

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 20, 2017 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Christensen; Council Members: Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; Deputy City Clerk: Soulinnee Phan; Absent: Camp.

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

ESKRIDGE Having been appointed to read the minutes of the City Council Proceedings of November 6, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF EFTHYMIOS GELASTOPOULOS DBA MAD MIKES BAR AND GRILL FOR A CLASS I LIQUOR LICENSE AT 230 NORTH 12TH STREET (11/6/17 - PUBLIC HEARING & ACTION CONT'D 2 WEEKS TO 11/20/17) - Conan Schafer, Police Investigator, came forward and stated this applicant currently has a warrant out of Florida, that is a non extraditable. The applicant did state on the application he had been arrested for assault. Although, he also indicated he had completed a diversion program for that charge. A Nebraska State Patrol Investigator determined this to be untrue, since the applicant has a warrant for failure to appear.

Roy Christensen, Council Chair, inquired about this item needing to be voted on at this meeting.

Investigator Schafer said that is correct, Council only has 45 days to respond back to Liquor Commission with recommendations, and since this item has been continued once we will need to vote tonight. Discussion followed.

This matter was taken under advisement.

APPLICATION OF GEANINE'S, INC. DBA TICO'S FOR A CLASS C LIQUOR LICENSE AT 317 SOUTH 17TH STREET;

MANAGER APPLICATION OF JOHN E. SATHER FOR GEANINE'S, INC. DBA TICO'S AT 317 SOUTH 17TH STREET - John Sather, 935 South 50th Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF LINA TRUU, INC. DBA SCREAMERS DINING & CABARET FOR A CLASS I LIQUOR LICENSE AT 803 Q STREET, SUITE #150;

MANAGER APPLICATION OF KEVIN D. WITCHER FOR LINA TRUU, INC. DBA SCREAMERS DINING & CABARET AT 803 Q STREET, SUITE #150 - Kevin Witcher, 7017 NW 5th Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF MACKENZI K. MADISON FOR NHC, LLC DBA COPPER KETTLE AT 101 NORTH 14TH STREET, SUITE 6A - Machenzik Madison, 631 South 11th Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF TIPHANIE M. BRUYETTE FOR WHITEHEAD OIL COMPANY DBA U-STOP #5 AT 8231 EAST O STREET - Tiphonie Bruyette, 454 Gaslight Lane, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF TYLER J. DAGEFORDE FOR WADSWORTH OLD CHICAGO, INC. DBA OLD CHICAGO AT 826 P STREET - Tyler Dageforde, 7222 Silverthorn Drive, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF OCTOBER 16-31, 2017 - Chris Blann, 1561 Cotner Blvd., came forward and stated a tree branch had fallen on his vehicle after he had complained, to the City about several large dead limbs that needed to be trimmed from this tree. The City is claiming they do not have any record of receiving any calls about trimming dead branches. They do, however, admit to receiving one call about the sidewalk in front of the property. The call he made about the uneven

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sidewalk that needed to be fixed also included discussions about the tree needing trimmed. The tree has been removed by the City, while the sidewalk has not had anything done to it yet, even though it is raised almost 4 inches above where it should be. The neighbor has also made calls to complain about the tree and sidewalk in front of his property. They are unable to find any records of receiving any calls from the neighbor. Mr. Blann did show pictures he had taken of the dead branches prior to the storm, as well as, pictures that were taken following the storm. Discussion followed.

Jeff Kirkpatrick, City Attorney, came forward and explained there was a record of a call made in the summer of 2016. At that time, staff cut a hanger from the tree and following that we have no other calls on record. Discussion followed.

Roy Christensen, Council Chair, made a request to hear from City Arborist, Bob Weyhrich, and inquired about his judgement of this particular tree.

Bob Weyhrich, Community Operations Forester Parks & Rec., came forward and stated there was a request from the property owner to remove a hanger from the tree. When the crew went to cut the hanger, they did note the top of the tree needed to be checked further. When staff makes a request for a tree to be checked further, he makes sure to go check the tree. Discussion followed.

Bennie Shobe, Council Member, asked about the inspection process and how they determine a tree is healthy.

Mr. Weyhrich explained when a tree has insects or is diseased on the inside they will check for how the pathogen got in. Otherwise, if there are no indications of pathogens inside a tree, they do a visual inspection of the tree. Discussion followed.

Cyndi Lamm, Council Member, asked if the crew has an arborist with them.

Mr. Weyhrich stated each person on the crew is an arborist. Discussion followed.

Anne Romjue, 3130 Mayflower Avenue, came forward and stated she has made several calls about the tree in front of her house due to its leaning and the dead limbs in the tree. On August 20, 2017 a storm caused a number of branches to fall on both her vehicles. She feels the City has failed to act on this matter, because she had called and complained prior to branches falling. Discussion followed.

Mr. Kirkpatrick explained in this case there are records of receiving several calls from Ms. Romjue on this tree. This tree did have a hanger trimmed from it on June 13, by Ted Bliss from Parks & Rec., and it was determined to be healthy. This tree is on the list of trees to be removed because of the number of calls that we have received from Ms. Romjue, even though this tree is healthy.

Mr. Weyhrich confirmed this tree is on the list to be removed, but it is a healthy tree so it is a low priority. We do have a number of trees that are higher on the list because they are in worse condition and need to be taken care of before this tree. Discussion followed.

Jane Raybould, Council Member, asked what work was done to the tree and if something is left for the property owner stating the work had been done.

Mr. Weyhrich explained a hanger was trimmed from the tree and a card would not be left for removal of a hanger. At a later date, the tree was marked for removal even though the tree is a healthy tree. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if there is a report of a hanger in a tree will staff only remove the hanger and nothing further, or do they do a comprehensive inspections of the tree to see if there are other threats. Discussion followed.

Mr. Weyhrich shared when they trim a hanger from a tree and can see obvious problems, they will take care of the obvious. Discussion followed.

Ms. Gaylor Baird inquired about the dead branches shown in the pictures and why those branches had not been trimmed. Discussion followed.

Mr. Weyhrich stated 60% of our trees have dead branches in them and we need to prioritize the work that needs to be done. The property owner can put in a trim request to have the dead branches taken care off of a tree. We take requests for trimming trees and for hanger removal from trees, these are two different types of requests. Discussion followed.

Ms. Gaylor Baird inquired about the requests made by Ms. Romjue for the tree and what work was done to the tree at that time.

Mr. Kirkpatrick stated there was a request for the removal of the tree and prior to that there was a complaint of a dead limb. Discussion followed.

Ms. Gaylor Baird inquired if the work request for the tree trim had been done to the tree, since taking down a hanger from the tree is not the same as trimming the tree. Discussion followed.

Mr. Kirkpatrick said, no. What had happened was Mr. Weyhrich went out on several occasions to inspect the tree, noticed dead branches in the tree and determined it was not a high enough priority to trim the branches at that time. As you have heard, several of our trees have dead branches in them and we do not have the manpower to trim every trees dead branches. Discussion followed.

