

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 15, 2017 AT 3:00 P.M.**

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

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She 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 May 8, 2017, reported having done so, found same correct.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

APPLICATION OF O'NEILL'S BUZZSAW 3, LLC DBA O'NEILL'S BUZZSAW 3 BAR FOR A CLASS C LIQUOR LICENSE AT 5250 CORNHUSKER HIGHWAY;
MANAGER APPLICATION OF JACKI L. O'NEILL FOR O'NEILL'S BUZZSAW 3, LLC DBA O'NEILL'S BUZZSAW 3 BAR AT 5250 CORNHUSKER HIGHWAY - Jacki O'Neill, 1018 Gordon Drive, applicant, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member, inquired if they have entered into a lease agreement yet.

Ms. O'Neill said yes, they will pay \$1,000 dollars a month for rent and be allowed to use the ballroom once a month for an event.

Ms. Lamm asked if the lease is contingent on getting a liquor license.

Ms. O'Neill stated she was not sure, but hoped so.

Carl Eskridge, Council Member, inquired about money they have already spent on this establishment. Discussion followed.

Dan O'Neill, 1018 Gordon Drive, came forward to take the oath and stated they have spent about \$3,000 dollars so far. Discussion followed.

Leirion Gaylor Baird, Council Chair, stated that Poppi's is located within the proposed licensed area and since you are not an operator and have no control over this area you would need to submit an amended application or an amended lease.

Ms. O'Neill stated they would not let anyone leave the their establishment with any opened container and they should amend this application. They would like to use the ballroom for events and would not let containers out of this area either. Discussion followed.

Mr. O'Neill said they just want to license the bar and the ballroom. Discussion followed.

Jon Camp, Council Member, inquired about the ballroom and the events they have there. This liquor license makes the ballroom area licensed on a full-time basis with their liquor license and that is making you responsible for what goes on in the ballroom. Discussion followed.

Ms. O'Neill said that should not happen. Saying she has a verbal agreement with the owner and he needs prior approval from us to rent the ballroom. Discussion followed.

Mr. Camp inquired if that was stated in the lease.

Ms. O'Neill said no.

Mr. Fellers asked Tonya Peters what her recommendations would be.

Tonya Peters, City Attorney, came forward and said that depends on the issues that Council thinks can be solved, or issues that you are concerned about. Discussion followed.

Mr. Fellers inquired if a denial is recommended today, then they will have a chance to go before the Liquor Commission to get some of these concerns with the lease worked out before they go to the Commission, correct?

Ms. Peters said yes.

This matter was taken under advisement.

APPLICATION OF MEIER'S WINE INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 48 FEET BY 72 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 150 FEET BY 45 FEET AT SHELDON ART GALLERY AND SCULPTURE GARDEN AT 12TH AND R STREET ON JUNE 3, 2017 BETWEEN 5:00 P.M. AND MIDNIGHT - Kevin Meiers, Meier's Cork & Bottle, 1244 South Street, applicant, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF APRIL 16-30, 2017 - Ryan O'Toole, 1101 Sumner Street, came forward and stated in October, 2016, his car was towed before the 24 hour tow period was up. The fees to get the car out were more than the car was worth. Discussion followed.

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Jeff Kirkpatrick, City Attorney, came forward and stated this claim was originally filed with the State of Nebraska and then with the City. The City did an investigation and denied the claim. The Nebraska State Patrol called the towing company to have this car towed, not the City. Therefore the claim should be filed with the State. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 17007 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE ZONING ORDINANCE), BY REPEALING SECTION 27.26.090 REGARDING THE LOCATION OF BUILDINGS, STRUCTURES, PARKING, AND ACCESS DRIVES AND THE PRESERVATION OF REQUIRED OPEN SPACE IN THE O-2 SUBURBAN OFFICE DISTRICT WHENEVER THE O-2 DISTRICT EXTENDS FURTHER FROM THE STREET THAN ANY ABUTTING B-1, B-3, B-4, H-2, H-3, OR I-1 DISTRICT; AMENDING SECTION 27.72.130 TO DELETE AN IDENTICAL PROVISION IN SUBSECTION (E); AND REPEALING SECTION 27.72.130 AS HITHERTO EXISTING - David Cary, Planning Director, came forward and stated this is a cleanup item that will also allow for further development of the Madonna Campus. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 17006 – APPLICATION OF HARTLAND HOMES, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 27TH STREET AND WEST A STREET - Marcia Kenning, REGA Engineering, 601 Old Cheney Road, Suite A, came forward and stated this is for an area adjacent to the existing boundary of the Hartland Homes Southwest 1st Addition. We have requested this area change from a AGR Agricultural Residential District to R-3 Residential District. Discussion followed.

