

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 28, 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

LAMM Having been appointed to read the minutes of the City Council Proceedings of August 21, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPOINTING YINGXIAO SONG TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2020 - Yingxiao Song, 2504 Vine Street, came forward and requested approval.

This matter was taken under advisement.

APPOINTING CRISTY JOY TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 24, 2019 - Cristy Joy, 801 West Rock Creek Road, came forward and requested approval.

This matter was taken under advisement.

APPOINTING VICKIE MCDONALD TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2019 - Vickie McDonald, 9021 Silver Oak Road, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF GLOBAL WARMING, INC. DBA THE MILL FOR A CLASS CK LIQUOR LICENSE AT 330 SOUTH 21ST STREET;
MANAGER APPLICATION OF TAMARA S. SLOAN FOR GLOBAL WARMING, INC. DBA THE MILL AT 330 SOUTH 21ST STREET;
APPLICATION OF GLOBAL WARMING, INC. DBA THE MILL TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF SUITE 1300 MEASURING APPROXIMATELY 47 FEET BY 42 FEET INCLUDING OUTSIDE AREA MEASURING APPROXIMATELY 28 FEET BY 9 FEET AT 2021 TRANSFORMATION DRIVE, SUITE 1350 - Dan and Tamara Sloan, 405 S. 28th Street, applicants, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF JEFFREY S. BUNTGEN FOR MMG NEBRASKA F&B, INC. DBA CHILI'S GRILL & BAR AT 6730 SOUTH 27TH STREET - Jeffrey S. Buntgen, 5115 Vine Street, applicant, came forward to take the oath and requested approval.

Roy Christensen, Council Chair, asked if the manager training had been completed.

Mr. Buntgen confirmed he was scheduled to take the course on September 14, 2017.

This matter was taken under advisement.

MANAGER APPLICATION OF JOSEPH J. RAIMI FOR HOPCAT LINCOLN, LLC DBA HOPCAT AT 601 P STREET - Joseph J. Raimi, 601 P Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 60 FEET AT 1412 O STREET ON SEPTEMBER 24, 2017 BETWEEN NOON AND 2:00 A.M.;

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 130 FEET BY 80 FEET AT 1412 O STREET ON SEPTEMBER 28, 29, & 30, 2017 BETWEEN 8:00 A.M. AND 2:00 A.M. - Scott Hatfield, 1412 O Street, applicant, came forward and requested approval.

This matter was taken under advisement.

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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 - Jeff Kirkpatrick, City Attorney, came forward and explained there are two motions on this item. The first motion is to move the claim of Rent-A-Van from the denied list to the allowed list and the second motion is to add Kevin Patak on the settled claims list. Both will go on the resolution to be paid as a recommendation from the City Law Department.

This matter was taken under advisement.

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 - Sara Hartzell, Parks & Recreation, came forward and explained this application supports the application to the Parks & Rec Trails Program for the Wilderness Park south bridge. The resolution is a requirement of the recreational trails program for the grant program. This expresses support and commitment to abide by all the rules and regulations of the program. Also, commitment to provide necessary resources to complete the project and also authorizes the Mayor and the Director of Parks & Rec to sign the necessary Agreements and Contracts. This bridge will be a replacement of a bridge that collapsed in 2010. The bridge is a necessary connection to Wilderness Park and is a future connection for additional trails in the Comprehensive Plan. The bridge is planned for non-motorized vehicles but will allow room for emergency vehicles and maintenance vehicles. The total cost estimate for the bridge is \$429,550. The Recreational Trail Program has an upward limit of \$250,000 that Parks is staying within and are asking for the full allowance of that. The City CIP shows \$129,550 in a combination of CIP funds and settlement funds of the 2010 collapse. Run for the Bridges is an organization that organizes an annual run in Wilderness Park and they are providing up to \$32,500 and GPTN is providing \$17,500. This grant has been applied for before and this time they have a mix of funding that shows 58.2% from the RTP Fund and 41.8% local. The requirements are to not exceed 80% from the RTP and 20% local. The County Board is co-applicant and they passed a similar resolution on August 15, 2017.

Jon Camp, Council Member, clarified the \$179,550 from the City is actually only \$129,000.

Ms. Hartzell confirmed that to be true due to \$50,000 being a donation.

Leirion Gaylor Baird, Council Member, asked if we were awarded this grant, what would the time line be for construction.

Ms. Hartzell explained all the grant applications are due by September 1, 2017 and in November they hold an open house when all applicants do a presentation of their applications and the Recreational Trails Program has a board that makes the selections and scoring. Generally, the decision is made in January, and shortly after that an Agreement will be signed and then RFP's will be sent out for the engineering and around March is when an engineer would be selected. Hopefully, the permitting will be done and construction can start next winter and be ready for the 2019 season.

This matter was taken under advisement.

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 - JJ Yost, Planning and Construction Manager for Parks & Recreation, came forward and shared Trago Park was initially developed in the 1980's and was an interim land use or a buffer zone that was established between the eastern expansion between UNL and the Malone neighborhood. Ultimately, these efforts led to a three way Agreement between UNL, the City of Lincoln and the Malone Neighborhood Association authorizing the development of Trago Park. That Agreement had a 20 year timeframe tied to it that led into the Antelope Valley Project. The Antelope Valley Project created the development of Union Plaza and the redevelopment of Trago Park. Kuklin Pool was once in the location, but needed major work and it was decided to remove the pool and make room for Antelope Valley and place a spray park in Trago Park as the alternative. City Council passed a resolution to dedicate Trago Park as park land and that continues to serve as guidance for preservation of the park at 22nd and T Street. The \$800,060 is the current balance of the Antelope Valley Debt Fund. This is 1 time money that is a good use to create this endowment to ensure a funding source to make replacement and repairs when they are needed with the park equipment and the spray ground in Trago Park. This also reduces the pressure on tax dollars and closes the gap in the CIP. The Antelope Valley debt funds are a product of the State Cigarette Tax Transfer. That was a commitment that was proposed at the time by the State Senator. The proposal now is for the first two years of the proceeds from the endowment be used to help fund some additional parking that is needed along the front of Trago Park. The future of the endowment would go to replacement and repair needs. It is estimated that \$760,000 is needed in an endowment to fund the \$30,000 that is needed annually for repair and replacement. The additional \$100,000 would be the difference between the \$860,000 that is available and the \$760,000 calculated for repair and replacement that would be used to fund both the parking improvements and the utility costs associated with Trago Park. The spray ground costs about \$24,000 to operate on an annual basis.

Cyndi Lamm, Council Member, asked about the State funds that were held for some time that paid the bond and the funds that are left in the surplus from investments.

Brandon Kauffman, Finance Director, came forward and shared all the funds that are currently being held are from interest earnings that were earned off the transfers from the State of Nebraska for the cigarette tax and also the bond reserve that was put in place to make the final payment of the bonds. The funds can be transferred anywhere, but the original intent was to be spent within this area and the resolution tonight honors that commitment. Discussion followed.

Leirion Gaylor Baird, Council Member, asked about the process to determine an endowment.

Mr. Yost stated as of now it is a pretty standard process to determine what the endowment need is. This involves taking the cost for construction and dividing that by the anticipated life span and adding up those needs and running an average on a typical year. There can be some years when you do not have many repair and replacement needs and those funds build and then another year can come and they might need a roof replacement or a mechanical need.

Ms. Gaylor Baird stated the interest on the endowment is close to \$30,000 and is that going to pay for the \$24,000 that is required to operate the spray park.

Mr. Yost explained the first thing this money would be used for is repair and replacement needs. There has to be some money set aside annually for the repair and replacements. Then if there are additional funds left above and beyond then they would be used to help offset the utility costs. Discussion followed.

Jon Camp, Council Member, asked how the utilities for the spray ground are paid.

Mr. Yost shared those come out of the Operating Budget.

Mr. Camp asked if the Operating Budget is being increased over the years.

Sherry Wolf Durbal, Budget Officer, came forward and explained the utilities do go up every year. Discussion followed.

Mr. Camp asked if there was an endowment for Trago Park now.

Mr. Yost confirmed there is currently no endowment for Trago Park.

Bob Ripley, City Parks Advisory Board, came forward in support. Discussion followed.

