

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, DECEMBER 11, 2017 AT 3:00 P.M.**

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

Council Chair Christensen announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

LAMM Having been appointed to read the minutes of the City Council Proceedings of December 4, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

ASSESSING THE COSTS INCURRED FOR CUTTING, CLEARING AND REMOVING WEEDS AGAINST THE VARIOUS BENEFITTED PROPERTIES FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 - Brent Meyer, Lancaster County Weed Control, came forward and stated this resolution is for the properties that remain unpaid for the 2017 mowing season. Discussion followed.

This matter was taken under advisement.

APPROVING A PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND HOMETOWN TROLLEY (DOUBLE K, INC.) FOR COMPRESSED NATURAL GAS LOW FLOOR TROLLEYS, PURSUANT TO RFP NO. 17-164, FOR A FIVE YEAR TERM - Mike Davis, StarTran Transit Manager, came forward and stated this resolution is for the purchase of Trolley Vehicles. These vehicles will increase rider ship, as well as being a great asset and tie to the history of Lincoln. Discussion followed.

Carl Eskridge, Council Member, inquired if the cost to ride the trolley would be the same as the downtown shuttle fee of \$.25.

Mr. Davis stated the cost to ride the shuttle and the trolley would be the same and remain \$.25. Discussion followed.

Jon Camp, Council Member, inquired about the option to purchase more trolleys in the future.

Mr. Davis explained that with this purchase agreement a total of 4 trolleys could be purchased. Currently, the plan is to purchase two of the four trolleys and, if the need arises, there is still an option to purchase two more.

Mr. Camp asked where the funding would be coming from for this purchase and if that cost would increase for future purchases.

Heather Sullivan, Purchasing Agent for StarTran, came forward and stated there is an escalation in the cost for the purchase of the last two trolleys and that cost has already been written into the agreement not to exceed 1.5% per year. Discussion followed.

Mr. Davis explained the funding of the trolleys will be 50% Federal, 3% from Black Hills Energy, with the rest coming from general fund user fees. Discussion followed.

Mr. Camp inquired about the cost comparison of a trolley and a bus. Discussion followed.

Mr. Davis shared the cost of a trolley is slightly less than the price of a full sized bus. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if the price increase with this new contract will have any impact on future purchases of needed buses. Discussion followed.

Mr. Davis stated this contract would have no impact on purchase of needed buses in the future and that money has been set aside to match grant funding for future purchases. Discussion followed.

This matter was taken under advisement.

APPROVING A BIKE SHARE SYSTEM EQUIPMENT AGREEMENT IN THE AMOUNT OF \$775,192.00 BETWEEN B-CYCLE AND THE CITY OF LINCOLN FOR THE PURCHASE OF EQUIPMENT. (RELATED ITEMS: 17R-286, 17R-287);

APPROVING A 2-YEAR BIKE SHARE OPERATIONS AND MAINTENANCE AGREEMENT IN THE AMOUNT OF \$659,510.00 BETWEEN B-CYCLE AND THE CITY OF LINCOLN FOR ONGOING MAINTENANCE OF THE CITY OF LINCOLN BIKE SHARE PROGRAM. (RELATED ITEMS: 17R-286, 17R-287) - David Cary, Planning Director, came forward and stated that bringing the Bike Share Program to Lincoln is something that Planning has been working on for a while. Discussion followed.

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Kellee Van Bruggen, Transportation Planner, came forward and stated that for the past three years they have been working through the Federal Grant process to get the needed funding to bring the Bike Share Program to Lincoln. For the equipment, we will be purchasing 18 stations and 100 bikes, this is for phase 1 of this project. Operations and maintenance, we will be working with B-Cycle who is subcontracting with Heartland Bike Share. They have experience with the bike share program in Omaha over the past few years. Discussion followed.

Ben Turner, Executive Director of Bike Share, 1144 N 11th Street, Suite B, Omaha, came forward saying currently, they have 35 stations and 199 bikes in Omaha for the Bike Share Program and are looking forward to working with Lincoln on this Program. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired how many staff members would need to be hired. Discussion followed.

