

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 7, 2017 AT 3:00 P.M.**

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

Council Chair Christensen 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 31, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPOINTING RHONDA SEACREST TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2024 - Herbert Friedman, President of the Library Board, 3800 Normal Avenue, came forward to request approval.

Rhonda Seacrest, 6901 Kings Court, applicant, came forward and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF JAY M. RUNGE FOR CARLOS O'KELLY'S, INC. DBA CARLOS O'KELLY'S AT 4455 NORTH 27TH STREET - Jay Runge, 2424 Green Spire Circle, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATIONS OF ASTRA VEGA, LLC DBA VEGA, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL'S, MVPZ AND ME - LINCOLN, LLC DBA BURGERFI, THE CLUB AT THE YARD, LLC DBA RULE G, YARD INVESTMENTS, LLC DBA GATE 25, AND BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 26, 2017 FROM 10:00 A.M. TO MIDNIGHT - Quinn Small, Director of The Bay, 2928 S. 25th Street, came forward and requested approval. Discussion followed.

Carl Eskridge, Council Member, inquired about risk that might occur on the City street since this is a skate competition.

Mr. Small explained they have a rider on their Liability Insurance for the event and, for the street closure, they have the bond that is required.

Jon Camp, Council Member, asked for clarification on the sidewalk closure.

Mr. Small shared that from the fence of the Railyard to the curb of the street will be closed for spectators. There will then be fencing from the crowd to the skate event to separate the SDL from the event to ensure nothing can get passed over. The sidewalk on the east side will remain open so those businesses will not be affected. Discussion followed.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF SHAVONNA M. LAUSTERER AS THE HEALTH DIRECTOR EFFECTIVE SEPTEMBER 5, 2017 - Shavonna M. Lausterer, came forward and requested approval. 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) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2018 - Doug McDaniel, Director of Human Resources, came forward and shared the City has concluded negotiations with the Page Union. Some of the highlights of the new contract consist of some language changes. This will be a 2.5% increase for 2016-2017 and a 2.5% increase for 2017-2018. There is a new differential for bilingual pay for the employees at the Lincoln Police Department. There are also some adjustments to the health plan of moving the percentage contribution for singles and increasing the maximum out of pocket expenses. Discussion followed.

This matter was taken under advisement.

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APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN M CLASS EMPLOYEES ASSOCIATION (LMCEA) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2018 - Doug McDaniel, Director of Human Resources, came forward and explained the 'M' class associates are the upper management employees. Prior to this contract, this group was on a variable merit increase and a pay plan that was known as a broadband, which consisted of three ranges. The City has spent their time negotiating a new pay plan, which puts in place a 10 step, 7 pay range plan. The complicating factor is taking an associate off a certain pay range and putting them on the appropriate step. This will have a better limit to the upper end of the ranges. Whereas the previous plan expanded those ranges beyond what they felt was appropriate with the current market. Other things that took place in the contract are leave provisions, clarifying the language for sick leave and nondiscrimination language.

Carl Eskridge, Council Member, inquired about the number of employees in this plan.

Mr. McDaniel shared the number of employees is about 84 employees.

This matter was taken under advisement.

ORDERING RE-PAVING DISTRICT #159 IN SAUNDERS AVENUE FROM 12TH STREET TO 14TH STREET TO BE CONSTRUCTED AND THE COST THEREOF ASSESSED AGAINST THE BENEFITTED PROPERTIES - Susie Filipi, Public Works, came forward and explained the ordinance that created this district was passed last year and this is the resolution that will actually build the district. In the late 60's, this was an access road for Department of Roads while working on Cornhusker Highway. This road was never built to City standards and was labeled as a substandard street. The proposed district would affect 13 property owners and covers 17 parcels. The area is zoned as industrial with a large volume of truck traffic. To meet standards, the proposed paving would be 30 feet wide with a 9 inch depth and curb and gutter. The existing paving is 27 feet wide. The City would give credit for that and pay 70% of the costs. The estimated cost of the project is \$345,000 and the city would subsidize \$242,000. That would make the estimated cost of \$80 per frontage foot for the property owners. The property owners would have an option to pay over 20 years with interest. In order for a repaving district to pass, there needs to be over 50% of the property owners in favor, they currently have 61% in favor. The plan would be to design this fall, bid in the spring and build in the 2018 construction season.

