditionally approved said special permit; and

WHEREAS, Rebecca Z. McNeil has filed a Notice of Appeal appealing the action of the Planning Commission conditionally approving Special Permit No. 1665C; and

WHEREAS, pursuant to Lincoln Municipal Code § 27.63.025, the action appealed from is deemed advisory and the City Council is authorized to take final action on the application for Special Permit No. 1665C; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this community unit plan will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and 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 the Chateau Development LLC, hereinafter referred to as "Permittee", to amend the Van Dorn Meadows 1st Addition Community Unit Plan to revise the layout from nine single-family lots to show 10 two-family dwelling units and a 20 unit multiple-family building, on the property described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said community unit plan be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a revised layout showing 10 two-family dwelling units and one 20-unit multiple-family building for a total of 469 units within the CUP.
2. Before receiving building permits:
 - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including five copies with the following revisions:
 - i. Revise the hammerhead turn-around so no paving is in the 20' required front yard.
 - ii. Revise the building envelopes to show the increased setbacks being proposed so the envelope for the apartment building is fully dimensioned, with dimensions for the distance from the perimeter lot setback to the building envelope. For the two-family dwellings the building footprint inside the building envelope needs to be deleted and the envelopes need to be fully dimensioned including setbacks to lot lines and the separation between envelopes.
 - iii. Show the minimum required setback between the sidewalk and the garage is 22'.
 - iv. Add a note which states that street trees will be planted within one year of building permit approval.
 - v. Add a note which states that the four lots being removed from the CUP will be recombined with the adjacent outlots prior to building permits for the dwelling units shown as part of this amendment.
 - vi. Show the trees on the north end of the site to remain in place.
 - vii. Revise the grading and drainage plan revised to the satisfaction of Public Works and Utilities.
 - b. The construction plans shall comply with the approved plans.
 - c. Final plats shall be approved by the City.
3. Before occupying the dwelling units all development and construction shall have been completed in substantial compliance with the approved plans.
4. All privately owned improvements shall be permanently maintained by the Permittee or an appropriately established owners association approved by the City Attorney.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters shall 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 run with the land and be binding upon the Permittee, its successors and assigns.
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 therefor to be paid in advance by the Permittee. Building permits will not be issued until 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 Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING AN AMENDMENT TO AGREEMENT BETWEEN THE CITY OF LINCOLN AND EMS TECHNOLOGY SOLUTIONS, LLC FOR EMS INVENTORY MANAGEMENT SOLUTION TO EXERCISE ITS OPTION TO RENEW THE AGREEMENT FOR AN ADDITIONAL FOUR YEAR TERM AND APPROVING THE EXPENDITURES FOR SAID RENEWAL - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88447 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Amendment to Agreement between the City of Lincoln and EMS Technology Solutions, LLC for EMS Inventory Management Solution, previously entered into by the parties by Resolution No. A-85948 on August 2, 2010, to renew the Agreement for an additional four year term, pursuant to Bid No. 10-119, upon the terms and conditions as set forth in said Amendment to Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one executed copy of said Amendment to Agreement to the Purchasing Agent for delivery to EMS Inventory Management Solution.

Introduced by Leirion Gaylor Baird

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

COMP. PLAN CONFORMANCE 14013 - APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE "P STREET EAST REDEVELOPMENT PROJECT" FOR STREETScape ENHANCEMENTS WITHIN PUBLIC RIGHTS-OF-WAY GENERALLY LOCATED BETWEEN CENTENNIAL MALL, N. 17TH STREET, P STREET, AND Q STREET - - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88448 WHEREAS, the City Council on October 22, 1984, adopted Resolution No. A-69713 finding an area generally bounded by "R" Street, 17th Street, "S" Street, and 7th Street to be blighted, and on October 19, 1987, adopted Resolution No. A-71701 finding said area to be blighted and substandard as defined in the Nebraska Community Development Law (Neb.Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, The City Council has previously adopted the Lincoln Center Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the "P Street East Redevelopment Project" for streetscape enhancements within public rights-of-way on property generally located between Centennial Mall and N. 17th Street along P Street in Downtown Lincoln including the east-west alley between N. 16th Street and N. 17th Street and rights-of-way of P Street, N. 16th Street and N. 17th Street; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the "P Street East Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2007); and