Mr. Turner shared they will have an Operations Director and this position will work in both Lincoln and Omaha, this will help to ensure that best practices are shared between the two communities. We will also hire a Memberships and Marketing Coordinator and a Lincoln City Manager. Discussion followed.

Ms. Gaylor Baird asked who is in charge of repairs and maintenance for this operation so if something goes wrong it will be taken care of quickly.

Mr. Turner said they will have a team of people available for any repair and maintenance issues. We will be scheduling about 70 to 80 hours a week of staff time, these hours will be devoted to the repairs of bikes and stations. Discussion followed.

Ms. Gaylor Baird inquired about the reduced number of bicycles purchased through the agreement, and where the rest will come from to reach the 100 bicycle total Lincoln is to have.

Ms. Van Bruggen explained that last week the Federal Highway Administration requested this amendment because of the Buy America Policy and Regulations. This amendment will only allow the purchase of 41 with the other 59 bikes needing to be purchased from local funds and sponsorships. At this time, sponsorships are lined up to purchase the remaining 59 bikes needed to reach the 100 bike total. Discussion followed.

Jon Camp, Council Member, asked if 70 to 80 hours a week for repairs and maintenance would really be necessary, that seems like a lot of hours. Discussion followed.

Mr. Turner stated part of the hours will be used to make sure all of the computers in the stations are running properly. Also, bikes will need to be redistributed at times to ensure bikes are available at all of the stations. With the way the Bike Share Program works, it will be necessary to re-balance the system and move bikes to stations that have less available. Even though the bikes are new, they still need regular maintenance to ensure they are in good working condition. Discussion followed.

Mr. Camp inquired about Lincoln paying \$100,000.00 more for this contract with fewer bikes than Omaha pays for more bikes.

Ms. Van Bruggen explained that \$57,000.00 dollars is for the start up costs to get this program up and running the first year and an additional \$306,000.00 dollars for the second year. Discussion followed.

Mr. Turner explained that the costs for these two contracts are different, because the agreements are different. As for Omaha, there are some shortcuts taken for the delivering of products to the Omaha area as stated in their contract, as well as, several other differences. Lincoln's contract doesn't contain any of these shortcuts. Discussion followed.

Mr. Cary shared that if you subtract the initial start up cost, the fee for this contract is roughly \$300,000.00 for the two years. It is not exactly equal for the first and second year, with different things going on each year, that makes the fees slightly different. This contract is fully loaded to make sure this is something that Lincoln wants. We are expecting to get 1/3 of the cost for this program from users fees charged. We will continue to work on getting sponsorships for this program, which will be an ongoing process. Discussion followed.

Mr. Camp asked about the cost per bike for this program.

Ms. Van Bruggen stated the bikes are roughly around \$1,100.00 dollars each with an additional fee of \$55.00 dollars for shipping and another \$55.00 for the branding of each bike. Discussion followed.

Cyndi Lamm, Council Member, inquired what the anticipated percentage from sponsorships would be over time. Discussion followed.

Ms. Van Bruggen stated the sponsorship at this time is at about 1/3 for this program and now that there is a better idea of what the costs will be for the ongoing operations and maintenance of this program, we have decided to diversify our sponsorship levels. We have decided that we want to have more than just the platinum level for sponsors, so we are adding gold, silver and bronze levels. Discussion followed.

Sarah Peetz, Vice President for Community Outreach, came forward in favor of this program. Discussion followed.

Khushbaht Abdulloev, Spreetail, 2021 Transformation Drive, Suite 2500, came forward in favor of this bike share program. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE RAILROAD TRANSPORTATION SAFETY DISTRICT AND THE CITY TO TRANSFER FUNDING TO THE RTSD FUNDING FOR THE 33RD & CORNHUSKER PROJECT AND TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF THE SAFETY IMPROVEMENTS IN THE AREA - Roger Figard, Railroad Transportation Safety District (RTSD), came forward and shared the RTSD completed a study to improve safety and reduce some of the congestion at the 33rd & Cornhusker crossing. The next phase of the project is to study and develop a

Subarea Plan and a Corridor Plan then evaluate the Salt Creek floodplain as it relates to these plans. The City is proposing to pay the direct cost of the Subarea Plan, Corridor Enhancement Plan, and Floodway and Floodplain Analysis which is \$330,350.00. This would be about 1/3 of the cost for this year long study . Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if this contract was the product of an RFP process. Discussion followed.