Ms. Gaylor Baird stated it comes down to liability, if the City was given notice on this tree and if it was the dead branches that fell on the vehicles, wouldn't the City be liable regardless of whether or not we took action. Discussion followed.

Mr. Kirkpatrick stated that would be true, if it wasn't a live branch that fell on the vehicles shown in the pictures. The City still believes this tree is healthy and with enough wind you will always have branches fall from trees. Discussion followed.

Jennifer Rork, 6423 Platte Avenue, came forward with questions of how a tree is determined to be a danger. Discussion followed.

Mr. Weyhrich stated it would depend on the size of the tree and where it is located. Discussion followed.

This matter was taken under advisement.

COMPREHENSIVE PLAN CONFORMANCE 17017 – APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO AMEND THE “TELEGRAPH DISTRICT PHASE 2 REDEVELOPMENT PROJECT” TO INCLUDE UP TO FIVE AREAS WITH BUILDING AND PARKING IMPROVEMENTS AND CONNECTING STREETSCAPE ENHANCEMENTS GENERALLY LOCATED SOUTH OF O STREET, EAST OF SOUTH 20TH STREET, AND WEST OF ANTELOPE CREEK INCLUDING M AND N STREETS - David Landis, Urban Development Director, came forward and stated this amendment will allow for more development than what was originally defined in the agreement. The first part of the amendment is to add additional development in this area to the Telegraph Flats Building. This building will have 121,000 square feet with 14 units on the first floor and 69 units on the remaining three floors. Next, they would like to make some small changes to the exterior of the Telegraph Flats Warehouse Building, which is about 16,000 square feet. The final portion of this amendment would be to add Awards Unlimited to this portion of the project. This building will have commercial usage on the first floor and 8 to 10 units on the upper floor and is about 23,000 square feet. The City does own part of this property but as part of the redevelopment agreement the City will sell their portion of the land to the redeveloper. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if the TIF money amounts stated in this project would be for phase 1 and phase 2.

Mr. Landis stated he would check to make sure, but thinks the TIF dollars would be for phase 2 of this project since they have almost completed phase 1. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 17029 – APPLICATION OF PAR 5 PARTNERS, LLC FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE DISTRICT, O-3 OFFICE PARK DISTRICT, AND I-2 INDUSTRIAL PARK DISTRICT TO I-3 EMPLOYMENT CENTER DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTHWEST 1ST STREET AND WEST FLETCHER AVENUE. (RELATED ITEMS: 17-158, 17R-275);

USE PERMIT 17007 – APPLICATION OF PAR 5 PARTNERS, LLC FOR A NEW I-3 USE PERMIT, WITH WAIVERS TO SETBACKS AND SIGN REGULATIONS, ON PROPERTY GENERALLY LOCATED AT NORTHWEST 1ST STREET AND WEST FLETCHER AVENUE. (RELATED ITEMS: 17-158, 17R-275) (ACTION DATE: 12/4/17)- Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, Suite 200, came forward and stated that by changing from three different zones to one I-3 zone, this will allow for a Use Permit District. A use permit will allow for waivers to signage and the setback regulations. This area is considered a campus and the developer is wanting to put up identification signs for the buildings, along with directional and freestanding signs. At some point, they do plan to remove the existing Administration Building and replace it with a new building. We have been working with Building & Safety and Planning staff to ensure we are all on the same page for this project in terms of what these signs will be like and what they look like. This has been approved unanimously by the Planning Commission and we are here to ask for Councils approval of this change of zone and use permit. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired about the flood pool area that the NRD made notes about and is the developer planning on addressing this.

Mr. Eckert explained the south end of the property has some ponds and they are working with the NRD to document the exact limits of the easement which is already in place for this area. We will also be required to submit a new drainage plan, when and if they do new construction, to Building & Safety Department that will address the drainage concerns. Discussion followed.

Carl Eskridge, Council Member, inquired about the traffic needs in the Highland Neighborhoods when going from Fletcher Avenue to Highway 34.

Mr. Eckert stated they are aware of the stacking of cars in this area but Public Works has not made any requests from the developer at this time. Discussion followed.

Miki Esposito, Director Public Works, came forward and stated that since Public Works already has a number of projects scheduled for this area in the coming year they will be addressing the traffic concerns. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17017 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 156 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 84TH AND 105TH STREETS, BOTH NORTH AND SOUTH OF O STREET, INCLUDING THE ENTIRE HILLCREST HEIGHTS SUBDIVISION AND PROPERTIES IMMEDIATELY WEST AND SOUTH OF THE SUBDIVISION - Paul Barnes, Planning Department, came forward and explained in August of 2017 there were four public meetings held on this area being considered for annexation. The annexation policy does state “The City should annex land in Priority B that is contiguous to the City and generally urban in character, as well as, land that is engulfed by the City.” The subareas that are in this annexation area are acreage subdivisions and meet these requirements. We do understand that acreage living is a way of life and we embodied that in the policy of the Comprehensive Plan. We have noted that many aspects of this type of development will remain unchanged, this is not a zoning change. There will be some additional costs with this annexation for the property owners. Discussion followed.

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Andrew Thierolf, Planning Department, came forward saying this annexation includes 156 acres and 56 dwelling units, with most of this annexation in the Hillcrest Heights Subdivision. Currently, this is in the Waverly School District and would change to Lincoln Public Schools. Southeast Rural Fire is the closest station to this area, when annexed this would change to LFR. Some letters were received in Planning with some questions about the notification given to Waverly School District. Superintendent Cory Worrell indicated that he would like to have known earlier about this annexation. If this annexation were to happen in the middle of a school year, bussing would continue through the end of the school year only. Going forward, they would not continue to bus to Waverly Schools if annexed. Discussion followed.

Assistant Chief Pat Borer, Lincoln Fire and Rescue, came forward and explained that Lincoln has a good working relationship with Southeast Rural Fire Department and they have a Mutual Aid Agreement with them. There have been several examples over the last few years where they have worked together and relied on each other for resources. Discussion followed.

Cyndi Lamm, Council Member, asked what the distance is from the fire hydrant to the farthest property in this area.

Mr. Thierolf stated it is a little over 4000 feet from the hydrant to the farthest property. Discussion followed.

Chief Borer shared they have 750 feet of 5 inch hose on all of their apparatuses, along with several other hoses. The 5 inch hose which is almost like having an above ground water main, is what we typically attach to a water hydrant, we also have 1000 foot 2½ inch hose that can be used to relay water when necessary, as well as, 1¾ inch hose. Discussion followed.

Bennie Shobe, Council Member, inquired which of the hoses were for relaying water and which ones would they hold. Discussion followed.

Chief Borer explained the 1¾ inch hose is what they hold when putting out a fire and the 5 inch and 2½ inch are used for relaying water. Discussion followed.

Terry Neddenriep, 550 Anthony Lane, came forward in opposition to this annexation saying they have questions as to whether the City will be able to provide adequate fire service to the neighborhood. Discussion followed.

