

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 21, 2017 AT 5:30 P.M.**

The Meeting was called to order at 5:30 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**

GAYLOR BAIRD Having been appointed to read the minutes of the City Council Proceedings of August 14, 2017, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPLICATION OF ONE FAMILY, LLC DBA AL SULTAN LOUNGE FOR A CLASS C LIQUOR LICENSE AT 1619 O STREET;

MANAGER APPLICATION OF SAIF A. SAYAH FOR ONE FAMILY, LLC DBA AL SULTAN LOUNGE AT 1619 O STREET - Saif A. Sayah, 1619 O Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF MURPHY OIL USA, INC. DBA MURPHY EXPRESS #8781 FOR A CLASS D LIQUOR LICENSE AT 3301 NORTH 85<sup>TH</sup> STREET;

MANAGER APPLICATION OF JASON R. KOUBEK FOR MURPHY OIL USA, INC. DBA MURPHY EXPRESS #8781 AT 3301 NORTH 85<sup>TH</sup> STREET - Mike Kelly, 2804 S. 87<sup>th</sup> Avenue, representing applicant, came forward to take the oath and requested approval.

Jason R. Koubek, 3301 N. 85<sup>th</sup> Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF BABS, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER BOULEVARD ON SEPTEMBER 29, 2017 BETWEEN 10:00 A.M. AND 11:00 P.M. AND SEPTEMBER 30, 2017 BETWEEN 5:00 P.M. AND 11:00 P.M. - Brian Wallingford, 2230 N. 60<sup>th</sup> Street, applicant, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,325,000 AGGREGATE STATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION STORMWATER REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA;

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$15,300,000 AGGREGATE STATED PRINCIPAL AMOUNT OF SANITARY SEWER REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA;

ORDINANCE AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY, LINCOLN NEBRASKA FOR THE ACQUISITION OF STREET LIGHTS FOR THE CITY - Brandon Kauffman, Finance Director, came forward and explained the first item would result in a refund of about 766,000 and would save the taxpayers money. There is a principal amount of not to exceed around \$5.3 million. The GFOA threshold is a 3% recommendation for refunding, with this one we are approximately at 14%. The structure of the debt is a 10 year repayment cycle, which would keep us on the current repayment cycle. The debt savings will also be structured evenly over the life of this structure.

Scott Keene, Ameritas, came forward and shared the bond market has been very favorable. After the election, the 10 year treasury rate went from 1.75% to 2.5% within the span of about a month and half. Today it is currently at a 2.18%, which is a new low since prior to the election.

Jon Camp, Council Member, asked when retiring bonds will there be a prepayment penalty and where does the cash come from and where would it go.

Mr. Keene explained these bonds were callable as of June 1, 2017, at a price of 100%. That means there is no penalty and no premium. The bond holders are aware that anytime after June 1, they could be called away from them at any point without a premium. The sources of funds are two fold and would come from the refund of the bond issues. Also, the IRS likes to see funds collected to make payments on the old bonds and they allocate that those funds be used to downsize the refund issue. So when money is sitting in the debt service fund that would have been used for the 2007 bond repayment, the IRS prefers to see that money used to make this bond smaller. This would contribute to an estimated contribution of \$220,000 that

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 14**

would come out of the series 2007 bond fund. The \$766,000 savings is an estimated savings on the present value. We will not get the actual amount until we go to market with the bonds and they are sold. There is a drop from 4.76% on the old bonds to an estimated 1.87% on the new bonds. Discussion followed.

Mr. Kauffman explained the source of funding for the sanitary sewer would be from the wastewater/sanitary sewer fund and any savings would impact that fund. The principal amount is not to exceed \$15.3 million. The estimated threshold is around 13% and the GFOA recommends 3%. The estimated debt service savings will be \$1.9 million. When the actual prices come in on the bid date we will be able to get an exact amount. There is currently a debt service repayment of 15 years and we will stay within that time frame without extending the life of the debt.

Mr. Keene said the outstanding 2007 sewer revenue bonds have an average rate of 4.39% and the conservative estimate of the current rates would be 2.5%.

Mr. Kauffman shared the final item is the request to proceed with Certificates of Participation for street light purchases. The principal amount to not exceed would be \$3.775 million, which would generate \$3.6 million for street light projects. The debt structure would be over a 10 year repayment cycle with level debt service payments.

Mr. Camp asked if Council does not approve Certificates of Participation what would be another option to handle this funding.

Mr. Kauffman explained there could be two ways to fund the street lights, cash contributions through the budget or the funds coming from the debt. With the street lights, it has been an annual amount that goes to funding the improvements and enhancements to the street lights in the community. The current estimated amount would be \$420,000. Without this debt funding, there would have to be some type of cash allocation from the budget. Discussion followed.