Carl Eskridge, Council Member, inquired if this is just adding additional land to the existing development area.

Ms. Kenning said yes. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING WALTER L. BROER TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2021 - PRIOR to reading:

CAMP Moved to Withdraw the application.

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

The resolution, having been **WITHDRAWN**, was assigned the File #**38-4681** & was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF O'NEILL'S BUZZSAW 3, LLC DBA O'NEILL'S BUZZSAW 3 BAR FOR A CLASS C LIQUOR LICENSE AT 5250 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-90460 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, pertinent City ordinances, and the following:

- a. If the applicant is of a class of person to whom no license can be issued.
- b. If the existing population of the City of Lincoln and the projected population growth of the City of Lincoln and within the area to be served are adequate to support the proposed license.
- c. If the issuance of the license would be compatible with the nature of the neighborhood or community.
- d. If existing licenses with similar privileges adequately serve the area.
- e. If there are any existing motor vehicle and/or pedestrian traffic flow issues in the area or if this application would cause motor vehicle and/or pedestrian traffic flow issues.
- f. If there is an adequate number of existing law enforcement officers in the area.
- g. If there are zoning and/or distance restrictions that prevent the issuance of a license.
- h. If there are sanitation and/or sanitary conditions on or about the area.
- i. If a citizens' protest has been made.

The City Council recommends to the Nebraska Liquor Control Commission that the application of O'Neill's Buzzsaw 3, LLC dba O'Neill's Buzzsaw 3 Bar for a Class "C" liquor license at 5250 Cornhusker Highway, Lincoln, Nebraska, be denied. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.
- d. The applicant has not demonstrated that the issuance of the license is or will be required by the present or future public convenience and necessity.

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 Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JACKI L. O'NEILL FOR O'NEILL'S BUZZSAW 3, LLC DBA O'NEILL'S BUZZSAW 3 BAR AT 5250 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-90461 WHEREAS, O'Neill's Buzzsaw 3, LLC dba O'Neill's Buzzsaw 3 Bar located at 5250 Cornhusker Highway, Lincoln, Nebraska requests that Jacki L. O'Neill be named manager of its facility in accordance with its application for a liquor license.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends to the Nebraska Liquor Control Commission that Jacki L. O'Neill be denied as manager of this business for said licensee. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.

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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF MEIER'S WINE INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 48 FEET BY 72 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 150 FEET BY 45 FEET AT SHELDON ART GALLERY AND SCULPTURE GARDEN AT 12TH AND R STREET ON JUNE 3, 2017 BETWEEN 5:00 P.M. AND MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90462 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 Wine Inc. for a special designated license to cover an indoor area measuring approximately 48 feet by 72 feet and an outdoor area measuring approximately 150 feet by 45 feet at Sheldon Art Gallery and Sculpture Garden at 12th and R Street, Lincoln, Nebraska, on June 3, 2017, between the hours of 5:00 p.m. and midnight, 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF APRIL 16-30, 2017 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90463

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

That the claims listed in the attached report, marked as Exhibit "A", dated May 1, 2017, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Loree Havlat	NAS*	Issiah Yott	\$996.96
Ryan O'Toole	\$1,000.00	Derek Case	103.22
		Drew & Shanon Ehrisman	266.29

WITHDRAWN CLAIM

Terry Danek \$28,310.35

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jane Raybould

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

TEXT AMENDMENT 17007 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE ZONING ORDINANCE), BY REPEALING SECTION 27.26.090 REGARDING THE LOCATION OF BUILDINGS, STRUCTURES, PARKING, AND ACCESS DRIVES AND THE PRESERVATION OF REQUIRED OPEN SPACE IN THE O-2 SUBURBAN OFFICE DISTRICT WHENEVER THE O-2 DISTRICT EXTENDS FURTHER FROM THE STREET THAN ANY ABUTTING B-1, B-3, B-4, H-2, H-3, OR I-1 DISTRICT; AMENDING SECTION 27.72.130 TO DELETE AN IDENTICAL PROVISION IN SUBSECTION (E); AND REPEALING SECTION 27.72.130 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending the Zoning Ordinance, Title 27 of the Lincoln Municipal Code, by repealing Section 27.26.090 regarding the location of buildings, structures, parking, and access drives and the preservation of required open space in the O-2 Suburban Office District whenever the O-2 district extends further from the street than any abutting, B-1, B-3, B-4, H-2, H-3, or I-1 district; amending Section 27.72.130 to delete an identical provision in Subsection (e); and repealing Section 27.72.130 as hitherto existing, the second time.