Mr. Figard confirmed this contract was the product of the RFP process. Discussion followed.

Ms. Gaylor Baird inquired about the source of revenue for the contribution.

Mr. Figard explained that Planning would contribute \$100,000.00, Watershed Management has a little over \$50,000.00 and then Engineering Services, Miscellaneous Contractual Services, will pick up the rest. Discussion followed.

Jon Camp, Council Member, stated that the remaining 2/3 of the cost for this study would be coming from tax payers.

Mr. Figard confirmed that was correct. Discussion followed.

This matter was taken under advisement

IDENTIFYING AND DECLARING THE AREA GENERALLY LOCATED ALONG SOUTH 48TH STREET BETWEEN CALVERT STREET AND PIONEERS BOULEVARD AS THE SOUTH 48TH STREET BUSINESS AREA AND APPROVING APPOINTMENT OF LYNN FISHER, JEANNE VUKO, MATTHEW ROQUE, KEN BOUGGER, AND TERRY BOCK AS THE MEMBERS OF THE BUSINESS IMPROVEMENT BOARD - David Landis, Urban Development Director, came forward and stated the language for a BID had been drafted years ago and at that time it was stated that it would be allowed for a maximum growth of 5% from one year to the next. So, when you have a 12 to 15% growth in landscaping proposals the only choice is to downsize what we do for the BID to ensure the rules are being followed. We have had the discussion with College View on how they would like to move forward with this. State Law doesn't permit adjustments to the BID. What State Law will allow is for the creation of a new BID and that is what College View has decided to do. Discussion followed.

This matter was taken under advisement.

CREATING SEWER DISTRICT NO. 1189 FOR THE PURPOSE OF CONSTRUCTING A SEWER DISTRICT TO SERVE SEVEN PROPERTIES AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - Susie Filipi, Engineering Services, came forward saying Purina Mills is the requestor for this sewer district. At the time the plant was built, it was located outside city limits and constructed a private septic system. This area was annexed in 2005 and this proposed project would allow seven property/business owners to connect to the city sewer lines for an estimated cost of \$34,000.00 dollars per property, and each property owner would have up to 20 years to pay for their portion. The Wastewater Department would pay for design and engineering costs while property owners would pay for the actual construction cost, with the proposed completion in 2018. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 17015 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE “ZONING ORDINANCE”) BY AMENDING SECTION 27.02.020 TO ADD A DEFINITION FOR ACCESSORY DWELLING; BY AMENDING SECTION 27.02.040 TO ADD A DEFINITION FOR CONDITIONED AREA; BY AMENDING SECTION 27.06.020 TO PROVIDE THAT IN THE R-1 THROUGH R-4 ZONING DISTRICTS, A DETACHED ACCESSORY BUILDING MAY BE USED FOR AN ACCESSORY DWELLING IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 27.62.040; BY AMENDING SECTION 27.06.070 TO ADD A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING ON THE SAME PREMISES AS A CONDITIONAL PERMITTED USE IN THE R-1 THROUGH R-4 ZONING DISTRICTS; BY AMENDING SECTION 27.62.040 TO PROVIDE THAT A BUILDING OR PREMISES MAY BE USED FOR A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING AS A PERMITTED CONDITIONAL USE IN THE R-1 THROUGH R-4 ZONING DISTRICT IN COMPLIANCE WITH THE CONDITIONS OF APPROVAL FOR THAT USE TYPE AND TO PROVIDE CONDITIONS; BY AMENDING SECTIONS 27.67.030, 27.67.040, AND FIGURE 27.67.040 TO INCLUDE GENERAL CONDITIONS AND SPECIAL CONDITION PARKING REQUIREMENTS FOR ACCESSORY DWELLING UNITS; BY AMENDING SECTION 27.72.120 TO PROVIDE THAT ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA SHALL COMPLY WITH THE HEIGHT AND YARD REQUIREMENTS FOR THE MAIN BUILDING PROVIDED THAT SUCH ACCESSORY BUILDING SHALL NOT EXCEED THE HEIGHT OF THE MAIN BUILDING AND THAT THE CUMULATIVE AREA OF ALL ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA (INCLUDING ACCESSORY DWELLINGS) SHALL NOT EXCEED THE ACCESSORY BUILDING MAXIMUM AREA PER SECTION 27.72.120(D); AND REPEALING SECTIONS 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040, FIGURE 27.67.040, AND 27.72.120 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285);

