

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, OCTOBER 30, 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

SHOBE Having been appointed to read the minutes of the City Council Proceedings of October 23, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPOINTING RACHEL ZENG TO THE COMMISSION ON HUMAN RIGHTS FOR A TERM EXPIRING DECEMBER 31, 2017 - Kimberly Taylor-Riley, Director of Human Rights, came forward and requested approval.

Rachel Zeng, 8530 Lock Out Lane, came forward and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF MICHELE M. EHRESMAN FOR GREENFIELDS CAFÉ, INC. DBA GREENFIELDS AT 7900 SOUTH 87TH STREET. (10/23/17 - PUBLIC HEARING & ACTION CONT'D FOR 1 WEEK TO 10/30/17) - Michele M. Ehresman, 3220 Jamestown Road, applicant, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member, inquired about the training that was scheduled for October 12, 2017.

Ms. Ehresman confirmed that her training was completed on October 12, 2017.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF OCTOBER 1-15, 2017 - Steven Loos, 2757 S. 11th Street, came forward and shared that the wind storm in August, 2017, caused a tree to uproot from the ground, causing the tree to tip over and fall on top of his vehicle. The claim amount was initially for \$800.00, but he is now asking for \$700.00 as the claim amount.

Jeff Kirkpatrick, City Attorney, came forward and explained that City Attorney records indicate there was a bad storm and 92 City trees were removed that were damaged due to the storm. There was also no indication that there was anything wrong with the tree prior to being blown over. The recommendation to deny the claim is based on the City not having prior knowledge of the tree and therefore the City was not negligent and cannot be held liable.

Jon Camp, Council Member, asked when is the City held responsible for damages caused by a tree and does the City only wait for citizens to report a dangerous tree.

Mr. Kirkpatrick explained in a situation where a large, healthy tree blows over, it is hard to imagine how the City would have knowledge that a storm will come and a healthy tree will blow over and cause damage. If the City Forestry Department is out trimming trees, which is done on a daily basis, and they see a tree that has some damage or looks partially dead and there is knowledge of that then the City would have some liability. The City receives calls on a daily basis about trees that are in need of trimming and the City is then obligated to look at the tree and if there is a dangerous tree it needs to be taken down.

Chris Blann, 1561 S. Cotner Blvd, came forward and explained he called the Forestry Department to complain about a tree in front of his residence that had several large limbs that needed to be trimmed. On August 20, 2017 a storm came through and blew some of those dead limbs off on his vehicle. The tree was later cut down due to storm damage.

Leirion Gaylor Baird, Council Member, inquired about the methods that Mr. Blann used to contact the City regarding the tree and if there was any documentation.

Mr. Blann explained he called the Parks & Recreation Department around September, 2016, and advised the tree needed to be looked at.

Roy Christensen, Council Chair, asked what the basis of denial was on this claim.

Mr. Kirkpatrick said they looked at their records and they did receive a call about the tree in the summer of 2016, the City went out on July 21, 2016 and removed a branch that was a problem. They looked through more records and did not find any other calls for this address after July, 2016. The storm in August damaged the trunk of the tree so badly that the tree would eventually die and therefor was removed.

Carl Eskridge, Council Member, inquired about the call Mr. Blann said he made around September, 2016.

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Mr. Kirkpatrick confirmed that was the same discrepancy when Mr. Blann appeared in front of Council in early October. The City records only show there was a call in July, 2016. The City then went out that same month and performed maintenance on the tree, following that there are no other calls on record. Discussion followed.

Gloria Housel, 1557 S. Cotner, came forward and stated she has called regarding the tree in front of Mr. Blann's residence over the past 5 years and no action has been taken.

Anne Romjue, 3130 Mayflower, came forward and shared that in the middle of May, 2017, she called the City asking if the tree could be removed due to it leaning and the dead limbs in the tree. She later received a notice that the tree would be trimmed, but she urged the City to completely remove the tree. On August 20, 2017 the storm caused a number of branches to fall on both her vehicles. She then called the City Attorney's office and asked about the tree being removed. The next day she received a call informing her that the tree would be scheduled for removal and that a crew would be sent out to make the tree safe.

Cyndi Lamm, Council Member, asked if the tree has been removed.