Jane Raybould, Council Member, inquired about the savings this would provide to the City with LED lights.

Randy Hoskins, Public Works Assistant City Engineer, came forward and explained about 11% of the City has been changed over to LED lighting. If the City were completely changed over to LED lighting it would be an estimated cost of \$11 million. The cost would then be reduced about \$1.1 million per year, so the payback on this would be a little less than 10 years.

Roy Christensen, Council Chair, asked what this project would save per year with electrical and maintenance.

Mr. Hoskins confirmed this project is not specific to an LED changeover. There will be new street lights that will be put up as a result of the projects that LES will be working on. This is more for things such as Public Works having a project and they have to put in street lights and any sort of unexpected maintenance. They do maintenance every year on street lights for poles that are beyond their useful life. In those cases they will be fixed and replaced with LED lighting. This would be specific to more of a heavy maintenance cost. Discussion followed.

Cyndi Lamm, Council Member, asked what specific things would these funds go towards and over what period of time is this expected to be spent.

Jeff Hlavac, LES Street Lighting Supervisor, explained the Certificate of Participation that is being requested is typically for street widening projects where we have to relocate poles, brand new roads where new poles are being installed, rebuilt areas, and any new pole that has to be installed.

Mr. Kauffman explained that annually it is about \$2 to \$3.5 million that is spent and that is why this is brought back on an annual basis. Discussion followed.

Mr. Camp stated they used to use cash flow for things like this instead of the Certificates of Participation.

Mr. Kauffman explained before it was done on an annual basis and the charges were coming from LES and the Finance Director at time looked at the rates being substantially higher than what the City could finance them as and that is how Certificates of Participation started because money was saved from the rates that LES was going to charge. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired about the implications that could occur if Council did not approve this.

Mr. Hlavac stated he is unsure how billing at LES is handled and there are already large projects under construction and they are billed monthly. The amount that is left for these types of maintenance probably will not be enough with the 70<sup>th</sup> Street project coming to a close. With the billing coming through he would image the City and LES would have to figure out the financial concerns.

Mr. Kauffman explained if funds were not approved then Finance would have to figure out how to come up with more funding for street light projects. Discussion followed.

This matter was taken under advisement.

**APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT AND THE PARKS & RECREATION DEPARTMENT - Miki Esposito, Director of Public Works, came forward and was open to take any questions regarding this.**

Cyndi Lamm, Council Member, asked about the amount of the well field and the additional funds.

Ms. Esposito confirmed that amount remaining is \$744.02.

Donna Garden, Public Works, came forward and shared they are closing out the current project that the money is coming from and putting the funds on the well field that is currently under construction. That project did get additional Water Sustainability Fund Money, which is \$7.6 million, from the State.

Jon Camp, Council Member, asked with this additional saving of \$7.6 million from the City, where will those funds go.

Ms. Esposito stated that will be looked into on the next budget cycle.

Ms. Lamm asked what the total saving would be in this billing cycle.

Ms. Garden shared as the City gets an invoice on the construction it is 60/40 split between the City and the grant money. The City then submits the money to the Department of Natural Resources and they provide refunds as the money is spent. Discussion followed.

Ms. Esposito shared the City has not currently submitted for reimbursement so they do not have an exact amount of savings.

Lynn Johnson, Director of Parks & Recreation, came forward and shared this is an annual clean up item where they work with Public Works and the Finance Department to find projects that may have remaining funds that can be transferred to other projects.

This matter was taken under advisement.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERSONNEL SYSTEM BY AMENDING SECTION 2.76.040 – DEFINITIONS TO CLARIFY LANGUAGE REGARDING WHAT CONSTITUTES A PROMOTION FOR EMPLOYEES;

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERSONNEL SYSTEM BY AMENDING SECTION 2.76.370 – AUTHORIZED HOLIDAYS TO AMEND LANGUAGE REGARDING PERSONAL HOLIDAY INCREMENTS;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “E” TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “W” TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULE FOR THE “X” CLASSIFICATIONS TO DELETE THE CLASSIFICATIONS OF “LEGAL SECRETARY I”, “EMPLOYMENT CLERK”, AND “BENEFITS CLERK”;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “X” TO BE EFFECTIVE AUGUST 24, 2017;

ORDINANCE REVISING AND SIMPLIFYING THE EXCLUDED “X” PAY PLAN;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “P” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “N” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “A” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “C” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “B” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017;