WHEREAS, on June 27, 2014, a notice of public hearing was mailed postage prepaid to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place and purpose of the public hearing to be held on July 9, 2014 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the P Street East Redevelopment Project, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the proposed Amendments to the Lincoln Center Redevelopment Plan to add the P Street East Redevelopment Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and on July 9, 2014 the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on July 18, 2014 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on August 4, 2014, regarding the proposed amendments to the Redevelopment Plan to add the P Street East Redevelopment Project, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on July 18, 2014 and July 25, 2014 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of the public hearing to be held on August 4, 2014 regarding the proposed amendments to the Redevelopment Plan and to add the P Street East Redevelopment Project for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on August 4, 2014 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

**REGULAR MEETING
AUGUST 4, 2014
PAGE 526**

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the P Street East Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will promote the general health, safety and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the P Street East Redevelopment Project into the Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the substandard and blighted conditions in the P Street East Redevelopment Project Area are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing.

4. That elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

5. That the P Street East Redevelopment Project would not be economically feasible without the use of tax-increment financing.

6. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That the document attached hereto as Attachment "A" adding the P Street East Redevelopment Project to the Lincoln Center Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the P Street East Redevelopment Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements and other activities set forth in said Plan Amendment to the Lincoln Center Redevelopment Plan.

Introduced by Leirion Gaylor Baird

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

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$170,000 IN TIF FUNDS FOR THE P STREET EAST REDEVELOPMENT PROJECT ON PUBLIC RIGHTS-OF-WAY ADJACENT TO 1630 P STREET IN GREATER DOWNTOWN LINCOLN - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88449 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that Resolution No. A-87352 which established and added implementation of the Entertainment Center/Old Federal Building/Retail Corridor Redevelopment Project to install streetscape improvements, street improvements and utility improvements along P Street from 9th Street to Centennial Mall, and along 11th, 12th, 13th, and 14th Streets from O to Q Streets, as an Urban Development Department capital improvement project within the adopted 2012/2013 - 2017/2018 Six Year Capital Improvement Program is hereby amended to expand the capital improvement project boundaries to also include P Street from Centennial Mall to 17th Street and 16th and 17th Streets from P to Q Streets in downtown Lincoln.

Introduced by Leirion Gaylor Baird

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

AMENDING THE FY 13/14 CIP TO AMEND THE EXISTING P STREET STREETScape CIP PROJECT TO INCLUDE P STREET FROM CENTENNIAL MALL TO 17TH STREET AND 16TH AND 17TH STREETS FROM P TO Q STREETS IN GREATER DOWNTOWN LINCOLN - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88450 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that Resolution No. A-87352 which established and added implementation of the Entertainment Center/Old Federal Building/Retail Corridor Redevelopment Project to install streetscape improvements, street improvements and utility improvements along P Street from 9th Street to Centennial Mall, and along 11th, 12th, 13th, and 14th Streets from O to Q Streets, as an Urban Development Department capital improvement project within

the adopted 2012/2013 - 2017/2018 Six Year Capital Improvement Program is hereby amended to expand the capital improvement project boundaries to also include P Street from Centennial Mall to 17th Street and 16th and 17th Streets from P to Q Streets in downtown Lincoln.

Introduced by Leirion Gaylor Baird

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

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE PUBLIC ASSOCIATION OF GOVERNMENT EMPLOYEES (PAGE) TO BE EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2016 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88451 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached labor contract between the City of Lincoln and the Public Association of Government Employees (PAGE), to be effective August 14, 2014 through August 31, 2016 is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Leirion Gaylor Baird

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

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

CREATING WATER DISTRICT 1207 FOR THE PURPOSE OF CONSTRUCTING A 6-INCH WATER MAIN IN GOODHUE BLVD. FROM A STREET TO B STREET AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Trent Fellers, creating Water District 1207, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, 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.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered #20053, is recorded in Ordinance Book #209, Page .