Jon Camp, Council Member, inquired about the extra 3 feet and the calculations of what the City would pay.

Thomas Shafer, Public Works, came forward and shared in addition to the 3 feet, the curb and gutter, the inlets and the drainage lateral that leads to the main is all included in that price.

Carl Eskridge, Council Member, asked about the time frame for the N. 14th street construction project.

Mr. Shafer confirmed they are currently in discussions for that with the State. They still have to go through the federal permitting process. They will coordinate to ensure both projects are not under construction at the same time.

Judy Isley, Owner of Mel's Diesel Service, 1229 Saunders Ave and 1242 Saunders Avenue, came forward in opposition stating she felt her and her husbands business could be at risk if the street was closed due to the number of large trucks and trailers they have at their business.

Mr. Shafer explained with project coordination and property owners, they will not land lock an owner or deny them access to their property.

Amy Hurr, 1237 Saunders Ave and 1303 Saunders, came forward and explained her and her husband own the property next to the Isley property and are willing to give them access through their lot to the front door. They have parking available at 1303 for their own customers and will keep the remainder of the property open.

Mr. Camp asked Mr. Shafer if he has looked at the turn radius of the lots.

Mr. Shafer confirmed he has not because there was no project to work on, but this will certainly get looked into. These are things that are not unusual to find on projects of this nature. There are other options that can also be looked into to continue to allow access to the buildings. Discussion followed.

Cody Larkins, Larkins Heating and Air, came forward in opposition due to his business not having access through this process.

Mr. Shafer ensured no property owner will be landlocked and all owners will have access to their businesses. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 17011 – DECLARING APPROXIMATELY 1,875 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 2143 O STREET AS SURPLUS PROPERTY - David Landis, Director of Urban Development, came forward and explained this building was obtained during the Antelope Valley Project and federal money was used to purchase the building. This building has had no use since that timeframe. The City, County, NRD's and the schools were surveyed to see if there is another public user of the building and there is none. Any sale that is made will come back in front of Council that is over \$10,000. When a sale occurs, the funds should go into the City's Land Acquisition Fund. The property was purchased for a little over \$200,000 and, once on the market, they will see what a current owner is willing to purchase the property at. The building is not in the same shape it was when it was purchased.

Bryan Dahlberg, Director of Operations for Catholic Social Services, 4242 Madison Avenue, came forward in support.

This matter was taken under advisement.

ANNEXATION 17008 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 23.94 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 12TH STREET AND HIGHWAY 34. (RELATED ITEMS: 17-95, 17-96);

CHANGE OF ZONE 17018 – APPLICATION OF STAROSTKA-LEWIS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTHWEST 12TH STREET AND HIGHWAY 34 - Mike Eckert, Civil Design Group came forward on behalf of Starostka-Lewis LLC and shared this is another phase of the Highland View Development which is on the north side of Highway 34 and to the west of Fallbrook. This was previously approved in 2009 and amended in 2015.

Carl Eskridge, Council Member, asked about the need for another access to the east.

Mr. Eckert explained that access will be through Fallbrook. There is an agreement with the owners of Fallbrook to go through the roundabout and into the Highland View Development. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17009 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 20.47 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 17-97, 17-98);

CHANGE OF ZONE 17019 – APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD - Mike Eckert, Civil Design Group, came forward on behalf of Rokeby Holdings Limited and shared this is another phase of the project that was approved with the Rokeby coalition several years ago that started in 2007 and has continued. This is the last phase they have to complete as they abut Rokeby Road on the south.

This matter was taken under advisement.