Dwayne Mays, no address given, came forward in support.

Paul Olson, 3455 L Street, came forward in support.

Arthur McWilliams, no address given, came forward in support.

Ray Stevens, 3411 Hanson Court, came forward in support.

Marty Lee, Neighborworks Lincoln, came forward in support.

Gene Crump, 3260 S. 31st Street, came forward in support.

This matter was taken under advisement.

A RESOLUTION TO INCREASE UNUSED RESTRICTED FUNDS AUTHORITY BY 1% PER NEB. REV.

STAT. SEC. 13-519(2) - Brandon Kauffman, Finance Director, came forward and shared the restricted fund lid is different than the tax lid, which caps the overall amount of tax levy that can be put into effect. This was passed in 1998 and restricts certain amount of funds to a 2.5% increase and in addition, if there is new construction over 2.5%, that growth can also be captured but the new construction has to be over 2.5%. A few of the main funds that are restricted from all taxing funds are property tax, sales tax, motor vehicle tax and state aid and those make up over 77% of the taxing funds. This would cap that growth at 2.5%. Growth can also be increased and the resolution only calls for a 1% increase by a 3/4th majority, which would take 6 out of the 7 Council Members to vote in favor for the increase, or this can also be increased by a public vote. Annually, this is something that is calculated and sent into the State and is filed. The calculation gets to an amount of unused balances that are carried over and are cumulative from year to year. Certain expenditures are also allowed to be exempt from those restricted lids. Those expenditures are bond and interest payments, capital improvements and interlocal agreements. Those are the primary ones that are utilized for the City that are exempted. Since 2014, our restricted funds has decreased from \$13.3 million to currently \$4.7 million. If the City continues down this path all the funds will be exhausted which is why the 1% increase is needed. This does not approve a spending increase or an increase in taxes. This amount is determined on an annual basis and is set by the City Council through the budgeting process. This provides future financial flexibility to be able to manage budgets and also service levels moving into the future. If we move down this path and exhaust all balances for the restricted lids, it does not mean that it will be a decrease in tax revenues by setting a lower tax rate. That would be up to future administrations as to how that would be handled. There are ways around this by shifting expenditures to those previously mentioned exempt items. For example, there could be more dollars shifted to capital improvements or shift more dollars to bond and interest type payments, or shift more to interlocal. In the end, this could restrict operations growth, but not capital type growth. For example, new fire equipment can be purchased, but then there could be a hard time funding additional staff due to the budget. In the end, it could restrict operations, but not capital type items.

Jane Raybould, Council Member, asked how other areas handle this type of increase.

Mr. Kauffman explained they did do a survey of Nebraska communities that Lincoln can be compared to and they are one of two communities that did not increase or pass the additional 1%. If the balances are looked at in the City of Omaha, they are around \$61 million compared to our \$4.7 million.

Cyndi Lamm, Council Member, asked since 2014 our lid authority has been reduced from \$13.3 to \$4.7 million and is that in addition to what has already been budgeted.

Mr. Kauffman confirmed that to be correct.

Bennie Shobe, Council Member, confirmed this just gives authority to use this, but does not necessarily mean they will use the money.

Mr. Kauffman shared they are requesting the 1%, but they are capped at 2.5% and when expenditures are above that, minus those exemptions, you can begin to utilize that balance. Having the additional 1% would allow us to move forward more on a flat level instead of exhausting those balances. All tax policy and budgets are approved by the City Council.

Leirion Gaylor Baird, Council Member, asked for explanation on the relationship between this and the growth of the community and potential consequences there are if this is approved.

Mr. Kauffman shared that with a growing community you will have new construction and new growth and if you utilized all the balances and they were exhausted, then at that point, you would not be able to take advantage of new construction. The new construction has to go over 2.5% to add additional authority to that calculation. If sales tax grew at 4% per year because of the growth in the community, you would still have to be capped at that 2.5%. So in affect, with sales tax increasing the one controllable item on a bi-annual basis is the property tax revenue. So if the sales tax is going up then the property tax revenue would decrease to offset that. Discussion followed.

Jon Camp, Council Member, asked how the amount has decreased from \$13.3 million to \$4.7 million over the last few years even when not supporting the 1% increase.

Mr. Kauffman stated he thinks that would occur because the revenues will be growing as long as your expense side grows above that 2.5%. As those calculations come along that would decrease the amount of unused balances that is rolled over on an annual basis. Discussion followed.

Ms. Gaylor Baird, asked if the City is familiar with the County Board's policy and what they have recently done regarding this.

Ms. Raybould shared they regularly and routinely pass around a 2% for their purposes. It is never an issue, it is more of an administration component of the financial aspect of the budget to ensure flexibility for increased revenues and that there is the capacity to spend them, or if there are increased expenses they have the capacity to utilize and fund appropriately. Discussion followed.

This matter was taken under advisement.

AMENDING THE 2016-2018 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2017-2018 FISCAL YEAR - Rick Hoppe, Mayor's Chief of Staff, came forward and shared the budget protects tax payers from the full impact of the recent residential property revaluation. The City's portion of the property tax levy is set to fall 1.7 cents, which is the largest single reduction in the levy in the past 10 years. That will return about \$3.5 million in property tax value to home owners. This would also be the greatest levy reduction of the three largest governmental entities that rely on the property tax dollars in Lancaster County. The budget also allows the City to address the City's accelerating needs to replace aging and worn out fire apparatus. It has been a long time since the City has had an annual budget line item that is devoted to replacing old fire engines and fire trucks. By establishing a \$500,000 line item in this budget and in future budgets this will allow us to replace about 1 apparatus a year. While more needs to be done on this issue, this is a positive development and will add greater certainty to our emergency response. The budget will also allow us to add 6 Lincoln Police Officers to a growing community. Lincoln's continued expansion is putting a strain on LPD to meet the communities expected level of service.

Jon Camp, Council Member, asked how this resolution is related to the budget resolution that was passed earlier in the year.

Jeff Kirkpatrick, City Attorney, came forward and shared that the resolution that was passed previously stated the only adjustments that could be made to the budget would be for circumstances that were not anticipated at the time the two year biennium budget was adopted.

Mr. Camp asked how new police officers and new fire apparatus are not anticipated in the biennium budget.

Mr. Kirkpatrick stated the budget was passed about a year ago and there could be significant changes over the past year that were not anticipated.

Brandon Kauffman, Finance Director, came forward and explained there will be an amendment that would amend the schedule in the packet, the schedules that were sent out were before the City received the certified valuation from the assessor. This amendment will have the actual amount and is included in the schedule. There is nothing more important than resource allocation for the City to set our service levels, and it is the focal point for our key resource decision making and when quality decisions are made. This also helps with revenue projects and making them as close as possible to where we come in actually in order to set forth the policy. The City has used the biennial process for the last 6 years and in addition, valuations change on an annual basis. During the second year of the valuation changes, they were minor in nature, but did not change the overall scope of the budget. The County Assessor typically reassesses properties on a 3 year basis. They have to do that in order to stay within a market range set by statute from 92% to 100%. Due to the market valuation changes to growth in the community and also the supply and demand of the market, the assessor had to complete that in the second year instead of the third year. During the annual budget process there was a figure included of 1.36% for growth. That was the amount approved in the second year of the budget. However, that did not foresee the early reassessment of property and that was one thing that was not discussed with the City at that point in time. It was unknown that those estimates would be coming in at a higher level. In August, 2017, the County Assessor released information in regards to valuation and that increase was at 8.72% compared to the 1.36% included in the second year of the biennial budget. That grew the valuation to \$20.516 billion and new construction was also included in that amount. The new construction amount was \$504,950,983. Revenues generated by new growth of \$706,424 and that included backing off what was already including in the second year, which was the 1.36% growth.

However, if you look at it from a broader perspective of what the City has utilized over the last 15 years, that growth was 4.16%. During the 15 years, you not only utilize revaluation, but also relied on new construction to help grow the overall property tax revenue for the City so we can maintain our service level. Within this proposed budget you have \$1 million dollars of growth and property tax revenue that is significantly under that 4.16% average valuation. This proposal is to go from the current tax rate of .33366 down to .31648, which would be decrease of 1.7 cents. This would give back approximately \$3.5 million in property tax revenues, which would be a large tax decrease and in turn be able to fund public safety. Overall this would be around a 1.8% growth from the prior year, including the adjusted amount for the \$1 million in public safety.