Marybell Avery, Secretary of Hillcrest Heights Neighborhood Association, 1111 East Hillcrest Drive, came forward in opposition to this annexation saying the 2040 Comprehensive Plan had this area not being annexed until the year 2026. Discussion followed.

Bob Crieager, Hillcrest Heights Homeowners Association Board Member, 1001 Anthony Lane, came forward in opposition to this annexation saying there is only one way in and out of this area. They would like to see this area opened up on the south end that leads to A Street before being annexed in. Discussion followed.

Rodney Schwartz, 1010 Anthony Lane, came forward in opposition to this annexation saying he has lived in this area for 37 years. He was assured for years that this area would not be annexed unless the residents requested annexation. Discussion followed.

Cory Worell, Superintendent of Waverly School District 145, came forward in opposition to this annexation saying he has concerns about how the discussion of annexing certain areas was handled. He did not receive any information about this annexation until September of 2017. With getting notified this late, the Waverly School District is close to wrapping up their school budget for the next school year and at this point, we are not sure how this will impact our budget for that school year. We do know that our district will have a loss of over \$30 Million Dollars in valuations. Discussion followed.

Sara Martin, Hillcrest Heights Neighborhood Board Member, 410 East Hillcrest Drive, came forward in opposition to this annexation saying they were told annexation would not be until after 2020. Discussion followed.

Brian Hale, 601 East Hillcrest Drive, came forward in opposition to this annexation saying there are no sidewalks for the kids to use to get to the schools in Lincoln and one of the roads that does not have a sidewalk is a State Highway. Discussion followed.

Mike Streeter, 649 East Hillcrest Drive, came forward in opposition to this annexation saying that they were told in the Summer of 2016 the annexation of this area was years away. Discussion followed.

Leo Kreifels, 641 Anthony Lane, came forward in opposition to this annexation saying that flooding in the culverts in this area has gotten worse with the developments in the past few years. Fixing some of the flooding issues caused by the new developments in Lincoln will bring financial hardship on some of the property owners when annexed. Discussion followed.

Fred Myers, 9501 O Street, came forward in opposition to this annexation saying that one of the parcels, which is the Country Club, is not being annexed when his property is located on the other side of the Country Club and is being annexed. Discussion followed.

Neal Amsbaugh, 702 Anthony Lane, came forward in opposition to this annexation saying the language of the Annexation Policy does state an area needs to meet all three of the criteria to be annexed "contiguous to the City and generally urban in character, as well as, engulfed by the City" not just one of the three. Discussion followed.

Jenni Limbach, 918 East Hillcrest Drive, came forward in opposition to this annexation saying that now is not the time to annex their area with all of the concerns that they have. Discussion followed.

Stanley Jensen, 930 Anthony Lane, came forward in opposition to this annexation saying the area to the south needs to be developed before this area is annexed. Discussion followed.

Linda Bright, 135 Anthony Lane, came forward in opposition to this annexation saying the development in the surrounding areas has increased the flooding of this area and needs to be addressed. Discussion followed.

David Cary, Planning Director, came forward saying that the Planning Department understands this is a very important topic for this neighborhood. Wanting to clarify, urban in character does not necessarily mean the area will have a lot of pavement or have large buildings. What it does mean, as far as the way it is provided for annexation per State Statute, is the allowance for determination of what the area under consideration of annexation either is or is going to be. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired about the concerns of the drainage and flooding in the area and how the City will address those concerns.

Mr. Cary explained the drainage issue is something that can and should be address regardless of the annexation of this area. Discussion followed.

Ms. Gaylor Baird inquired why Hillcrest Country Club was left out of this annexation and Mr. Myers property was included.

Mr. Cary stated the package that was brought forward was the most logical based on the policy and on the length of time since the last annexation. The golf course and club house were part of the considered area with this annexation but, a decision was made not to included them this time. We had questions on how these two areas would be serviced with water and sewer since 98th Street would need to be developed to provide those services. With Mr. Myers lot, it is considered a developed lot with structures on it and that is why it was included. Discussion followed.

This matter was taken under consideration.

ANNEXATION 17018 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 68 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 75TH AND 84TH STREETS AND BETWEEN HIGHWAY 2 AND YANKEE HILL ROAD, SAID PROPERTIES LYING ADJACENT TO A PORTION OF PORTSCHE LANE, DUNROVIN ROAD, AND ALIMARK LANE - Paul Barnes, Planning Department, came forward and explained the two areas to be annexed do have water and sewer lines adjacent to them or running through the property. The Planning Commission did vote to support this annexation.

Andrew Thierolf, Planning Department, came forward saying this annexation area is 61 acres with 18 dwelling units. This area is already in Lincoln Public Schools District and has Southeast Rural Fire & Rescue, which would change to LFR when annexed. With the Porsche Land area that has been included with this annexation, some of those property owners are wanting to be annexed. Discussion followed.

Zack Hadi, 7800 Portsche Lane, came forward in opposition to this annexation saying that he has concerns about snow removal for the half of Portsche Lane that is to be annexed and the distance they are to the closest fire hydrant. Discussion followed.

Arzu Hadi, 7800 Portsche Lane, came forward in opposition to this annexation saying they would like for some of the ongoing developments to the south to finish prior to being annexed to allow more time for the fire hydrants to be installed closer to the area. And would like all of Portsche Lane to be included in this annexation to help solve snow removal and the placement of the fire hydrants. Discussion followed.

Kathy Berrick, 7740 Portsche Lane, came forward in opposition to this annexation saying they moved here to live in the country and that they have paid to have their own well put in when they purchased the land and cannot afford the additional cost to hook up to City water and sewer lines. Discussion followed.

David Cary, Planning Director, came forward saying only 6 lots of Portsche Lane have been included in this annexation because there is a question of how water and sewer lines would get to the rest of the properties. Currently, a developer is going through the approval process for a new development on Portsche Lane in the area to be annexed and they will be required to install two fire hydrants as part of that process. Upon annexation, Council could order the installation of one hydrant if desired, since the water line already exists. Discussion followed.

Jane Raybould, Council Member, inquired about the snow removal for that area and how it would be handled.

Miki Esposito, Director Public Works, came forward and stated the City and County have an interlocal agreement for situations like this so the responsibility is shared between the two departments. We do take into consideration the type of road that needs to be cleared when deciding who will be clearing it. Discussion followed.

Bennie Shobe, Council Member, asked if the property owners would be forced to use City water and pay for the cost of the lines being put in.

Mr. Thierolf stated any lots that are within 300 feet to a sewer line would be required to connect to that line according to policy. A letter would be sent from the Health Department to the property owners stating they would be required to connect and would have 6 months to do this. Discussion followed.

This matter was taken under consideration.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A CONTRACT AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION, AND MIDWEST OFFICE AUTOMATIONS FOR COST-PER-COPY SERVICES, PURSUANT TO BID NO. 17-199, FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM - PRIOR to reading:

GAYLOR BAIRD Moved to continue Public Hearing with Action on Bill No. 17R-279 two weeks to 12/04/17.