TEXT AMENDMENT 17015 – AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY ADDING A NEW CHAPTER 3.115 ACCESSORY DWELLING DESIGN STANDARDS TO ESTABLISH THE GENERAL REQUIREMENTS FOR ACCESSORY DWELLING UNITS; AMENDING TITLE 1 GENERAL PROVISIONS BY AMENDING SECTION 2.5 OF CHAPTER 1.00 REQUEST FOR WAIVER, PROCEDURE TO INCLUDE ACCESSORY DWELLING DESIGN

STANDARDS AS PROVIDED FOR IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; REPEALING SECTION 2.5 OF CHAPTER 1.00 AS HITHERTO EXISTING; AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY AMENDING SECTION 2 OF CHAPTER 3.75 NEIGHBORHOOD DESIGN STANDARDS TO ESTABLISH THAT CONSTRUCTION OF DETACHED ACCESSORY DWELLINGS DOES NOT REQUIRE REVIEW UNDER THESE DESIGN STANDARDS, BUT SHALL FOLLOW THE DESIGN STANDARDS FOR ACCESSORY DWELLINGS IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; AND REPEALING SECTION 2 OF CHAPTER 3.75 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285) (ACTION DATE: 12/18/17) - Andrew Thierolf, Planning Department, came forward and stated this text amendment will increase the opportunities of having accessory dwellings in the city. About a year ago, Council requested that Planning explore ideas of a text amendment for accessory dwellings. To do this, a group of neighborhood representatives, homebuilders and other stakeholders was assembled. There were several discussions with the Neighborhood Association and the Mayor's Neighborhood Roundtable to share information and gather input on the proposed text amendment. In the R-1 thru R-4 Districts, accessory dwellings would be allowed as a conditional use on lots that already have enough area for a duplex . This proposal only allows for the density already permitted on qualifying lots, although it does increase choices for constructions of those additional dwellings. Currently, in the R-5 thru R-8 Districts, two detached single-family dwellings are allowed on one lot. Each dwelling must meet the required lot area of a single-family dwelling. With this proposal, each dwelling would only need to meet the required lot area of a two-family dwelling. Discussion followed.

Jon Camp, Council Member, asked if you have a single family home with a detached garage would you still be allowed to build another detached building.

Mr. Thierolf said yes, you could have multiple detached dwellings provided you are within the area requirements. Discussion followed.

Ann Post, Baylor Evnen, 1248 O Street, Suite 600, came forward on behalf of Home Builders Association saying they are in favor of these text amendments. Discussion followed.

Dan Klein, 1960 SW 112th Street, came forward in favor of these text amendments. Discussion followed.

This matter was taken under advisement.

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

A-90800 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached 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 Bill No. 17-199, for a four year term with the option to renew for one additional four year term, upon the terms as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jane Raybould

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

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED OCTOBER 31, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90801 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended October 31, 2017 \$227,310.92 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 Carl Eskridge

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS A-90796 AND A-90798 ADOPTED BY THE CITY COUNCIL ON DECEMBER 4, 2017 AND GIVEN TO MAYOR'S OFFICE ON DECEMBER 5, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 17070, to Special Permit No. 1940A, Cardinal Heights CUP, approved by the Planning Director on November 30, 2017, to delete the common recreation facility and change the outlot to a duplex, generally located at W. Redberry Lane and W. Thatcher Lane.

LIQUOR RESOLUTIONS

APPLICATION OF OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY FOR A CLASS I LIQUOR LICENSE AND A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE #120 - PRIOR to reading.