Mr. Camp clarified that it would be a \$3.5 million decrease in the taxes.

Mr. Kauffman confirmed from the current rate of .33366 to the decrease of .31648 that would generate an additional \$3.5 million.

Mr. Camp asked if that would be \$4.5 million.

Mr. Kauffman shared that \$4.5 million would be the total cost. The \$3.5 million would be the amount given up by lowering the tax rate.

Mr. Camp stated that would make it a decrease in the increased amount, which means they are only taking \$1 million of the \$4.5 million increase.

Mr. Kauffman confirmed that to be correct.

Mr. Camp shared that \$1 million would be on top of the millions that were approved on the last budget.

Ms. Lamm inquired about the budget summary for 2017-2018 and asked about the amount of \$1,128,473 increase on property taxes over the 2016-2017 budget. Also, in the summary there was \$1,496,788 increase in revenue for taxpayers in water rates just for the additional rates charged in the beginning of November of 2016.

Mr. Kauffman clarified that is not a property tax revenue when referring to water. That is a fee based service. Discussion followed.

Ms. Lamm expressed concern regarding last years budget with the wellfield proposal that would have been about \$7.3 million to build. That was in part to be paid for by these water rates, we then were given a grant for this project and no funds have been returned to the taxpayers. It looks like a 1.3% growth ending up in \$2.4 million from the additional revenue from property taxes. Then we have the citizens of Lincoln paying an additional \$3 million in water rates. There was also some personnel savings that was placed in a Contingency Fund.

Sherry Wolf Durbal, Budget Officer, came forward and shared that was from the future labor settlements for a prior year. The settlements were actually more favorable than projected and that remaining money went into the Cash Reserve Fund.

Ms. Lamm stated she intended on making a motion to use those funds to prevent from raising taxes.

Miki Esposito, Director of Public Works, came forward and stated the water rates did increase in the last biennium and that went relatively uncontested by City Council because they were making the case for growth and supporting the Capital Improvement Program Budget and any operating expense that was relative to the growth of Lincoln, including important projects such as the water main expansion to the Heart Hospital. There is an increase, but that is mostly driven by the Capital Budget. Secondly, the grant did have some options in reducing the amount of some of the rates that could be increased in the next biennium. Options to use during the biennium include, a Van Dorn coalition, from 98th Street to 91st Street, White Horse Development from East 91st Street to East 94th Street, Southwest Village and other types of growth related projects. There was an option where we could allocate savings toward the Missouri River Project Plant and the final one was a wellfield riverbank stabilization project that could utilize those savings. Rate adjustments are possible, but the right time to do that would be in the next biennium.

Jane Raybould, Council Member, stated that it seemed like in the projects that were presented and even though we were granted the \$7.3 million it appears there are 4 maybe 5 projects ready to be queued up or accelerated.

Ms. Esposito explained the grant opportunity that was received replaces a bond issue. There was debt service on that amount and when creating the biennial budget they did not anticipate the grant. The grant substitutes for what would have been bonded. Principal and interest payments of approximately \$430,000 a year for 20 years were going to be made and now that does not have to be done because of the grant dollars. Discussion followed.

Ms. Lamm asked about the savings in personnel from the snow removal and inquired about that amount.

Ms. Esposito shared there were around \$900,000 savings relative to the winter operations budget because we had such a mild winter.

Ms. Lamm asked where the \$900,000 currently is.

Ms. Esposito said through fiscal impact statement the funds have been moved over to the Capital Improvement Budget for a Bryan facility, about \$575,000 that was contemplated in the biennium and then the other portion is for replacement of units associated with failure and that is in the Operating Budget.

Roy Christensen, Council Chair, inquired about the option to save money from moving water from the Missouri River and how much the cost is associated with this.

Ms. Esposito confirmed that has been talked about in the next biennium.

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Steve Owens, Public Works, came forward and explained in today's dollars that cost would be around \$500 million. In the third year of the CIP, they will create a fund to be putting money away for that project of about \$1 million per year. The idea was to take some of this new found money from the grant and put into that fund for the Missouri River. Discussion followed.

Tom Casady, Public Safety Director, came forward and shared this resolution would allow \$1 million to help support public safety operations. Lincoln has a Comprehensive Plan that is updated regularly and some of that growth was not anticipated, or at least the speed at which the growth is happening was not anticipated. Over the course of the past year, the Comp Plan has been amended 3 times to move land from tier 3, which is the lowest land to be developed well into the future into tier 1 land that would be placed at the top of the list. That land is at 7th and Alvo Road, 98th and Rokeby Road, and land between Rokeby and Sawtillo Road around 70th and 84th Street. A year ago, it was not anticipated that these areas and those amendments would have taken place. Another change is the funding of the South Beltway, which will further increase the speed at which Lincoln develops. Special events throughout Lincoln is another factor that was not anticipated. This year in 2017, they have had 125 events in Lincoln where they have needed 3 or more officers for that one event. These events are happening much more frequently and are overlapping much more frequently. They are placing renewed stress on an already very small police department to deal with this kind of growth.

Mr. Camp stated the Pinnacle Bank Arena anticipated growth and asked how the Police Department did not anticipate the growth as well.

Mr. Casady shared they did foresee growth, but at the rate the growth is happening was not anticipated with the number of events this year and the Police Department is having a tough time covering everything. Police Officers have not been added according to population since the 1990's so LPD is getting smaller every year. There are some years where they have added 2 and maybe even 4 officers, but still getting progressively smaller. The department is about 1.17 officer per 1,000 population. If LPD were going to be the same ratio as Omaha Police you would have to add well over 150 police officers to the 329 LPD officers that there are today. So 6 people will make a difference for the police department. Discussion followed.

Carl Eskridge, Council Member, stated there was a study that had taken place in the early part of the year involving the LPD team concept and to his knowledge they were going from the existing 5 teams that has a center team and make them into 4 teams due to a staffing issue.

Mr. Casady stated Chief Bliemeister wanted to get a group together to study these issues and regardless of how many command areas there are and how many teams you have to service the City, the reality is there are still the same number of officers. There are some minor changes being made to some team boundaries but overall it was decided that it would not be wise to move from 5 commanding areas to 4 commanding areas.

Mr. Eskridge shared that he spoke to an officer and it was stated that all the resources are sucked to the middle of Lincoln and that provides less resources on the edges of the City.

Mr. Casady confirmed that is exactly what happens particularly with the special events in Lincoln. This is another good example why they need more officers. It is scary to think of a police officer out at the Southeastern part of Lincoln dealing with something where he/she needs assistance and the other officer is coming from 27th and O Street. Discussion followed.

Michael Despain, Chief of Lincoln Fire and Rescue, came forward and shared one of the issues they have seen happening over the past year are the number of times they have apparatus break down. So it is either a breakdown or does not start and that is what is considered a failed response. Where someone needed help and the primary fire engine went in route and was unable to make it on scene due to a break down. Over the last 6 months there has been an increase in these types of situations. It is not uncommon for other agencies to experience one break down per year, and Lincoln Fire and Rescue has had 4 failed responses since January and 15 times that they needed to have something towed since January.

Mr. Camp asked if any of the fire engines have been replaced.

Chief Despain confirmed no fire engines have been replaced as of yet, but 2 trucks have come in and those have been replaced. There are a number of trucks and engines that have had serious issues such as transmission failure, corrosion of pump plumbing, corrosion that is eating through the frame rails. We are currently spending more money on fire apparatus repairs, which now, paying for a newer fleet would be paid up front, but there is also warranty protection included and less costs for repair. In a few weeks, there are three new engines that will be placed in service, once that happens there will be 8 total fire apparatus that will be in good working order and those would be equivalent to a grade A. The remaining 14 fire apparatus are all in poor working order, which would be equivalent to an F. Once an apparatus is approved it takes about a year for the department to receive them, and about another month to put them in service. At the rate that fire apparatus are being replaced with the current funding level, it is still about 14 years to cycle through the fleet to get it healthy. There might be times when emergency purchases will be asked for over the coming years to try and put something in service to make sure something is driveable. The problem with emergency purchases is that you typically pay higher than market rate and maintenance is higher.