CHANGE OF ZONE 17006 – APPLICATION OF HARTLAND HOMES, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 27TH STREET AND WEST A STREET - CLERK read an ordinance, introduced by Jane Raybould, 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.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

AMENDING CHAPTER 5.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR TO ALLOW THE CITY CLERK TO ADMINISTRATIVELY APPROVE CERTAIN OUTDOOR SPECIAL DESIGNATED LICENSES AND TO AMEND AND/OR REMOVE VARIOUS SECTIONS TO CLEAN THE CODE UP - PRIOR to reading:

FELLERS Moved to amend Bill No. 17-36 as follows:

1. On page 10, after line 23, insert a new subsection (g) to read as follows:

'(g) The location is property owned, leased, or controlled by the City of Lincoln.'

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

CLERK Read an ordinance, introduced by Trent Fellers, amending Chapter 5.04 of the Lincoln Municipal Code relating to Alcoholic Liquor by amending Section 5.04.020, Definitions, to add a definition for "catering"; amending Section 5.04.035 to eliminate the date reference; amending Section 5.04.050 to require the applicant to post application location and remove the duties of the police department; amending

Section 5.04.064 to clarify game day limitations apply only to outdoor areas and to eliminate reference to class of liquor licenses; amending Section 5.04.066 to grant authority for the city clerk to administratively approve indoor and outdoor special designated liquor applications except where limited by Chapter 5.04; amending Section 5.04.068 eliminating the City Clerk's duty to publish and to establish an annual due date for applications; amending Sections 5.04.124 and 5.04.125 to eliminate date reference; amending Section 5.04.130 to eliminate expired duties of the Internal Liquor Committee; amending Section 5.04.175 to eliminate date reference; amending Section 5.04.250 to eliminate reference to public service agency; amending Section 5.04.280 to update statutory reference; and repealing Sections 13 5.04.020, 5.04.035, 5.04.050, 5.04.064, 5.04.066, 5.04.068, 5.04.124, 5.04.125, 5.04.130, 5.04.175, 5.04.250, and 5.04.280 as hitherto existing, the third time.

FELLERS Moved to pass ordinance as amended.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20491, is recorded in Ordinance Book 32.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "M" BY CHANGING THE TITLE AND PAY RANGE OF CLASS 1497 FROM "MICROCOMPUTER SUPPORT SUPERVISOR" IN PAY RANGE M02 TO "TECHNOLOGY SUPPORT SUPERVISOR I" IN PAY RANGE M01 - CLERK read an ordinance, introduced by Trent Fellers, amending Ordinance No. 20223 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "M," by changing the pay range and class title for the job classification "Microcomputer Support Supervisor" from M02 to M01 "Technology Support Supervisor I.", the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20492, is recorded in Ordinance Book 32.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CHANGING THE TITLES OF CLASS 1495 FROM "MICROCOMPUTER SUPPORT SPECIALIST I" TO "TECHNOLOGY SUPPORT SPECIALIST I" AND CLASS 1496 FROM "MICROCOMPUTER SUPPORT SPECIALIST II" TO "TECHNOLOGY SUPPORT SPECIALIST II"- CLERK read an ordinance, introduced by Trent Fellers, amending Ordinance No. 20228 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "C," by changing the class title for the job classification "Microcomputer Support Specialist I" to "Technology Support Specialist I" and "Microcomputer Support Specialist II" to "Technology Support Specialist II", the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20493, is recorded in Ordinance Book 32.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CREATING THE CLASSIFICATIONS OF "TRAFFIC SIGN WORKER," "TRAFFIC TECHNICIAN," "SENIOR TRAFFIC TECHNICIAN," "ENGINEERING TECHNICIAN," "SENIOR ENGINEERING TECHNICIAN," AND "BIOSOLIDS COORDINATOR." - CLERK read an ordinance, introduced by Trent Fellers, amending Ordinance No. 20228 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "C," by creating the job classifications of "Traffic Sign Worker," "Traffic Technician," "Senior Traffic Technician," "Engineering Technician," "Senior Engineering Technician," and "Biosolids Coordinator", the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20494, is recorded in Ordinance Book 32.