SHOBE Moved to continue Public Hearing and Action one week to 12/18/17.

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

MANAGER APPLICATION OF BRIAN T. KRAJEWSKI FOR OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY AT 350 CANOPY STREET, SUITE #120 - PRIOR to reading:

SHOBE Moved to continue Public Hearing and Action one week to 12/18/17.

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

PUBLIC HEARING - RESOLUTIONS

ASSESSING THE COSTS INCURRED FOR CUTTING, CLEARING AND REMOVING WEEDS AGAINST THE VARIOUS BENEFITTED PROPERTIES FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 - PRIOR to reading:

CAMP Moved Motion to Amend #1 Bill No. 17R-283 as follows:

Remove No. 105 (Downs, Heidi N) for weed removal costs incurred at 7301 Ballard Ave. From the Weed Assessment Tax Report to be assessed against the corresponding properties.

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

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption as amended:

A-90802 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the costs for cutting, clearing, and removing weeds and other worthless vegetation as shown on the attached Weed Assessment Tax Report for January 1, 2017 through December 31, 2017 be and the same are hereby assessed against the properties set opposite each amount, as shown on Attachment "A".

Introduced by Jon Camp

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

APPROVING A PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND HOMETOWN TROLLEY (DOUBLE K, INC.) FOR COMPRESSED NATURAL GAS LOW FLOOR TROLLEYS, PURSUANT TO RFP NO. 17-164, FOR A FIVE YEAR TERM - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90803 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract between the City of Lincoln and Hometown Trolley (Double K, Inc.) for Compressed Natural Gas Low Floor Trolleys, pursuant to RFP No. 17-164, for a five year term, upon the terms as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jon Camp

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

APPROVING A BIKE SHARE SYSTEM EQUIPMENT AGREEMENT IN THE AMOUNT OF \$775,192.00 BETWEEN B-CYCLE AND THE CITY OF LINCOLN FOR THE PURCHASE OF EQUIPMENT. (RELATED ITEMS: 17R-286, 17R-287) - PRIOR to reading:

GAYLOR BAIRD Moved Motion to Amend #1 Bill No. 17R-286 as follows:

Insert the attached pages 1-7 in lieu thereof pages 1-7 of the current Contract attachment.

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

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption as amended:

A-90804 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Bike Share System Equipment Agreement in the amount of \$775,192.00 between B-Cycle and the City of Lincoln for the purchase of equipment, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

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Introduced by Jon Camp

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

APPROVING A 2-YEAR BIKE SHARE OPERATIONS AND MAINTENANCE AGREEMENT IN THE AMOUNT OF \$659,510.00 BETWEEN B-CYCLE AND THE CITY OF LINCOLN FOR ONGOING MAINTENANCE OF THE CITY OF LINCOLN BIKE SHARE PROGRAM. (RELATED ITEMS: 17R-286, 17R-287) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90805 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the 2-Year Bike Share Operations and Maintenance Agreement in the amount of \$659,510.00 between B-Cycle and the City of Lincoln for ongoing maintenance of the City of Lincoln Bike Share Program, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jon Camp

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF NOVEMBER 16-30, 2017 - PRIOR to reading:

ESKRIDGE Moved Motion to Amend #1 Bill No. 17R-288 as follows:

On Line 10, the claim of Halftime Sports Bar & Grill should be removed from the list of DENIED CLAIMS.

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

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption as amended:

A-90806 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 30, 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>	
Halftime Sports Bar & Grill	\$12,292.00	Ann Romjue	\$ 4,505.64
David Petsch	4,426.46	Chris Blann	8,000.00
		Frontier Group	13,452.54
		Kadi Larson	2,325.64
		Shelly LeFever	1,200.00
		Thomas Huff	2,332.39
		William Beede	359.76

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 Jon Camp

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE RAILROAD TRANSPORTATION SAFETY DISTRICT AND THE CITY TO TRANSFER FUNDING TO THE RTSD FUNDING FOR THE 33RD & CORNHUSKER PROJECT AND TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF THE SAFETY IMPROVEMENTS IN THE AREA - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90807 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln and the Lincoln-Lancaster County Railroad Transportation Safety District desire to cooperate with each other for funding maintenance of the 33rd & Cornhusker Project safety improvements.