Mr. Christensen asked how many total fire apparatus does Lincoln currently have.

Chief Despain shared there are currently 14 engines, 3 reserves, and 5 trucks. Discussion followed.

Mr. Camp asked what the criteria was used to come up with the grades A thru F.

Chief Despain explained there is a formula that is used that deals with the age of the apparatus, the mileage, the hours on the meter because sometimes it pumps even when not being driven, the cost over time, and repair costs. Discussion followed.

Mr. Eskridge asked how much is being spent on repair costs.
Chief Despain confirmed that 2 to 3 years ago the repair costs were around \$300,000 to about \$550,000 now. Discussion followed.

Clyde Davis, 2400 Lake Street, came forward in support.

Pat Anderson-Sifuentez, Neighborworks Lincoln, 1500 S. 11th Street, came forward in support.

Rachel Stivers-Stewart, 1620 S. 84th Street, came forward in support. Discussion followed.

Richard Halvorson, 6311 Inverness Road, came forward in opposition.

Mr. Hoppe came forward for a rebuttal and stated that a tax increase is not defined as anything more than raising the levy. Valuation goes up in the City every year with the exception of the recession year of 2008. By that rationale we are saying we have raised taxes in the City 30 consecutive years. That is why a tax increase is defined as a levy increase, not a valuation increase. We have more revenue, but this is not a tax increase.

This matter was taken under advisement.

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO CONDUCT AUDITS 1) OF THE CITY DEVELOPMENT SERVICES CENTER WITH PARTICULAR ATTENTION TO THE CENTER'S PROCEDURES, OPERATIONS, USE OF CURRENT SPACE AS COMPARED TO NEEDS, AND RESPONSIVENESS TO CITIZEN REQUESTS FOR PERMITS AND INFORMATION AND 2) OF THE LINCOLN FIRE AND RESCUE DEPARTMENT TO CONDUCT A REVIEW OF MEDICAL RELATED CALLS THAT THE DEPARTMENT RESPONDS TO ON AN ANNUAL BASIS. (REQUEST FOR COUNCIL TO SUSPEND THE RULES FOR THIS ITEM TO HAVE PUBLIC HEARING & ACTION ON 8/28/17)

LAMM Moved to Suspend the Rules to have Introduction, Public Hearing & Action on this Date.

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

No testifiers came forward for Public Hearing.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING DEBRA MCGUIRE AND LUCAS SABALKA TO THE AIR POLLUTION ADVISORY BOARD FOR TERMS EXPIRING SEPTEMBER 1, 2020 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90640 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Debra McGuire and Lucas Sabalka to the Air Pollution Advisory Board, for terms expiring September 1, 2020, are hereby approved.

Introduced by Jane Raybould

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

REAPPOINTING REBECCA GARRETT-FERGUSON TO THE POLICE AND FIRE PENSION PLAN INVESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2022 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90641 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Rebecca Garrett-Ferguson to the Police and Fire Pension Plan Investment Board, for a term expiring September 1, 2022, is hereby approved.

Introduced by Jane Raybould

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

APPOINTING YINGXIAO SONG TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2020 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90642 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Yingxiao Song to the Telecommunication/Cable Television Advisory Board, for a term expiring July 1, 2020, is hereby approved.

Introduced by Jane Raybould

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

APPOINTING CRISTY JOY TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING SEPTEMBER 24, 2019 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

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A-90643 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Cristy Joy to the Lincoln-Lancaster County Planning Commission, for a term expiring September 24, 2019, is hereby approved.

Introduced by Jane Raybould

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

APPOINTING VICKIE MCDONALD TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2019 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90644 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Vickie McDonald to the Board of Zoning Appeals, for a term expiring February 1, 2019, is hereby approved.

Introduced by Jane Raybould

Seconded by Eskridge & 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 AUGUST 7, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON AUGUST 14, 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 JULY, 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, SEPTEMBER 11, 2017 AT 3:00 P.M. ON THE APPLICATION OF COSTCO WHOLESALE CORP. DBA COSTCO WHOLESALE #1285 FOR A CLASS D LIQUOR LICENSE AT 1620 PINE LAKE ROAD - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90645 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 11, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Costco Wholesale Corp. dba Costco Wholesale #1285 for a Class D Liquor License at 1620 Pine Lake Road.

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

Introduced by Bennie Shobe

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

SETTING THE HEARING DATE OF MONDAY, SEPTEMBER 18, 2017 AT 3:00 P.M. ON THE APPLICATION OF TMAI & JPHAM INVESTMENT GROUP LLC DBA 12TH STREET PUB FOR A CLASS CK LIQUOR LICENSE AT 100 N 12TH STREET - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90646 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 18, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of TMAI & JPHAM Investment Group LLC dba 12th Street Pub for a Class CK Liquor License at 100 N 12th Street.

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

Introduced by Bennie Shobe

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

SETTING THE HEARING DATE OF MONDAY, SEPTEMBER 18, 2017 AT 3:00 P.M. ON THE APPLICATION OF LAGNIAPPE 9 LLC DBA RED FOX WESTSIDE GRILLE FOR A CLASS I LIQUOR LICENSE AT 1339 WEST O STREET - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90647 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 18, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Lagniappe 9 LLC dba Red Fox Westside Grille for a Class I Liquor License at 1339 West O Street.

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

Introduced by Bennie Shobe

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

SETTING THE HEARING DATE OF MONDAY, SEPTEMBER 18, 2017 AT 3:00 P.M. ON THE APPLICATION OF STEVE O'S LOUNGE LLC DBA STEVE O'S LOUNGE FOR AN ADDITION OF AN AREA MEASURING APPROX. 56' X 20' TO THE LICENSED PREMISE AT 110 WEST FLETCHER AVENUE - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90648 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 18, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of of Steve O's Lounge LLC dba Steve O's Lounge for an addition of an area measuring approx. 56' X 20' to the licensed premise at 110 West Fletcher Avenue.

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

Introduced by Bennie Shobe

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. 17048, to Final Plat No. 17038, Silverhawk Estates, approved by the Planning Director on August 17, 2017, to acknowledge the Affidavit of Surveyor to correct typographical errors on Silverhawk Estates Final Plat, generally located at S. 54th Street and Wittstruck Road.

Administrative Amendment No. 17044, to Preliminary Plat No. 16008, Southwest Village Heights, approved by the Planning Director on August 18, 2017, to modify the grading minimum opening elevations around the detention cells in Outlots B and C, generally located at W. Amaranth Lane and South Folsom Street.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:

Change of Zone No. 16063A – Requested by Wilderness Hills, LLC, amending the Wilderness Hills Commercial Planned Unit Development to add motorized vehicle sales and repair/service, early childhood care facilities, academies, and private schools as allowed uses, with a waiver to side yard setbacks, on property generally located at the southeast corner of 27th Street and Yankee Hill Road.

Change of Zone No. 17020 – Requested by Lancaster County Board of Commissioners, from P (Public District) to R 4 (Residential District) with landmark overlay, on property generally located at 2202 South 11th Street.

Special Permit No. 17029 – Requested by David B. Stirtz, to allow for an exception to the maximum height permitted in the R 8 Residential District, to allow for a church bell tower, on property generally located at 1213 H Street.

Special Permit No. 17030 – Requested by Lancaster County Board of Commissioners, to foster preservation of the former Saint Elizabeth Hospital Nurses Home (Trabert Hall) by permitting its utilization for offices or dwelling units, or for some mix thereof, under the provisions of Section 27.63.400 of the City of Lincoln Zoning Ordinance, on generally located at 2202 South 11th Street.

Text Amendment No. 17012 – Requested by David and Cynthia Wood, amending Chapter 27.72 of the Lincoln Municipal Code relating to the zoning ordinance height and lot regulations by amending Section 27.72.120 to provide that an accessory building attached to the main building by an unenclosed deck or walkway shall not be considered part of the main building and subject to the height and yard requirements of the main building; and repealing Section 27.72.120 of the Lincoln Municipal Code as hitherto existing.