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE RELATING TO ESTABLISHING AN APPROPRIATE FUNDING LEVEL FOR THE CITY'S POLICE AND FIRE PENSION PLANS. (4/10/17 - INTRODUCED DELAYED 1 WEEK TO 4/17/17) (REQUEST TO CONTINUE PUBLIC HEARING TO 5/1/17 WITH ACTION ON 5/8/17) (4/24/17 - PUBLIC HEARING CONT'D TO 5/1/17 WITH ACTION ON 5/8/17) - PRIOR to reading:

CHRISTENSEN Moved motion to amend #4 on Bill No. 17-56 by replacing the Ordinance introduced April 10, 2017, with a Substitute Ordinance which is attached hereto.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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CHRISTENSEN Moved motion to amend #5 on Bill No. 17-56 by replacing the Appendix B referenced in the Ordinance introduced April 10, 2017, with a Appendix B which is attached hereto.

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

CLERK Read an ordinance, introduced by Roy Christensen, amending Title 2 of the Lincoln Municipal Code relating to establishing an appropriate funding level for the City's Police and Fire Pension plans, the third time.

CHRISTENSEN Moved to pass the ordinance as amended.

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

The ordinance, being numbered #20495, is recorded in Ordinance Book 32.

RESOLUTIONS - 1ST READING -NONE.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED) - NONE.

ADJOURNMENT

4:05 P.M.

FELLERS Moved to adjourn the City Council Meeting of May 15, 2017.

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

Teresa J. Meier, City Clerk

Rhonda M. Bice, Office Specialist

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 15, 2017 AT 3:00 P.M.
(NEWLY ELECTED & RE-ELECTED CITY COUNCIL)**

RECONVENED: 4:08 P.M.

City Clerk, Teresa J. Meier, came forward to administer the Oath of Office to the re-elected City Council members, Roy Christensen and Leirion Gaylor Baird, and to the newly elected City Council member, Bennie Shobe. After administering the oath, she congratulated the re-elected City Council members and the newly elected City Council member.

ELECTION OF COUNCIL CHAIR & VICE CHAIR

Mayor Chris Beutler, called the meeting to order and conducted nominations for Chairperson for the City Council.
CAMP Nominated Roy Christensen.
Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

As the newly elected Chairperson, Roy Christensen conducted the nominations for the Vice Chair for the City Council.
SHOBE Nominated Jane Raybould.
Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

PUBLIC HEARING

A RESOLUTION IN APPRECIATION OF TRENT FELLERS FOR HIS SERVICE TO THE CITY AS A MEMBER OF THE CITY COUNCIL. (REQUIRES COUNCIL TO SUSPEND THE RULES TO HAVE INTRODUCTION & PUBLIC HEARING ON THIS DATE):

CAMP Moved to Suspend the Rules to have Introduction, Public Hearing & Action on this Date.
Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

Carl Eskridge, Council Member, shared his appreciation for Mr. Fellers' hard work, diligence he gave to each task, and for how he was always searching to find the middle ground.

Cyndi Lamm, Council Member, shared that she appreciated Mr. Fellers' leadership and his willingness to take her phone calls at just about any hour of the day. And thanked Mr. Fellers for his service.

Jane Raybould, Council Member, stated Mr. Fellers is a real leader. He was steadfast, calm, professional, courteous, and a terrific role model to so many in our community. He has made us all very proud to have worked with him.

Jon Camp, Council Member, shared Mr. Fellers worked diligently and gave 120% to his work on City Council. I was pleased to share the excitement and passion he had to serve the Citizens of Lincoln.

Leirion Gaylor Baird, Council Member, shared Mr. Fellers was a wonderful Councilman and a fantastic Chair. You were efficient and kept things moving, but you were also collegial and fair. It is a tough job but you did it well.

Bennie Shobe, Council Member, shared he wanted to echo the sentiments of his colleagues and thanked Mr. Fellers for his service.

Roy Christensen, Council Member, stated that Mr. Fellers is a natural leader, and is looking forward to seeing Mr. Fellers serve again in elected office, and thanked Trent for his service.