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR “M” CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - Doug McDaniel, Director of Human Resources, came forward and shared Bill No. 17-102 is to clarify language on a promotion. Bill 17-103 is a cleanup item speaking to personal holiday time. Bill 17-104 is the annual change for cost of living for the excluded “E” groups with a 2.5% increase with 17 employees at a cost of \$39,112, which is in the budget. Bill 17-105 amends pay schedule for the “W” group with a 2.0% adjustment with 43 employee and \$96,760. Bill 17-111 is cleanup and eliminating classification from the “X” group that is no longer being used. Bill 17-106 amends the pay schedule for “X” pay plan and simplifies it with a 2.5% increase, 17 employees are impacted at a cost of \$29,776. Bill 17-107 simplifies the excluded pay plans. This historically followed the “N” pay plans of the PAGE employees with 70 pay grades for about 20 different classification and it has been simplified to 20 pay ranges. The remaining ordinances are the second year of any negotiated contract that was previously approved by Council. This just approves the pay plan for the second year of the contract. Bill 17-112 refers to the “P” in the LPU category with a 3.25% increase for 295 employees. Bill 17-113 is for the PAGE contract with a 2.5% increase that was negotiated. Bill 17-114 and Bill 17-115 is for the “A” and “C” group under the LCEA category with a 2.4% increase. Bill 17-116 is for the “B pay plan with a 2.5% increase. Bill 17-117 for the “M” group under the LMCEA with a 1.7% increase.

Leirion Gaylor Baird, Council Member, asked if any of the proposed changes are in excess to what was previously approved in the budget.

Mr. McDaniel confirmed none of the changes are in excess to what was approved in the budget.

This matter was taken under advisement.

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 16**

CHANGE OF ZONE 17017 – APPLICATION OF ALPHA EPSILON ASSN. OF THETA XI TO DESIGNATE THE THETA XI FRATERNITY HOUSE AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM B-4 LINCOLN CENTER BUSINESS TO B-4 LINCOLN CENTER BUSINESS WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 1535 R STREET - Eric Hemmingsen, 1535 R Street, representing applicant, came forward to request approval. The Historic Landmark designation was unanimously recommended by the Planning Commission.

This matter was taken under advisement.

TEXT AMENDMENT 17011 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (“ZONING CODE”) BY AMENDING SECTION 27.63.110, RELATING TO THE APPROVAL OF A SPECIAL PERMIT FOR GARDEN CENTERS IN THE AG ZONING DISTRICT, TO PROVIDE THAT THE CITY COUNCIL MAY ALLOW MORE THAN ONE FREESTANDING SIGN PER FRONTAGE FOR GARDEN CENTERS WHEN TWO OR MORE TENANTS/LESSEES OPERATE THE GARDEN CENTER ON BEHALF OF THE OWNER AND THE TENANTS/LESSEES HAVE SEPARATE ENTRANCES ALONG THE SAME FRONTAGE; AND REPEALING SECTION 27.63.110 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 17-118, 17R-203); SPECIAL PERMIT NO. 06022A – APPLICATION OF WILLIAM ALAN LLC, TO AMEND SPECIAL PERMIT 06022 TO ALLOW A GARDEN CENTER OPERATED BY TWO TENANTS/LESSEES OF THE OWNER TO HAVE TWO FREESTANDING SIGNS ON SOUTH 14<sup>TH</sup> STREET WITH ONE SIGN LOCATED AT EACH TENANT/LESSEE ENTRANCE ON PROPERTY GENERALLY LOCATED AT 10901 SOUTH 14<sup>TH</sup> STREET. (RELATED ITEMS: 17-118, 17R-203) (ACTION DATE: 8/28/17) - Tony Parsons, Nebraska Sign Company, 1140 N. 21<sup>ST</sup> Street, came forward and requested approval.

This matter was taken under advisement.

CHANGE OF ZONE 17011 – APPLICATION OF ROGER H. SCHWISOW REVOCABLE TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 49<sup>TH</sup> STREET AND ALVO ROAD. (7/31/17 - ACTION DELAYED WITH PUBLIC HEARING 3 WEEKS TO 8/21/17) - Roger Schwisow, 1354 Pelican Bay Place, came forward to request approval.

Jane Raybould, Council Member, asked about the drainage concerns from the neighbors and asked if any of the concerns have been addressed.

Mr. Schwisow explained they determined that most of the backed up water was caused by sump pumps. There was a hill that was cut down and a lot of water was being pumped out. They have now run the water toward the street side. They also plan to run a pipe to pick up the water and place it into the storm system to prevent it from dumping into the streets.

Ms. Raybould asked if these plans and proposals have been submitted to the Planning Department.

Mr. Schwisow explained the engineer designed the proposal and it should have been submitted.

Cyndi Lamm, Council Member, asked about the pipe being ran under the ground and the storm drained.