LIQUOR RESOLUTIONS

APPLICATION OF GLOBAL WARMING, INC. DBA THE MILL FOR A CLASS CK LIQUOR LICENSE AT 330 SOUTH 21ST STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90649 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 Global Warming, Inc. dba The Mill for a Class "CK" liquor license at 330 South 21st Street, Lincoln, Nebraska, for the license period ending October 31, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. 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.

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MANAGER APPLICATION OF TAMARA S. SLOAN FOR GLOBAL WARMING, INC. DBA THE MILL AT 330 SOUTH 21ST STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90650 WHEREAS, Global Warming, Inc. dba The Mill located at 330 South 21st Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Tamara S. Sloan be named manager;

WHEREAS, Tamara S. Sloan 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 Tamara S. Sloan 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 GLOBAL WARMING, INC. DBA THE MILL TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF SUITE 1300 MEASURING APPROXIMATELY 47 FEET BY 42 FEET INCLUDING OUTSIDE AREA MEASURING APPROXIMATELY 28 FEET BY 9 FEET AT 2021 TRANSFORMATION DRIVE, SUITE 1350 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90651 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 Global Warming, Inc. dba The Mill to expand its licensed premises by the addition of Suite 1300 measuring approximately 47 feet by 42 feet including outdoor area measuring approximately 28 feet by 9 feet, at 2021 Transformation Drive, Suite 1350, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF JEFFREY S. BUNTGEN FOR MMG NEBRASKA F&B, INC. DBA CHILI'S GRILL & BAR AT 6730 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90652 WHEREAS, MMG Nebraska F&B, Inc. dba Chili's Grill & Bar located at 6730 South 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Jeffrey S. Buntgen be named manager;

WHEREAS, Jeffrey S. Buntgen 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 Jeffrey S. Buntgen 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.

MANAGER APPLICATION OF JOSEPH J. RAIMI FOR HOPCAT LINCOLN, LLC DBA HOPCAT AT 601 P STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90653 WHEREAS, HopCat Lincoln, LLC dba HopCat located at 601 P Street, Lincoln, Nebraska has been approved for a Retail Class "CG" liquor license, and now requests that Joseph J. Raimi be named manager;

WHEREAS, Joseph J. Raimi 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 Joseph J. Raimi 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 RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 60 FEET AT 1412 O STREET ON SEPTEMBER 24, 2017 BETWEEN NOON AND 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90654

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 Rhinodynamics, Inc. dba Duffy's Tavern for a special designated license to cover an outdoor area measuring approximately 80 feet by 60 feet at 1412 O Street, Lincoln, Nebraska, on September 24, 2017, between the hours of noon and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

Introduced by Jon Camp

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

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 130 FEET BY 80 FEET AT 1412 O STREET ON SEPTEMBER 28, 29, & 30, 2017 BETWEEN 8:00 A.M. AND 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90655

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 Rhinodynamics, Inc. dba Duffy's Tavern for a special designated license to cover an outdoor area measuring approximately 130 feet by 80 feet at 1412 O Street, Lincoln, Nebraska, on September 28, 29, & 30, 2017, between the hours of 8:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

Introduced by Jon Camp

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

PUBLIC HEARING - RESOLUTIONS

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

ESKRIDGE

Moved Motion to Amend No. #1 to amend Bill No. 17R-214 in the following manner:

On line 15, the claim of Rent-A-Van should be moved from the list of DENIED CLAIMS to the list of ALLOWED/SETTLED CLAIMS in the amount of \$860.79.

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

ESKRIDGE

Moved Motion to Amend No. 2 to amend Bill No. 17R-214 in the following manner:

The claim of Kevin J. Patak should be added to the list of ALLOWED/SETTLED CLAIMS in the amount of \$3,788.37.

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

CLERK

Read the following resolution, introduced by Jane Raybould, who moved its adoption as amended:

A-90656

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

That the claims listed in the attached report, marked as Exhibit "A", dated August 16, 2017, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Susan Klein	\$1,000,000.00	Jason Burcham	\$169.22
Brooke Bartek	248.14	Lionel E. Vosta	132.22
Lane Vasa	63.21	Rent-A-Van	\$860.79
Barry T. James o/b/o		Kevin J. Patak	\$3,788.37
Barry T. James Jr.	10,000.00		

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Rent-A-Van	860.79
Bastienne Salners	107.00
Deb Flowers	85.00

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

Introduced by Jane Raybould

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

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 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90657 WHEREAS, the City of Lincoln through its Parks and Recreation Department proposes to apply to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the replacement of the Wilderness Park South Bridge over Salt Creek approximately ½ mile north of Saltillo Road; and

WHEREAS, the total cost of the project will be \$429,550.00, of which the Recreational Trails Program request will be \$250,000.00 and the City of Lincoln's costs will be \$179,550.00, including \$50,000.00 in donations; and

WHEREAS, the City of Lincoln wishes to express its support for the project and its willingness to commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for the public.

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

1. The City of Lincoln hereby expresses its support for the application being made by its Parks and Recreation Department to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the replacement of the Wilderness Park South Bridge over Salt Creek approximately ½ mile north of Saltillo Road.

2. The Mayor and Director of the Parks and Recreation Department of the City of Lincoln, Nebraska are authorized to sign the application for financial assistance and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts, or other documents that are required by the State of Nebraska or the Federal Highway Administration.

3. The City of Lincoln currently has the written commitment for \$129,550.00 in settlement and CIP funds, plus \$50,000.00 in donations, for the 41.8% local matching share for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.

4. The City of Lincoln will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public use.

5. The City of Lincoln will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in the use of the proposed project acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.

6. The City of Lincoln will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders, and all state laws that govern the grant applicant during the performance of the project.

7. The City of Lincoln will comply with the federal disability access and use standards where they can be reasonably applied in accord with the Americans with Disabilities Act of 1991.

8. The City Clerk is directed to transmit a certified copy of this resolution to the Parks and Recreation Department for transmittal to the Nebraska Game and Parks Commission.

Introduced by Jane Raybould

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

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 - PRIOR to reading:

LAMM Moved to amend Bill No. 17R-215 as follows.

1. The finance Director is hereby authorized to transfer \$361,707 in cash and appropriations to the Lincoln Parks & Recreation Foundation, pursuant to an agreement with said Foundation, with the remaining Antelope Valley Bond Surplus balances plus accrued interest or other revenue to be transferred to pay for Fire Apparatus:

From: 102013.9220 Antelope Valley Bond Surplus/Res.	\$861,707
To: <u>Lincoln Parks Foundation Trago Park Endowment</u>	<u>\$361,707</u>
To: <u>405105.6064 Fire Apparatus</u>	<u>\$500,000</u>

Seconded by Camp & LOST by the following vote: AYES: Camp, Christensen, Lamm; NAYS:

Eskridge, Gaylor Baird, Raybould, Shobe.

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90658 WHEREAS under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the City of Lincoln was submitted on July 18, 2016 and adopted on August 29, 2016; and

WHEREAS, under the provisions of Section 26 of Article IX and chapter 3.06 of the Lincoln Municipal Code and Nebraska Revised Statute § 13-511, a notice and public hearing on the proposed revised budget was held on August 28, 2017, notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing.

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

1. The Finance Director is hereby authorized to transfer to the Lincoln Parks & Recreation Foundation, pursuant to an agreement with said Foundation, up to the following balances plus accrued interest or other revenue:

From:	102013.9220	Antelope Valley Bond Surplus/Res.	\$861,707
To:		Lincoln Parks Foundation Trago Park Endowment	\$861,707

2. The Finance Director is hereby authorized to change the schedules and attachments to accurately reflect this Resolution.

Introduced by Jane Raybould

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

A RESOLUTION TO INCREASE UNUSED RESTRICTED FUNDS AUTHORITY BY 1% PER NEB. REV. STAT. SEC. 13-519(2) - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

38-4683 WHEREAS, Pursuant to Neb. Rev. Stat. §13-519, the City of Lincoln is limited to increasing its total budgeted restricted funds to no more than the last prior year's total of budgeted restricted funds plus two and one-half percent (2.5%); and

WHEREAS, §13-519 authorizes the City of Lincoln to exceed the foregoing budget limit for a fiscal year by up to an additional one percent (1%) increase in budgeted restricted funds upon the affirmative vote of at least 75% of the governing body; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted funds is prudent fiscal management, does not increase authorized expenditures, and is in the best interests of the City of Lincoln and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN:

That upon affirmative vote by at least 75% of the City Council, the budgeted restricted funds for Fiscal Year 2017-18 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Stat. §13-519.