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

RESOLUTION LEVYING THE ASSESSMENTS APPROVED BY THE CITY COUNCIL SITTING AS THE BOARD OF EQUALIZATION ON NOVEMBER 6, 2017 AND SETTING THE INTEREST RATE ON THOSE ASSESSMENTS FOR THE COSTS OF THE IMPROVEMENTS IN THE DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, DOWNTOWN MAINTENANCE DISTRICT, AND THE WEST HAYMARKET/DOWNTOWN MAINTENANCE DISTRICT - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90767 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

The special taxes assessed November 6, 2017, to pay the costs of the improvements in the Downtown Management Business Improvement District, Downtown Core Management Business Improvement District, Downtown Maintenance District, and the West Haymarket/Downtown Maintenance District are hereby levied and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Bennie Shobe

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

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

A-90768 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended September 30, 2017 \$193,146.66 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on the pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all funds balances.

Introduced by Bennie Shobe

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

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, DECEMBER 11, 2017, AT 3:00 P.M. & PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

17-186 PROVIDE AUTHORITY TO CREATE AND ORDER CONSTRUCTED A SPECIAL ASSESSMENT 8-INCH SANITARY SEWER DIST. IN THE AREA OF FLETCHER AVE. AND CORNHUSKER HWY.

CLERK Requested a motion to approve the request of Public Works to set the hearing date.

ESKRIDGE Moved to approve the request of Public Works to set the hearing date.

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

AFFIDAVIT OF MAILING FOR THE ASSESSMENT OF WEED ABATEMENT BY THE COUNTY WEED CONTROL AUTHORITY FOR THE CALENDAR YEAR JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT REGARDING SETTLEMENT AGREEMENT UNDER NEB. REV. STAT. §84-713 (NON-TORT CLAIMS) WITH DAVID TARRANCE & TAMARA GEIS - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON OCTOBER 30, 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 NOVEMBER 5, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

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

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

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

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, DECEMBER 4, 2017 AT 3:00 P.M. ON THE APPLICATION OF BH OPERATOR LLC DBA CLOVERLEAF SUITES LINCOLN FOR A CLASS I LIQUOR LICENSE AT 200 S. 68TH STREET PLACE - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90769 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 4, 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 BH Operator LLC dba Cloverleaf Suites Lincoln for a Class I Liquor License at 200 S. 68th Street Place.

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: Christensen, Eskridge, Gaylor Baird, Raybould, Shobe, Lamm; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 4, 2017 AT 3:00 P.M. ON THE APPLICATION OF HCJ, LLC DBA SINGLE BARREL BOURBON STREET FOR CLASS CK AND CLASS E LIQUOR LICENSES AT 300 CANOPY STREET, SUITE 160 - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90770 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 4, 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 HCJ, LLC dba Single Barrel Bourbon Street for Class CK and Class E Liquor Licenses at 300 Canopy Street, Suite 160.

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: Christensen, Eskridge, Gaylor Baird, Raybould, Shobe, Lamm; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 4, 2017 AT 3:00 P.M. ON THE APPLICATION OF GEAR HOSPITALITY LLC DBA ALCHEMY FOR A CLASS C LIQUOR LICENSE AT ~~140 N. 8TH~~ 801 P STREET, SUITE 150 - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90771 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 4, 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 Gear Hospitality LLC dba Alchemy for a Class C Liquor License at ~~140 N. 8th~~ 801 P Street, Suite 150.

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: Christensen, Eskridge, Gaylor Baird, Raybould, Shobe, Lamm; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 11, 2017 AT 3:00 P.M. ON THE APPLICATION OF OVATIONS FOOD SERVICES LP DBA SPECTRA FOOD SERVICES & HOSPITALITY FOR CLASS I AND CLASS E LIQUOR LICENSES AT 350 CANOPY STREET, SUITE #120 - CLERK read the following resolution, introduced by Bennie Shobe, who moved its adoption:

A-90772 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 4, 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 Ovations Food Services LP dba Spectra Food Services & Hospitality for Class I and Class E Liquor Licenses at 350 Canopy Street, Suite #120.

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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: Christensen, Eskridge, Gaylor Baird, Raybould, Shobe, Lamm; NAYS: None; ABSENT: Camp.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Approval No. 17005 to Special Permit No. 06044, Grandale CUP, approved by the Planning Director on November 9, 2017, to revise lot sizes and update notes as necessary, generally located at S. 40th Street and Prairie Wind Road.

LIQUOR RESOLUTIONS

APPLICATION OF EFTHYMIOS GELASTOPOULOS DBA MAD MIKES BAR AND GRILL FOR A CLASS I LIQUOR LICENSE AT 230 NORTH 12TH STREET. (11/6/17 - PUBLIC HEARING & ACTION CONT'D 2 WEEKS TO 11/20/17) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for denial:

A-90773

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, pertinent City ordinances, and the following

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

The City Council recommends to the Nebraska Liquor Control Commission that the application of Eftymios Gelastopoulos dba Mad Mikes Bar and Grill for a Class YMBOL 65 \f"WP TypographicSymbols" \s 10I@ liquor license at 230 North 12th Street, Lincoln, Nebraska, be denied. The City Council has determined that the application should be denied for one or more of the following reasons:

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

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

Introduced by Carl Eskridge

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

APPLICATION OF GEANINE'S, INC. DBA TICO'S FOR A CLASS C LIQUOR LICENSE AT 317 SOUTH 17TH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90774

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 Geanine's, Inc. dba Tico's for a Class "C" liquor license at 317 South 17th Street, Lincoln, Nebraska, for the license period ending October 31, 2018, 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 Carl Eskridge

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

MANAGER APPLICATION OF JOHN E. SATHER FOR GEANINE'S, INC. DBA TICO'S AT 317 SOUTH 17TH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90775 WHEREAS, Geanine's, Inc. dba Tico's located at 317 South 17th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that John E. Sather be named manager;

WHEREAS, John E. Sather 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 John E. Sather 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 Carl Eskridge

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

APPLICATION OF LINA TRUU, INC. DBA SCREAMERS DINING & CABARET FOR A CLASS I LIQUOR LICENSE AT 803 Q STREET, SUITE #150 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90776 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 Lina Truu, Inc. dba Screammers Dining & Cabaret for a Class "I" liquor license at 803 Q Street, Suite #150, Lincoln, Nebraska, for the license period ending April 30, 2018, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.