Mr. Schwisow explained as of right now the pump is about 1 foot behind the curb, which is in the City’s right of way and they hope to bore it to not disturb the sprinkler and lawns. The only thing they have to cross is two gas lines and that will be ran under the driveway behind the curb.

Leirion Gaylor Baird, Council Member, stated that it was shared previously that the area was graded properly, but the individual final lot grading had problems and asked what Mr. Schwisow’s role is in the final lot grading.

Mr. Schwisow shared once the lot is sold it is then in the builders hands. The property should have drained at the property line. Individuals raised some areas to put fences and mulch which causes the water to not drain the way it is supposed to. Discussion followed.

Ms. Gaylor Baird asked how water issues can be prevented with future developments if the change of zone is approved.

Jared Nelson, Public Works - Watershed Management, came forward and shared they did have a meeting with the engineer, REGA on the preliminary plat for this development in July. They are coming in with their final plats of the new development. Public Works expressed concerns and gave suggestions about what needed to be amended. That will have to be reviewed and approved before the final plat continues for the future lots. Discussion followed.

Lea Ann Johnson, 5017 Beckys Way, came forward and stated she was not in opposition of new homes being built, but would like to see the drainage issues on her property fixed before more homes are built. Discussion followed.

Mark Giesler, 7401 N. 50<sup>th</sup> Street, came forward in opposition and stated he would like the drainage fixed on his property also.

Dawn Vodehnal, 5010 Beckys Way, came forward in opposition and expressed concern about the standing water on her property with the electrical box close to that.

Cameron Vodehnal, 5010 Beckys Way, came forward in opposition. Discussion followed.

Kevin Nelson, 7310 N. 50<sup>th</sup> Street, came forward in opposition due to the drainage issues. Discussion followed.

Alan Ortmeier, 5027 Beckys Way Road, came forward in opposition.

Pat Kappes, 5017 Beckys Way Road, came forward in opposition to a new development until the drainage issues on his property are corrected. Discussion followed.

Ms. Lamm inquired about the sump pump locations.

Mr. Kappes explained they are facing towards the street and are a little higher than the curb and the water constantly drains onto the street.

Mr. Schwisow explained they tried to resolve the issue with the properties being too wet and they thought to bring the sump pumps out towards the street. They are currently getting prices to have the pipe behind the curb which would eventually be dumped in the storm sewer. Discussion followed.

Ms. Lamm asked Mr. Schwisow if he was using the same builders who built the other homes.

Mr. Schwisow explained he is using the same builders and plans to work closer with them and make more corrective suggestions. Discussion followed.

Chad Blahak, Building and Safety, came forward and shared the area looks fairly flat and, in general, those types of areas are always tricky for both the developer and the designer. It can look neat on a preliminary plat with lot lines and arrows that show where the water is to drain, but when digging starts it could end up different. Grading plans do not take into account the foundation, soil, or different landscaping. Building and Safety is the last step within the City's process to look at anything that is built. Good drainage starts with a good design, then goes into accurate grading, then it is the builders responsibility to continue the grading. Discussion followed.

Mr. Christensen stated when an area is plotted there is a watershed management plan and that is the last time the City controls water. After that, the builders do not go in to see if the watershed management has been followed and he feels the City has failed the current residence that are having the drainage issues.

David Cary, Director of the Planning Department, shared that the City does not have involvement after plans are approved. To a certain extent, they do expect professional builders to do their part and do what they are supposed to do when it comes to building lots, grading them appropriately, and the drainage. As to this project specifically, they have been in contact with REGA to make some corrections before moving forward.

Ms. Raybould stated she thought the previous delay was to allow the applicant time to come forward with a mitigation plan and some correction action that have been taken.

Mr. Nelson stated there are not any plans that have been stamped by any professionals as of yet. There has been a conceptual plan that was submitted by REGA to install a drain that runs parallel to the curb all the neighbors could run their sump pumps into that. REGA has also submitted a final plat to plat the lots and they were advised the final plats would not be approved until their preliminary plat was amended due to some issues. REGA has not addressed the issues and they have not submitted any amendments. Discussion followed.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE HOLDREGE STREET, 47<sup>TH</sup> TO 70<sup>TH</sup> STREET REHABILITATION PROJECT. PROJECT NO. LCLC-5244(9), CN 13382 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90628

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

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Federal Surface Transportation Program Funds for construction inspection and construction engineering services of the Holdrege Street, 47th to 70th Street Rehabilitation Project LCLC-5244(9), CN 13382, in accordance with the terms and conditions contained in said Agreement, 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 return the executed copies of the Agreements to Erin Sokolik, Engineering Services, Public Works and Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Leirion Gaylor Baird

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

APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT, AND LINCOLN PUBLIC SCHOOLS TO ALLOW THE USE OF LPS FACILITIES FOR EMERGENCY MASS CLINIC OPERATIONS - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90629

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

That the attached Service Agreement between the City of Lincoln, Nebraska, on behalf of the Lincoln-Lancaster County Health Department, and Lincoln Public Schools, for the use of Lincoln Public

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 18**

School facilities for emergency mass clinic operations, upon the terms and conditions set forth in said Contract, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to forward two fully executed originals of said Agreement to the Health Department for transmittal to Lincoln Public Schools.