Ms. Romjue stated the tree has not been removed.

Ms. Gaylor Baird asked for clarification on the timeline.

Ms. Romjue stated they closed on their home on May 30, 2017, and a few weeks prior she had a friend over who urged her to call the City about the tree due to how much it was leaning and the dead branches inside the tree. Around mid June, 2017, she received a notice in the mailbox with no date on it, stating that the tree would be trimmed and reinspected by a supervisor for removal. The August 20, 2017 storm is what caused the damages to the vehicles from the same tree she had been calling on.

Mr. Kirkpatrick confirmed on June 3, 2017 and June 13, 2017 a member from the Forestry Department went out to Ms. Romjue's home to inspect the tree. There was a small hanger that needed to be trimmed, but essentially it was a healthy tree and did not need to be removed.

Ms. Gaylor Baird asked if the tree was trimmed following the two inspections in June, 2017.

Mr. Kirkpatrick stated he was unsure if the tree was trimmed after those inspections. The branches that fell and caused damage to the vehicles were not dead branches, but were healthy branches that had fallen due to the storm. Ms. Romjue did receive a notice allowing her to remove the City tree at her own expense, but decided not to.

Bennie Shobe, Council Member, inquired about how the Forestry determines a tree to be healthy.

Mr. Kirkpatrick explained they make a visual inspection and look at dead branches, they look for the tree rotting, if there is a hollow middle. At times you can tell when a tree is hollow in the middle, but there are times when you cannot tell if a tree has a hollow, rotten core until it falls.

Ms. Romjue clarified that the branches that fell off the tree were not healthy branches, but were dead branches.

This matter was taken under advisement.

ANNEXATION 17014 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.72 ACRES OF PROPERTY GENERALLY LOCATED AT 5600 WEST ADAMS STREET - Kham Noam Nang, 6501 Vine Street, #112, came forward on behalf of the Nebraska Theravada Buddhist Association and shared the area was purchased to build a Monastery Temple. The area is out of the City limits and needs to be annexed to allow for water and sewer.

Carl Eskridge, Council Member, asked how it will be paid for to extend water and sewer to this location.

David Cary, Planning Department Director, came forward and explained this property is contiguous with City limits and therefore meets the requirements for an annexation. It is also in proximity of existing water and sewer tapable lines and the property owner would pay for those extensions to get service on the property. This is typical of what the City would expect for the property owner to get the service on the property for the project they want to do. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17015 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 152 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 1ST AND 14TH STREETS ON BOTH SIDES OF FLETCHER AVENUE - David Cary, Planning Department Director, came forward and explained this has come forward in front of the Planning Commission and was voted to move forward to Council for Action.

Paul Barnes, Planning Department, came forward and shared this is an acreage subdivision. The reason for City-initiated proposed annexations is for the equity for all taxpayers, clarity of service areas and to allow for orderly and efficient growth. There is no proposed zoning change for the areas and the intended use will remain as residential. There was a draft study on July 19, 2017. Shortly after that, notices were sent out to the affected property owners. There was then a website developed that included meeting materials that were presented at the 4 neighborhood meetings. If this area is approved for annexation, the additional tax would not be paid by the owner until 2019.

Andrew Thierolf, Planning Department, came forward and explained this annexation covers an area with 152 acres, 24 dwelling units, 2 churches and a tree farm. This will also bring in portions of Fletcher and the interstate that are currently County jurisdiction. They are currently in Raymond's Fire and Rescue jurisdiction and will transfer to Lincoln Fire & Rescues jurisdiction. Sewer and water would be at the property owners request and paid for through Assessment Districts.

Cyndi Lamm, Council Member, asked how many property owners would be in a Special Assessment District for this annexation.

Mr. Thierolf explained that would depend on the benefitting properties and where the lines would need to be placed. There are a number of properties that currently have water lines that could be tapped and those residents would not be subject to any sort of Assessment District. The property owners would still have to pay for their service lines onto their property to connect to the water main.