APPROVING THE 1100 Y STREET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND 1100 Y STREET, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT Y STREET FROM 10TH STREET TO 12TH STREET, AND NORTH OF Y STREET TO THE EXISTING EAST-WEST ALLEY, FOR CONSTRUCTION OF A MULTI-STORY APARTMENT COMPLEX CONTAINING APPROXIMATELY 126 UNITS. (RELATED ITEMS: 14R-194, 14R-195, 14-83, 14-84) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88452 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached City of Lincoln Redevelopment Agreement for 1100 Y Street, between the City of Lincoln, Nebraska and 1100 Y Street, LLC relating to the redevelopment of property generally located at Y Street from 10th Street to 12th Street, and north of Y Street to the existing east-west alley, located between Y Street and Charleston Street, for construction of a multi-story apartment building containing approximately 126 units, upon the terms and conditions set forth in said Redevelopment 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 transmit one fully executed original and one copy of said Agreement to Wynn Hjermsstad, Urban Development Department for transmittal to the parties.

Introduced by Trent Fellers

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

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$1,600,000 IN TIF FUNDS FOR THE 1100 Y STREET REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED AT Y STREET FROM 10TH STREET TO 12TH STREET, AND NORTH OF Y STREET TO THE EXISTING EAST-WEST ALLEY. (RELATED ITEMS: 14R-194, 14R-195, 14-83, 14-84) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88453 A Resolution amending the schedule of Capital Improvement Projects for the Fiscal Year beginning September 1, 2013 within the Capital Improvement Program adopted by and attached to Resolution No. A-86975 as Schedule 5 and amended by Resolution A-87532 to establish development of the 1100 Y Street Redevelopment Project (an approved project in the Antelope Valley Redevelopment Plan to construct a multi-story apartment complex) as a capital improvement project within the adopted Capital Improvement Program for Fiscal Year 2013-14; and transferring and establishing appropriations for said Capital Improvement Project.

**REGULAR MEETING
AUGUST 4, 2014
PAGE 528**

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

1. That the implementation of the Antelope Valley Redevelopment Plan and 1100 Y Street Park Redevelopment Project, for the construction of a multi-story apartment complex with approximately 126 units located at 1100 Y Street within the Project Area, is hereby established and added to the Urban Development Department's list of Fiscal Year 2013-14 capital improvement projects within the Capital Improvement Program adopted by and attached to Resolution No. A-86975 as Schedule 5 as amended by Resolution A-87532.

2. That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the biennial budget to designate \$1,600,000.00 from Tax Increment Financing funds in Fiscal Year 2013-14 to be used toward development of the 1100 Y Street Redevelopment Project.

Introduced by Trent Fellers

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

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 1100 Y STREET REDEVELOPMENT PROJECT. (RELATED ITEMS: 14R-194, 14R-195, 14-83, 14-84) - CLERK read an ordinance, introduced by Trent Fellers, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, Notes or Other Obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$1,600,000 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 11th & Y Redevelopment area, including acquiring any real estate and/or interest in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20054**, is recorded in Ordinance Book #209, Page .

APPROVING A LEASE BETWEEN THE CITY OF LINCOLN AND 1100 Y STREET, LLC FOR THE USE OF A CITY OWNED PARKING LOT TO BE USED FOR CONSTRUCTION STAGING DURING CONSTRUCTION OF THE 1100 Y STREET REDEVELOPMENT PROJECT. (RELATED ITEMS: 14R-194, 14R-195, 14-83, 14-84) - PRIOR to reading:

FELLERS Moved Motion to Amend #1 to amend Bill 14-84 in the following manner:

1. Substitute the attached Substitute Lease Agreement [Attachment A] for the Lease Agreement currently attached to Bill No. 14-84.

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

CLERK Read an ordinance, introduced by Trent Fellers, accepting and approving the Lease Agreement between the City of Lincoln, Nebraska and 1100 Y Street, LLC for the lease of City owned property generally located east of the intersection of 12th and Charleston Streets for approximately a one year term to be used for construction staging during construction of the 1100 Y Street Project, the third time.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20055**, is recorded in Ordinance Book #209, Page .