Introduced by Leirion Gaylor Baird

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

REPORT FROM CITY TREASURER WINDSTREAM CABLE FRANCHISE QUARTERLY REMITTANCE FOR 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518C)**

REPORT FROM CITY TREASURER OF CHARTER COMMUNICATIONS QUARTERLY PERSONAL EDUCATION GOVERNMENT (P.E.G.) FEES FROM APRIL 1, 2017 THROUGH JUNE 30, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF CHARTER COMMUNICATIONS QUARTERLY FRANCHISE FOR APRIL 1, 2017 THROUGH JUNE 30, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF ALLO COMMUNICATIONS FRANCHISE FEES FROM APRIL, 2017 THROUGH JUNE, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF ALLO PERSONAL EDUCATION GOVERNMENT (P.E.G.) FEES FOR THE MONTH OF JUNE, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTH OF JUNE, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTH OF JULY, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

**PETITIONS & COMMUNICATIONS**

INFORMAL PETITION TO CREATE A SEWER DISTRICT WHICH WOULD EXTEND CITY SERVICE TO 5500 N COTNER SUBMITTED BY PURINA ANIMAL NUTRITION - CLERK presented said report which was referred to Public Works.

SETTING THE HEARING DATE OF MONDAY, AUGUST 28, 2017 AT 5:30 P.M. ON THE MANAGER APPLICATION OF JEFFREY S. BUNTGEN FOR MMG NEBRASKA F & B INC DBA CHILI'S GRILL & BAR 6730 S. 27<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90630 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 28, 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 Manager Application of Jeffrey S. Buntgen for MMG Nebraska F & B Inc dba Chili's Grill & Bar 6730 S. 27<sup>th</sup> Street.

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

Introduced by Jane Raybould

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

**PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**

Administrative Amendment No. 17045, to Use Permit No. 145B, Pine Lake Plaza, approved by the Planning Director on August 8, 2017, to remove the lot and building detail from Block 3 and re-designate it as Areas 1, 2, and 3 and to revise notes accordingly, generally located at S. 84th Street and Highway 2.

Administrative Amendment No. 17036, to Special Permit No. 07005, Yankee Hill Townhomes, approved by the Planning Director on August 9, 2017, to adjust the front setback to 21' for corner lots without a driveway, generally located at S. 84<sup>th</sup> and Yankee Hill Road.

Administrative Amendment No. 17047, to Use Permit No. 112, Urology PC, approved by the Planning Director on August 9, 2017, to increase the maximum floor area to 34,500 square feet to accommodate two building additions, remove 2 parking stalls, and add 7 new parking stalls, generally located at S. 56<sup>th</sup> Street and Pine Lake Road.

SETTING THE HEARING DATE OF MONDAY, AUGUST 28, 2017 AT 5:30 P.M. ON THE APPLICATION OF GLOBAL WARMING INC DBA THE MILL FOR A CLASS CK LIQUOR LICENSE AT 330 S. 21<sup>ST</sup> STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90631 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 28, 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 Global Warming Inc dba The Mill for a Class CK Liquor License at 330 S. 21<sup>st</sup> Street.

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

Introduced by Jane Raybould

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

### LIQUOR RESOLUTIONS

APPLICATION OF ONE FAMILY, LLC DBA AL SULTAN LOUNGE FOR A CLASS C LIQUOR LICENSE AT 1619 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90632 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 One Family, LLC dba Al Sultan Lounge for a Class "C" liquor license at 1619 O Street, Lincoln, Nebraska, for the license period ending October 31, 2017, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.

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.

MANAGER APPLICATION OF SAIF A. SAYAH FOR ONE FAMILY, LLC DBA AL SULTAN LOUNGE AT 1619 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90633 WHEREAS, One Family, LLC dba Al Sultan Lounge located at 1619 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Saif A. Sayah be named manager; WHEREAS, Saif A. Sayah 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 Saif A. Sayah 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.