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

That the attached Interlocal Agreement between the City and RTSD in connection with funding for the 33rd & Cornhusker Project and to accept ownership and maintenance of the safety improvements is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jon Camp

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

IDENTIFYING AND DECLARING THE AREA GENERALLY LOCATED ALONG SOUTH 48TH STREET BETWEEN CALVERT STREET AND PIONEERS BOULEVARD AS THE SOUTH 48TH STREET BUSINESS AREA AND APPROVING APPOINTMENT OF LYNN FISHER, JEANNE VUKO, MATTHEW ROQUE, KEN BOUGGER, AND TERRY BOCK AS THE MEMBERS OF THE BUSINESS IMPROVEMENT BOARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90808 WHEREAS, the City is authorized by the Business Improvement District Act (*Neb. Rev. Stat. §§ 19-4015-19-4038*) (the “Act”) to create Business Improvement Districts within an established business area of the City zoned for Business, Public, or Commercial purposes to provide means to raise the necessary funds for the purpose of providing and maintaining the improvements authorized by the Act; and

WHEREAS, the City wishes to identify a Business Area to be improved as provided in the Act and appoint a Business Improvement Board to study and make recommendations to the City Council for the establishment of a plan or plans for improvements in the Business Area consistent with the Act; and

WHEREAS, the area generally located along South 48th Street between Calvert Street and Pioneers Boulevard, as shown in Attachment “A” attached hereto and incorporated herein by this reference, consists of land zoned for Business, Public, or Commercial purposes under the City of Lincoln Zoning Code.

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

1. The Area described in Attachment “A” is eligible to be and is hereby declared to be an established Business Area of the City of Lincoln to be known as the “College View Business Area”.

2. The Mayor has appointed, and the City Council hereby approves, the following persons consisting of property owners, residents, business operators, or users of space within the South 48th Street Business Area as members of a Business Improvement Board to be known as the “College View Business Improvement Board”:

Matthew Roque
Jeanne Vuko
Ken Bougger
Terry Bock
Lynn Fisher

3. The above-named members of the College View Business Improvement Board have agreed to and shall serve without compensation for a one year term or until their successors are appointed and qualified as provided under the Act.

4. The College View Business Improvement Board shall make recommendations to the City Council for the establishment of a plan or plans for the maintenance of improvements in the College View Business Area.

5. The College View Business Improvement Board may make recommendations to the City Council on the proposed boundaries for any Business Improvement Districts to be established in the College View Business Area. The Board may also make recommendations as to the use of funds collected in any type of assessments, if any, related to any Business Improvement District established in the College View Business Area.

6. The College View Business Improvement Board shall comply with the Act including selecting from its members a Chairperson and Secretary and meeting according to law and such rules and by-laws as the Board shall adopt.

Introduced by Jon Camp

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

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

CREATING SEWER DISTRICT NO. 1189 FOR THE PURPOSE OF CONSTRUCTING A SEWER DISTRICT TO SERVE SEVEN PROPERTIES AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Jon Camp, creating Sewer District No. 1189, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the second time.