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

3. The premises must comply in every respect with all city and state regulations.

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

Introduced by Carl Eskridge

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

MANAGER APPLICATION OF KEVIN D. WITCHER FOR LINA TRUU, INC. DBA SCREAMERS DINING & CABARET AT 803 Q STREET, SUITE #150 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90777 WHEREAS, Lina Truu, Inc. dba Screammers Dining & Cabaret located at 803 Q Street, Suite #150, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Kevin D. Witcher be named manager;

WHEREAS, Kevin D. Witcher 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 Kevin D. Witcher 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 Carl Eskridge

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

MANAGER APPLICATION OF MACKENZI K. MADISON FOR NHC, LLC DBA COPPER KETTLE AT 101 NORTH 14TH STREET, SUITE 6A - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90778 WHEREAS, NHC, LLC dba Copper Kettle located at 101 North 14th Street, Suite 6A, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Mackenzi K. Madison be named manager;

WHEREAS, Mackenzi K. Madison 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 Mackenzi K. Madison 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 Carl Eskridge

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

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MANAGER APPLICATION OF TIPHANIE M. BRUYETTE FOR WHITEHEAD OIL COMPANY DBA U-STOP #5 AT 8231 EAST O STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90779 WHEREAS, Whitehead Oil Company dba U-Stop #5 located at 8231 O Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Tiphania M. Bruyette be named manager;

WHEREAS, Tiphania M. Bruyette 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 Tiphania M. Bruyette 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 Carl Eskridge

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

MANAGER APPLICATION OF TYLER J. DAGEFORDE FOR WADSWORTH OLD CHICAGO, INC. DBA OLD CHICAGO AT 826 P STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption for approval:

A-90780 WHEREAS, Wadsworth Old Chicago, Inc. dba Old Chicago located at 826 P Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Tyler J. Dageforde be named manager;

WHEREAS, Tyler J. Dageforde 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 Tyler J. Dageforde 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 Carl Eskridge

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

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 16-31, 2017 - PRIOR to reading:

LAMM Moved to amend Bill No. 17R-276 in the following manner:
On Line 10 and line 11, the claims of Anne Romjue and Chris Blann should be removed from the list of DENIED CLAIMS.

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

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption as amended:
A-90781 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 November 1, 2017, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

DENIED CLAIMS

Anne Romjue	\$ 4,505.64
Chris Blann	13,096.93
Steven Loos	800.00
Tara Merkwan	345.00
Paul Westbrook	NAS*
Geico a/s/o Deborah Warnke	1,860.33
Cincinnati Insurance a/s/o Swanson Sinkey Ellis, Inc.	NAS*
Margaret Lichty	2,480.00
Robert & Sandra Sons	861.47

ALLOWED/SETTLED CLAIMS

Charles Sales	\$2,700.00
Shannon Hunter	3,065.74
Don McCabe	741.71
Jennifer & Sakphap Tep	4,000.00

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

COMPREHENSIVE PLAN CONFORMANCE 17017 – APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO AMEND THE “TELEGRAPH DISTRICT PHASE 2 REDEVELOPMENT PROJECT” TO INCLUDE UP TO FIVE AREAS WITH BUILDING AND PARKING IMPROVEMENTS AND CONNECTING STREETSCAPE ENHANCEMENTS GENERALLY LOCATED SOUTH OF O STREET, EAST OF SOUTH 20TH STREET, AND WEST OF ANTELOPE CREEK INCLUDING M AND N STREETS - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90782 WHEREAS, The City Council has previously adopted the Antelope Valley Redevelopment Plan (hereinafter the “Redevelopment Plan”) including plans for various redevelopment projects within the Redevelopment Plan area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by amending the “Telegraph District Phase 2 Redevelopment Project” for the redevelopment of land generally located south of O Street, east of 20th Street, and west of Antelope Creek, including M and N Streets, to include up to five areas with building and parking improvements and connecting streetscape features throughout; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the “Antelope Valley Redevelopment Plan Amendment, Telegraph District Phase 2 Redevelopment Project” (hereinafter the “Amendment to Redevelopment Plan”) which is attached hereto, marked as Attachment “A”, and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2012); and

WHEREAS, on October 13, 2017, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on October 25, 2017 before the Lincoln City - Lancaster County Planning Commission regarding the proposed Amendment to the Redevelopment Plan, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment “B” and “C” respectively; and

WHEREAS, the proposed Amendment to the Redevelopment Plan was submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on October 25, 2017, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Amendment and found the Amendment to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on October 27, 2017 a notice of public hearing was mailed postage prepaid to the foregoing list of governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on November 20, 2017 regarding the proposed Amendment to the Redevelopment Plan, a copy of said notice having been attached hereto as Attachment “D”; and

WHEREAS, on November 3, 2017 and November 10, 2017, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on November 20, 2017 regarding the proposed Amendment to the Redevelopment Plan, a copy of such notice having been attached hereto and marked as Attachment “E”; and

WHEREAS, on November 20, 2017 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed Amendment to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed Amendment to the Redevelopment Plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed Amendment to the Redevelopment Plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Telegraph District Phase 2 Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the Telegraph District Phase 2 Redevelopment Project into the Antelope Valley Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the Telegraph District Phase 2 Redevelopment Project would not be economically feasible without the use of tax-increment financing.

4. That the Telegraph District Phase 2 Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing.

5. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

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1. That the Amendment to the Redevelopment Plan attached hereto as Attachment "A" amending the Telegraph District Phase 2 Redevelopment Project as part of the Antelope Valley Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the Telegraph District Phase 2 Redevelopment Project Area as described and depicted in the Amendment to the Redevelopment Plan is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. The Redevelopment Plan replaces and supersedes redevelopment plans previously approved by the City Council as Resolution Nos. A-90247 and A-90576 on February 23, 2017 and July 17, 2017 respectively.

5. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Amendment to the Redevelopment Plan.

Introduced by Jane Raybould

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

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

CHANGE OF ZONE 17029 – APPLICATION OF PAR 5 PARTNERS, LLC FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE DISTRICT, O-3 OFFICE PARK DISTRICT, AND I-2 INDUSTRIAL PARK DISTRICT TO I-3 EMPLOYMENT CENTER DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTHWEST 1ST STREET AND WEST FLETCHER AVENUE. (RELATED ITEMS: 17-158, 17R-275) - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

USE PERMIT 17007 – APPLICATION OF PAR 5 PARTNERS, LLC FOR A NEW I-3 USE PERMIT, WITH WAIVERS TO SETBACKS AND SIGN REGULATIONS, ON PROPERTY GENERALLY LOCATED AT NORTHWEST 1ST STREET AND WEST FLETCHER AVENUE. (RELATED ITEMS: 17-158, 17R-275) ACTION DATE: 12/4/17)

ANNEXATION 17017 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 156 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 84TH AND 105TH STREETS, BOTH NORTH AND SOUTH OF O STREET, INCLUDING THE ENTIRE HILLCREST HEIGHTS SUBDIVISION AND PROPERTIES IMMEDIATELY WEST AND SOUTH OF THE SUBDIVISION - CLERK read an ordinance, introduced by Jane Raybould, 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 17018 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 68 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN 75TH AND 84TH STREETS AND BETWEEN HIGHWAY 2 AND YANKEE HILL ROAD, SAID PROPERTIES LYING ADJACENT TO A PORTION OF PORTSCHE LANE, DUNROVIN ROAD, AND ALIMARK LANE - CLERK read an ordinance, introduced by Jane Raybould, 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. 18028, to reflect to extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

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 (11/6/17 - VERBAL MTA TO HAVE ORDINANCE BECOME EFFECTIVE NOV. 6, 2018 ADOPTED, 4-2; DUE TO LACK OF VOTE ON MAIN MOTION, FINAL ACTION CARRIED OVER TO 11/20/17) - PRIOR to reading:

LAMM Moved to place Bill No. 17-151 on the Pending List Date Certain with continued Public Hearing one year to 10/01/18.