COMPREHENSIVE PLAN AMENDMENT 17005 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM “OPEN SPACE” AND “COMMERCIAL” TO “INDUSTRIAL” AND “AGRICULTURAL STREAM CORRIDOR”, ON PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 17R-175, 17-87, 17R-182);

CHANGE OF ZONE 17016 – APPLICATION OF LINCOLN SPORTS FOUNDATION, INC. FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 7620 NORTH 70TH STREET. (RELATED ITEMS: 17R-175, 17-87, 17R-182);

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BY AND BETWEEN LINCOLN SPORTS FOUNDATION, INC. AND THE CITY OF LINCOLN, NEBRASKA TO CONSTRUCT AN INDUSTRIAL PARK/WAREHOUSE DEVELOPMENT UNDER THE PROPOSED CHANGE OF ZONE OF THE PROPERTY FROM H-2 HIGHWAY BUSINESS DISTRICT TO I-1 INDUSTRIAL DISTRICT. (RELATED ITEMS: 17R-175, 17-87, 17R-182) - Andrew Wills, Cline Williams, 233 S. 13th Street, Suite 1900, came forward on behalf of the buyer and explained there is no new information and it is clear there will not be a quick solution to this. The buyer is taking a step away from the issue between the other parties until things get resolved.

Cindy Hayes, 3805 Orchard Street, came forward in opposition.

Patty Kettelhut, 22900 N. 27th Street, came forward in opposition.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING RHONDA SEACREST TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2024 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90608 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Rhonda Seacrest to the Lincoln City Library Board, for a term expiring August 31, 2024, is hereby approved

Introduced by Jon Camp

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

APPROVING A GRANT CONTRACT BETWEEN THE COUNTY OF LANCASTER, NEBRASKA AND THE CITY OF LINCOLN FOR THE EXPENDITURE OF LANCASTER COUNTY VISITOR IMPROVEMENT GRANT FUNDS FOR RENOVATION OF AND IMPROVEMENTS TO THE INFRASTRUCTURE SERVING PINEWOOD BOWL IN PIONEERS PARK IN THE TOTAL AMOUNT OF \$1,795,000 OVER A FOUR YEAR PERIOD FROM JUNE 1, 2017 THROUGH MAY 31, 2021 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

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A-90609

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

That the attached Grant Contract between the County of Lancaster, Nebraska and the City of Lincoln, for the expenditure of Lancaster County Visitor Improvement Grant funds for renovation of and improvements to the infrastructure serving Pinewood Bowl in Pioneers Park in the total amount of \$1,795,000 over a four year period from June 1, 2017 through May 31, 2021, upon the terms and conditions set forth in said Grant Contract, 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 of said Grant Contract to J.J. Yost, Parks and Recreation Department, for transmittal and execution by the County of Lancaster, Nebraska.

Introduced by Jon Camp

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

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JUNE 30, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90610

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

That during the month ended June 30, 2017 \$236,724.76 was earned from the investment of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Carl Eskridge

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

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

LINCOLN ELECTRIC SYSTEM FINANCIAL & OPERATING STATEMENT FOR THE MONTH OF JUNE, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. (40)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 21, 2017 AT 5:30 P.M. ON THE APPLICATION OF ONE FAMILY LLC DBA ALSULTAN LOUNGE FOR A CLASS CCS LIQUOR LICENSE AT 1619 O STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90611

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 21, 2017, at 5:30 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 One Family LLC dba Alsultan Lounge for a Class CCS Liquor License at 1619 O Street.

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

Introduced by Carl Eskridge

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

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPARTMENT:

Special Permit No. 10004B – Requested by North Bluff Employment Center, LLC, for excavation and stone milling, on property generally located at North 56th Street and I-80.

Use Permit No. 05004A – Requested by Matt Langston, Olsson Associates, to alter the existing approved layout to 6 lots for 54,000 square feet of commercial space, with waivers to setbacks, on property generally located at South 14th Street and Yankee Hill Road.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 17041, to Use Permit No. 123E, Landmark Corporate Center, approved by the Planning Director on July 25, 2017, to adjust the lot layout for Lot 16, Block 2; to change Lot 6, Block 4 into Lot 6A and 6B, Block 4; and to reduce the front yard setback to 20 feet for Lots 1 and 12, Block 2, generally located at N. 33rd Street and Oxbow Circle.