Introduced by Jane Raybould

Seconded by Shobe & **LOST** by the following vote: AYES: Eskridge, Gaylor Baird, Raybould, Shobe; NAYS: Camp, Christensen, Lamm. (6 votes were required to adopt)

AMENDING THE 2016-2018 CITY OF LINCOLN BIENNIAL OPERATING BUDGET FOR THE 2017-2018 FISCAL YEAR - PRIOR to reading:

LAMM Moved Motion to Amend #2 on Bill No. 17R-211 as follows:

1. That at the time the biennial budget for 2016-18 was adopted it was not known that the County Assessor would be revaluing residential properties in Lancaster County. The revaluation of residential property was forecast on a 3-year cycle and was not anticipated to occur until 2018-19. In addition, expenditures not reasonably anticipated at the time the biennial budget was adopted have since been identified. Therefore \$500,000 ~~is transferred and appropriated from the Contingency (18001.5989) Cash Reserve Fund 06140 to is appropriated in~~ Police Operations (0403B.5021) for 6 FTE Police Officers and \$500,000 is appropriated in Fire CIP - Fire apparatus (405105.6064) for replacement of fire apparatus having met the appropriate Comprehensive Plan Conformance Requirements, the Six Year Capital Improvement Program (CIP) for 2016-17-2021-22 adopted as Schedule 5 of Resolution A-89947 is hereby amended for fiscal year 2017-18 and the City Council hereby appropriates the designed funds and directs the Finance Director to make the necessary adjustments to the biennial budget.

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

LAMM Made a Verbal Motion to Amend to attach Judge Otte's Order to Bill No. 17R-211.

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

RAYBOULD Moved Motion to Amend #4 on Bill No. 17R-211 as follows:

1. Replace the City of Lincoln, Nebraska Adopted Budget of Funds Supported Wholly Or In Part By Taxes summary and B-1 and D-1-D-7 budget schedules attached to the original budget resolution with the attached City of Lincoln, Nebraska Adopted Budget of Funds Supported Wholly Or In Part By Taxes summary and B-1 and D-1-D-7 budget schedule.

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

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90659 WHEREAS, under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the City of Lincoln was submitted on July 18, 2016 and adopted on August 29, 2016; and

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WHEREAS, under Chapter 3.06 of the Lincoln Municipal Code, the City Council may revise the previously adopted biennial budget pursuant to Nebraska State Statute § 13-511, which allows the governing body to revise the previously adopted budget due to circumstances which could not reasonably have been anticipated at the time the budget was adopted; and

WHEREAS, under the provisions of Section 26 of Article IX and chapter 3.06 of the Lincoln Municipal Code and Nebraska Revised Statute § 13-511, a notice and public hearing on the proposed revised budget was held on August 28, 2017, notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing;

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

1. That at the time the biennial budget for 2016-18 was adopted it was not known that the County Assessor would be revaluing residential properties in Lancaster County. The revaluation of residential property was forecast on a 3-year cycle and was not anticipated to occur until 2018-19. In addition, expenditures not reasonably anticipated at the time the biennial budget was adopted have since been identified. Therefore \$500,000 is appropriated in Police Operations (0403B.5021) for 6 FTE Police Officers and \$500,000 is appropriated in Fire CIP – Fire Apparatus (405105.6064) for replacement of fire apparatus having met the appropriate Comprehensive Plan Conformance Requirements, the Six Year Capital Improvement Program (CIP) for 2016-17 – 2021-22 adopted as Schedule 5 of Resolution A-89947 is hereby amended for fiscal year 2017-18 and the City Council hereby appropriates the designated funds and directs the Finance Director to make the necessary adjustments to the biennial budget.

2. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

	2017-18 Appropriated Amount-90%	2017-18 Total Tax As Levied-100%	2017-18 Per \$100 Market Value
General	\$35,634,223	\$39,593,581	0.19298
Library	7,633,531	8,481,701	0.04134
Social Security	2,695,925	2,995,472	0.01460
Police & Fire Pension	6,776,744	7,529,716	0.03670
Unemployment Comp	46,163	51,292	0.00025
Bond Interest & Redemption	5,652,210	6,280,234	0.03061
Total Levy	58,438,796	64,931,996	0.31648

3. The total property tax rate of .31648 represents a decrease of .01718 from the previously adopted total property tax rate of .33366.

4. Per resolution A-82134 passed by the City Council on June 9, 2003 establishing an unassigned fund balance policy for the City, the General Fund unassigned fund balance as of the last audited financial statements as of August 31, 2016 was \$39,910,750. This August 31, 2016 unassigned balance is 25.4% of the General Fund budget for 2017-18 of \$157,249,120 included in this resolution. The August 31, 2016 unassigned balance was 5.4% more than the 20% goal for such balance set by Resolution A-82134.

5. There is hereby appropriated all money now credited or to be credited to debt service funds including bond anticipation notes for the purposes for which said bonds and notes have been authorized to be issued and related fees and charges to properly account for the funds and comply with IRS regulations, notwithstanding any sum limitations set forth in the budget attached hereto.

6. Per Ordinance #20141, LMC 21.09.165, when liens are released on Neglected Building Registry properties, the reimbursement portion of the proceeds deposited in 18800.3093.02 is hereby appropriated to the Problem Resolution Team (18002.5878).

7. The Finance Director is hereby directed to reappropriate unencumbered appropriations and cash (where necessary) from the budget for 2016-17 for each department's share of the total settlement at such time as contracts are signed w/ PAGE, LMCEA, and Fire labor unions and retroactive pay is calculated.

8. The Finance Director is hereby authorized to turn back to the Lancaster County Treasurer the balance of the North 27th Street TIF District #9949 (\$467,544). When the County Treasurer distributes the \$76,583 City share (16.38%), the \$45,632 General Fund Share (9.76%) is appropriated to Street Light Maintenance (18013.5822).

9. The City Council hereby appropriates the sums identified on Schedule 6 to adopt a budget for the Pinnacle Bank Arena.

10. The City Council hereby adopts the revised budget for The Community Health Endowment as identified on Schedule 7 as revised by the Community Health Endowment Board of Directors.

11. The Joint Budget Committee (JBC) Agencies appropriations included in the General Expense Budget (18002.5657) are adjusted to correspond with the recommendations of the Joint Budget Committee as shown on Schedule 8.

12. All sponsorships received for the Bike Share Project are hereby appropriated.

13. The Finance Director is hereby authorized to reduce the appropriations for Urban Development/C.D.B.G./Loans (270200.5639) by \$29,208 due to reductions in Federal funding.

14. The Finance Director is hereby authorized to increase the appropriations for Urban Development/HOME/Loans (265010.5639) by \$7,032 due to increased Federal funding.

15. The Finance Director is hereby authorized to transfer the Business Units in Fund 191 – Workforce Investment Act (WIA) from the Urban Development Department to the Finance Department as of October 1, 2017.

16. The Finance Director is hereby authorized to transfer to the Lincoln Parks & Recreation Foundation, pursuant to an agreement with said Foundation, up to the following balances plus accrued interest or other revenue:

From:	295067.6096 Sup's 48th & "O" Public Art	\$5,076
To:	Lincoln Parks Foundation 9th & Pinnacle Arena Dr./ Reflection	\$5,076

17. The Finance Director is hereby authorized to adjust property tax revenue amounts and appropriated balances for funds that receive property tax revenue based on final certified property valuations received from the County Assessor within the authorized expenditure limitations on the attached schedules and the tax rate.