APPLICATION OF MURPHY OIL USA, INC. DBA MURPHY EXPRESS #8781 FOR A CLASS D LIQUOR LICENSE AT 3301 NORTH 85<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90634 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 Murphy Oil USA, Inc. dba Murphy Express #8781 for a Class "D" liquor license at 3301 North 85th Street, Lincoln, Nebraska, for the license period ending April 30, 2018, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.

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.

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 20**

MANAGER APPLICATION OF JASON R. KOUBEK FOR MURPHY OIL USA, INC. DBA MURPHY EXPRESS #8781 AT 3301 NORTH 85<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90635 WHEREAS, Murphy Oil USA, Inc. dba Murphy Express #8781 located at 3301 North 85th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Jason R. Koubek be named manager;

WHEREAS, Jason R. Koubek 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 Jason R. Koubek 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.

APPLICATION OF BABS, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER BOULEVARD ON SEPTEMBER 29, 2017 BETWEEN 10:00 A.M. AND 11:00 P.M. AND SEPTEMBER 30, 2017 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90636 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 BABS, Inc. for a special designated license to cover an outdoor area at The Shoppes at Piedmont at 1265 South Cotner Boulevard, Lincoln, Nebraska, on September 29, 2017, between the hours of 10:00 a.m. and 11:00 p.m. and September 30, 2017, between the hours of 5:00 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

**PUBLIC HEARING - RESOLUTIONS - NONE**

**PUBLIC HEARING ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS**

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,325,000 AGGREGATE STATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION STORMWATER REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Leirion Gaylor Baird, authorizing and providing for the issuance, sale and delivery of General Obligation Stormwater Drainage and Flood Management System Refunding Bonds, Series 2017, of the City of Lincoln, Nebraska (The "City"), in an aggregate principal amount not to exceed \$5,325,000 (The "Bonds"), for the purpose of providing for the payment and redemption of \$5,075,000 aggregate principal amount of the City's General Obligation Stormwater Drainage and Flood Management System Bonds, Series 2007, Dated June 27, 2007; prescribing certain terms of the bonds; delegating, authorizing and directing the Finance Director to exercise his independent judgment and absolute discretion in determining certain other terms of the bonds; providing for the payment of the principal of and interest on the bonds by the levy of a tax on all of the taxable property within the City; authorizing and approving certain other related matters, the second time.

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$15,300,000 AGGREGATE STATED PRINCIPAL AMOUNT OF SANITARY SEWER REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Leirion Gaylor Baird, sixth series ordinance adopted under and pursuant to Ordinance No. 18171 authorizing the issuance of Sanitary Sewer Revenue Refunding Bonds, Series 2017, of the City of Lincoln, Nebraska in a principal amount not to exceed Fifteen Million Three Hundred Thousand Dollars (\$15,300,000); fixing in part and providing for the fixing in part of the details of the bonds; authorizing the public sale of the bonds and the application of the proceeds thereof; authorizing the execution and delivery of certain documents and taking other action in connection with the foregoing; and related matters, the second time.

ORDINANCE AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY, LINCOLN, NEBRASKA FOR THE ACQUISITION OF STREET LIGHTS FOR THE CITY - CLERK read an ordinance, introduced by Leirion Gaylor Baird, of the City of Lincoln, Nebraska authorizing and approving a lease-purchase transaction with Union Bank and Trust Company, the proceeds of which will be used to pay the costs of purchasing and installing light poles and related equipment, such as light fixtures, wiring, and other items necessary to complete the installation of new street lights in the City and to pay costs of issuance thereof; approving the issuance, sale and delivery of not to exceed \$3,775,000 Principal Amount of Certificates of Participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the second time.

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT AND THE PARKS & RECREATION DEPARTMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, eliminating certain appropriations and approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Water Fund, Wastewater Fund, Street Construction Fund, and Street Maintenance Fund for the Public Works & Utilities Department; and within the Parks General Fund, Keno Fund, and Athletic Fee Fund for the Parks & Recreation Department, the second time.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERSONNEL SYSTEM BY AMENDING SECTION 2.76.040 – DEFINITIONS TO CLARIFY LANGUAGE REGARDING WHAT CONSTITUTES A PROMOTION FOR EMPLOYEES - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 2.76 of the Lincoln Municipal Code relating to Personnel System by amending Section 2.76.040 – Definitions to clarify language regarding what constitutes a promotion for employees; and repealing Section 2.76.040 as hitherto existing, the second time.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERSONNEL SYSTEM BY AMENDING SECTION 2.76.370 – AUTHORIZED HOLIDAYS TO AMEND LANGUAGE REGARDING PERSONAL HOLIDAY INCREMENTS - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 2.76 of the Lincoln Municipal Code relating to Personnel System by amending Section 2.76.370 – Authorized Holidays to amend language regarding Personal Holiday increments; and repealing Section 2.76.370 as hitherto existing, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “E” TO BE EFFECTIVE AUGUST 24, 2017 - 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. 20367, passed by the City Council on August 22, 2016, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “W” TO BE EFFECTIVE AUGUST 24, 2017 - 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 “W”; and repealing Ordinance No. 20369, passed by the City Council on August 22, 2016, the second time.