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

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 third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20579, is recorded in Ordinance Book 34.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20580, is recorded in Ordinance Book 34.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20581, is recorded in Ordinance Book 34.

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, 23.50.040, 23.10.010, 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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20582, is recorded in Ordinance Book 34.

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) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90783 WHEREAS, Lincoln Municipal Code Section 4.24.070 provides that the Lincoln City Council has the sole authority to establish retail electric rates for the Lincoln Electric System (LES);

WHEREAS, rate schedules for the use and services of LES of the City of Lincoln, including the electric energy sold, furnished, or supplied by said City of Lincoln, Nebraska, have been established by resolution from time to time, the last one being Resolution No. A-90122, adopted by the City Council on December 5, 2016, and approved by the Mayor on December 7, 2016;

WHEREAS, the LES Administrative Board recommends to the City Council of the City of Lincoln, Nebraska, that the document entitled proposed "Rate Schedules", for rates effective January 1, 2018, which is attached hereto and fully incorporated herein, be adopted for the use of Lincoln Electric System and the provision of services to ratepayers in the service area of Lincoln Electric System;

WHEREAS, the "Rate Schedules" include no system-wide average retail electric rate adjustment for 2018, but does provide for a 9.7% increase in the Street Light rate class and also provide for continued modification of the "Customer and Facilities" charge for Residential and Heating Service rate classes and other minor changes to be effective January 1, 2018;

WHEREAS, the rate recommendation complies with the City of Lincoln's Bond Ordinance for LES regarding retail electric rates;

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WHEREAS, LES staff provided extensive customer information and outreach on the proposed 2018 rates, including a public hearing that was held on October 5, 2017 at the Walter A. Canney Service Center, 27th and Fairfield; and

WHEREAS, it is evident to the City Council of the City of Lincoln, Nebraska, that the justification for said rates and charges has been demonstrated and, therefore, said rates should be adopted.

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

That effective January 1, 2018, the attached "Rate Schedules" for retail electric rates and service fees, effective January 1, 2018, for the Lincoln Electric System and the provision of services to ratepayers in the service area of Lincoln Electric System is hereby established and adopted; and

BE IT FURTHER RESOLVED that Resolution No. A-90122, adopted on December 5, 2016, is hereby superseded by this Resolution effective January 1, 2018.

Introduced by Leirion Gaylor Baird

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

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) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90784 WHEREAS, under the provisions of Section 4.24.090 of the Lincoln Municipal Code, a proposed annual budget for the operation of the Lincoln Electric System (LES) for 2018 was approved by the LES Administrative Board on October 20, 2017; and

WHEREAS, pursuant to the above-cited code section, a public hearing on the proposed budget was held on November 6, 2017, notice thereof having been published in one issue of the Lincoln Journal Star newspaper published and of general circulation in the City more than five (5) days before such hearing.

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

1. That pursuant to the provisions of Section 4.24.090 of the Lincoln Municipal Code, the LES Annual Budget for the fiscal year beginning January 1, 2018, is hereby adopted, and all funds listed therein are hereby appropriated for the several purposes therein stated.

2. That all money received in any of the aforesaid funds in excess of the estimated balances and receipts set forth in said budget shall be credited to the surplus of such funds.

3. That all monies received and set apart for the operation and maintenance of the LES and all monies received from any source that are required to be applied to the costs of said operation and maintenance, shall be deposited in the appropriate operation and maintenance account, and paid out upon the order of those persons designated by the LES Administrative Board.

4. That by adoption of the Capital Budget, the City Council hereby authorizes the acquisition of all necessary right-of-way, easements, or other interests in land, by purchase if possible, by condemnation if necessary, for those projects included within the Capital Budget.

5. That, to the extent capital improvements of LES are made from LES revenue and other funds, it is intended that the amount of such expenditures, which is not reasonably expected to exceed \$95 million, shall be reimbursable to the LES revenue fund and other funds through the issuance of future electric system revenue bonds, there being no funds of LES or the City reserved, allocated on a long-term basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to such expenditures, other than pursuant to the issuance of such electric system revenue bonds, this Resolution being determined to be consistent with the budgetary and financial circumstances of LES and the City as they exist or are reasonably foreseeable on the date hereof. The proper officers of LES shall keep and maintain records at least annually to determine the amount of such capital expenditures that may be reimbursed from electric system revenue bond proceeds.

6. There is hereby appropriated all money received from any source as grants or donations received for public purposes.

Introduced by Leirion Gaylor Baird

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

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20583, is recorded in Ordinance Book 34.

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 third time.

GAYLOR BAIRD Moved to pass the ordinance as read.

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

The ordinance, being numbered #20584, is recorded in Ordinance Book 34.

RESOLUTIONS - 1ST READING

PROVIDE SITING APPROVAL TO ALLOW CITY OWNED PROPERTY TO BE USED FOR FUTURE SOLID WASTE OPERATIONS AND TO ALLOW THE PERMITTING AND OPERATIONS OF SOLID WASTE DISPOSAL AREAS AND SOLID WASTE PROCESSING FACILITIES ON A PARCEL OF GROUND, CONTAINING APPROXIMATELY 710 ACRES, IN THE VICINITY OF HIGHWAY 77 AND BLUFF ROAD IN LANCASTER COUNTY, NEBRASKA.

REAPPOINTING MIKE LANG TO THE DISTRICT ENERGY CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2019. *(CONSENT)*

REAPPOINTING BRIAN WACHMAN TO THE KENO/HUMAN SERVICES ADVISORY BOARD FOR A TERM EXPIRING DECEMBER 31, 2020. *(CONSENT)*

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

APPROVING A PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND HEMOCUE AMERICA TO PROVIDE ANALYZER MACHINES AND CUVETTES TO ALLOW WIC PROGRAM STAFF TO CONDUCT HEMOGLOBIN CHECKS FOR CLIENTELE FOR A TERM OF OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2020. *(CONSENT)*

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$40,985,000 PRINCIPAL AMOUNT OF CORRECTIONAL FACILITY REFUNDING BONDS, SERIES 2017, TO BE ISSUED BY LANCASTER COUNTY CORRECTIONAL FACILITY JOINT PUBLIC AGENCY.