Assistant Chief Pat Borer, Lincoln Fire and Rescue, came forward and explained that Lincoln has a good working relationship with Raymond Fire Department and there is a Mutual Aid Agreement and both fire departments are interested in improving that relationship so it becomes an Automatic Aid Agreement. Currently, the Mutual Aid Agreement dispatches the agency in the jurisdiction, and it is then that agency's duty to dispatch the other agency if they are needing more help. This Automatic Aid Agreement would mean that when a call comes in from 911, both agencies would be dispatched at the same time, rather than just the one agency in the jurisdiction.

Jon Camp, Council Member, expressed his concern regarding the distance from the current hydrants to some of the homes and the number of engines that would be needed to do a relay operation.

Chief Borer explained the best water supply is to connect to a hydrant, whether that is a relay operation with multiple trucks connecting to one another, or direct connection. Water tenders are vehicles that carry large amounts of water, and in order to use water tenders and have an extended water supply, would take about 4 water tenders. Although a water relay can be labor and apparatus intensive, it is better than a water tender because it is an indefinite water supply. We would also be able to use Raymonds engines to assist in a relay operation.

David Cary, Planning Department Director, came forward and shared that the impact on our public service departments is a very small incremental increase compared to the natural growth of the City, especially on the edges. The City is confident that they will be able to provide to public safety resources to the areas. The annexation is a critical point to take to be able to get more hydrants installed. Discussion followed.

Bennie Shobe, Council member, stated he has heard concerns from citizens about the fire station response and asked for clarification on the agreements in place currently.

Mr. Borer confirmed that currently there is a Mutual Aid Agreement in place that allows them to request LFR's help and if LFR needs help they can call for Raymond Firefighters to help. If the annexation is approved then they can enter into an Automatic Aid Agreement that would notify both agencies at the time of dispatch. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17016 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 203 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 84TH AND 95TH STREETS AND SOUTH OF HOLDREGE STREET - Paul Barnes, Planning Department, came forward and explained this is currently in AG zoning and if annexed the uses would continue as they are today. This is adjacent to existing structures and the majority of the streets currently have water and sewer stubbed up to the proposed area. Currently, this is in Waverly School District and will change to Lincoln Public Schools.

Andrew Thierolf, Planning Department, came forward and shared this area is 203 acres, 29 dwelling units and 1 church. Sunrise Estates was approved in 1989 as a build through acreage, which means there were lots that were final platted and a number of ghost lots that are essentially planned out, but have not been built on with the assumption that this area will be annexed at some point. The area perimeter is surrounded by sewer and water lines.

Assistant Chief Pat Borer, Lincoln Fire and Rescue, came forward and said Southeast Rural Fire Station is the closest station to this area. However, the members are volunteers and are called to the station in the event they are needed. This annexation will allow both LFR and the Rural Fire Station to work together.

Carl Eskridge, Council Member, inquired about a new station in this area.

Chief Borer stated they currently do not have the land for this area, but they recently had a realtor contact LFR and offered a piece of property that is in a good location.

Jon Camp, Council Member, asked when homes are built in this area would the developer put in more fire hydrants.

Mr. Thierolf explained that there would have to be water and sewer districts requested and the hydrants would be put in with the water district and that process would be with the final plat.

Mr. Camp asked how long one hose can go from a hydrant.

Chief Borer shared they have 750 feet of 5 inch hose and they also have 1,000 feet of 2½ inch hose. Discussion followed.

Cyndi Lamm, Council Member, inquired about this land not being annexed until 2020.

Mr. Cary clarified that there was never a point when City staff made a statement that they would wait until 2020 to annex this property. Discussion followed.

John Harper, 9031 Avon Lane, came forward in opposition.

Dan Hinnah, 9500 Eastview Road, came forward in opposition and requested a delay.

Dennis Schuette, 9401 Avon Lane, came forward in opposition and requested a delay until more fire protection is available.

Dan Howe, 1001 92nd Street, came forward in opposition due to fire and safety reasons.

Ted Wolfram, 1040 N. 92nd Street, came forward in opposition.

Janet Chung, 9501 Eastview Road, President of the Sunrise Estates Community Association, came forward in opposition and stated it feels this annexation is being rushed.

Mr. Eskridge asked what the community feels a reasonable delay would be.

Ms. Chung stated a delay until the new fire station is built and there are firefighters that can respond to the neighborhood in a timely manner. Discussion followed.