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

AMENDING SECTION 5.41.050 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERMIT FEES FOR SALVAGE, RECYCLING, OR COMPOSTING OPERATIONS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES AND TO CLARIFY THE USE AND COLLECTION OF SUCH FEES - CLERK read an ordinance, introduced by Jon Camp, amending Section 5.41.040 of the Lincoln Municipal Code relating to permit fees for salvage, recycling, or composting operations to provide that the City Council may, by resolution, establish or revise such fees and to clarify the use and collection of such fees; and repealing Section 5.41.050 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 8.06.145 OF THE LINCOLN MUNICIPAL CODE RELATING TO OPEN BURNING PERMITS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE THE FEES FOR SUCH PERMITS - CLERK read an ordinance, introduced by Jon Camp,

amending Section 8.06.145 of the Lincoln Municipal Code relating to open burning permits to provide that the City Council may, by resolution, establish or revise the fees for such permits; and repealing Section 8.06.145 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 8.08 OF THE LINCOLN MUNICIPAL CODE (BODY ART ESTABLISHMENTS) BY AMENDING SECTION 8.08.060 RELATING TO PERMIT FEES FOR BODY ART ESTABLISHMENTS, SECTION 8.08.150 RELATING TO PERMIT FEES FOR BODY ART PRACTITIONERS, AND SECTION 8.08.350 RELATING TO REINSTATEMENT FEES TO AUTHORIZE THE CITY COUNCIL, BY RESOLUTION, TO ESTABLISH OR REVISE SUCH FEES - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.08 of the Lincoln Municipal Code (Body Art Establishments) by amending Section 8.08.060 relating to permit fees for body art establishments, Section 8.08.150 relating to permit fees for body art practitioners, and Section 8.08.350 relating to reinstatement fees to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.08.060, 8.08.150, and 8.08.350 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE (CHILD CARE PROGRAMS) BY AMENDING SECTION 8.14.037 RELATING TO FEES FOR PLAN REVIEW AND CERTIFICATES OF COMPLIANCE FOR CHILD CARE PROGRAMS, AND SECTION 8.14.150 RELATING TO THE REINSTATEMENT FEE FOR SUSPENDED CERTIFICATES OF COMPLIANCE, TO AUTHORIZE THE CITY COUNCIL TO ESTABLISH OR REVISE SUCH FEES BY RESOLUTION - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.14 of the Lincoln Municipal Code (Child Care Programs) by amending Section 8.14.037 relating to fees for plan review and certificates of compliance for child care programs, and Section 8.14.150 relating to the reinstatement fee for suspended certificates of compliance, to authorize the City Council to establish or revise such fees by resolution; and repealing Sections 8.14.037 and 8.14.150 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE (LINCOLN FOOD CODE) BY AMENDING SECTION 8.20.150 RELATING TO PERMIT FEES FOR FOOD ESTABLISHMENTS, SECTION 8.20.170 RELATING TO REINSTATEMENT FEES, AND SECTION 8.20.230 RELATING TO PERMIT FEES FOR FOOD HANDLERS AND FOOD MANAGERS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.20 of the Lincoln Municipal Code (Lincoln Food Code) by amending Section 8.20.150 relating to permit fees for food establishments, Section 8.20.170 relating to reinstatement fees, and Section 8.20.230 relating to permit fees for food handlers and food managers to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.20.150, 8.20.170, and 8.20.230 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 8.24.150 OF THE LINCOLN MUNICIPAL CODE RELATING TO VARIANCES OF THE NOISE CONTROL ORDINANCE TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH AND REVISE THE FEES CHARGED BY THE CITY FOR NOISE VARIANCES - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.24.150 of the Lincoln Municipal Code relating to variances of the Noise Control Ordinance to provide that the City Council may, by resolution, establish and revise the fees charged by the City for noise variances, and repealing Section 8.24.150 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 8.38 OF THE LINCOLN MUNICIPAL CODE (PUBLIC SWIMMING POOLS) BY AMENDING SECTION 8.38.090 RELATING TO PERMIT FEES FOR SWIMMING POOLS AND SECTION 8.38.097 RELATING TO FEES FOR LINCOLN SWIMMING POOL OPERATOR CERTIFICATES AND LINCOLN POOL WATER QUALITY TESTER CERTIFICATES TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.38 of the Lincoln Municipal Code (Public Swimming Pools) by amending Section 8.38.090 relating to permit and variance fees for swimming pools, and Section 8.38.097 relating to fees for Lincoln Swimming pool operator certificates and Lincoln pool water quality tester certificates to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.38.090 and 8.38.097 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 8.44.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO WATER WELL PERMITS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE WATER WELL PERMIT AND VARIANCE FEES - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.44.070 of the Lincoln Municipal Code relating to water well permits to provide that the City Council may, by resolution, establish or revise water well permit and variance fees; and repealing Section 8.44.070 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 24.38.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO FEES FOR ONSITE WASTEWATER TREATMENTS SYSTEMS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE VARIOUS FEES RELATED TO ONSITE WASTEWATER