Administrative Amendment No. 16048, to Special Permit No. 16010, Allo Communications, approved by the Planning Director on July 29, 2017, to rescind Special Permit No. 16010 for Public Utility and Cable Television Purposes, generally located at 3515 Holmes Park Road, S. 70th Street and Holmes Park Road.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF JAY M. RUNGE FOR CARLOS O'KELLY'S, INC. DBA CARLOS O'KELLY'S AT 4455 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90612 WHEREAS, Carlos O'Kelly's, Inc. dba Carlos O'Kelly's located at 4455 North 27th Street, Lincoln Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Jay M. Runge be named manager;

WHEREAS, Jay M. Runge appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jay M. Runge be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATIONS OF ASTRA VEGA, LLC DBA VEGA, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL'S, MVPZ AND ME – LINCOLN, LLC DBA BURGERFI, THE CLUB AT THE YARD, LLC DBA RULE G, YARD INVESTMENTS, LLC DBA GATE 25, AND BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON AUGUST 26, 2017 FROM 10:00 A.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90613 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 applications of Astra Vega, LLC dba Vega, Breezy Island, LLC dba Breezy Island, The Bar at the Yard, LLC dba Longwell's, MVPZ AND ME – Lincoln, LLC dba BurgerFi, The Club at the Yard, LLC dba Rule G, Yard Investments, LLC dba Gate 25, and BW&R Canopy, LLC dba Buffalo Wings & Rings for a special designated license to cover an outdoor area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on August 26, 2017, between the hours of 10:00 a.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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE APPOINTMENT OF SHAVONNA M. LAUSTERER AS THE HEALTH DIRECTOR EFFECTIVE SEPTEMBER 5, 2017 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90614 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Shavonna M. Lausterer to the position of Health Director effective September 5, 2017 is hereby approved.

Introduced by Jon Camp

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

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE PUBLIC ASSOCIATION OF GOVERNMENT EMPLOYEES (PAGE) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90615 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 11, 2016 through August 31, 2018, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jon Camp

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

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APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN M CLASS EMPLOYEES ASSOCIATION (LMCEA) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90616 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 Lincoln M Class Employees Association (LMCEA) to be effective August 11, 2016 through August 31, 2018, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jon Camp

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

ORDERING RE-PAVING DISTRICT #159 IN SAUNDERS AVENUE FROM 12TH STREET TO 14TH STREET TO BE CONSTRUCTED AND THE COST THEREOF ASSESSED AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90617 WHEREAS petitions have been submitted by the owners of record title, representing a majority of the front footage of the property directly abutting upon the Re-Paving District No. 159, Saunders Avenue from 12th Street to 14th Street, and have been filed with the City Clerk, petitioning for the construction of said re-paving.

THEREFORE BE IT RESOLVED that the Department of Public Works is hereby authorized and directed to proceed with the preparation of detailed plans and specifications and to obtain bids for the said re-paving work in accordance with this resolution.

BE IT STILL FURTHER RESOLVED that, in the event that the actual bid price exceeds 25 percent over the preliminary cost estimate for the improvements, then such bid shall not be awarded until the Council has approved such bid by resolution.

Introduced by Jon Camp

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

COMP. PLAN CONFORMANCE 17011 – DECLARING APPROXIMATELY 1,875 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 2143 O STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Jon Camp, declaring approximately 1,875 square feet of City owned property generally located at 2143 O Street as surplus, the second time.

ANNEXATION 17008 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 23.94 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 12TH STREET AND HIGHWAY 34. (RELATED ITEMS: 17-95, 17-96) - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 17018 – APPLICATION OF STAROSTKA-LEWIS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTHWEST 12TH STREET AND HIGHWAY 34. (RELATED ITEMS: 17-95, 17-96) - CLERK read an ordinance, introduced by Jon Camp, 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.