TEXT AMENDMENT 17015 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE “ZONING ORDINANCE”) BY AMENDING SECTION 27.02.020 TO ADD A DEFINITION FOR ACCESSORY DWELLING; BY AMENDING SECTION 27.02.040 TO ADD A DEFINITION FOR CONDITIONED AREA; BY AMENDING SECTION 27.06.020 TO PROVIDE THAT IN THE R-1 THROUGH R-4 ZONING DISTRICTS, A DETACHED ACCESSORY BUILDING MAY BE USED FOR AN ACCESSORY DWELLING IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 27.62.040; BY AMENDING SECTION 27.06.070 TO ADD A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING ON THE SAME PREMISES AS A CONDITIONAL PERMITTED USE IN THE R-1 THROUGH R-4 ZONING DISTRICTS; BY AMENDING SECTION 27.62.040 TO PROVIDE THAT A BUILDING OR PREMISES MAY BE USED FOR A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING AS A PERMITTED CONDITIONAL USE IN THE R-1 THROUGH R-4 ZONING DISTRICT IN COMPLIANCE WITH THE CONDITIONS OF APPROVAL FOR THAT USE TYPE AND TO PROVIDE CONDITIONS; BY AMENDING SECTIONS 27.67.030, 27.67.040, AND FIGURE 27.67.040 TO INCLUDE GENERAL CONDITIONS AND SPECIAL CONDITION PARKING REQUIREMENTS FOR ACCESSORY DWELLING UNITS; BY AMENDING SECTION 27.72.120 TO PROVIDE THAT ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA SHALL COMPLY WITH THE HEIGHT AND YARD REQUIREMENTS FOR THE MAIN BUILDING PROVIDED THAT SUCH ACCESSORY BUILDING SHALL NOT EXCEED THE HEIGHT OF THE MAIN BUILDING AND THAT THE CUMULATIVE AREA OF ALL ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA (INCLUDING ACCESSORY DWELLINGS) SHALL NOT EXCEED THE ACCESSORY BUILDING

MAXIMUM AREA PER SECTION 27.72.120(D); AND REPEALING SECTIONS 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040, FIGURE 27.67.040, AND 27.72.120 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285) - CLERK read an ordinance, introduced by Jon Camp, amending Title 27 of the Lincoln Municipal Code (the "Zoning Ordinance") by amending Section 27.02.020 to add a definition for Accessory Dwelling; by amending Section 27.02.040 to add a definition for Conditioned Area; by amending Section 27.06.020 to provide that in the R-1 through R-4 zoning districts a detached accessory building may be used for an accessory dwelling in conformance with the requirements of Section 27.62.040; by amending Section 27.06.070 to add a single-family dwelling and a detached accessory dwelling on the same premises as a conditional permitted use in the R-1 through R-4 zoning districts; by amending Section 27.62.040 to provide that a building or premises may be used for a single-family dwelling and a detached accessory dwelling as a permitted conditional use in the R-1 through R-4 zoning district in compliance with the conditions of approval for that use type; by amending Sections 27.67.030, 27.67.040, and Figure 27.67.040 to include general conditions and special condition parking requirements for accessory dwelling units; by amending Section 27.72.120 to provide that accessory buildings having a conditioned area shall comply with the height and yard requirements for the main building provided that such accessory building shall not exceed the height of the main building; and repealing Sections 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040, Figure 27.67.040, and 27.72.120 as hitherto existing, the second time.

TEXT AMENDMENT 17015 – AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY ADDING A NEW CHAPTER 3.115 ACCESSORY DWELLING DESIGN STANDARDS TO ESTABLISH THE GENERAL REQUIREMENTS FOR ACCESSORY DWELLING UNITS; AMENDING TITLE 1 GENERAL PROVISIONS BY AMENDING SECTION 2.5 OF CHAPTER 1.00 REQUEST FOR WAIVER, PROCEDURE TO INCLUDE ACCESSORY DWELLING DESIGN STANDARDS AS PROVIDED FOR IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; REPEALING SECTION 2.5 OF CHAPTER 1.00 AS HITHERTO EXISTING; AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY AMENDING SECTION 2 OF CHAPTER 3.75 NEIGHBORHOOD DESIGN STANDARDS TO ESTABLISH THAT CONSTRUCTION OF DETACHED ACCESSORY DWELLINGS DOES NOT REQUIRE REVIEW UNDER THESE DESIGN STANDARDS, BUT SHALL FOLLOW THE DESIGN STANDARDS FOR ACCESSORY DWELLINGS IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; AND REPEALING SECTION 2 OF CHAPTER 3.75 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285) (ACTION DATE: 12/18/17)

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20588, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20589, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20590, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20591, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20592, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20593, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20594, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20595, is recorded in Ordinance Book 34.

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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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20596**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20597**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20598**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20599**, is recorded in Ordinance Book 34.

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 - PRIOR to reading:

SHOBE Moved Motion to amend Bill No. 17-173 by replacing the Ordinance introduced November 20, 2017 with a Substitute Ordinance which is attached hereto.