**REGULAR MEETING
AUGUST 4, 2014
PAGE 530**

TREATMENT SYSTEMS - CLERK read an ordinance, introduced by Jon Camp, amending Section 24.38.070 of the Lincoln Municipal Code relating to fees for onsite wastewater treatments systems to provide that the City Council may, by resolution, establish or revise various fees related to onsite wastewater treatment systems; and repealing Section 24.38.070 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 24.42 OF THE LINCOLN MUNICIPAL CODE (REGULATION OF PROPERTY TRANSFERS WITH ON-SITE WASTEWATER TREATMENT SYSTEMS) BY AMENDING SECTION 24.42.110 TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE FEES FOR THE EVALUATION AND REVIEW OF PROPERTY TRANSFER INSPECTOR REPORTS AND FOR VARIOUS PROPERTY TRANSFER INSPECTOR PERMITS - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 24.42 of the Lincoln Municipal Code (Regulation of Property Transfers with On-site Wastewater Treatment Systems) by amending Section 24.42.110 to provide that the City Council may, by resolution, establish or revise fees for the evaluation and review of property transfer inspector reports and for various property transfer inspector permits; and repealing Section 24.42.110 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 3.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO REVENUE AND FINANCE, GENERAL PROVISIONS, BY ADDING A NEW SECTION 3.04.080 ENTITLED "TAX INCREMENT FINANCING - ADMINISTRATIVE FEE" TO PROVIDE FOR AN ADMINISTRATIVE FEE TO BE PAID TO THE CITY OF LINCOLN TO REIMBURSE THE CITY OF LINCOLN FOR ITS ADMINISTRATIVE EXPENSES IN CONNECTION WITH THE APPROVAL AND ADMINISTRATION OF REDEVELOPMENT PROJECT WHICH UTILIZE TAX INCREMENT FINANCING UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 3.04 of the Lincoln Municipal Code relating to Revenue and Finance, General Provisions, by adding a new section numbered 3.04.080 entitled "Tax Increment Financing - Administrative Fee" to provide for an administrative fee to be paid to the City of Lincoln to reimburse its administrative expenses in connection with the approval and administration of Redevelopment Projects which utilize tax increment financing under the Nebraska Community Development Law, the first time.