ANNEXATION 17009 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 20.47 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 17-97, 17-98) - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 17019 – APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 17-97, 17-98) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by 2 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 - ORDINANCES - 3RD READING & RELATED RESOLUTIONS

COMPREHENSIVE PLAN AMENDMENT 17005 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM “OPEN SPACE” AND “COMMERCIAL” TO “INDUSTRIAL” AND “AGRICULTURAL STREAM CORRIDOR”, ON PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 17R-175, 17-87, 17R-182) - PRIOR to reading:

RAYBOULD Moved to place Bill No. 17R-175 on pending no date certain.

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

CHANGE OF ZONE 17016 – APPLICATION OF LINCOLN SPORTS FOUNDATION, INC. FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 7620 NORTH 70TH STREET. (RELATED ITEMS: 17R-175, 17-87, 17R-182) - PRIOR to reading:

RAYBOULD Moved to place Bill No. 17-87 on pending no date certain.

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

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 third time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BY AND BETWEEN LINCOLN SPORTS FOUNDATION, INC. AND THE CITY OF LINCOLN, NEBRASKA TO CONSTRUCT AN INDUSTRIAL PARK/WAREHOUSE DEVELOPMENT UNDER THE PROPOSED CHANGE OF ZONE OF THE PROPERTY FROM H-2 HIGHWAY BUSINESS DISTRICT TO I-1 INDUSTRIAL DISTRICT. (RELATED ITEMS: 17R-175, 17-87, 17R-182) - PRIOR to reading:

RAYBOULD Moved to place Bill No. 17R-182 on pending no date certain.

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

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

AMENDING SECTION 10.14.260 TO PROVIDE SPECIFICALLY FOR A SCHOOL RELATED SPEED ZONE ON 84TH STREET AND REPEALING SECTION 10.14.260 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 17-94, 17R-190) - PRIOR to reading:

RAYBOULD Moved to delay Action on Bill No. 17-94 1 week to 8/14/17.

Seconded by Eskridge & **LOST** by the following vote: AYES: Eskridge, Gaylor Baird, Raybould; NAYS: Camp, Christensen, Lamm, Shobe.

CLERK Read an ordinance, introduced by Cyndi Lamm, amending Section 10.14.260 of the Lincoln Municipal Code to provide specifically for a school related speed zone on 84th Street and Repealing Section 10.14.260 of the Lincoln Municipal Code as hitherto existing, the third time.

LAMM Moved to pass the ordinance as read.

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

The ordinance, being numbered #20519, is recorded in Ordinance Book 33.

A RESOLUTION IN SUPPORT OF A SCHOOL RELATED SPEED ZONE ON 84TH STREET AND THE APPROPRIATION OF \$150,000 FROM MISCELLANEOUS BUDGET/CONTINGENCY TO SAFETY AND OPERATION IMPROVEMENT PROGRAM TO FUND THE CREATION AND INSTALLATION. (RELATED ITEMS: 17-94, 17R-190) (ACTION DATE: 8/7/17) - PRIOR to reading:

RAYBOULD Moved to accept the Substitute Resolution on Bill No. 17R-190.

Seconded by Eskridge & **LOST** by the following vote: AYES: Eskridge, Gaylor Baird, Raybould; NAYS: Camp, Christensen, Lamm, Shobe.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-90618 WHEREAS, preserving and furthering the health and safety of Lincoln’s children is of utmost importance and doing so is beneficial to the entire City of Lincoln; and

WHEREAS, Kahoa Elementary School is located at 7700 Leighton Ave. in Lincoln and approximately twenty percent (20%) of the 600 elementary school-age children attending Kahoa Elementary live east of 84th Street and must cross 84th Street to get to school; and

WHEREAS, 84th Street is a busy 4 plus-lane roadway where it intersects Leighton Avenue just seven (7) blocks east of Kahoa Elementary; and

WHEREAS, the intersection of 84th Street and Leighton Avenue is a signalized intersection that does not currently include a school reduced speed zone (School Zone); and

WHEREAS, parents and students of Kahoa Elementary desire a School Zone be installed on 84th Street between Windmill Drive and Lexington Avenue to provide safer passage for students living east of 84th Street to be able to walk and ride bikes across 84th Street at Leighton Avenue to and from school; and