This matter was taken under advisement.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON APRIL 24, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS - NONE

MISCELLANEOUS REFERRALS - NONE

PUBLIC HEARING - RESOLUTIONS

A RESOLUTION IN APPRECIATION OF TRENT FELLERS FOR HIS SERVICE TO THE CITY AS A MEMBER OF THE CITY COUNCIL. (REQUIRES COUNCIL TO SUSPEND THE RULES TO HAVE INTRODUCTION & PUBLIC HEARING ON THIS DATE) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90464 WHEREAS, TRENT FELLERS has heretofore well and truly served as a member of the Lincoln City Council from May, 2013 to May, 2017; and

WHEREAS, it is appropriate for the City Council, on behalf of the citizens of the City of Lincoln, to publicly express their appreciation and gratitude for Trent's untiring service and many contributions to making the City of Lincoln great and to cause said expression of appreciation and gratitude to be forever made a part of the records of the official proceedings of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, on behalf of themselves and all the citizens of the City of Lincoln, that the appreciation and gratitude of all are hereby extended to

TRENT FELLERS

for his service as a member of the City Council of the City of Lincoln, together with warmest and best wishes for continued good health, happiness, and success in all his future endeavors.

Introduced by Jon Camp

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

LIQUOR RESOLUTIONS - NONE

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

ORDINANCES - 3RD READING & RELATED RESOLUTIONS - (as required) - NONE

RESOLUTIONS - 1ST READING

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND KONE INC. FOR ELEVATOR MAINTENANCE SERVICES – CITY PARKING GARAGES, FOR A THREE YEAR TERM WITH THE OPTION FOR THREE ADDITIONAL ONE YEAR TERMS.

TEXT AMENDMENT 17003 – AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY AMENDING SECTION 4.3 PARKING IN CHAPTER 3.75 NEIGHBORHOOD DESIGN STANDARDS TO PROVIDE THAT NO REQUIRED PARKING SPACE BE ALLOWED BETWEEN THE BUILDING AND FRONT PROPERTY LINE EXCEPT AS OTHERWISE PROVIDED IN SECTION 27.67.030 (A) AND (G) OF THE LINCOLN MUNICIPAL CODE.

APPROVING DOWNTOWN LINCOLN ASSOCIATION'S AMENDED 2016-2017 BID BUDGET AND PROGRAM OF WORK FOR DOWNTOWN AND WEST HAYMARKET MANAGEMENT AND MAINTENANCE BUSINESS IMPROVEMENT DISTRICTS.

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

TEXT AMENDMENT 17004 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS BY AMENDING SECTION 27.59.010 TO ADD DEFINITIONS FOR "SHADED AREAS" AND "FAA"; BY AMENDING SECTION 27.59.060 TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS; BY ADDING A NEW SECTION NUMBERED 27.59.065 TO PROVIDE EXCEPTIONS TO REQUIRED HEIGHT PERMITS; ADDING A NEW SECTION NUMBERED 27.59.067 REGARDING NOTICE TO FAA OF CERTAIN CONSTRUCTION; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.010 AND SECTION 27.59.060 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.010 to add definitions for "Shaded Areas" and "FAA"; by amending Section 27.59.060 to modify requirements for height permits; by adding a new section numbered 27.59.065 to provide exceptions to required height permits; adding a new section numbered 27.59.067 regarding notice to FAA of certain construction; adopting a revised Lincoln Airport Zoning Map; and repealing Section 27.59.010 and Section 27.59.060 as hitherto existing, the first time.

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND VERIZON WIRELESS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES UPON CITY PROPERTY GENERALLY LOCATED AT 3403 WEST VAN DORN STREET - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the License Agreements between the City of Lincoln, Nebraska, a municipal corporation, and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless for the placement of telecommunications facilities upon City property located at 3403 West Van Dorn Street and authorizing the Mayor to sign such License Agreement on behalf of the City, the first time

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE NEBRASKA INNOVATION CAMPUS (NIC) PHASE II REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Jon Camp, 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 \$3,116,291.00 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain property and improvements within the City's NIC Phase II Redevelopment Project Area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters., the first time.

ADJOURNMENT

4:25 P.M.

CAMP Moved to adjourn the City Council Meeting of May 15, 2017.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

Teresa J. Meier, City Clerk

Rhonda M. Bice, Office Specialist