18. That the unencumbered appropriations and cash (where necessary) for the following items be transferred effective August 31, 2017 up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 18002.5856	General Exp./City Share Lincoln Ctr. Maint.	\$80,000
09010.5621	Parks/Forestry/EAB	\$10,711
To: 18002.5081	General Expense/Health Ins./EAB	\$7,451
18002.5082	General Expense/Dental/EAB	\$280
06003.5086	Payroll/FICA/EAB	\$2,980
413536.6140	Urban Dev./Downtown Public Improv. (also 13001.9234 UD CIP Transfers)	\$80,000

19. That the unencumbered appropriations and cash (where necessary) for the following items be transferred effective August 31, 2017 and reappropriated up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 18008.6234	Stormwater 2016/Principal	\$33,732
18001.5989	Contingency	\$18,370
12141.5021	Health/Health Prom./Salaries	\$5,000
12172.5021	Health/Computer Res./Salaries	\$20,000
12172.5085	Health/Computer Res./Pension	\$9,000
12173.5021	Health/Fiscal Oper./Salaries	\$15,000
12173.5085	Health/Fiscal Oper./Pension	\$10,000
18002.5970	General Expense/Court & Litigation	\$100,000
18013.6238	Street Light – Lease Principal	\$125,000
18013.6239	Street Light – Lease Interest	\$20,000
18041.6238	Fiber Network/Lease Principal	\$23,374
18041.6239	Fiber Network/Lease Interest	\$6,585
To: 18008.6235	Stormwater 2016/Interest	\$33,732
12151.6076	Health/Dental/Misc. Equip.	\$5,000
12172.6069	Health/Computer Resources	\$54,000
18002.5842	General Exp./Legal Services	\$18,370
18002.5658	City-Wide Payroll System	\$100,000
18013.5822	Street Lights/Electricity (Maintenance)	\$145,000
240330.5989	Stormwater Mgmt. Plan (includes cash transfer)	\$29,959

20. That the unencumbered appropriations and cash (where necessary) for the following items be transferred effective September 1, 2017 up to the following amounts:

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
From: 18013.6238/9	Street Light/Debt Service	\$26,105
18041.6238/9	Fiber Network/Debt Service	\$41,424
18002.5962	General Expense/Election Expense	\$112,526
To: 295088.5021	CIC/LNKTV Health (includes cash to 295088.9140)	\$25,000
02012.5621	CIC/Cable Complaints Website (also cash to 02012.9140)	\$5,000
18013.5989	Street Lights/Electricity/Maint.	\$9,368
404101.6132	City Impound Lot/Buildings/A/C	\$6,000
18002.5621	General Expense/Misc. Contractual	\$95,000
18002.5966	General Expense/City Promotion	\$25,000
240330.5989	Stormwater Mgmt. Plan (includes cash transfer)	\$14,687

21. That the following unexpended appropriations are reappropriated effective August 31, 2017 up to the following amounts.

<u>Business Unit/Object Code</u>	<u>Description</u>	<u>Amount</u>
01001.5989	City Council/Misc. Other Services & Charges	\$446
0401B.5628	Police/Management/Consultant Services	\$6,561
0401B.5728	Police/Management/Schools & Conf.	\$10,000
0401B.6078	Police/Management/Office Equipment	\$50,000
0402B.5420	Police/Admin. Support/Minor Equip.	\$21,037
0402B.5421	Police/Admin. Support/Safety Equipment	\$36,714

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0402B.5633	Police/Admin. Support/Software	\$52,901
0402B.5728	Police/Admin. Support/Schools & Conf.	\$5,470
0402B.5859	Police/Admin. Support/Equip. Maint. Contracts	\$86,102
0402B.5861	Police/Admin. Support/Furn. & Fix. Repair	\$31,216
0402B.5952	Police/Admin. Support/Advert./Media Serv.	\$74,393
0402B.6062	Police/Admin. Support/Audio Visual Equip.	\$33,499
0402B.6069	Police/Admin. Support/DP Equip.	\$96,764
0402B.6072	Police/Admin. Support/Furniture & Fixtures	\$31,833
0402B.6076	Police/Admin. Support/Misc. Equip.	\$302,276
0402B.9220	Police/Admin. Support/Cash Transfers Out	\$5,000
0403B.5644	Police/Operations/Medical Services	\$122,708
0403B.5859	Police/Operations/Equip. Maint. Contracts	\$57,692
0403B.6062	Police/Admin. Support/A/V Equip.	\$46,850
0403B.6069	Police/Operations/DP Equip.	\$50,000
0403B.6072	Police/Operations/Furn. & Fixtures	\$7,752
05004.6064	Fire/Emergency Services/Cars & Trucks	\$300,000
06003.5086	Payroll/FICA	\$95,000
06014.5621	Police/911 Comm./Misc. Contractual	\$100,000
06014.5874	Police/911 Comm./Software Maintenance	\$60,095
06014.6062	Police/911 Comm./A/V Equip.	\$25,675
06014.6069	Police/911 Comm./DP Equip.	\$8,877
06014.6072	Police/911 Comm./Furniture & Fixtures	\$48,161
06014.6076	Police/911 Comm./Misc. Equipment	\$296,743
06065.6069	Police/911/Radio Shop/DP Equip.	\$8,000
06065.6076	Police/911/Radio Shop/Misc. Equipment	\$15,000
06065.6085	Police/911/Radio Shop/Radio Equipment	\$123,225
06140.5624	Cash Reserve Fund/Auditing Services	\$246,650
06140.5989	Cash Reserve Fund/Misc. Other Serv. & Charges	\$700,000
08001.5633	Bldg. & Safety/Admin./Software	\$89,164
08001.6076	Bldg. & Safety/Admin./Misc. Equip/IVR	\$154,000
09010.5621	Parks/Forestry/EAB	\$215,000
09250.5621	Parks/Keno/Misc. Contractual	\$35,000
10001.5642	Human Resources/Legal Services	\$68,301
11006.All	Planning/Bike Share	\$138,222
12122.6064	Health/Env. Health/Waste	\$82,700
12151.6076	Health/Dental./Misc. Equip.	\$9,000
12172.6069	Health/Computer Res./DP Equip.	\$21,000
13012.5021	WIOA/Board Support/	\$40,000
14004.6069	Library/Keno/DP Equipment	\$115,000
17004.5638	Com. Health Endowment/Misc. Contr.	\$1,842,767
18001.5989	Contingency	\$1,346,697
18002.5085	General Expense/Pension	\$80,000
18002.5621	General Expense/Misc. Contractual	\$24,532
18002.5624	General Expense/Auditing Service	\$76,438
18002.5628	General Expense/Consultant	\$15,242
18002.5632	General Expense/Systems Development	\$748,507
18002.5636	General Expense/Demolition of Buildings	\$84,772
18002.5642	General Expense/Legal Services	\$97,158
18002.5646	General Expense/State/Federal Lobbying	\$14,726
18002.5657	General Expense/Human Serv. Contracts	\$35,253
18002.5658	General Expense/City-Wide Payroll System	\$214,702
18002.5659	General Expense/Oracle Financial System	\$89,536
18002.5856	General Exp./City Share of Lincoln Center Maint.	\$29,270
18002.5865	General Expense/Minor Bldg. & Grounds Improve.	\$7,500
18002.5970	General Expense/Court & Litigation	\$100,000
18002.5998	General Expense/Witness Fees	\$50,000
18002.5878	General Expense/Problem Resolution Team	\$73,168
18002.5880	General Expense/Graffiti Abatement	\$90,932
18002.6024	General Exp./City Share Impact Fees (Low Income)	\$378,825
18002.6027	General Exp./City Share Impact Fees (Econ. Dev.)	\$603,071