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

SHOBE Moved to pass the ordinance as amended.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20600**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20601**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20602**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20603**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20604**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20605**, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20606**, is recorded in Ordinance Book 34.

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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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20607, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20608, is recorded in Ordinance Book 34.

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 third time.

SHOBE Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered #20609, is recorded in Ordinance Book 34.

RESOLUTIONS - 1ST READING

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR NDHHS TO PROVIDE HEPATITIS C TESTING SUPPLIES. *(CONSENT)*

APPOINTING ANDY HUNZEKER AND DR. LUCAS SABALKA TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2020. *(CONSENT)*

REAPPOINTING SARAH PEETZ TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2020. *(CONSENT)*

REAPPOINTING JONATHAN REHM, JANE MERLISS, AND RACHEL ZENG TO THE COMMISSION ON HUMAN RIGHTS FOR TERMS EXPIRING DECEMBER 31, 2020. *(CONSENT)*

APPOINTING DOUG GIBBS AND JANI MARTINEZ TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2021. *(CONSENT)*

REAPPOINTING MIKE DONLAN, BRETT EBERT, AND STEVE GUITTAR TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2020. *(CONSENT)*

REAPPOINTING JOSE J. SOTO AND CLANCY WOOLMAN TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2021. *(CONSENT)*

APPROVING A MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE PARKS AND RECREATION DEPARTMENT AND SCOTT CARLSON FOR THE MANAGEMENT OF THE HOLMES GOLF CLUBHOUSE FOR A FOUR YEAR PERIOD.

APPROVING A RESOLUTION IN SUPPORT OF LINCOLN ENVIRONMENTAL ACTION PLAN (LEAP) AS A MEANS TO ESTABLISH CONSENSUS IN MOVING FORWARD WITH CRITICAL INITIATIVES IN THE AREAS OF ENERGY, LAND USE, TRANSPORTATION, WASTE MANAGEMENT, AND WATER RESOURCES.

APPROVING THE TRANSFER OF FUNDS TO THE LINCOLN PARKS & RECREATION FOUNDATION FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH ENDOWMENT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299)

APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299)

APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NATIONAL AUDUBON SOCIETY THROUGH ITS SPRING CREEK PRAIRIE AUDUBON CENTER OFFICE FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299)

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

ACCEPTING AND APPROVING AN AMENDMENT OF LEASE AGREEMENT BETWEEN LINCOLN PARKS AND RECREATION DEPARTMENT AND LINCOLN PARKS AND RECREATION FOUNDATION TO LEASE APPROXIMATELY 272.25 SQUARE FEET OF SPACE AT 3140 N STREET, SUITE 301 FOR THE FOUNDATION'S OFFICE. (REQUEST TO DELAY INTRODUCTION TO 12/11/17) - CLERK read an ordinance, introduced by Carl Eskridge, accepting and approving an Amendment of Lease Agreement between Lincoln Parks and Recreation Department and Lincoln Parks and Recreation Foundation to lease approximately 272.25 square feet of space at 3140 N Street, Suite 301 for the Foundation's office, the first time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE HUVEPHARMA REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Carl Eskridge, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$500,000.00 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain property and improvements within The City's Huvepharma Redevelopment Project Area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

TEXT AMENDMENT 17017 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING BY AMENDING SECTION 27.59.070 TO UPDATE THE REFERENCE TO THE DIVISION OF AERONAUTICS OF THE STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION BASED ON A MERGER OF THE DEPARTMENTS EFFECTIVE JULY 1, 2017; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.070 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.070 to change the reference to the State Department of Aeronautics to the Division of Aeronautics of the State of Nebraska Department of Transportation based on a merger of the departments effective July 1, 2017; adopting a revised Lincoln Airport Zoning Map; and repealing Section 27.59.070 as hitherto existing, the first time.

ADJOURNMENT

4:46 P.M.

CAMP Moved to adjourn the City Council Meeting of December 11, 2017.
Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Shobe; NAYS: None; ABSENT: Raybould.

Teresa J. Meier, City Clerk

Rhonda M. Bice, Office Specialist

**REGULAR MEETING
DECEMBER 11, 2017
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