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

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$14,000,000 AGGREGATE STATED PRINCIPAL AMOUNT OF WATER REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Bennie Shobe, Sixth Series Ordinance adopted under and pursuant to Ordinance No. 18088 authorizing the issuance of Water Revenue Refunding Bonds, Series 2017, of the City of Lincoln, Nebraska in a principal amount not to exceed Fourteen Million Dollars (\$14,000,000); 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 first time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND EXTENET SYSTEMS, INC. FOR THE PURPOSE OF INSTALLING SMALL CELL WIRELESS TECHNOLOGY ON CITY OWNED STREET LIGHT POLES - CLERK read an ordinance, introduced by Bennie Shobe, accepting and approving the Master Lease Agreement between the City of Lincoln and ExteNet Systems, Inc. for the purpose of installing small cell wireless technology on City owned street light poles, the first time.

ADDING A NEW SECTION 9.08.120 TO PROVIDE FOR PROCEDURES FOR POLICE OFFICERS IN ISSUING CITATIONS FOR A VIOLATION OF THE CITY CODE AND GROUNDS FOR DETERMINING IF DETENTION IS NECESSARY - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 9.08 of the Lincoln Municipal Code to add a new section numbered 9.08.120 to provide for procedures for police officers in issuing citations for a violation of the city code and grounds for determining if detention is necessary, the first time.

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CONSENT AMENDMENTS ORDINANCE AMENDING SECTIONS 24.05.240, 24.05.250, AND 24.05.270 TO MOVE EXAMINATION RESPONSIBILITIES TO THE EXAMINING BOARD OF PLUMBERS AND REPEALING SECTIONS 24.05.240, 24.05.250, AND 24.05.270 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Sections 24.05.240, 24.05.250, and 24.05.270 of the Lincoln Municipal Code to move examination responsibilities to the Examining Board of Plumbers and repealing Sections 24.05.240, 24.05.250, and 24.05.270 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 9.24.140 TO PROVIDE FOR MORE SPECIFIC TERMS AND CONDITIONS FOR LARCENY; AMENDING SECTION 9.24.160 TO RAISE THE MAXIMUM LEVEL FOR THEFT OF SERVICES COVERED UNDER THE CODE; BY ADDING A NEW SECTION 9.24.165 TITLED CONSOLIDATION OF THEFT OFFENSES TO PROVIDE FOR THE PROSECUTION OF CONDUCT IN SECTIONS 9.24.120 TO 9.24.160 AS A SINGLE OFFENSE EMBRACING THE SEPARATELY ENUMERATED OFFENSES; AMENDING SECTION 9.24.190 TO PROVIDE MORE CLEAR AND DEFINITE TERMS AND CONDITIONS FOR LOITERING AND TRESPASSING; AND REPEALING SECTIONS 9.24.140, 9.24.160, AND 9.24.190 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 9.24 of the Lincoln Municipal Code by amending Section 9.24.140 Larceny; Defined to provide for more specific terms and conditions for Larceny; by amending Section 9.24.160 Theft of Services to raise the maximum level for theft of services covered under the Code; by adding a new section numbered Section 9.24.165 titled Consolidation of Theft Offenses to provide for the prosecution of conduct in Sections 9.24.120 to 9.24.160 as a single offense embracing the separately enumerated offenses; and by amending Section 9.24.190 Loitering and Trespass; Windowpeeping as Evidence to provide more clear and definite terms and conditions for Loitering and Trespassing; and repealing Sections 9.24.140, 9.24.160, and 9.24.190 as hitherto existing, the first time.

AMENDING SECTION 10.06.080 TO ALLOW FOR ENFORCEMENT OF PENALTIES FOR REFUSAL TO SIGN TRAFFIC CITATIONS AND REPEALING SECTION 10.06.080 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Title 10 of the Lincoln Municipal Code relating to persons who refuse to sign citations issued to them by police officers, the first time.

AMENDING SECTIONS 10.08.010, 10.08.020, 10.08.040, AND 10.08.050 TO BE CONSISTENT WITH STATE LAW AND ALLOW FOR ENFORCEMENT OF THE LAW REGARDING MOTOR VEHICLE REGISTRATION AND LICENSE PLATES AND REPEALING SECTIONS 10.08.010, 10.08.020, 10.08.040, AND 10.08.050 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Title 10 of the Lincoln Municipal Code relating to registration of motor vehicles and trailers, the first time.

AMENDING SECTION 10.12.030 TO ADD NEW TRAFFIC CONTROL RED ARROW TO THE TRAFFIC CONTROL LEGEND; AMENDING SECTIONS 10.14.200(B) AND 10.14.220 TO ADD LANGUAGE ON HOW DRIVERS SHALL PROCEED IN TRAFFIC WHEN THERE IS A STEADY CIRCULAR RED LIGHT OR RED ARROW; AND REPEALING SECTIONS 10.12.030, 10.14.200, AND 10.14.220 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 10.12 of the Lincoln Municipal Code relating to Traffic Control Devices by amending Section 10.12.030 to add new traffic control Red Arrow to the Traffic Control Legend; amending Chapter 10.14 relating to Rules of the Road by amending Section 10.14.200(b) relating to U-Turn Only at Street Intersections; and amending Section 10.14.220 relating to Turns Restricted at Intersections With Automatic Signals to add language on how drivers shall proceed in traffic when there is a steady circular red light or red arrow; and repealing Sections 10.12.030, 10.14.200, and 10.14.220 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.14.190 TO PROVIDE THAT LEFT TURNS SHALL BE MADE, AS NEARLY AS PRACTICABLE, IN THE EXTREME LEFT-HAND LANE AND REPEALING SECTION 10.14.190 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 10.14.190 of the Lincoln Municipal Code to provide that left turns shall be made, as nearly as practicable, in the extreme left-hand lane and repealing Section 10.14.190 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.14.420 TO HAVE A PENALTY CONSISTENT WITH STATE LAW FOR THE SAME VIOLATION AND REPEALING SECTION 10.14.420 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 10.14.420 of the Lincoln Municipal Code to have a penalty consistent with state law for the same violation and repealing Section 10.14.420 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.16.030 TO BE CONSISTENT WITH STATE LAW AND REPEALING SECTION 10.16.030 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 10.16.030 of the Lincoln Municipal Code to be consistent with state law and repealing Section 10.16.030 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.16.063 PURSUANT TO RECENT CHANGES TO NEB. REV. STAT. § 60-4, 108 AND NEB. REV. STAT. § 60-4, 109 TO ALLOW A SENTENCE OF PROBATION WITHOUT FURTHER LICENSE REVOCATION AFTER CONVICTION FOR THIS OFFENSE AND REPEALING SECTION 10.16.063 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Title 10 of the Lincoln Municipal Code relating to driving a motor vehicle while having an operator's license that has been suspended, revoked, or impounded, the first time.

AMENDING SECTION 10.16.065 TO BE CONSISTENT WITH STATE LAW FOR THE SAME OFFENSES PURSUANT TO NEB. REV. STAT. § 60-4, 108 AND REPEALING SECTION 10.16.065 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Title 10 of the Lincoln Municipal Code relating to driving a motor vehicle while having an operator's license that has been suspended, revoked, or impounded, the first time.