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WHEREAS, Lincoln has a Comprehensive Plan (LPlan 2040) that is specific to Lincoln and Lancaster County and that recognizes that there are factors that make Lincoln a unique community; and

WHEREAS, in its Comprehensive Plan, one of the City's stated goals is to have standards and policies to encourage walking and bicycling, which improve environmental and physical health of the city and its residents; and

WHEREAS, the City of Lincoln strives to work within the community to reduce chronic disease and childhood obesity by supporting and encouraging physical activity; and

WHEREAS, the Mayor of Lincoln in 2013 declared the City of Lincoln a "Let's Move" city and specifically committing to programs and policies aimed at increasing physical activity for children; and

WHEREAS, there are at least two (2) school reduced speed zones for safer student crossing on 84th Street south of "O" Streets; and a school reduced speed zone on 84th St. between Windmill Drive and Lexington Avenue would represent the only school reduced speed zone on 84th Street north of O Street; and

WHEREAS, there are other school reduced speed zones in Lincoln Nebraska that are not adjacent to the school or schools for which the zones provide safer student crossing opportunities; and

WHEREAS, there will be ongoing education on safe pedestrian behavior for elementary and middle school students; and

WHEREAS, after exploring other options, including the potential use of crossing guards for student safety, a school reduced speed zone emerged as a more cost effective solution; and

WHEREAS, 84th Street from Windmill Drive to Lexington Avenue is a local roadway, not a federal highway, and the school reduced speed school zone will not be funded by federal funds.

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

1. That the City Council hereby designates that portion of 84th Street between Windmill Drive and Lexington Avenue as a school reduced speed zone (School Zone).
2. That the City Council authorizes the appropriation of \$150,000 (one hundred and fifty thousand dollars) to fund the creation and installation of a school reduced speed zone on 84th Street between Windmill Drive and Lexington Avenue.
3. That a transfer of appropriations in the amount of \$150,000 (one hundred fifty thousand dollars) from the City's 2016-2017 allocation of Miscellaneous Budget/Contingency funding (18001.5989) to Safety and Operation Improvement Program in the Public Works Streets and Highways Capital Improvement Project budget (18002.0175) be authorized in order to pay for the creation of and installation of a school reduced speed zone on 84th Street between Windmill Drive and Lexington Avenue and that the Finance Director is authorized to make such transfer upon passage of this resolution.
4. That Public Works shall take steps necessary to create and install the reduced speed school zone in an expeditious manner, and shall make speed limit changes to the surrounding portion of the 84th Street corridor, if any are needed to bring the roadway into conformance with standards intended to improve the safety of the School Zone being installed.

Introduced by Cyndi Lamm

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

RESOLUTIONS - 1ST READING

REAPPOINTING AMIR AZIMI, THOMAS CHRISTIE, AND TOM MCFARLAND TO THE
MULTICULTURAL ADVISORY COMMITTEE FOR TERMS EXPIRING SEPTEMBER 18, 2020.
(*CONSENT*)

REAPPOINTING JEFF JOHNSON TO THE ELECTRICAL ADVISORY & APPEALS BOARD FOR A TERM
EXPIRING AUGUST 15, 2020. (*CONSENT*)

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, 2017.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

ADOPTING A NEW CHAPTER 24.12 TO THE LINCOLN MUNICIPAL CODE, TO BE CALLED THE
LINCOLN PLUMBING CODE, INCORPORATING THE 2012 EDITION OF THE UNIFORM PLUMBING
CODE AS AMENDED AND REPEALING CHAPTER 24.10 OF THE LINCOLN MUNICIPAL CODE IN
ITS ENTIRETY. (RELATED ITEMS: 17-81, 17R-180) - Clerk read an ordinance, introduced by Carl
Eskridge, amending Title 24 of the Lincoln Municipal Code relating to "Plumbing and Sewers" by adding a
new Chapter 24.12 to adopt the 2012 edition of the Uniform Plumbing Code as part of the Lincoln Plumbing
Code; and repealing Chapter 24.10 of the Lincoln Municipal Code as hitherto existing, the first time.