AMENDING TITLES 19 AND 20 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIRE PREVENTION AND THE BUILDING CODE, RESPECTIVELY, TO INCREASE CERTAIN FEES WITHIN THE CHAPTER 19.03, THE FIRE CODE, BY AMENDING SECTION 19.03.090 TO INCREASE THE BUREAU OF FIRE PREVENTION PLAN REVIEW AND INSPECTION FEE AND SECTION 19.03.100 TO INCREASE PERMIT FEES; AMENDING CHAPTER 20.08, THE LINCOLN BUILDING CODE, BY AMENDING SECTION 20.08.090 TO INCREASE THE PERMIT FEES AND MISCELLANEOUS FEES SET FORTH IN SAID SECTION; AND AMENDING CHAPTER 20.12, THE LINCOLN RESIDENTIAL BUILDING CODE BY AMENDING SECTION 20.12.060 TO INCREASE RESIDENTIAL PERMIT FEES SET FORTH IN SAID SECTION - CLERK read an ordinance, introduced by Jon Camp, amending Titles 19 and 20 of the Lincoln Municipal Code relating to Fire Prevention and the Building Code, respectively, to increase certain fees within the Chapter 19.03, the Fire Code, by amending Section 19.03.090 to increase the Bureau of Fire Prevention Plan Review and Inspection Fee and Section 19.03.100 to increase permit fees; amending Chapter 20.08, the Lincoln Building Code, by amending Section 20.08.090 to increase the permit fees and miscellaneous fees set forth in said section; amending Chapter 20.12, the Lincoln Residential Building Code by amending Section 20.12.060 to increase residential permit fees set forth in said section; and repealing Sections 19.03.090, 19.03.100, 20.08.090, and 20.12.060 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 8.32.150 OF THE LINCOLN MUNICIPAL CODE TO INCREASE THE OCCUPATION TAX IMPOSED ON REFUSE HAULERS EFFECTIVE SEPTEMBER 1, 2015 FROM \$9.00 PER TON TO \$11.00 PER TON - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.32.150 of the Lincoln Municipal Code relating to the occupation tax imposed on refuse haulers to increase said occupation tax, effective September 1, 2015, from \$9.00 to \$11.00 per ton; and repealing Section 8.32.150 of the Lincoln Municipal Code as hitherto existing, the first time.

RESOLUTIONS - 1ST READING

APPROVING THE ONE & SIX YEAR STREET & HIGHWAY PROGRAM, THE 2014-2016 CITY OF LINCOLN BIENNIAL OPERATING BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2014-2016.

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 5.41 SALVAGE, RECYCLING, AND COMPOSTING OPERATIONS, INCLUDING SALVAGE OPERATIONS, RECYCLING PROCESSING CENTER OPERATIONS, RECYCLING CENTER OPERATIONS, RECYCLABLES DROP-OFF OPERATIONS AND COMMERCIAL COMPOSTING OPERATIONS. (ACTION DATE: 9/8/14)

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.06 AIR POLLUTION, INCLUDING OPEN BURNING PERMITS. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.08 BODY ART ESTABLISHMENTS, INCLUDING BODY ART ESTABLISHMENT PERMITS, BODY ART PRACTITIONER PERMITS, AND REINSTATEMENT FEES. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.14 CHILD CARE PROGRAMS, INCLUDING PLAN REVIEW FOR NEW PROGRAMS, FEE FOR CERTIFICATE OF COMPLIANCE (INITIAL AND RENEWAL), AND SUSPENDED CERTIFICATE OF COMPLIANCE REINSTATEMENT FEE. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.20 LINCOLN FOOD CODE, INCLUDING FOOD ESTABLISHMENT PERMITS, MOBILE FOOD UNITS, FOOD CATERING SERVICES, TEMPORARY FOOD ESTABLISHMENTS, REINSTATEMENT FEES, FOOD HANDLER AND FOOD MANAGER PERMIT FEES. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.24 NOISE CONTROL, INCLUDING NOISE VARIANCES. **(ACTION DATE: 9/8/14)**

ADOPTING INCREASED FEES FOR SPECIAL WASTE PERMITS AS AUTHORIZED UNDER SECTION 8.32.090 OF THE LINCOLN MUNICIPAL CODE. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.38 PUBLIC SWIMMING POOLS, INCLUDING SWIMMING POOL PERMIT FEES, NEW PERMIT/PLAN REVIEW, RENEWAL, ADDITIONAL SPA, LINCOLN SWIMMING POOL OPERATOR AND LINCOLN POOL WATER QUALITY TESTER CERTIFICATE FEES. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 8.44 WATER WELLS, INCLUDING WATER WELL CONSTRUCTION PERMITS, ANNUAL WATER WELL PERMITS, WATER WELL REPAIR PERMIT AND VARIANCE APPLICATION. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 24.38 ONSITE WASTEWATER TREATMENT SYSTEMS, INCLUDING ONSITE WASTEWATER TREATMENT SYSTEM CONSTRUCTION PERMIT, ONSITE WASTEWATER SYSTEM REPAIR PERMIT, LIQUID WASTE HAULERS CLEANER'S PERMIT, REGISTRATION CERTIFICATE FOR MASTER INSTALLER, JOURNEYMAN INSTALLER, INSPECTOR, SOIL EVALUATOR, AND MULTIPLE CATEGORY, PERMIT EXTENSION FEE, VARIANCE FEE, REINSTATEMENT FEE, AND DEVELOPMENT AREA REVIEW FEES WHICH INCLUDES A BASE FEE, PER LOT FEE AND A MAXIMUM COMBINED BASE AND PER LOT FEE. **(ACTION DATE: 9/8/14)**