AMENDING SECTION 10.30.080 TO CLARIFY WHERE SOLICITING ACTIVITIES ARE PROHIBITED TO PROTECT PEDESTRIAN AND MOTOR VEHICLE SAFETY AND REPEALING SECTION 10.30.080 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 10.30.080 of the Lincoln Municipal Code relating to Pedestrians; Soliciting Employment, Business, or Contribution Prohibited; and repealing Section 10.30.080 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.32.070 TO CLARIFY THAT ANY MOTOR VEHICLE THAT EXCEEDS THE PROHIBITED LENGTH OR WIDTH WITH OR WITHOUT A TRAILER ATTACHED CANNOT BE PARKED IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND REPEALING SECTION 10.32.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 10.32.070 of the Lincoln Municipal Code relating to Parking of Vehicle on Street Adjacent to Residentially Zoned Property and repealing Section 10.32.070 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENT ORDINANCE AMENDING SECTION 2.42.040 TO MOVE THE WORKFORCE INVESTMENT OPPORTUNITY ADMINISTRATION FROM THE URBAN DEVELOPMENT DEPARTMENT TO THE MAYOR'S OFFICE AND REPEALING SECTION 2.42.040 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 2.42.040 of the Lincoln Municipal Code to move the Workforce Investment Opportunity Administration from the Urban Development Department to the Mayor's Office and repealing Section 2.42.040 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 8.08.030 TO DECLARE THE VIOLATION OF THIS CODE SECTION TO BE A PUBLIC NUISANCE RATHER THAN A CRIME AND REPEALING SECTION 8.08.030 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 8.08.030 of the Lincoln Municipal Code to declare the violation of this code section to be a public nuisance rather than a crime and repealing Section 8.08.030 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 9.36.090 TO ALLOW FOR THE TRANSPORTATION OF LEGAL FIREWORKS WITHOUT PRIOR NOTIFICATION OF THE LINCOLN POLICE DEPARTMENT AND REPEALING SECTION 9.36.090 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 9.36.090 of the Lincoln Municipal Code to allow for the transportation of legal fireworks without prior notification of the Lincoln Police Department and repealing Section 9.36.090 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 4.04.020 TO CLARIFY THAT THE CHARTER REVISION COMMISSION IS REQUIRED TO MEET A MINIMUM OF ONCE ANNUALLY RATHER THAN TWICE ANNUALLY AND REPEALING SECTION 4.04.020 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 4.04 of the Lincoln Municipal Code to clarify that the Charter Revision Commission is required to meet a minimum of once annually rather than twice annually and repealing Section 4.04.020 of the Lincoln Municipal Code as hitherto existing, the first time.

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CONSENT AMENDMENTS ORDINANCE AMENDING SECTIONS 4.20.010, 4.20.020, 4.20.030, AND 4.20.050 TO CLARIFY THE TITLE OF LIBRARY BOARD MEMBERS, TO REMOVE UNNECESSARY LANGUAGE, AND REPEALING SECTIONS 4.20.010, 4.20.020, 4.20.030, AND 4.20.050 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 4.20 of the Lincoln Municipal Code to clarify the title of Library Board members, to remove unnecessary language and repealing Sections 4.20.010, 4.20.020, 4.20.030, and 4.20.050 of the Lincoln Municipal Code as hitherto existing, the first time.

TECHNICAL AMENDMENTS ORDINANCE AMENDING SECTIONS 20.06.040, 20.06.237, 20.10.230, 20.10.235, AND 24.05.220 TO REFLECT THE CORRECT REFERENCES TO THE RECENTLY ADOPTED LINCOLN MECHANICAL CODE AND LINCOLN PLUMBING CODE, AND REPEALING SECTIONS 20.06.040, 20.06.237, 20.10.230, 20.10.235, AND 24.05.220 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Chapter 20.06 of the Lincoln Municipal Code relating to Lincoln Building Code by amending Sections 20.06.040 and 20.06.237 to reflect the correct references to the recently adopted Lincoln Mechanical Code and Lincoln Plumbing Code chapters; amending Section 20.10 relating to Lincoln Residential Building Code by amending Sections 20.10.230 and 20.10.235 to reflect the correct references to the recently adopted Lincoln Mechanical Code chapter; amending Chapter 24.05 relating to Gas Piping Code by amending Section 24.05.220 to reflect the correct references to the recently adopted Lincoln Plumbing Code chapter; and repealing Sections 20.06.040, 20.06.237, 20.10.230, 20.10.235, and 24.05.220 as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE REPEALING SECTION 10.32.025 AS THE VOLUNTEER POSITION OF CITIZEN HANDICAPPED PARKING PATROL OFFICER IS NO LONGER BEING UTILIZED BY THE LINCOLN POLICE DEPARTMENT - CLERK read an ordinance, introduced by Bennie Shobe, repealing Section 10.32.025 from the Lincoln Municipal Code as the volunteer position of Citizen Handicapped Parking Patrol Officer is no longer being utilized by the Lincoln Police Department, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 2.18.020 TO RAISE THE LIMIT ON MICRO PURCHASES FROM \$3,000 TO \$5,000 AND REPEALING SECTION 2.18.020 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 2.18.020 of the Lincoln Municipal Code to raise the limit on micro purchases from \$3,000 to \$5,000 and repealing Section 2.18.020 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 2.32.110 TO ELIMINATE THE PROVISION FOR THE FEE CHARGED BY THE POLICE DEPARTMENT FOR ACCIDENT REPORTS AND REPEALING SECTION 2.32.110 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 2.32.110 of the Lincoln Municipal Code to eliminate the provision for the fee charged by the Police Department for accident reports and repealing Section 2.32.110 of the Lincoln Municipal Code as hitherto existing, the first time.

CONSENT AMENDMENTS ORDINANCE AMENDING SECTION 9.20.080 TO REPLACE THE PROHIBITION AGAINST PROFANE OR ABUSIVE LANGUAGE WITH PROHIBITION AGAINST REPEATED PANHANDLING AND REPEALING SECTION 9.20.080 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Bennie Shobe, amending Section 9.20.080 of the Lincoln Municipal Code to replace the prohibition against profane or abusive language with a prohibition against repeated panhandling and repealing Section 9.20.080 of the Lincoln Municipal Code as hitherto existing, the first time.

OPEN MICROPHONE

Jennifer Rork, 6423 Platte Avenue, came forward and stated she has concerns with all of the road construction in Lincoln and how it is making the roads unsafe. Discussion followed.

This matter was taken under advisement.

ADJOURNMENT

9:42 P.M.

RAYBOULD Moved to adjourn the City Council Meeting of November 20, 2017.
Seconded by Gaylor Baird & carried by the following vote: AYES: Christensen, Eskridge,
Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None; ABSENT: Camp.

Soulinnee Phan, Deputy City Clerk

Rhonda M. Bice, Office Specialist

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