Ms. Lamm asked why this annexation is moving as quickly as it is.

Mr. Barnes shared that from the beginning they have considered the impacts of the property owners as well as the increase in the taxes. The timing that was put together was that the City levy would start in 2018, but would not be due until 2019. Discussion followed.

Ms. Lamm asked when the fire station would be expected to be completed.

Chief Borer stated that would be done in less than 2 years.

Leirion Gaylor Baird, Council Member, inquired about the costs for the homeowners for the water and sewer districts and the earliest time frame that this would have to be requested.

Mr. Thierolf stated they have not given those detailed engineering estimates because an annexation is separate from requesting water, sewer or urban roads. Land can be annexed for 10 years before water or sewer is requested and right now it does not make much sense to exhaust a lot of resources to do a detailed engineering study on something that might not be requested. Based on recent projects it would be roughly around \$80.00 per foot. That is a rough estimate, but can be used as a general guideline.

Bob Simmering, Public Works, came forward and shared one of the benefits we have is there are sewer and water lines butted to these properties so there would not have to be any lines extended. There would have to be a design process, which could take an estimated time of 90 to 120 days on the design. Then there would be the approval process and following that would be the construction process. It is not unreasonable to think it could all be done in one construction season. It would depend on how much would have to be installed and also if this is done in sections, rather than an entire project. Discussion followed.

This matter was taken under advisement.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND BLUE RIDGE UNLIMITED, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 7701 GREYCLIFF - Assistant Chief Pat Borer, Lincoln Fire & Rescue, came forward and explained this property was deeded to the City in 2003 by LES. This was before they were able to determine where good locations were for stations. Over the years and as the City has grown the land has been developed and this location is not in the right spot. The City would like to sell this property and use the proceeds to buy land in the correct area. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 17011 – APPLICATION OF ROGER H. SCHWISOW REVOCABLE TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 49TH STREET AND ALVO ROAD. (7/31/17 - ACTION DELAYED WITH PUBLIC HEARING 3 WEEKS TO 8/21/17) (8/21/17 - ACTION DELAYED WITH PUBLIC HEARING 4 WEEKS TO 9/18/17) (9/18/17 - PUBLIC HEARING & ACTION CONT'D TO 10/16/17) (10/16/17 - PUBLIC HEARING & ACTION CONT'D 2 WEEKS TO 10/30/17) - Roger Schwisow, 1354 Pelican Bay Place, came forward and shared they have addressed some of the problems by regrading one of the residents backyards to get drainage and it has been resodded around the area. They have put a small swale in by another neighbors house to attempt to drain the water under the fence. They received a permit last week to install a drainage for the sump pumps and they have installed everything along Alvo Road from 59th Street to the drainage ditch. Discussion followed.

Lyle Loth, 601 Old Cheney Road, Rega Engineering Group, came forward and explained they applied for an Administrative Amendment on October 11, 2017 and have received a response from Jared Nelson with Public Works Watershed Management on October 24, 2017. There was a meeting with a number of Public Works employees to address the 17 points that Mr. Nelson has raised in his response. Mr. Schwisow understands that he cannot do any final plat until the Administrative Amendment is approved.

Kevin Nelson, 7310 N. 50th Street, came forward and shared Mr. Schwisow worked on his backyard but it was noticed that his sprinklers were buried under over a foot of dirt that the contractor dumped on his property.

Dawn Vodehnal, 5010 Beckysway Road, came forward in opposition and requested a delay until the cable line is fixed in her yard that is above ground where the water is sitting.

Mr. Schwisow explained the cable is a Windstream cable. Spectrum was putting a new line in and hit Windstream's cable. He has made a number of calls to have the cable fixed and the response he gets is that they have cable all around the City like that. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING RACHEL ZENG TO THE COMMISSION ON HUMAN RIGHTS FOR A TERM EXPIRING DECEMBER 31, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90746 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Rachel Zeng to the Commission on Human Rights, for a term expiring December 31, 2017, is hereby approved.

Introduced by Carl Eskridge

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

ASSESSMENT RESOLUTION FOR DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 6, 2017, AT 3:00 P.M. - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90747

Business Improvement District Act
Downtown Core Management Business Improvement District

Lincoln, Nebraska, October 30, 2017

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

That the cost of providing for the development of public activities and the promotion of public events in the Core Management Business Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Core Management Business Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$273,295.54; that the property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Core Management Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 6th day of November, 2017, at 3:00 p.m., and on the ____ day of _____, 2017, at ___m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

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

ASSESSMENT RESOLUTION FOR DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 6, 2017, AT 3:00 P.M. - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90748

Business Improvement District Act
Downtown Management Business Improvement District

Lincoln, Nebraska, October 30, 2017

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Management Business Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Management Business Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$427,240.79; that the property set forth in the proposed Distribution of Assessment is specially benefitted

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by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Management Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 6th day of November, 2017, at 3:00 p.m., and on the _____ day of _____, 2017, at ___m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

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

**ASSESSMENT RESOLUTION FOR DOWNTOWN MAINTENANCE DISTRICT FOR BOARD OF
EQUALIZATION TO BE HELD MONDAY, NOVEMBER 6, 2017, AT 3:00 P.M. - CLERK read the
following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:**

A-90749

Business Improvement District Act
Downtown Maintenance Improvement District

Lincoln, Nebraska, October 30, 2017

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Maintenance Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Maintenance Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of \$245,117.00 that the property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 6th day of November, 2017, at 3 p.m., and on the ___ day of _____, 2017, at _____m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

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

**ASSESSMENT RESOLUTION FOR WEST HAYMARKET/DOWNTOWN MAINTENANCE DISTRICT FOR
BOARD OF EQUALIZATION TO BE HELD MONDAY, NOVEMBER 6, 2017, AT 3:00 P.M. - CLERK read
the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:**

A-90750

Business Improvement District Act
West Haymarket/Downtown Maintenance Business Improvement District

Lincoln, Nebraska, October 30, 2017

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

That the cost of providing for the Maintenance Work pursuant to Ordinance No. 19981 in the West Haymarket/Downtown Maintenance Business Improvement District including:

- a. Litter pick up from the sidewalks, planting areas, and beautification areas within the public right-of-way;
- b. Care and maintenance of all ornamental/small trees, shrubbery, and other plantings, but not including major street trees, which maintenance shall include watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;

- c. Maintenance of public sidewalks, which maintenance shall include periodic cleaning and sweeping of sidewalks to remove litter, dirt, liquid spills, food residue, and stains and bird droppings [such cleaning shall be by washing down where water is available]; and
- d. Snow removal from sidewalks located at intersections and handicapped ramps in high traffic areas,

be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the West Haymarket/Downtown Maintenance Business Improvement District", and made a part hereof; that the cost of said maintenance activities is the sum of \$57,978.00 that the property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the West Haymarket/Downtown Maintenance Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 6th day of November, 2017, at 3 p.m., and on the _____ day of _____, 2017, at _____ .m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

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 OCTOBER 16, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS - NONE.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF MICHELE M. EHRESMAN FOR GREENFIELDS CAFÉ, INC. DBA GREENFIELDS AT 7900 SOUTH 87TH STREET. (10/23/17 - PUBLIC HEARING & ACTION CONT'D FOR 1 WEEK TO 10/30/17) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90751 WHEREAS, Greenfields Café, Inc. dba Greenfields located at 7900 South 87th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Michele M. Ehresman be named manager;

WHEREAS, Michele M. Ehresman 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 Michele M. Ehresman 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 Gaylor Baird & 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 OCTOBER 1-15, 2017 - PRIOR to reading:

CAMP Moved to amend Bill No. 17R-264 in the following manner:

On Line 14, the claim of Tara Merkwan should be removed from the list of DENIED CLAIMS.

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

GAYLOR BAIRD Moved to pay the claim of Anne Romjue.

Seconded by Raybould; Gaylor Baird withdrew Motion.

LAMM Moved to amend Bill No. 17R-264 by removing Anne Romjue, Chris Blann, and Steven Loos from the DENIED CLAIMS.

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

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CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption as amended:
A-90752 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 October 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>	
Anne Romjue	\$ 4,505.64	Black Hills Energy	\$1,360.88
Chris Blann	13,096.93	Brenda Wilcher	768.33
Steven Loos	800.00	Tanya Smith	1,556.67
Denise L. Fazel	857.44		
Tara Merkwan	345.00		
Robert A. Benedict	5,121.07		
Cathy L. Smith	225,000.00		
State Farm Insurance			
a/s/o Carole Amateis	2,381.38		

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 Carl Eskridge

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS - SEE BELOW

ANNEXATION 17014 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.72 ACRES OF PROPERTY GENERALLY LOCATED AT 5600 WEST ADAMS STREET - CLERK read an ordinance, introduced by Carl Eskridge, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

ANNEXATION 17015 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 152 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 1ST AND 14TH STREETS ON BOTH SIDES OF FLETCHER AVENUE - CLERK read an ordinance, introduced by Carl Eskridge, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

ANNEXATION 17016 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 203 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 84TH AND 95TH STREETS AND SOUTH OF HOLDREGE STREET - CLERK read an ordinance, introduced by Carl Eskridge, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND BLUE RIDGE UNLIMITED, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 7701 GREYCLIFF - CLERK read an ordinance, introduced by Carl Eskridge, approving a Real Estate Sales Agreement between the City of Lincoln and Blue Ridge Unlimited, LLC authorizing the sale of City owned property generally located at 7701 Greycliff, Lincoln, Nebraska, the second time.

PUBLIC HEARING - ORDINANCES - 3RD READING

CHANGE OF ZONE 17011 – APPLICATION OF ROGER H. SCHWISOW REVOCABLE TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 49TH STREET AND ALVO ROAD. (7/31/17 - ACTION DELAYED WITH PUBLIC HEARING 3 WEEKS TO 8/21/17) (8/21/17 - ACTION DELAYED WITH PUBLIC HEARING 4 WEEKS TO 9/18/17) (9/18/17 - PUBLIC HEARING & ACTION CONT'D TO 10/16/17) (10/16/17 - PUBLIC HEARING & ACTION CONT'D 2 WEEKS TO 10/30/17) - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

RAYBOULD 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 #20566, is recorded in Ordinance Book 33.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

CHANGE OF ZONE 17022 – APPLICATION OF LUX CENTER FOR THE ARTS TO DESIGNATE THE FORMER UNIVERSITY PLACE CITY HALL AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM B-3 COMMERCIAL DISTRICT TO B-3 COMMERCIAL DISTRICT WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 2601 NORTH 48TH STREET - CLERK read an ordinance, introduced by Jon Camp, 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.

CAMP 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 **#20567**, is recorded in Ordinance Book 33.

CHANGE OF ZONE 17024 – APPLICATION OF JOHN AND TERRY THOMAS TO DESIGNATE THE BURGESS HOUSE AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM AG AGRICULTURAL DISTRICT TO AG AGRICULTURAL DISTRICT WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 6501 SOUTHWEST 40TH STREET - CLERK read an ordinance, introduced by Jon Camp, 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.

CAMP 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 **#20568**, is recorded in Ordinance Book 33.

CHANGE OF ZONE 17026 – APPLICATION OF MAGNUM PROPERTIES, LLC FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 235 SOUTH CODDINGTON AVENUE - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP 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 **#20569**, is recorded in Ordinance Book 33.

CHANGE OF ZONE 17027 – APPLICATION OF HEPBURN PROPERTIES, LLC FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 200 NORTHWEST 84TH STREET - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP 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 **#20570**, is recorded in Ordinance Book 33.

ANNEXATION 17013 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED AT 84TH STREET AND PIONEERS BOULEVARD - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CAMP 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 **#20571**, is recorded in Ordinance Book 33.

ANNEXATION 17011 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 161 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND YANKEE HILL ROAD - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CAMP 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 **#20572**, is recorded in Ordinance Book 33.

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ANNEXATION 17012 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING

APPROXIMATELY 32 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 1ST STREET AND WEST DENTON ROAD - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20573**, is recorded in Ordinance Book 33.

TEXT AMENDMENT 17016 – AMENDING CHAPTER 27.63 OF THE LINCOLN MUNICIPAL CODE

RELATING TO SPECIAL PERMITS BY AMENDING SECTION 27.63.470(D) TO AUTHORIZE CITY COUNCIL TO INCREASE OR DECREASE THE MINIMUM PARKING REQUIREMENTS IN THE H-4 GENERAL COMMERCIAL DISTRICT; AND REPEALING SECTION 27.63.470 AS HITHERTO EXISTING. (RELATED ITEMS: 17-140, 17R-253) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.63 of the Lincoln Municipal Code relating to Special Permits by amending Section 27.63.470(d) to authorize City Council to increase or decrease the minimum parking requirements in the H-4 General Commercial District; and repealing Section 27.63.470 as hitherto existing, the second time.

CAMP 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 **#20574**, is recorded in Ordinance Book 33.

SPECIAL PERMIT NO. 2004A – APPLICATION OF ALPHA BREWING OPERATIONS, LLC, TO AMEND

SPECIAL PERMIT 2004 TO REDUCE THE REQUIRED PARKING RATIO FOR ASSEMBLY FACILITIES FROM 1 STALL PER 300 SQUARE FEET TO 1 STALL PER 1,000 SQUARE FEET, ON PROPERTY GENERALLY LOCATED AT NORTH 56TH STREET AND ALVO ROAD. (RELATED ITEMS: 17-140, 17R-253) (ACTION DATE: 10/30/17) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90753

SPECIAL PERMIT NO. 2004A

WHEREAS, Alpha Brewing Operations, LLC has submitted an application designated as Special Permit No. 2004A to amend Special Permit 2004 for Planned Service Commercial for 125,000 square feet of floor area, with a waiver to reduce the required parking for assembly facilities on Lot 2, Block 20 from 1 stall per 300 square feet to 1 stall per 1,000 square feet, provided sufficient area is reserved on the site to accommodate the standard parking ratio if needed, on property generally located at North 56th Street and Alvo Road, and legally described as:

Lot 2, Northbank Junction 4th Addition, located in the Northeast Quarter of Section 32, Township 11 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 special permit 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 Alpha Brewing Operations, LLC, hereinafter referred to as "Permittee", to amend Special Permit 2004 for Planned Service Commercial for 125,000 square feet of floor area, with a waiver to reduce the required parking for assembly facilities on Lot 2, Block 20 from 1 stall per 300 square feet to 1 stall per 1,000 square feet, provided sufficient area is reserved on the site to accommodate the standard parking ratio if needed, 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 Special Permit for Planned Service Commercial for 125,000 square feet of floor area, with a waiver to reduce the required parking for assembly facilities on Lot 2, Block 20 from 1 stall per 300 square feet to 1 stall per 1,000 square feet, provided sufficient area is reserved on the site to accommodate the standard parking ratio if needed.

2. The City Council approves associated request: Text Amendment #17016.

3. Before receiving building 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 building 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. Before occupying buildings, 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 Jon Camp

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

RESOLUTIONS - 1ST READING

APPOINTING AMBER BRANNIGAN TO THE URBAN DESIGN COMMITTEE FOR A TERM EXPIRING FEBRUARY 1, 2019. (*CONSENT*)

APPROVING A CONSTRUCTION ENGINEERING AGREEMENT SUPPLEMENT NO. 1 BETWEEN THE CITY OF LINCOLN AND KIRKHAM MICHAEL & ASSOCIATES FOR CONSULTANT COMPENSATION FOR ADDITIONAL WORK NECESSARY TO COMPLETE THE LINCOLN CAVETT CONNECTOR TRAIL FEDERAL AID PROJECT (STATE PROJECT NO. ENH-55(172), CN 13079). (*CONSENT*)

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO RECOMMEND THAT 1) THE COUNCIL DIRECT THAT THE FEE-STRUCTURE INQUIRY BY THE PERFORMANCE AUDIT COMMITTEE FOR FISCAL YEAR 2016-17 BE CARRIED OVER FOR COMPLETION IN FISCAL YEAR 2017-18 AND 2) THE COUNCIL REVIEW THE REPORTS PROVIDED AND PROVIDE FEEDBACK TO THE PERFORMANCE AUDIT COMMITTEE REGARDING ANY FURTHER INFORMATION DESIRED.

APPLICATION OF ALL IN ACQUISITIONS, LLC FOR USE OF PUBLIC-RIGHT-WAY TO CONSTRUCT A STAIRWAY IN ALLEY AT 325 SOUTH 11TH STREET.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN FIRE & RESCUE DEPARTMENT AND THE CITY OF OMAHA ON BEHALF OF THE OMAHA FIRE DEPARTMENT TO PROVIDE MUTUAL AID AND ASSISTANCE OF THE FIRE INVESTIGATION UNIT'S ACCELERANT DETECTION CANINE TEAM TO THE REQUESTING AGENCY DURING A FIRE INVESTIGATION.

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

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "A" BY CHANGING THE TITLE OF CLASS 1473 FROM "TECHNICAL SUPPORT SPECIALIST I" TO "ENTERPRISE SYSTEMS ADMINISTRATOR" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Ordinance No. 20543 passed August 28, 2017, 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 "A", by changing the class title for the job classification "Technical Support Specialist I" to "Enterprise Systems Administrator" and by changing the pay range from A13 to A19, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "A" BY CREATING THE CLASSIFICATION OF "ASSISTANT PARKING MANAGER" - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Ordinance No. 20543 passed August 28, 2017, 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 "A", by creating the job classification of "Assistant Parking Manager", the first time.

AMENDING CHAPTER 23.10 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE, AS SPECIFICALLY AMENDED, AND MODIFYING THE FEE STRUCTURE - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 23.10 of the Lincoln Municipal Code ("LMC"), the Electrical Code, to adopt the 2017 Edition of the National Electrical Code, as specifically amended by Chapter 23.10 of the LMC, by amending Sections 23.10.010, 23.10.025, 23.10.040, 23.10.050, 23.10.060, 23.10.090, 23.10.120, 23.10.160, 23.10.170, 23.10.195, 23.10.200, 23.10.230, 23.10.240, 23.10.250, 23.10.290, 23.10.300, 23.10.510, and 23.10.520 to incorporate revisions necessitated by the adoption of the 2017 Edition; adding a new section numbered 23.10.35 Severability; and repealing Sections 23.10.010, 23.10.025, 23.10.040, 23.10.050, 23.10.060, 23.10.090, 23.10.120, 23.10.160, 23.10.170, 23.10.195, 23.10.200, 23.10.230, 23.10.240, 23.10.250, 23.10.290, 23.10.300, 23.10.510, and 23.10.520 of the Lincoln Municipal Code as hitherto existing, the first time.

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ADOPTING THE LINCOLN ELECTRIC SYSTEM RATE SCHEDULES TO BECOME EFFECTIVE JANUARY 1, 2018. (RELATED ITEMS: 17R-271, 17R-272, 17-156) (ACTION DATE: 11/20)

ADOPTING THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2018 TO BECOME EFFECTIVE JANUARY 1, 2018. (RELATED ITEMS: 17R-271, 17R-272, 17-156) (ACTION DATE: 11/20)

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$300,000,000 LINCOLN ELECTRIC SYSTEM REVENUE AND REFUNDING BONDS. (RELATED ITEMS: 17R-271, 17R-272, 17-156) (ACTION DATE: 11/20) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, an Eighth Series Ordinance adopted under and Pursuant to Ordinance No. 17879 passed July 23, 2001; authorizing the issuance of Lincoln Electric System Revenue and Refunding Bonds of the City of Lincoln, Nebraska in one or more series in an aggregate principal amount not to exceed \$300,000,000; fixing in part and providing for the fixing in part of the details of such bonds; providing for the sale of such bonds and the application of the proceeds of such sale; taking other action in connection with the foregoing; and related matters, the first time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND TRUCK EQUIPMENT SERVICE EQUIPMENT FOR USE IN CONJUNCTION WITH THEIR PRIVATE BUSINESS OF THE MANUFACTURE, SALE, AND SERVICING OF TRUCKS, TRAILERS, AND RELATED EQUIPMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Lease Agreement between the City of Lincoln, Nebraska and Truck Equipment Service Company, and affiliate of E.J.C. Corporation, for the lease of property for limited use in conjunction with their private business of the manufacture, sale, and servicing of trucks, trailers, and related equipment for a five-year term, the first time.

ADJOURNMENT

8:55 P.M.

CAMP Moved to adjourn the City Council Meeting of October 30, 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