AMENDING THE PAY SCHEDULE FOR THE “X” CLASSIFICATIONS TO DELETE THE CLASSIFICATIONS OF “LEGAL SECRETARY I”, “EMPLOYMENT CLERK”, AND “BENEFITS CLERK” - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Ordinance No. 20366 passed August 22, 2016, 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 “X,” by deleting the job classifications of “Legal Secretary I”, “Employment Clerk”, and “Benefits Clerk”, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER “X” TO BE EFFECTIVE AUGUST 24, 2017 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the hourly 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 No. 20366, passed by the City Council on August 22, 2016, the second time.

ORDINANCE REVISING AND SIMPLIFYING THE EXCLUDED “X” PAY PLAN - CLERK read an ordinance, introduced by Leirion Gaylor Baird, to revise the Excluded “X” employees’ pay plan and adopt the new 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”, the second time.

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 22**

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "P" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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 3 letter "P"; and repealing Ordinance No. 19910, passed by the City Council on August 12, 2013, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "N" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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 "N"; and repealing Ordinance No. 20227, passed by the City Council on August 10, 2015, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "A" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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 "A"; and repealing Ordinance No. 20229, passed by the City Council on August 10, 2015, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "C" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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 "C"; and repealing Ordinance No. 20228, passed by the City Council on August 10, 2015, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "B" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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. 20226, passed by the City Council on August 10, 2015, the second time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR "M" CLASSIFICATIONS TO BE EFFECTIVE AUGUST 24, 2017 - 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 "M"; and repealing Ordinance No. 20223, passed by the City Council on August 10, 2015, the second time.

CHANGE OF ZONE 17017 – APPLICATION OF ALPHA EPSILON ASSN. OF THETA XI TO DESIGNATE THE THETA XI FRATERNITY HOUSE AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM B-4 LINCOLN CENTER BUSINESS TO B-4 LINCOLN CENTER BUSINESS WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 1535 R STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

TEXT AMENDMENT 17011 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE ("ZONING CODE") BY AMENDING SECTION 27.63.110, RELATING TO THE APPROVAL OF A SPECIAL PERMIT FOR GARDEN CENTERS IN THE AG ZONING DISTRICT, TO PROVIDE THAT THE CITY COUNCIL MAY ALLOW MORE THAN ONE FREESTANDING SIGN PER FRONTAGE FOR GARDEN CENTERS WHEN TWO OR MORE TENANTS/LESSEES OPERATE THE GARDEN CENTER ON BEHALF OF THE OWNER AND THE TENANTS/LESSEES HAVE SEPARATE ENTRANCES ALONG THE SAME FRONTAGE; AND REPEALING SECTION 27.63.110 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 17-118, 17R-203) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code ("Zoning Code") by amending Section 27.63.110 relating to the approval of a Special Permit for Garden Centers to provide that the City Council may allow more than one free standing sign per frontage for Garden Centers in the AG district if the specified conditions of approval for such increase have been met and repealing Section 27.63.110 as hitherto existing, the second time.

SPECIAL PERMIT NO. 06022A – APPLICATION OF WILLIAM ALAN LLC, TO AMEND SPECIAL PERMIT 06022 TO ALLOW A GARDEN CENTER OPERATED BY TWO TENANTS/LESSEES OF THE OWNER TO HAVE TWO FREESTANDING SIGNS ON SOUTH 14<sup>TH</sup> STREET WITH ONE SIGN LOCATED AT EACH TENANT/LESSEE ENTRANCE ON PROPERTY GENERALLY LOCATED AT 10901 SOUTH 14<sup>TH</sup> STREET. (RELATED ITEMS: 17-118, 17R-203) (ACTION DATE: 8/28/17)

**PUBLIC HEARING - ORDINANCES - 3<sup>RD</sup> READING**

CHANGE OF ZONE 17011 – APPLICATION OF ROGER H. SCHWISOW REVOCABLE TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 49<sup>TH</sup> STREET AND ALVO ROAD - PRIOR to reading:

LAMM Moved to delay Action with Public Hearing on Bill No. 17-92 four weeks to 9/18/17.  
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

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 third time.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS**

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 third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.  
The ordinance, being numbered #20525, is recorded in Ordinance Book 33.