18002.6069	General Exp./DP Equipment	\$53,975
18013.5784	Street Lights/Misc. Insurance	\$100,000
18013.5822	Street Lights/Electricity	\$100,000
18041.6155.01	Fiber Network/Fiber Network Investment	\$10,529
19001.9227	Inter-Fund Transfers/WIOA	\$78,705
70200.6950	P.W. & U./Water/Ozone Generator	\$306,000
70320.6950	P.W. & U./Water/Hydrant Painting	\$100,000
70400.6910	P.W. & U./Water/Onbase	\$44,285
72100.6910	P.W. & U./Management/Onbase	\$21,000
72400.6910	P.W. & U./Wastewater/Collection/Onbase	\$19,714
72500.6910	P.W. & U./Wastewater/San. Eng./Onbase	\$2,143
79000.5631	P.W. & U./Management/Onbase	\$1,428
79115.5631	P.W. & U./Watershed Mgmt./Onbase	\$2,858
79130.6073	P.W. & U./Snow Removal	\$100,000
79140.5621	P.W. & U./Streets & Hwys./Onbase	\$1,428
79140.5621	P.W. & U./Streets & Hwys./Streetscape Maint.	\$50,000
79145.5272	P.W. & U./St. Maint./Traffic/Program Sup.	\$43,600
79145.5329	P.W. & U./St. Maint./Traffic/Op. Maint. Sup.	\$43,800
79145.5337	P.W. & U./St. Maint./Traffic/Traf. Sig. Rep. Sup.	\$22,000
79155.5621	P.W. & U./Streetscape Maint.	\$295,000
79160.5631	P.W. & U./Fleet Serv./Onbase	\$1,428
79200.5633	P.W. & U./Traffic Eng./Onbase	\$2,858
79400.9220	Parking/Misc. Other Serv. & Charges/Contingency	\$400,000
79500.5631	P.W. & U./StarTran/Onbase	\$2,858
79610.5633	P.W. & U./Eng. Serv./Onbase	\$43,000
79613.5633	P.W. & U./ROW/Onbase	\$4,500
79614.5633	P.W. & U./DSC/Onbase	\$2,500

22. The Finance Director is hereby authorized to change the schedules and attachments to accurately reflect this Resolution.

Introduced by Jane Raybould

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS - NONE.

ORDINANCES - 3RD 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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20530, is recorded in Ordinance Book 33.

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 third time.

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GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20531**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20532**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20533**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20534**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20535**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20536**, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD 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 #20537, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20538, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20539, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD 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 #20540, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20541, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20542, is recorded in Ordinance Book 33.

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 third time.

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GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20543, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20544, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD 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 #20545, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20546, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20547, is recorded in Ordinance Book 33.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20548, is recorded in Ordinance Book 33.

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 14TH STREET WITH ONE SIGN LOCATED AT EACH TENANT/LESSEE ENTRANCE ON PROPERTY GENERALLY LOCATED AT 10901 SOUTH 14TH STREET. (RELATED ITEMS: 17-118, 17R-203) (ACTION DATE: 8/28/17) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90660 WHEREAS, William Alan LLC has submitted an application designated as Special Permit No. 06022A 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 14th Street with one sign located at each tenant/lessee entrance on property generally located at 10901 South 14th Street, and legally described as:

Lot 1, Prairie Life Center 1st Addition; Lots 2 and 3, Prairie Life Center Addition; and Lot 81 I.T., in the Southeast Quarter of Section 28, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this expanded health care facility will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of William Alan LLC, hereinafter referred to as "Permittee", 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 14th Street with one sign located at each tenant/lessee entrance under the amended Special Permit be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a garden center with a waiver to allow two freestanding signs on South 14th Street, with one sign located at each entrance.
2. The City Council approves associated request: Text Amendment #17011.
3. Before receiving sign permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies.
4. Before receiving sign permits the permittee shall provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
5. All development and construction must substantially comply with the approved plans.
6. The physical location of all setbacks and yards, buildings, parking and circulation elements and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
7. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this Special Permit remain in full force and effect except as specifically amended by this resolution.

Introduced by Leirion Gaylor Baird

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

RESOLUTIONS - 1ST READING

APPOINTING ERIC BUCHANAN AND JANICE WALKER TO THE COMMUNITY HEALTH ENDOWMENT BOARD FOR TERMS EXPIRING SEPTEMBER 1, 2020. (*CONSENT*)

REAPPOINTING JOHN (RUSTY) VANNEMAN AND DAN MARVIN TO THE COMMUNITY HEALTH ENDOWMENT BOARD FOR TERMS EXPIRING SEPTEMBER 1, 2020. (*CONSENT*)

APPOINTING ERIC A. NORTH TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 14, 2020. (*CONSENT*)

REAPPOINTING EMILY CASPER AND SCOTT E. HOFELING TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR TERMS EXPIRING AUGUST 14, 2020. (*CONSENT*)

APPROVING LEGENDS PATIO GRILL AND BAR AS A KENO SATELLITE AT 801 R STREET.

APPROVING GRAY'S KEG SALOON AS A KENO SATELLITE AT 104 NORTH 20TH STREET.

APPROVING HALFTIME BAR & GRILL AS A KENO SATELLITE AT 200 WEST P STREET.

USE PERMIT 05004A – APPLICATION OF LARGE PARTNERSHIP LTD TO ALTER THE EXISTING LAYOUT TO SHOW 6 LOTS SURROUNDED BY AN OUTLOT AND TO INCREASE THE APPROVED SQUARE FOOTAGE FROM 31,500 TO 54,000 SQUARE FEET OF COMMERCIAL SPACE, WITH WAIVERS TO SETBACKS, ON PROPERTY GENERALLY LOCATED AT SOUTH 14TH STREET AND YANKEE HILL ROAD.

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COMP. PLAN CONFORMANCE 17012 – APPROVING AN AMENDMENT TO THE WEST O STREET REDEVELOPMENT PLAN TO ADD THE “HUVEPHARMA INC. REDEVELOPMENT PROJECT” FOR THE REDEVELOPMENT OF A VACANT PARCEL INTO AN APPROXIMATELY 30,000 SQUARE FOOT RESEARCH AND DEVELOPMENT COMPLEX, ON PROPERTY GENERALLY BOUNDED BY WEST P STREET, THE FIRST SET OF RAILROAD TRACKS SOUTH OF WEST O STREET, 9TH STREET, AND NW/SW 70TH STREET.

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO CONDUCT AUDITS 1) OF THE CITY DEVELOPMENT SERVICES CENTER WITH PARTICULAR ATTENTION TO THE CENTER’S PROCEDURES, OPERATIONS, USE OF CURRENT SPACE AS COMPARED TO NEEDS, AND RESPONSIVENESS TO CITIZEN REQUESTS FOR PERMITS AND INFORMATION AND 2) OF THE LINCOLN FIRE AND RESCUE DEPARTMENT TO CONDUCT A REVIEW OF MEDICAL RELATED CALLS THAT THE DEPARTMENT RESPONDS TO ON AN ANNUAL BASIS. (REQUEST FOR COUNCIL TO SUSPEND THE RULES FOR THIS ITEM TO HAVE PUBLIC HEARING & ACTION ON 8/28/17)

LAMM Moved to Suspend the Rules to have Introduction, Public Hearing & Action on this date.
Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: Camp.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved its adoption:
A-90661 WHEREAS, Art IV, § 8 of the Lincoln Charter grants the City Council certain examination and review

powers concerning any subject upon which it may legislate or the operations of any department engaged in the administration of City affairs; and

WHEREAS, Chapter 4.66 of the Lincoln Municipal Code created the City Performance Audit Committee with the duties and powers of advising the City Council on certain matters; and

WHEREAS, pursuant to Lincoln Municipal Code § 4.66.040, the City Performance Audit Committee has certain responsibilities, including, when directed to do so by resolution of the City Council, determining whether an audit as suggested in the Council’s resolution is appropriate and desirable, and to determine what the scope of such audit should be; and

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

(1) That the City Council hereby directs the City Performance Audit Committee to conduct an examination of the City of Lincoln Development Services Center with particular attention to the Center’s procedures, operations, use of current space as compared to needs, and responsiveness to citizen requests for permits and information; and

(2) That the City Council further requests the City Performance Audit Committee to conduct a review of medical calls that the Lincoln Fire and Rescue Department responds to on an annual basis with such a review to include such information as the number of calls, current trends, number of calls resulting in transport to or from other emergency medical providers, and trends and data regarding the quality of the Department’s medical responses.

That the City Council directs the City Performance Audit Committee to complete the reviews requested by August 31, 2018.

Introduced by Cyndi Lamm

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN AFFIRMING THE CITY’S COMMITMENT TO SAFEGUARD THE CIVIL RIGHTS, SAFETY, AND DIGNITY OF ALL COMMUNITY MEMBERS AND OUR COMMITMENT TO A DIVERSE, SUPPORTIVE, INCLUSIVE, AND PROTECTIVE COMMUNITY.

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

ADJOURNMENT

10:36 P.M.

CAMP Moved to adjourn the City Council Meeting of August 28, 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