ADOPTING THE PLUMBING SYSTEMS PERMIT FEE SCHEDULES FOR THE PLUMBING CODE.
(RELATED ITEMS: 17-81, 17R-180) (ACTION DATE: 8/21/17)

ADOPTING A NEW CHAPTER 25.06 TO THE LINCOLN MUNICIPAL CODE, TO BE CALLED THE LINCOLN MECHANICAL CODE, INCORPORATING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE AS AMENDED AND REPEALING CHAPTER 25.04 OF THE LINCOLN MUNICIPAL CODE IN ITS ENTIRETY. (RELATED ITEMS: 17-82, 17-83, 17-84, 17R-177) - Clerk read an ordinance, introduced by Carl Eskridge, amending Title 25 of the Lincoln Municipal Code relating to "Heating" by adding a new Chapter 25.06 to adopt the 2012 edition of the International Mechanical Code as part of the Lincoln Municipal Code; and repealing Chapter 25.04 of the Lincoln Municipal Code as hitherto existing, the first time.

ADOPTING A NEW CHAPTER 24.08 TO THE LINCOLN MUNICIPAL CODE, TO BE CALLED THE LINCOLN HYDRONICS CODE, INCORPORATING CHAPTER 12 OF THE 2012 EDITION OF THE UNIFORM MECHANICAL CODE AS AMENDED INTO TITLE 24 OF THE LINCOLN MUNICIPAL CODE. (RELATED ITEMS: 17-82, 17-83, 17-84, 17R-177) - Clerk read an ordinance, introduced by Carl Eskridge, amending Title 24 of the Lincoln Municipal Code relating to "Plumbing and Sewers" by adding a new Chapter 24.08 to adopt the Hydronics section of the 2012 edition of the Uniform Mechanical Code and amendments thereto to be known as the Lincoln Hydronics Code, the first time.

ADOPTING A NEW CHAPTER 25.12 TO THE LINCOLN MUNICIPAL CODE, TO BE CALLED THE LINCOLN FUEL GAS CODE, INCORPORATING THE 2012 EDITION OF THE INTERNATIONAL FUEL GAS CODE AS AMENDED AND REPEALING CHAPTER 25.10 OF THE LINCOLN MUNICIPAL CODE IN ITS ENTIRETY. (RELATED ITEMS: 17-82, 17-83, 17-84, 17R-177) - Clerk read an ordinance, introduced by Carl Eskridge, amending Title 25 of the Lincoln Municipal Code relating to "Heating" by adding a new Chapter 25.12 to adopt the 2012 edition of the International Fuel Gas Code as part of the Lincoln Fuel Gas Code; and repealing Chapter 25.10 of the Lincoln Municipal Code as hitherto existing, the first time.

ADOPTING THE MECHANICAL SYSTEMS PERMIT FEE SCHEDULES FOR THE MECHANICAL CODE AND THE FUEL GAS CODE. (RELATED ITEMS: 17-82, 17-83, 17-84, 17R-177) (ACTION DATE: 8/21/17)

APPROVING THE TRANSFER OF FUNDS TO ALLOW THE CITY TO PAY OFF OBLIGATIONS WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION ON THE SOUTH BELTWAY PROJECT. (RELATED ITEMS: 17-101, 17R-202) - Clerk read an ordinance, introduced by Carl Eskridge, approving the transfer of funds to allow the City to pay off obligations with the Nebraska Department of Transportation on the South Beltway Project, the first time.

APPROVING SUPPLEMENTAL AGREEMENT NO. 3 BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, AND THE NEBRASKA DEPARTMENT OF TRANSPORTATION FOR THE SOUTH BELTWAY PROJECT. (RELATED ITEMS: 17-101, 17R-202) (ACTION DATE: 8/21/17)

ADJOURNMENT

6:09 P.M.

CAMP Moved to adjourn the City Council Meeting of August 7, 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

Monet J. McCullen, Office Specialist

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