ADOPTING THE PLUMBING SYSTEMS PERMIT FEE SCHEDULES FOR THE PLUMBING CODE.  
(RELATED ITEMS: 17-81, 17R-180) (ACTION DATE: 8/21/17) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90637 WHEREAS, the City Council is authorized to determine the amount of each required plumbing systems permit fee; and  
WHEREAS, the City Council has considered the Plumbing Systems Permit Fee Schedules attached hereto as Attachments “A” and “B”; and  
WHEREAS, the City Council has determined the Plumbing Systems Permit Fee Schedules should be adopted.  
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the Plumbing Systems Permit Fee Schedule, Attachment “A”, is hereby adopted and is effective upon passage of this Resolution and expires on October 31, 2017. The Plumbing Systems Permit Fee Schedule, Attachment “B” is hereby adopted and shall become effective on November 1, 2017.  
Introduced by Carl Eskridge  
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

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 third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.  
The ordinance, being numbered #20526, is recorded in Ordinance Book 33.

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 third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.  
The ordinance, being numbered #20527, is recorded in Ordinance Book 33.

**REGULAR MEETING  
AUGUST 21, 2017  
PAGE 24**

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 third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20528, is recorded in Ordinance Book 33.

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) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90638 WHEREAS, the City Council is authorized to determine the amount of each required mechanical systems permit fee; and

WHEREAS, the City Council has considered the Mechanical Systems Permit Fee Schedules attached hereto as Attachments "A" and Attachment "B"; and

WHEREAS, the City Council has determined the Mechanical Systems Permit Fee Schedules should be adopted.

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

That the Mechanical Systems Permit Fee Schedule, Attachment "A", is hereby adopted and is effective upon passage of this resolution and expires on October 31, 2017. The Mechanical Systems Permit Fee Schedule, Attachment "B", is hereby adopted and shall become effective on November 1, 2017.

Introduced by Carl Eskridge

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

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 third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20529, is recorded in Ordinance Book 33.

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) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90639 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Supplemental Agreement No. 3 between the City of Lincoln, Lancaster County, and the State of Nebraska Department of Transportation for Project Nos. DPU-3300(3), DUP-LIN-2-6(120), and DUP-LIN-2-6(121), concerning the South Beltway project involving the funding, timing of payments, and the relinquishment agreement, in accordance with the terms and conditions contained in said Agreement, 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 return the executed copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by Lancaster County and the State of Nebraska Department of Transportation.

Introduced by Carl Eskridge

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

**RESOLUTIONS - 1<sup>ST</sup> READING**

REAPPOINTING DEBRA MCGUIRE AND LUCAS SABALKA TO THE AIR POLLUTION ADVISORY BOARD FOR TERMS EXPIRING SEPTEMBER 1, 2020. (CONSENT)

REAPPOINTING REBECCA GARRETT-FERGUSON TO THE POLICE AND FIRE PENSION PLAN INVESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2022. (CONSENT)

APPOINTING YINGXIAO SONG TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2020. (CONSENT)

APPOINTING CRISTY JOY TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 24, 2019. (*CONSENT*)

APPOINTING VICKIE MCDONALD TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2019. (*CONSENT*)

AUTHORIZING THE TRANSFER OF BALANCES PLUS ACCRUED INTEREST IN THE AMOUNT OF \$861,707.00 FROM ANTELOPE VALLEY BOND SURPLUS/RESERVE, ACCOUNT 102013.9220 TO LINCOLN PARKS FOUNDATION TRAGO PARK ENDOWMENT.

A RESOLUTION TO INCREASE UNUSED RESTRICTED FUNDS AUTHORITY BY 1% PER NEB. REV. STAT. SEC. 13-519(2).

AMENDING THE 2016-2018 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2017-2018 FISCAL YEAR.

AUTHORIZING THE PARKS & RECREATION DEPARTMENT'S SUBMITTAL OF AN APPLICATION FOR FINANCIAL AID TO THE NEBRASKA GAME AND PARKS COMMISSION'S RECREATIONAL TRAILS PROGRAM FOR REPLACEMENT OF THE WILDERNESS PARK SOUTH BRIDGE OVER SALT CREEK, APPROXIMATELY ½ MILE NORTH OF SALTILLO ROAD.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 1-15, 2017.

**ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (AS REQUIRED) - NONE.**

#### ADJOURNMENT

**8:26 P.M.**

CAMP            Moved to adjourn the City Council Meeting of August 21, 2017.  
                      Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor  
                      Baird, Lamm, Raybould, Shobe; NAYS: None.

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Teresa J. Meier, City Clerk

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Monet J. McCullen, Office Specialist