APPROVING THE UPDATED FEES ASSOCIATED WITH LINCOLN MUNICIPAL CODE CHAPTER 24.24 REGULATION OF PROPERTY TRANSFERS WITH ONSITE SYSTEMS CODE, INCLUDING EVALUATION AND REVIEW OF PROPERTY TRANSFER INSPECTOR REPORTS, PROPERTY TRANSFER INSPECTOR PERMIT FEES WHICH INCLUDES ONSITE WASTEWATER TREATMENT SYSTEM PROPERTY TRANSFER INSPECTOR (OWWTS), ONSITE WASTE SUPPLY SYSTEM PROPERTY TRANSFER INSPECTOR (OWSS) OR BOTH THE OWWTS AND OWSS PERMITS. **(ACTION DATE: 9/8/14)**

AMENDING THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL REGULATIONS AND STANDARDS, ARTICLE 1, SECTION 6, TO INCREASE FEES FOR REQUIRED SERVICES TO BUSINESS AND INDUSTRY. **(ACTION DATE: 9/8/14)**

ADOPTING INCREASED FEES FOR CONDUCTING NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PERMIT COMPLIANCE INSPECTIONS AT REGULATED INDUSTRIAL FACILITIES AS AUTHORIZED UNDER SECTION 28.02.070 OF THE LINCOLN MUNICIPAL CODE. **(ACTION DATE: 9/8/14)**

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN WINWATER WORKS COMPANY FOR THE ANNUAL SUPPLY OF FABRICATED TAPPING SLEEVES FOR LINCOLN WATER SYSTEM DISTRIBUTION SHOP, PURSUANT TO BID NO. 14-167, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO YEAR TERM.

**REGULAR MEETING
AUGUST 4, 2014
PAGE 532**

ESTABLISHING A NEW RATE SCHEDULE FOR CUSTOMERS OF THE LINCOLN WATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM'S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2014/2015 AND FY 2015/2016.

ESTABLISHING A NEW RATE SCHEDULE FOR CUSTOMERS OF THE LINCOLN WASTEWATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM'S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2014/2015 AND FY 2015/2016.

ESTABLISHING A NEW SCHEDULE FOR SOLID WASTE SYSTEM USER CHARGES FOR THE USE OF ANY PUBLIC LANDFILL OR OTHER WASTE DISPOSAL SYSTEM OWNED BY THE CITY TO INCREASE REVENUES FOR PURPOSES OF COVERING OPERATIONAL AND MAINTENANCE COSTS AND THE CAPITAL IMPROVEMENTS PROGRAM TO BE EFFECTIVE SEPTEMBER 1, 2015.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN PARKS AND RECREATION DEPARTMENT AND THE LINCOLN PARKS AND RECREATION FOUNDATION TO ESTABLISH AND MAINTAIN ENDOWMENT FUNDS FOR CAPITAL IMPROVEMENT PROJECTS, MAJOR REPAIRS AND EXTRAORDINARY MAINTENANCE OBLIGATIONS IN VARIOUS PARKS AND PARK FACILITIES THROUGHOUT LINCOLN.
(ACTION DATE: 8/25/14)

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND MUELLER CO., LTD. FOR THE ANNUAL SUPPLY OF BUTTERFLY VALVES, PURSUANT TO BID NO. 14-168, FOR A TWO YEAR TERM.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JULY 16 - 31, 2014.

OPEN MICROPHONE - NONE

ADJOURNMENT

7:14 P.M.

CAMP Moved to adjourn the City Council Meeting of August 4, 2014.
 Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk