

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, AUGUST 18, 2014 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Cook, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Emery 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

COOK Having been appointed to read the minutes of the City Council proceedings of August 11, 2014, reported having done so, found same correct.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PROCLAMATION PRESENTATION

Chair Doug Emery called LPD Investigator Russ Fosler to the podium. Investigator Fosler has served as our Sergeant at Arms & our Liquor License Investigator for the past 18 years. He has now decided to retire. It is with mixed blessing that we say we are very, very happy for you, Russ, but it will be different. Chair Emery read the following Proclamation into the record:

BEFORE THE CITY COUNCIL OF LINCOLN, NEBRASKA	
IN THE MATTER OF EXPRESSING THE CITY'S APPRECIATION FOR THE DEDICATED SERVICES OF RUSSELL FOSLER))))
	PROCLAMATION OF APPRECIATION
WHEREAS, Russ Fosler has announced his retirement from the City of Lincoln, Nebraska; and WHEREAS, Russ has served the City of Lincoln as Police Officer starting in 1990 and as a Technical Investigation Vice Officer since 1997; and WHEREAS, it is appropriate for the City Council, along with the citizens of the City of Lincoln, to publicly express their appreciation and gratitude for Russ Fosler's tireless service and numerous contributions to make the City of Lincoln safe and to cause said appreciation and gratitude to be forever made a part of the records of the official proceedings of the City Council; and THEREFORE, LET IT BE RESOLVED by the City Council of the City of Lincoln, Nebraska, on behalf of the Council and citizens of the City of Lincoln, that sincere appreciation and gratitude is extended to RUSSELL FOSLER DATED this 18 th day of August, 2014 BY THE LINCOLN CITY COUNCIL OF LINCOLN, NEBRASKA Trent Fellers, Vice Chair Roy Christensen Carl Eskridge Jon Camp Jonathan Cook Leirion Gaylor Baird Approved this 18 th day of August, 2014: Doug Emery, City Council Chair	

Jon Camp, Council Member, stated Inv. Fosler was going to be missed & offered his congratulations.

Carl Eskridge, Council Member, thanked Inv. Fosler for the work he's provided for the Internal Liquor Committee.

Jonathan Cook, Council Member, thanked Inv. Fosler for all the times Council has come to him for his advice. His experience & knowledge, the expectations he has for those coming before us for a liquor license, etc., have been the things that really have been important for us to know.

Inv. Fosler expressed his appreciation for the recognition.

PUBLIC HEARING

APPLICATION OF LINCOLN COMMUNITY PLAYHOUSE INC. DBA LINCOLN COMMUNITY PLAYHOUSE FOR A CLASS I LIQUOR LICENSE AT 2500 SOUTH 56TH STREET.
MANAGER APPLICATION OF MAURICE D. ENDERS FOR LINCOLN COMMUNITY PLAYHOUSE, INC. DBA LINCOLN COMMUNITY PLAYHOUSE AT 2500 SOUTH 56TH STREET - Maurice Enders, 2500 S. 56th St., took oath & came forward to request approval. They wish to give beverage service before a show, during intermission & special events. This is not for youth or family shows.

This matter was taken under advisement.

MANAGER APPLICATION OF BARBARA EHRISMAN FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #14 AT 2700 PORTER RIDGE ROAD;
MANAGER APPLICATION OF JEFFREY SCOTT FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #24 AT 110 WEST FLETCHER, SUITE 101.
MANAGER APPLICATION OF MARY EVERETT FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #5 AT 8231 EAST O STREET.
MANAGER APPLICATION OF JUSTIN COFFMAN FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #9 AT 3244 CORNHUSKER HIGHWAY - Douglas Larkins, representing Whitehead Oil Co., 2537 Randolph St., took oath & came forward to request approval.

This matter was taken under advisement.

APPLICATION OF MSKDJ INC. DBA SCHILLINGBRIDGE CORK & TAP HOUSE FOR A CLASS L LIQUOR LICENSE AT 575 FALLBROOK BLVD.;

MANAGER APPLICATION OF DALLAS M SCHILLING FOR MSKDJ INC. DBA SCHILLINGBRIDGE CORK & TAP HOUSE AT 575 FALLBROOK BLVD. - Dallas Schilling, 575 Fallbrook Blvd. Suite 109, took oath & came forward to answer questions. What we're doing out there is mixing our beverages with our food. We want to bring a new concept to Lincoln. So, we're going to do a lot of small test batches out there so we can do a lot of the microbrews on the food side.

Jon Camp, Council Member, inquired if they were keeping their brewery in Pawnee City.

Mr. Schilling replied that that will stay open for large batches but they will be doing small, specialty test batches & special tappings & things like that here.

Trent Fellers, Council Member, inquired what they were before Council before for. Mr. Schilling responded for the Class CK Liquor License.

This matter was taken under advisement.

APPLICATION OF IDC BAR AND GRILL, INC. DBA IDC BAR AND GRILL FOR A CLASS C LIQUOR LICENSE AT 3223 CORNHUSKER HWY., SUITE 1.
MANAGER APPLICATION OF PETER J. SHOUP FOR IDC BAR AND GRILL, INC. DBA IDC BAR AND GRILL AT 3223 CORNHUSKER HWY., SUITE 1 - CLERK stated she received a request from the Applicant that Public Hearing & Action be continued for one week.

COOK Moved that Public Hearing & Action be continued for one week.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

This matter was taken under advisement.

APPLICATION OF LINCOLN BLUE SUSHI LLC DBA BLUE SUSHI SAKE GRILL TO DELETE AN APPROXIMATELY 15 FOOT BY 20 FEET PORTION OF THE OUTDOOR AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY IRREGULAR SHAPED BUILDING APPROXIMATELY 122 FEET BY 57 FEET PLUS AN L-SHAPED OUTDOOR AREA MEASURING APPROXIMATELY 97 FEET BY 42 FEET AT 808 R STREET.

Jacob Mason, 4243 Meredith St., took oath & came forward to answer any questions. This is to correct an issue with our Sidewalk Café Permit. Wish to say thank you to the City of Lincoln for the reception we've received.

This matter was taken under advisement.

APPLICATION OF FANI DELIGIANNIS DBA ANNUNCIATION GREEK ORTHODOX CHURCH FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 230 FEET BY 116 FEET AT 950 NORTH 63RD STREET ON SEPTEMBER 13, 2014 FROM 11:00 A.M. TO 10:00 P.M. - Fani Deligiannis, 3031 Diadem Dr., came forward to request approval of their application for their 4th Annual Greek Festival which is a fundraiser.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 176 FEET BY 83 X 56 FEET (STADIUM TERRACE) AT PINNACLE BANK ARENA, 400 PINNACLE ARENA DRIVE ON AUGUST 29, SEPTEMBER 5, 19, 20, 26, OCTOBER 24, AND 31, 2014 FROM 1:00 P.M. TO 12:00 A.M. - CLERK stated she received a request from the Applicant that Public Hearing & Action be continued for one week.

CAMP Moved that Public Hearing & Action be continued for one week.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
This matter was taken under advisement.

APPLICATION OF JSD LLC DBA HUSKERVILLE PUB & PIZZA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 45 FEET BY 65 FEET AT 2805 N.W. 48TH STREET ON AUGUST 23, 2014 FROM 11:00 A.M. TO 1:00 A.M.
APPLICATION OF JSD LLC DBA HUSKERVILLE PUB & PIZZA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 121 FEET BY 81 FEET AT FRONTIER HARLEY DAVIDSON, 205 NW 40TH STREET ON SEPTEMBER 1, 2014 FROM 11:00 A.M. TO 7:00 P.M. - Bob Miller, 2805 NW 48th St., came forward to request approval.
This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIR. ON AUGUST 30, 2014 FROM 11:00 A.M. TO 9:00 P.M. - Marcus Powers, 2100 Magnum Brewing, came forward to request approval for their tailgate party.
This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 94 FEET BY 72 FEET INSIDE THE PRAIRIE BUILDING AND 600 FEET BY 1200 FEET AT PIONEERS PARK NATURE CENTER, 3201 CODDINGTON AVE., ON SEPTEMBER 12, 2014 FROM 4:00 P.M. TO 11:59 P.M.
Amanda Podwinski, Blue Blood Brewing, 500 W. South St. Suite 8, came forward to request approval. This is a fundraiser for Pioneers Park Nature Center. It is a murder mystery dinner theater.
This matter was taken under advisement.

APPROVING THE CLOSE OUT OF COMPLETED CONSTRUCTION PROJECTS AND TRANSFER OF UNSPENT APPROPRIATIONS AND CASH (IF ANY) FROM VARIOUS PROJECTS TO PROJECTS WHERE ADDITIONAL FUNDING IS NEEDED WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT AND THE PARKS & RECREATION DEPARTMENT - Fran Mejer, Public Works & Utilities, came forward to state this is their annual clean up ordinance.
Mr. Camp inquired if we had a net gain of any substantial amount.
Roger Figard, Public Works & Utilities, came forward to state this is where they balance projects that either ran short or over. If there are funds leftover after balancing the rest of the accounts, they remain in the account unencumbered for the next year. Discussion followed.
This matter was taken under advisement.

AMENDING TITLE 1 OF THE LINCOLN MUNICIPAL CODE RELATING TO GENERAL PROVISIONS TO CREATE A NEW CHAPTER 1.30, SALE OF CITY REAL PROPERTY - Tim Sieh, City Attorney, came forward to answer any questions.
Carl Eskridge, Council Member, asked Mr. Sieh to explain the necessity for this, what problems are we trying to fix..
Mr. Sieh stated some of the problems that come up are found in the exceptions that you'll see in the ordinance. The Charter allows for property to be sold upon an authorization by Council. And that has to be in the form of an ordinance. This is a delegation of the Council's authority to the Mayor's office so that for those properties that were never intended to be owned for the City's ongoing purposes, such as for a park. This is only for property the City has never intended to hold on to. Discussion followed.
Coby Mach, Lincoln Independent Business Association, 620 N. 48th St., Suite 205, came forward in opposition. This may streamline the process, may save time, but it goes against the City Charter, stifles public comment, reduces public accountability, reduces transparency. Discussion followed.
This matter was taken under advisement.

COMP. PLAN CONFORMANCE 14014 - DECLARING APPROX. 545 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND CUMING STREET AS SURPLUS PROPERTY - Steve Werthman, Urban Development Department, came forward to state that this is for a triangular piece of property that is no longer needed for right-of-way. We will retain an easement for an existing sanitary sewer line.
Roy Christensen, Council Member, inquired as to how this property is being used now, who is using it?
Mr. Werthman responded that it was taken quite a while ago in a Sheriff's sale. No one is using it at this time & they can't build anything on it because there's a sanitary sewer easement line. They neighbor may be interested in it to be added as part of their land. Discussion followed.
This matter was taken under advisement.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 552**

COMP. PLAN CONFORMANCE 14015 - DECLARING APPROX. 2.7 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH 27TH STREET AND OLD CHENEY ROAD AS SURPLUS PROPERTY - Steve Werthman, Urban Development, came forward to answer questions.

Mr. Camp stated that he understands there are 2 very interested parties in this parcel. Discussion followed.

Tom Huston, 233 S. 13th Suite 1900, representing South Lincoln Apartments dba Old Cheney Apartments. My client has been trying to work with the City in trying to acquire this property for 8 to 10 years now. Prior to Administrative Reg. #2, the City had advertised the property for sale. My client had submitted an offer. They are certainly willing to buy this property. The adoption of Administrative Reg. #2 turns the process into a three step process. First, there'd be the declaration of surplus, which is in front of you today. Second, at some point, the selected proposal would come back before you in the form of a Real Estate Purchase Agreement, which would be 30-45 days from now. And the third step then would be the ultimate land use. No matter what happens to this property, the Change of Zone and/or Special Permit would come before Council as well. My client is willing to go thru that process. The adoption of the Access Management Policy, changes the rules. If a proposal is submitted to the City, I think any proposal would have to follow the Access Management Policy which does provide an avenue if someone requests a deviation from the policy, they can do so & they can work with Public Works on that request & that request can be appealed to the City Council. And that would be a fourth step. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 14016 - DECLARING APPROX. 25.73 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF SOUTH 84TH STREET AND YANKEE HILL ROAD AS SURPLUS PROPERTY - Lynn Johnson, Parks & Recreation Department, came forward to state this is a follow up to the Purchase & Sale Agreement that was approved by the City Council & the Lincoln Public Schools Board on July 21st. Planning Commission has approved it. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 07018A - APPLICATION OF HAMPTON ENTERPRISES TO REVISE GLYNOAKS PLAZA PLANNED UNIT DEVELOPMENT TO MODIFY THE SITE PLAN AND THE DEVELOPMENT PLAN TO ALLOW AN EARLY CHILDHOOD CARE FACILITY IN THE RESIDENTIAL PORTION OF THE DEVELOPMENT GENERALLY LOCATED AT SOUTH 84TH STREET AND GLYNOAKS DRIVE - Dan Rosensthal, 1620 S. 70th St., came forward on behalf of the applicant to answer any questions.

This matter was taken under advisement.

TEXT AMENDMENT 14006 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING THE RETAIL SALES AND SERVICES USE GROUP TABLE IN SECTION 27.06.130 TO SHOW VETERINARY FACILITIES AS A PERMITTED CONDITIONAL USE IN THE O-1, O-2, O-3, AND R-T ZONING DISTRICTS; AMENDING SECTION 27.62.100 TO ALLOW KENNELS AND/OR VETERINARY FACILITIES IN THOSE ZONING DISTRICTS WHERE SUCH USE IS DESIGNATED AS A PERMITTED CONDITIONAL USE UNDER A USE GROUP TABLE IN CHAPTER 27.06; REPEALING SECTION 27.63.780, OUTDOOR EXERCISE AREA ASSOCIATED WITH A VETERINARY FACILITY OR KENNEL; AMENDING SECTION 27.63.790 TO CLARIFY THAT VETERINARY FACILITIES ARE ALLOWED AS A PERMITTED SPECIAL USE IN THE AG AND AGR DISTRICTS AND THAT VETERINARY FACILITIES AND KENNELS WHICH DO NOT COMPLY WITH THE REQUIREMENTS FOR A PERMITTED CONDITIONAL USE UNDER SECTION 27.62.100 MAY BE ALLOWED BY SPECIAL PERMIT UNDER SPECIFIED CONDITIONS - Mike Marsh, Realty Trust Group, 2300 S. 48th St., applicant, came forward to answer any questions.. We have a veterinary facility, specifically for cats, interested in locating here. Discussion followed.

This matter was taken under advisement.

AMENDING SECTION 12.08.070 OF THE LINCOLN MUNICIPAL CODE TO REVISE THE HOURS OF OPERATION OF CITY PARKS AND PARK FACILITIES FOR BILL HARRIS IRON HORSE PARK AND TO ESTABLISH PARK HOURS FOR THE NEW LINCOLN COMMUNITY FOUNDATION TOWER SQUARE. (RELATED ITEMS: 14-120, 14R-235);

NAMING THE PARK AT 13TH AND P STREETS AS "LINCOLN COMMUNITY FOUNDATION TOWER SQUARE" (RELATED ITEMS: 14-120, 14R-235) (ACTION DATE: 8/25/14) - Lynn Johnson, Parks & Recreation Department, came forward to state the Civic Plaza located at 13th & P St. is nearing completion & was identified in the 2005 Downtown Master Plan. The Lincoln Community Foundation has established a \$600,000 endowment for public art & the funds can be used for future capital repair & replacement on that site. The guidelines for naming Parks & Recreation facilities state that a facility can be named in recognition of establishment of an endowment fund. We know this will probably become known as Tower Square. The other item before you is establishment of hours for two downtown spaces. One of those is Bill Harris Iron Horse Park in the Haymarket which currently has no limitations. The other will be establishing hours of operation for the Lincoln Community Foundation Tower Square. The recommendation is that we have both of these sites open from 6 a.m. to 2 a.m. daily. Part of the intent is to try to discourage people from congregating or loitering on those sites after hours.

Mr. Camp inquired if on Tower Square, does this affect any businesses there?

Mr. Johnson stated Bison Witches has applied for a Sidewalk Café permit. A second tenant is interested in doing a sidewalk café permit as well. This could affect them. Discussion followed.

Trent Fellers, Council Member, inquired if the lighted piece would shut off at the time of closing.

Mr. Johnson stated they do have the ability to control the hours of operation on the lighting of the tower & we haven't set those hours yet but that probably is a good idea to have the lights shut down at 2 a.m. as a signal the park was closed.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED \$757,750.00 FOR THE CITY OF LINCOLN, PIEDMONT SHOPPING CENTER REDEVELOPMENT PROJECT - Lauren Wismer, Gilmore & Bell, 1248 O St., Suite 710, came forward to answer any questions.

This matter was taken under advisement.

APPROVING A REAL ESTATE SALES AGREEMENT FOR THE SALE OF APPROXIMATELY 9.37 ACRES OF SURPLUS PROPERTY GENERALLY LOCATED AT 2201 S. 84TH ST. TO THE LINCOLN HOUSING AUTHORITY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0)

CHANGE OF ZONE 14012 - APPLICATION OF THE LINCOLN HOUSING AUTHORITY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT AND P PUBLIC USE DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM R-1 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. AND SOUTH ST. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0)

SPECIAL PERMIT 14009 - APPLICATION OF LINCOLN HOUSING AUTHORITY TO DEVELOP THE LINCOLN HOUSING AUTHORITY 84TH ST. SITE COMMUNITY UNIT PLAN FOR 72 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW MORE THAN 40 DWELLING UNITS ON A DEAD END STREET, ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. AND SOUTH ST. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (ACTION DATE 6/23/14) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0) - Steve Werthman, Urban Development, came forward to state they have received some proposals from developers & have requested additional information from them. Urban Development would request a 3 week delay.

COOK Moved that Public Hearing & Action be continued for three weeks to 9/8/14.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

This matter was taken under advisement.

APPROVING THE GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM PROJECT GRANT TO RENOVATE THE MURDOCK TRAIL FROM TOUZALIN AVE. TO 70TH STREET - Lynn Johnson, Parks & Recreation Department, came forward to state that these are Federal Transportation Enhancement Funds that are administered by the Nebraska Game & Parks Commission. One of the conditions of approval is that we secure resolution, from the City Council, authorizing submittal of the Grant Application, affirming the matching funding for the grant, indicating that the City will maintain & operate the facility once it's completed, that we'll comply with the provisions of the Grant Program, & that we'll also comply with Federal accessibility requirements. The majority of the Murdock Trail is limestone & this will upgrade that trail to 10 ft. wide concrete. This is only trail in Lincoln that is not concrete.

Mr. Camp stated this has a City cost of \$56,000 whereas on the other two, it's about \$100,000. Any particular reason why there's a difference?

Mr. Johnson stated that it has to do with how we're able to put together the matching funding. The matched funds for this project are \$50,000 from the Great Plains Trail Network & about \$5,900 from the Parks & Rec. CIP. Discussion followed.

This matter was taken under advisement.

APPROVING THE GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM PROJECT GRANT TO FUND THE PIONEERS PARK TRAIL - PHASE III TO COMPLETE CONSTRUCTION OF A TRAIL FROM THE SOUTHERN BORDER OF THE NATURE CENTER TO THE WESTERN EDGE OF THE PARK.

APPROVING THE GRANT APPLICATION TO THE CITY OF LINCOLN AND THE NEBRASKA GAME AND PARKS COMMISSION FOR CONSTRUCTION OF THE WILDERNESS PARK SOUTH BRIDGE NORTH OF SALTILLO ROAD - Lynn Johnson, Parks & Recreation Department, came forward to state this is similar to the previous item. The trail project in Pioneers Park is the third phase in a multi-phase project. This extends the trail from the eastern boundary of Pioneers Park Nature Center to the western edge of the park, provides access to a part of the park that a lot of people haven't seen, and gives us access to a bridge that is going to be constructed for maintenance. The second project is replacement of a trail bridge in the southern end of Wilderness Park just north of Saltillo Road where we had a uniquely engineered bridge that failed about 3 or 4 years ago & this is to replace it.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 554**

Mr. Camp inquired why the City's contribution would only be \$50,000 on the first one but this shows \$100,000.

Mr. Johnson stated that the match for this grant is \$149,850. There is \$30,000 from Great Plains Trails Network, \$70,000 of settlement funds associated with the failure of the original bridge, and \$49,850 from the Parks & Rec. CIP.

This matter was taken under advisement.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN CITY EMPLOYEES ASSOCIATION (LCEA) TO BE EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2016 - Doug McDaniel, Human Resources, came forward to state that this allows for a 2.25% salary increase for both years. We negotiated to limit voluntary elective schedules to 12 months whereas, previously, it was undefined. We also negotiated a new health care plan design.

This matter was taken under advisement.

APPROVING THE NAMING OF PROPERTY GENERALLY LOCATED ALONG THE OPPD RAILROAD LINE SOUTHWEST OF 70TH STREET AND PINE LAKE ROAD AS "JONATHAN GAPP GREENWAY" - Lynn Johnson, Parks & Recreation Department, came forward to state this is naming a piece of property that was acquired back in 2008. A portion of it was acquired for sanitary sewer easement & the remainder of the property was donated for open space. It will be a piece of property that will be associated with the extension, in the future, of the Beal Slough Trail. When the family donated the property, they requested that it be named in recognition of their son who is a survivor of childhood cancer. The original deed, when it was transferred to the City, had that provision in it. This request is that the property be formally named "Jonathan Gapp Park". It was originally proposed as "Greenway". We've had some additional conversations with the family & they really would like for it to be named "Park". The Parks & Recreation Advisory Board has reviewed this & their recommending approval.

Mr. Camp inquired about maintenance cost.

Mr. Johnson replied that much of this land is floodplain & the majority of the use will be for the trail corridors. The Gapp Family did ask about developing a seating area there that could be kind of a quiet, contemplative place. They're interested in doing some fundraising for that so this will have fairly minimal maintenance costs. The Gapp's have planted a significant number of trees on this property.

Leirion Gaylor Baird, Council Member, stated that she was pleased to find out this was a celebration & not a memorial. Hope the family knows how grateful the City is for this gift.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING SHARON L. BUSCH TO THE AGING PARTNERS ADVISORY COUNCIL FOR A TERM EXPIRING JULY 1, 2017 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88462 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Sharon L. Busch to the Aging Partners Areawide Advisory Council for a term expiring July 1, 2017 is hereby approved.

Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING ANN AVERY TO THE LINCOLN LANCASTER COUNTY EMS OVERSIGHT AUTHORITY BOARD FOR A TERM EXPIRING MAY 16, 2015 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88463 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Ann Avery to the Lincoln/Lancaster County EMS Oversight Authority Board for a term expiring May 16, 2015 is hereby approved.

Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING DON HERZ AND STEPHEN SPEICHER TO THE STARTRAN ADVISORY BOARD FOR TERMS EXPIRING OCTOBER 20, 2017 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88464 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Don Herz and Stephen Speicher to the StarTran Advisory Board for terms expiring October 20, 2017 is hereby approved.

Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING AMIR AZIMI, THOMAS CHRISTIE, TOM MCFARLAND, AND PEARL VAN ZANDT TO THE MAYOR'S MULTICULTURAL ADVISORY COMMITTEE FOR TERMS EXPIRING SEPTEMBER 18, 2017 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88465 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Amir Azimi, Thomas Christie, Tom McFarland, and Pearl Van Zandt to the Mayor's Multicultural Advisory Committee for terms expiring September 18, 2017 is hereby approved. Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING AMRITA MAHAPATRA TO THE MAYOR'S MULTICULTURAL ADVISORY COMMITTEE FOR A TERM EXPIRING SEPTEMBER 18, 2015 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88466 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Amrita Mahapatra to the Mayor's Multicultural Advisory Committee for a term expiring September 18, 2015 is hereby approved.

Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION, AND FISH WINDOW CLEANING AND G&M WINDOW SERVICES, LLC FOR THE ANNUAL REQUIREMENTS FOR WINDOW CLEANING SERVICES, PURSUANT TO BID NO. 14-155, FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE YEAR TERMS - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88467 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln, Lancaster County, the Lincoln Lancaster County Public Building Commission, and Fish Window Cleaning and G&M Window Services, LLC for the annual requirements for Window Clean Services, pursuant to Bid No. 14-155, for a four year term with the option to renew for four additional one year terms, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Roy Christensen

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 28, 2014 - 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. 14047 to Special Permit No. 593D, to Woodhaven Community Unit Plan, requested by James Williams, approved by the Planning Director on August 6, 2014, to adjust the rear setback for unenclosed decks on Lots 21 and 22, on property generally located at S. 58th St. and Pioneers Blvd.

Administrative Amendment No. 14053 to Use Permit No. 126C, Wilderness Woods Office Park, requested by Civil Design Group, approved by the Planning Director on August 7, 2014, to reduce the rear yard setback from 15 feet to five feet and the front yard setback from 20 feet to 15 feet, on property generally located at Wilderness Woods Dr. and Yankee Hill Rd.

Administrative Amendment No. 14019 to Landmark Corporate Center Addition, requested by North Thirty Third, LLC, approved by the Planning Director on August 11, 2014, to extend the time for two years to install sidewalks, street trees, and pedestrian way sidewalks, on property generally located at N. 33rd St. and Superior St.

Administrative Amendment No. 14020 to Landmark Corporate Center 3rd Addition, requested by North Thirty Third, LLC, approved by the Planning Director on August 11, 2014, to extend the time for two years to install sidewalks and street trees, on property generally located at N. 33rd St. and Eastpark Circle.

LIQUOR RESOLUTIONS

APPLICATION OF LINCOLN COMMUNITY PLAYHOUSE INC. DBA LINCOLN COMMUNITY PLAYHOUSE FOR A CLASS I LIQUOR LICENSE AT 2500 SOUTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

**REGULAR MEETING
AUGUST 18, 2014
PAGE 556**

A-88468

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 Lincoln Community Playhouse Inc. dba Lincoln Community Playhouse for a Class "I" liquor license at 2500 South 56th Street, Lincoln, Nebraska, for the license period ending April 30, 2015, be approved with the condition that:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF MAURICE D. ENDERS FOR LINCOLN COMMUNITY PLAYHOUSE, INC. DBA LINCOLN COMMUNITY PLAYHOUSE AT 2500 SOUTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88469

WHEREAS, Lincoln Community Playhouse Inc. dba Lincoln Community Playhouse located at 2500 South 56th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Maurice D. Enders be named manager;

WHEREAS, Maurice D. Enders 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 Maurice D. Enders be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF BARBARA EHRISMAN FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #14 AT 2700 PORTER RIDGE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88470

WHEREAS, Whitehead Oil Company dba U-Stop Convenience Shop #14 located at 2700 Porter Ridge Road, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Barbara Ehrisman be named manager;

WHEREAS, Barbara Ehrisman 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 Barbara Ehrisman be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF JEFFREY SCOTT FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #24 AT 110 WEST FLETCHER, SUITE 101 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88471

WHEREAS, Whitehead Oil Company dba U-Stop Convenience Shop #24 located at 110 West Fletcher, Suite 101, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Jeffrey Scott be named manager;

WHEREAS, Jeffrey Scott appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jeffrey Scott be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF MARY EVERETT FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #5 AT 8231 EAST O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88472 WHEREAS, Whitehead Oil Company dba U-Stop Convenience Shop #5 located at 8231 East O Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Mary Everett be named manager;

WHEREAS, Mary Everett 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 Mary Everett be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF JUSTIN COFFMAN FOR WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP #9 AT 3244 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88473 WHEREAS, Whitehead Oil Company dba U-Stop Convenience Shop #9 located at 3244 Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Justin Coffman be named manager;

WHEREAS, Justin Coffman 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 Justin Coffman be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF MSKDJ INC. DBA SCHILLINGBRIDGE CORK & TAP HOUSE FOR A CLASS L LIQUOR LICENSE AT 575 FALLBROOK BLVD. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88474 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 MSKDJ Inc. dba Schillingbridge Cork & Tap House for a Class "L" liquor license at 575 Fallbrook Blvd., Lincoln, Nebraska, for the license period ending April 30, 2015, be approved with the condition that:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF DALLAS M SCHILLING FOR MSKDJ INC. DBA SCHILLINGBRIDGE CORK & TAP HOUSE AT 575 FALLBROOK BLVD. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88475 WHEREAS, MSKDJ Inc. dba Schillingbridge Cork & Tap House located at 575 Fallbrook Blvd., Lincoln, Nebraska has been approved for a Retail Class "L" liquor license, and now requests that Dallas M. Schilling be named manager;

WHEREAS, Dallas M. Schilling 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 Dallas M. Schilling be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 558**

APPLICATION OF IDC BAR AND GRILL, INC. DBA IDC BAR AND GRILL FOR A CLASS C LIQUOR LICENSE AT 3223 CORNHUSKER HWY., SUITE 1.
MANAGER APPLICATION OF PETER J. SHOUP FOR IDC BAR AND GRILL, INC. DBA IDC BAR AND GRILL AT 3223 CORNHUSKER HWY., SUITE 1 - PRIOR to reading:

COOK Moved that Public Hearing & Action be continued for one week.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF LINCOLN BLUE SUSHI LLC DBA BLUE SUSHI SAKE GRILL TO DELETE AN APPROXIMATELY 15 FOOT BY 20 FEET PORTION OF THE OUTDOOR AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY IRREGULAR SHAPED BUILDING APPROXIMATELY 122 FEET BY 57 FEET PLUS AN L-SHAPED OUTDOOR AREA MEASURING APPROXIMATELY 97 FEET BY 42 FEET AT 808 R STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88476 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 including Neb. Rev. Stat. § 53-132, the pertinent City ordinances, and Resolution No. A-66729, the City Council recommends that the application of Lincoln Blue Sushi LLC dba Blue Sushi Sake Grill to delete an approximately 15 foot by 20 foot portion of the outdoor area from their presently licensed premises located at 808 R Street, Lincoln, Nebraska, for a new licensed area described as a one story irregular shaped building approximately 122 feet by 57 feet plus an L-shaped outdoor area measuring approximately 97 feet by 42 feet, be approved with the condition that the premise complies in every respect with all City and State regulations.

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF FANI DELIGIANNIS DBA ANNUNCIATION GREEK ORTHODOX CHURCH FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 230 FEET BY 116 FEET AT 950 NORTH 63RD STREET ON SEPTEMBER 13, 2014 FROM 11:00 A.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88477 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 Fani Deligiannis dba Annunciation Greek Othodox Church for a special designated license to cover an area measuring approximately 230 feet by 116 feet at 950 North 63rd Street, Lincoln, Nebraska, on September 13, 2014, between the hours of 11:00 a.m. and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 176 FEET BY 83 X 56 FEET (STADIUM TERRACE) AT PINNACLE BANK ARENA, 400 PINNACLE ARENA DRIVE ON AUGUST 29, SEPTEMBER 5, 19, 20, 26, OCTOBER 24, AND 31, 2014 FROM 1:00 P.M. TO 12:00 A.M. - PRIOR to reading:

CAMP Moved that Public Hearing & Action be continued for one week.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF JSD LLC DBA HUSKERVILLE PUB & PIZZA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 45 FEET BY 65 FEET AT 2805 N.W. 48TH STREET ON AUGUST 23, 2014 FROM 11:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88478 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 JSD LLC dba Huskerville Pub and Pizza for a special designated license to cover an area measuring approximately 45 feet by 65 feet at 2805 N.W. 48th Street, Lincoln, Nebraska, on August 23, 2014, between the hours of 11:00 a.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF JSD LLC DBA HUSKERVILLE PUB & PIZZA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 121 FEET BY 81 FEET AT FRONTIER HARLEY DAVIDSON, 205 NW 40TH STREET ON SEPTEMBER 1, 2014 FROM 11:00 A.M. TO 7:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88479 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 JSD LLC dba Huskerville Pub and Pizza for a special designated license to cover an area measuring approximately 121 feet by 81 feet at Frontier Harley Davidson, 205 N.W. 40th Street, Lincoln, Nebraska, on September 1, 2014, between the hours of 11:00 a.m. and 7:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF ZIPLINE BREWING CO. LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIR. ON AUGUST 30, 2014 FROM 11:00 A.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88480 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 Zipline Brewing Co., LLC dba Zipline Brewing Co. for a special designated license to cover an area measuring approximately 70 feet by 72 feet at 2100 Magnum Circle, Lincoln, Nebraska, on August 30, 2014, between the hours of 11:00 a.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 560**

APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 94 FEET BY 72 FEET INSIDE THE PRAIRIE BUILDING AND 600 FEET BY 1200 FEET AT PIONEERS PARK NATURE CENTER, 3201 CODDINGTON AVE., ON SEPTEMBER 12, 2014 FROM 4:00 P.M. TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88481 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 Blue Blood Brewing Co., Inc. for a special designated license to cover an area measuring approximately 94 feet by 72 feet inside the Prairie Building and 600 feet by 1200 feet at Pioneers Park Nature Center, 3201 Coddington Ave., Lincoln, Nebraska, on September 12, 2014, between the hours of 4:00 p.m. and 11:59 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

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

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

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

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

AMENDING TITLE 1 OF THE LINCOLN MUNICIPAL CODE RELATING TO GENERAL PROVISIONS TO CREATE A NEW CHAPTER 1.30, SALE OF CITY REAL PROPERTY - CLERK read an ordinance, introduced by Roy Christensen, amending Title 1 of the Lincoln Municipal Code relating to General Provisions to create a new Chapter 1.30, Sale of City Real Property, the second time.

COMP. PLAN CONFORMANCE 14014 - DECLARING APPROX. 545 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND CUMING STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Roy Christensen, declaring approximately 545 square feet of city owned property generally located at North 70th Street and Cuming Street as surplus, the second time.

COMP. PLAN CONFORMANCE 14015 - DECLARING APPROX. 2.7 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH 27TH STREET AND OLD CHENEY ROAD AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Roy Christensen, declaring approximately 2.27 acres of city owned property generally located at the northeast corner of South 27th Street and Old Cheney Road as surplus, the second time.

COMP. PLAN CONFORMANCE 14016 - DECLARING APPROX. 25.73 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF SOUTH 84TH STREET AND YANKEE HILL ROAD AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Roy Christensen, declaring approximately 25.73 acres of city owned property generally located southeast of South 84th Street and Yankee Hill Road as surplus, the second time.

CHANGE OF ZONE 07018A - APPLICATION OF HAMPTON ENTERPRISES TO REVISE GLYNOAKS PLAZA PLANNED UNIT DEVELOPMENT TO MODIFY THE SITE PLAN AND THE DEVELOPMENT PLAN TO ALLOW AN EARLY CHILDHOOD CARE FACILITY IN THE RESIDENTIAL PORTION OF THE DEVELOPMENT GENERALLY LOCATED AT SOUTH 84TH STREET AND GLYNOAKS DRIVE - CLERK read an ordinance, introduced by Roy Christensen, amending the Glynoaks Plaza Planned Unit Development to modify the site plan and the development plan to allow an early childhood care facility in the residential portion of the development and to modify the sign

regulations for two wall signs not to exceed 20 square feet in area, on property generally located at South 84th Street and Glynoaks Drive and legally described as Outlot C, Glynoaks Plaza Addition, Lincoln, Lancaster County, Nebraska, the second time.

TEXT AMENDMENT 14006 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING THE RETAIL SALES AND SERVICES USE GROUP TABLE IN SECTION 27.06.130 TO SHOW VETERINARY FACILITIES AS A PERMITTED CONDITIONAL USE IN THE O-1, O-2, O-3, AND R-T ZONING DISTRICTS; AMENDING SECTION 27.62.100 TO ALLOW KENNELS AND/OR VETERINARY FACILITIES IN THOSE ZONING DISTRICTS WHERE SUCH USE IS DESIGNATED AS A PERMITTED CONDITIONAL USE UNDER A USE GROUP TABLE IN CHAPTER 27.06; REPEALING SECTION 27.63.780, OUTDOOR EXERCISE AREA ASSOCIATED WITH A VETERINARY FACILITY OR KENNEL; AMENDING SECTION 27.63.790 TO CLARIFY THAT VETERINARY FACILITIES ARE ALLOWED AS A PERMITTED SPECIAL USE IN THE AG AND AGR DISTRICTS AND THAT VETERINARY FACILITIES AND KENNELS WHICH DO NOT COMPLY WITH THE REQUIREMENTS FOR A PERMITTED CONDITIONAL USE UNDER SECTION 27.62.100 MAY BE ALLOWED BY SPECIAL PERMIT UNDER SPECIFIED CONDITIONS - CLERK read an ordinance, introduced by Roy Christensen, amending Title 27 of the Lincoln Municipal Code by amending the Retail Sales and Services Use Group Table in Section 27.06.130 to show veterinary facilities as a permitted conditional use in the O-1, O-2, O-3, and R-T zoning districts; amending Section 27.62.100 to allow kennels and/or veterinary facilities in those zoning districts where such use is designated as a permitted conditional use under a Use Group Table in Chapter 27.06; repealing Section 27.63.780, Outdoor Exercise Area Associated with a Veterinary Facility or Kennel; amending Section 27.63.790 to clarify that veterinary facilities are allowed as a permitted special use in the AG and AGR districts and that veterinary facilities and kennels which do not comply with the requirements for a permitted conditional use under Section 27.62.100 may be allowed by special permit under specified conditions; and repealing Sections 27.06.130, 27.62.100, and 27.63.790 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 12.08.070 OF THE LINCOLN MUNICIPAL CODE TO REVISE THE HOURS OF OPERATION OF CITY PARKS AND PARK FACILITIES FOR BILL HARRIS IRON HORSE PARK AND TO ESTABLISH PARK HOURS FOR THE NEW LINCOLN COMMUNITY FOUNDATION TOWER SQUARE (RELATED ITEMS: 14-120, 14R-235) - CLERK read an ordinance, introduced by Roy Christensen, amending Section 12.08.070 of the Lincoln Municipal Code to revise the hours of operation of City parks and park facilities; and repealing Section 12.08.070 of the Lincoln Municipal Code as hitherto existing, the second time.

NAMING THE PARK AT 13TH AND P STREETS AS "LINCOLN COMMUNITY FOUNDATION TOWER SQUARE." (RELATED ITEMS: 14-120, 14R-235) (ACTION DATE: 8/25/14)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED \$757,750.00 FOR THE CITY OF LINCOLN, PIEDMONT SHOPPING CENTER REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Roy Christensen, 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 \$757,750 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Piedmont Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, 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 second time.

APPROVING A REAL ESTATE SALES AGREEMENT FOR THE SALE OF APPROXIMATELY 9.37 ACRES OF SURPLUS PROPERTY GENERALLY LOCATED AT 2201 S. 84TH ST. TO THE LINCOLN HOUSING AUTHORITY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0) - PRIOR to reading:

COOK Moved that Public Hearing & Action be continued for three weeks to 9/8/14.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 562**

CHANGE OF ZONE 14012 - APPLICATION OF THE LINCOLN HOUSING AUTHORITY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT AND P PUBLIC USE DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM R-1 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. AND SOUTH ST. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0) - PRIOR to reading:

COOK Moved that Public Hearing & Action be continued for three weeks to 9/8/14.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SPECIAL PERMIT 14009 - APPLICATION OF LINCOLN HOUSING AUTHORITY TO DEVELOP THE LINCOLN HOUSING AUTHORITY 84TH ST. SITE COMMUNITY UNIT PLAN FOR 72 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW MORE THAN 40 DWELLING UNITS ON A DEAD END STREET, ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. AND SOUTH ST. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (ACTION DATE 6/23/14) (6/23/14 - ACTION DELAYED FOR 2 WEEKS TO 7/14/14 W/ CONT'D P.H.) (7/14/14 - PUBLIC HEARING & ACTION DELAYED UNTIL 8/18/14, 7-0) - PRIOR to reading:

COOK Moved that Public Hearing & Action be continued for three weeks to 9/8/14.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM PROJECT GRANT TO RENOVATE THE MURDOCK TRAIL FROM TOUZALIN AVE. TO 70TH STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88482 WHEREAS, the City of Lincoln through its Parks and Recreation Department proposes to apply to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of renovating the Murdock Trail from Touzalin Ave. to 70th Street; and
WHEREAS, the total cost of the project will be \$529,300.00, of which the Recreational Trails Program request will be \$473,340.00, and the City of Lincoln's cost will be \$55,960.00; and
WHEREAS, the City of Lincoln wishes to express its support for the project and its willingness to commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for the public.

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

1. The City of Lincoln hereby expresses its support for the application being made by its Parks and Recreation Department to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of renovating the Murdock Trail from Touzalin Ave. to 70th Street and its commitment to the on-going maintenance of the trail.
2. The Mayor and the Director of the Parks and Recreation Department of the City of Lincoln, Nebraska is authorized to sign the application for federal assistance, and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts, or other documents that are required by the State of Nebraska or the Federal Highway Administration.
3. The City of Lincoln currently has the written commitment for \$55,960.00 for the 20% local matching share for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.
4. The City of Lincoln will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public use.
5. The City of Lincoln will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in the use of the proposed project acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.
6. The City of Lincoln will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders, and all state laws that govern the grant applicant during the performance of the project.
7. The City of Lincoln will comply with the federal disability access and use standards where they can be reasonably applied in accordance with the Americans with Disabilities Act.
8. The City Clerk is directed to transmit a certified copy of this resolution to the Parks and Recreation Department for transmittal to the Nebraska Game and Parks Commission.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR A RECREATIONAL TRAILS PROGRAM PROJECT GRANT TO FUND THE PIONEERS PARK TRAIL - PHASE III TO COMPLETE CONSTRUCTION OF A TRAIL FROM THE SOUTHERN BORDER OF THE NATURE CENTER TO THE WESTERN EDGE OF THE PARK - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88483 WHEREAS, the City of Lincoln through its Parks and Recreation Department proposes to apply to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of constructing the Pioneers Park Trail - Phase III from the southern border of the nature center to the western edge of the park; and

WHEREAS, the total cost of the project will be \$502,430.00, of which the Recreational Trails Program request will be \$402,140.00 and the City of Lincoln's portion coming from \$100,326.00 in grants and donations, with City paying annual operating costs of \$300.00; and

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

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

1. The City of Lincoln hereby expresses its support for the application being made by its Parks and Recreation Department to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of constructing the Pioneers Park Trail - Phase III from the southern border of the nature center to the western edge of the park and its commitment to the on-going maintenance of the trail.

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

3. The City of Lincoln currently has the written commitment for \$100,326.00 from grants and donations for the 20% local matching share for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.

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

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

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

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

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE GRANT APPLICATION TO THE CITY OF LINCOLN AND THE NEBRASKA GAME AND PARKS COMMISSION FOR CONSTRUCTION OF THE WILDERNESS PARK SOUTH BRIDGE NORTH OF SALTILLO ROAD - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88484 WHEREAS, Lancaster County, Nebraska is applying to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of constructing the Wilderness Park South Bridge over Salt Creek Channel north of Saltillo Road; and

WHEREAS, the total cost of the project will be \$399,850.00, of which the Recreational Trails Program request will be \$250,000.00 and the Lancaster County's costs will be \$149,850.00 including \$100,000.00 in donations and other funds; and

WHEREAS, the City of Lincoln, who is responsible for maintaining Wilderness Park per an agreement between Lancaster County and the City of Lincoln that was approved in August 1966, wishes to express its support for the project and its willingness to commit the necessary resources to construct, operate and maintain the completed project in a safe and attractive manner for public use.

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

1. The City of Lincoln hereby expresses its support for the application being made by Lancaster County to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program grant fund for the purpose of constructing the Wilderness Park South Bridge over Salt Creek Channel north of Saltillo Road and its commitment to management of the contracts for the construction and to the on-going maintenance of the project.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 564**

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

3. Lancaster County currently has the written commitment for \$149,850.00 or the 37% local matching share for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for this project.

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

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

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

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

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN CITY EMPLOYEES ASSOCIATION (LCEA) TO BE EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2016 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88485 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached labor contract between the City of Lincoln and the Lincoln City Employees Association (LCEA), to be effective August 14, 2014 through August 31, 2016, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE NAMING OF PROPERTY GENERALLY LOCATED ALONG THE OPPD RAILROAD LINE SOUTHWEST OF 70TH STREET AND PINE LAKE ROAD AS "JONATHAN GAPP GREENWAY" - PRIOR to reading:

COOK Moved Motion to Amend #1 to amend Bill 14R-236 in the following manner:

1. On lines 3, 10, 13, and 17, delete the word "Greenway" and insert in lieu thereof the word Park.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88486 A RESOLUTION approving the naming of property generally located along the OPPD railroad line southwest of 70th Street and Pine Lake Road as "Jonathan Gapp ~~Greenway~~ Park."

WHEREAS, in 2008, Thomas and Linda Gapp donated a majority of the value of approximately 14 acres of green space generally located along the OPPD railroad line southwest of 70th Street and Pine Lake Road; and

WHEREAS, the deed noted the area would be named for the Gapps' son in recognition of their contribution with the intent to conserve the area as green space to serve as a respite for childhood cancer survivors and their families; and

WHEREAS, the Jonathan Gapp ~~Greenway~~ Park will serve as green space and will conserve the floodplain and floodway of Beal Slough; and

WHEREAS, the Parks and Recreation Advisory Board recommended approval of naming the area as "Jonathan Gapp ~~Greenway~~ Park."

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the approximately 14 acres of property generally located along the OPPD railroad line southwest of 70th Street and Pine Lake Road be and hereby is named as "Jonathan Gapp ~~Greenway~~ Park."

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

AMENDING SECTION 5.41.050 OF THE LINCOLN MUNICIPAL CODE RELATING TO PERMIT FEES FOR SALVAGE, RECYCLING, OR COMPOSTING OPERATIONS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES AND TO CLARIFY THE

USE AND COLLECTION OF SUCH FEES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 5.41.040 of the Lincoln Municipal Code relating to permit fees for salvage, recycling, or composting operations to provide that the City Council may, by resolution, establish or revise such fees and to clarify the use and collection of such fees; and repealing Section 5.41.050 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered #20070, is recorded in Ordinance Book #209, Page .

AMENDING SECTION 8.06.145 OF THE LINCOLN MUNICIPAL CODE RELATING TO OPEN BURNING PERMITS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE THE FEES FOR SUCH PERMITS (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.06.145 of the Lincoln Municipal Code relating to open burning permits to provide that the City Council may, by resolution, establish or revise the fees for such permits; and repealing Section 8.06.145 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered #20071, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 8.08 OF THE LINCOLN MUNICIPAL CODE (BODY ART ESTABLISHMENTS) BY AMENDING SECTION 8.08.060 RELATING TO PERMIT FEES FOR BODY ART ESTABLISHMENTS, SECTION 8.08.150 RELATING TO PERMIT FEES FOR BODY ART PRACTITIONERS, AND SECTION 8.08.350 RELATING TO REINSTATEMENT FEES TO AUTHORIZE THE CITY COUNCIL, BY RESOLUTION, TO ESTABLISH OR REVISE SUCH FEES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.08 of the Lincoln Municipal Code (Body Art Establishments) by amending Section 8.08.060 relating to permit fees for body art establishments, Section 8.08.150 relating to permit fees for body art practitioners, and Section 8.08.350 relating to reinstatement fees to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.08.060, 8.08.150, and 8.08.350 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered #20072, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE (CHILD CARE PROGRAMS) BY AMENDING SECTION 8.14.037 RELATING TO FEES FOR PLAN REVIEW AND CERTIFICATES OF COMPLIANCE FOR CHILD CARE PROGRAMS, AND SECTION 8.14.150 RELATING TO THE REINSTATEMENT FEE FOR SUSPENDED CERTIFICATES OF COMPLIANCE, TO AUTHORIZE THE CITY COUNCIL TO ESTABLISH OR REVISE SUCH FEES BY RESOLUTION (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.14 of the Lincoln Municipal Code (Child Care Programs) by amending Section 8.14.037 relating to fees for plan review and certificates of compliance for child care programs, and Section 8.14.150 relating to the reinstatement fee for suspended certificates of compliance, to authorize the City Council to establish or revise such fees by resolution; and repealing Sections 8.14.037 and 8.14.150 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered #20073, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE (LINCOLN FOOD CODE) BY AMENDING SECTION 8.20.150 RELATING TO PERMIT FEES FOR FOOD ESTABLISHMENTS, SECTION 8.20.170 RELATING TO REINSTATEMENT FEES, AND SECTION 8.20.230 RELATING TO PERMIT FEES FOR FOOD HANDLERS AND FOOD MANAGERS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.20 of the Lincoln Municipal Code (Lincoln Food Code) by amending Section 8.20.150 relating to permit fees for food establishments, Section 8.20.170 relating to reinstatement fees, and Section 8.20.230 relating to permit fees for food handlers and food managers to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.20.150, 8.20.170, and 8.20.230 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered #20074, is recorded in Ordinance Book #209, Page .

**REGULAR MEETING
AUGUST 18, 2014
PAGE 566**

AMENDING SECTION 8.24.150 OF THE LINCOLN MUNICIPAL CODE RELATING TO VARIANCES OF THE NOISE CONTROL ORDINANCE TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH AND REVISE THE FEES CHARGED BY THE CITY FOR NOISE VARIANCES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.24.150 of the Lincoln Municipal Code relating to variances of the Noise Control Ordinance to provide that the City Council may, by resolution, establish and revise the fees charged by the City for noise variances, and repealing Section 8.24.150 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20075**, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 8.38 OF THE LINCOLN MUNICIPAL CODE (PUBLIC SWIMMING POOLS) BY AMENDING SECTION 8.38.090 RELATING TO PERMIT FEES FOR SWIMMING POOLS AND SECTION 8.38.097 RELATING TO FEES FOR LINCOLN SWIMMING POOL OPERATOR CERTIFICATES AND LINCOLN POOL WATER QUALITY TESTER CERTIFICATES TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE SUCH FEES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.38 of the Lincoln Municipal Code (Public Swimming Pools) by amending Section 8.38.090 relating to permit and variance fees for swimming pools, and Section 8.38.097 relating to fees for Lincoln Swimming pool operator certificates and Lincoln pool water quality tester certificates to provide that the City Council may, by resolution, establish or revise such fees; and repealing Sections 8.38.090 and 8.38.097 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20076**, is recorded in Ordinance Book #209, Page .

AMENDING SECTION 8.44.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO WATER WELL PERMITS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE WATER WELL PERMIT AND VARIANCE FEES (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.44.070 of the Lincoln Municipal Code relating to water well permits to provide that the City Council may, by resolution, establish or revise water well permit and variance fees; and repealing Section 8.44.070 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20077**, is recorded in Ordinance Book #209, Page .

AMENDING SECTION 24.38.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO FEES FOR ONSITE WASTEWATER TREATMENTS SYSTEMS TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE VARIOUS FEES RELATED TO ONSITE WASTEWATER TREATMENT SYSTEMS (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 24.38.070 of the Lincoln Municipal Code relating to fees for onsite wastewater treatments systems to provide that the City Council may, by resolution, establish or revise various fees related to onsite wastewater treatment systems; and repealing Section 24.38.070 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20078**, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 24.42 OF THE LINCOLN MUNICIPAL CODE (REGULATION OF PROPERTY TRANSFERS WITH ON-SITE WASTEWATER TREATMENT SYSTEMS) BY AMENDING SECTION 24.42.110 TO PROVIDE THAT THE CITY COUNCIL MAY, BY RESOLUTION, ESTABLISH OR REVISE FEES FOR THE EVALUATION AND REVIEW OF PROPERTY TRANSFER INSPECTOR REPORTS AND FOR VARIOUS PROPERTY TRANSFER INSPECTOR PERMITS (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 24.42 of the Lincoln Municipal Code (Regulation of Property Transfers with On-site Wastewater Treatment Systems) by amending Section 24.42.110 to provide that the City Council may, by resolution, establish or revise fees for the evaluation and review of property transfer inspector reports and for various property transfer inspector permits; and repealing Section 24.42.110 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#20079**, is recorded in Ordinance Book #209, Page .

AMENDING CHAPTER 3.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO REVENUE AND FINANCE, GENERAL PROVISIONS, BY ADDING A NEW SECTION 3.04.080 ENTITLED "TAX INCREMENT FINANCING - ADMINISTRATIVE FEE" TO PROVIDE FOR AN ADMINISTRATIVE FEE TO BE PAID TO THE CITY OF LINCOLN TO REIMBURSE THE CITY OF LINCOLN FOR ITS ADMINISTRATIVE EXPENSES IN CONNECTION WITH THE APPROVAL AND ADMINISTRATION OF REDEVELOPMENT PROJECT WHICH UTILIZE TAX INCREMENT FINANCING UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 3.04 of the Lincoln Municipal Code relating to Revenue and Finance, General Provisions, by adding a new section numbered 3.04.080 entitled "Tax Increment Financing - Administrative Fee" to provide for an administrative fee to be paid to the City of Lincoln to reimburse its administrative expenses in connection with the approval and administration of Redevelopment Projects which utilize tax increment financing under the Nebraska Community Development Law, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered #20080, is recorded in Ordinance Book #209, Page .

AMENDING TITLES 19 AND 20 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIRE PREVENTION AND THE BUILDING CODE, RESPECTIVELY, TO INCREASE CERTAIN FEES WITHIN THE CHAPTER 19.03, THE FIRE CODE, BY AMENDING SECTION 19.03.090 TO INCREASE THE BUREAU OF FIRE PREVENTION PLAN REVIEW AND INSPECTION FEE AND SECTION 19.03.100 TO INCREASE PERMIT FEES; AMENDING CHAPTER 20.08, THE LINCOLN BUILDING CODE, BY AMENDING SECTION 20.08.090 TO INCREASE THE PERMIT FEES AND MISCELLANEOUS FEES SET FORTH IN SAID SECTION; AND AMENDING CHAPTER 20.12, THE LINCOLN RESIDENTIAL BUILDING CODE BY AMENDING SECTION 20.12.060 TO INCREASE RESIDENTIAL PERMIT FEES SET FORTH IN SAID SECTION (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Titles 19 and 20 of the Lincoln Municipal Code relating to Fire Prevention and the Building Code, respectively, to increase certain fees within the Chapter 19.03, the Fire Code, by amending Section 19.03.090 to increase the Bureau of Fire Prevention Plan Review and Inspection Fee and Section 19.03.100 to increase permit fees; amending Chapter 20.08, the Lincoln Building Code, by amending Section 20.08.090 to increase the permit fees and miscellaneous fees set forth in said section; amending Chapter 20.12, the Lincoln Residential Building Code by amending Section 20.12.060 to increase residential permit fees set forth in said section; and repealing Sections 19.03.090, 19.03.100, 20.08.090, and 20.12.060 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered #20081, is recorded in Ordinance Book #209, Page .

AMENDING SECTION 8.32.150 OF THE LINCOLN MUNICIPAL CODE TO INCREASE THE OCCUPATION TAX IMPOSED ON REFUSE HAULERS EFFECTIVE SEPTEMBER 1, 2015 FROM \$9.00 PER TON TO \$11.00 PER TON (ACTION DATE: 8/18/14) - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.32.150 of the Lincoln Municipal Code relating to the occupation tax imposed on refuse haulers to increase said occupation tax, effective September 1, 2015, from \$9.00 to \$11.00 per ton; and repealing Section 8.32.150 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Cook, Emery, Eskridge, Gaylor Baird; NAYS: Camp, Christensen, Fellers.

The ordinance, being numbered #20082, is recorded in Ordinance Book #209, Page .

RESOLUTIONS - FOR ACTION ONLY

ESTABLISHING A NEW RATE SCHEDULE FOR CUSTOMERS OF THE LINCOLN WATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM'S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2014/2015 AND FY 2015/2016. (ACTION DATE: 8/18/14) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88487 WHEREAS, the City Council of Lincoln, Nebraska, is authorized under Section 17.22.010 of the Lincoln Municipal Code to establish water use charges for all customers of the Lincoln Water System.

WHEREAS, the water rate increases are based upon financial projections which demonstrate the necessity for the increase to support the construction of needed facility improvements, debt service, and the operation and maintenance of the system to provide community-wide water service.

WHEREAS, Lincoln's water infrastructure is a necessary component and is required under city charter to be provided to all areas served within the city limits.

And WHEREAS, Lincoln’s water rates have historically remained low and, even with the proposed rate increases, will continue this tradition of competitive rates within the region and nationally.

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

Effective with the “H” billing cycle commencing in November 2014 and November 2015, the following schedules of water use charges are hereby established and adopted:

SCHEDULE A

The following rate schedule shall apply to all residential property. “Residential Property” shall be defined as property consisting of dwelling units. If there is more than one use per master meter on any one property including the residential use, the schedule to be used will be determined as residential, if the residential portion is 50 percent or more of the area of the building.

	Effective November, 2014	Effective November, 2015
100 to 800 cubic feet	\$1.344	\$1.344
801 to 2,300 cubic feet	1.911	1.911
2,301 cubic feet and up	2.961	2.961

SCHEDULE B

The following rate schedule shall apply for the current calendar year to all non-residential property that used less than 12,000,000 cubic feet of water in the previous calendar year:

	Effective November, 2014	Effective November, 2015
100 to 8,000 cubic feet	\$1.344	\$1.344
8,001 cubic feet and up	1.911	1.911

SCHEDULE C

The following rate schedule shall apply for the current year to all non-residential property that used more than 12,000,000 cubic feet of water in the previous calendar year. On a calendar year basis, a “base usage” of each high user customer will be determined. The base usage is an average of the water usage of each high user customer for the previous three (3) calendar years.

The following fees would apply:

	Effective November, 2014	Effective November, 2015
Base and below (per 100 cubic feet)	\$127.6	\$127.6
Water usage 5%- 15% above base (per 100 cubic feet)	132.3	132.3
Water usage 15% - 25% above base (per 100 cubic feet)	136.5	136.5
Water usage over 25% above base (per 100 cubic feet)	140.7	140.7

**SCHEDULE D - PROVISIONS APPLICABLE -
TO ALL TYPES OF WATER SERVICE**

Service Charge. There shall be a Service Charge per month to each property using the Lincoln Water System, determined by the number and size of the water meter, or meters, serving such property, to-wit:

	Effective November, 2014	Effective November, 2015
Water Meter Size	Service Charge	Service Charge
5/8 inch	\$4.37	\$4.95
3/4 inch	6.61	7.49
1 inch	11.04	12.50
1-1/2 inch	22.02	24.94
2 inch	35.25	39.91
3 inch	66.13	74.88
4 inch	110.24	124.82
6 inch	220.42	249.58
8 inch	352.68	399.34

10 inch	507.02	574.10
---------	--------	--------

**WATER RATES TO CUSTOMERS OUTSIDE
THE CITY LIMITS**

Customers located outside the City Limits of Lincoln and served by the water system of the City of Lincoln shall pay no less than the water rates charged to customers within the City Limits of Lincoln for water furnished them by the water system of the City of Lincoln.

BE IT FURTHER RESOLVED that Resolution No. A-86943, adopted by the City Council on August 8, 2012, is hereby superseded.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ESTABLISHING A NEW RATE SCHEDULE FOR CUSTOMERS OF THE LINCOLN WASTEWATER SYSTEM FOR PURPOSES OF COVERING THE SYSTEM'S OPERATIONAL AND MAINTENANCE COSTS INCLUDING DEBT SERVICE AND THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2014/2015 AND FY 2015/2016. (ACTION DATE: 8/18/14) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88488 WHEREAS, the City Council of Lincoln, Nebraska, is authorized under Sections 17.60.020 and 17.60.030 of the Lincoln Municipal Code to establish wastewater charges for all customers of the Lincoln Wastewater System.

WHEREAS, the wastewater rate increases are based upon financial projections which demonstrate the necessity for the increase to support the construction of needed facility improvements, debt service, and the operation and maintenance of the system to provide community-wide wastewater service.

WHEREAS, Lincoln's wastewater infrastructure is a necessary component and is required under city charter to be provided to all areas served within the city limits.

And WHEREAS, Lincoln's wastewater rates have historically remained low and, even with the proposed rate increases, will continue this tradition of competitive rates within the region and nationally.

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

Effective with the "H" billing cycle commencing in November 2014 and November 2015 the following schedule of wastewater use charges is hereby established and adopted:

BASIC WASTEWATER USE CHARGE

(a) The basic wastewater use unit charge is hereby established as 185.9 cents.

(b) For any given residential property, the basic wastewater use charge for each billing cycle shall be determined by multiplying for each such cycle the total amount of water, in hundreds of cubic feet, metered for said property during a billing cycle chosen by the Director from the most recent past winter, by the basic wastewater use unit charge.

In the case of change of occupancy of residential property, if the Director reasonably determines that to compute the basic wastewater use charge for a given billing cycle upon the amount of water used by such property during such winter billing cycle would be inequitable either to the City or to the user, she shall use the average amount of water used by like users during such winter billing cycle to compute such charge.

(c) For any non-residential property, the basic wastewater use charge for a given billing cycle shall be determined by multiplying for each cycle the amount of water or wastewater, in hundreds of cubic feet, measured for said property during such cycle, by the basic wastewater use unit charge.

(d) Non-residential users shall be given credit, at the same rate, for water not discharged into the sanitary sewers provided such water is separately metered with the approval of the Public Utilities Department and at the customer's expense.

(e) Where a wastewater flow meter or other wastewater measuring device is required or permitted by the Director and is used to measure the volume of wastewater discharged into the Lincoln Wastewater System, such wastewater use charge shall be computed thereon at the basic wastewater use unit charge.

SERVICE CHARGE

Regardless of whether a wastewater meter is used, there shall be a service charge per month to each property using the Lincoln Wastewater System, determined by the number and size of the water meters serving such property, to-wit:

	Effective November, 2014	Effective November, 2015
Water Meter Size	Service Charge	Service Charge
5/8 inch	\$1.98	\$2.32
3/4 inch	3.85	4.50
1 inch	6.86	8.01
1-1/2 inch	13.59	15.88
2 inch	21.77	25.43
3 inch	40.89	47.77

4 inch	68.20	79.67
6 inch	136.28	159.20
8 inch	218.06	254.75
10 inch	313.57	366.32

**WASTEWATER RATES TO CUSTOMERS OUTSIDE
THE CITY LIMITS**

Customers located outside the City Limits of Lincoln and served by the Lincoln Wastewater System shall pay no less than the wastewater rates charged to customers within the City Limits of Lincoln for service furnished them by the Lincoln Wastewater System.

BE IT FURTHER RESOLVED that Resolution No. A-86944, adopted by the City Council on August 8, 2012, is hereby superseded.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ESTABLISHING A NEW SCHEDULE FOR SOLID WASTE SYSTEM USER CHARGES FOR THE USE OF ANY PUBLIC LANDFILL OR OTHER WASTE DISPOSAL SYSTEM OWNED BY THE CITY TO INCREASE REVENUES FOR PURPOSES OF COVERING OPERATIONAL AND MAINTENANCE COSTS AND THE CAPITAL IMPROVEMENTS PROGRAM TO BE EFFECTIVE SEPTEMBER 1, 2015. (ACTION DATE: 8/18/14) - PRIOR to reading:

GAYLOR BAIRD Moved Motion to Amend #1 to amend Bill 14R-221 in the following manner:

1. On page 2, line 9, delete the amount of "\$18.00" and insert in lieu thereof the amount of \$17.75.
2. On page 2, line 10, delete the amount of "\$18.00" and insert in lieu thereof the amount of \$17.75.

Seconded by Cook and carried by the following vote: AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: Camp.

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

A-88489 WHEREAS, the City Council is authorized, pursuant to Section 8.32.100 of the Lincoln Municipal Code, to establish or revise, by resolution, fees to be charged to any person for the privilege of using any public landfill or other waste disposal facility owned by the City, and;

WHEREAS, the City Council deems it necessary to revise the fees for use of the City's public landfill and other waste disposal facilities as last revised by Resolution No. A-86945 passed by the City Council on August 8, 2012;

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

That effective September 1, 2015, the following schedules of use charges are hereby established and adopted:

SCHEDULE A – Small Vehicle Transfer Station

FLAT FEE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Small Vehicle Transfer Station:

Cars per vehicle trip	\$3.00
Passenger Vehicles per vehicle trip	\$6.00
Cargo Vehicles per vehicle trip	\$11.00
Trailers per vehicle trip	\$11.00
Any above vehicle and trailer per vehicle trip	\$14.00

Any uncovered load will be assessed an additional amount equal to 50% of the charge for such load.

SCHEDULE B – Municipal Solid Waste Landfill

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet, and all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Municipal Solid Waste Landfill on a load weight basis as follows:

~~\$18.00~~ \$17.75 Per Ton

The minimum charge shall be equal to the per ton rate of ~~\$18.00~~ \$17.75. For periods that the scale is inoperative, the rate charged shall be \$5.85 per cubic yard. Any uncovered load will be assessed an additional amount equal to 50% of the computed charge for such load. The minimum fee for uncovered loads shall be \$50.00.

SCHEDULE C – Compost Facility

FLAT FEE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Compost Facility:

Cars per vehicle trip	\$3.00
---------------------------------	--------

Passenger Vehicles per vehicle trip	\$6.00
Cargo Vehicles per vehicle trip	\$11.00
Trailers per vehicle trip	\$11.00
Any above vehicle and trailer per vehicle trip	\$14.00

Any uncovered load will be assessed an additional amount equal to 50% of the charge for such load.

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than a one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet and all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Compost Facility on a load weight basis as follows:

\$15.75 Per Ton

The minimum charge shall be equal to the per ton rate of \$15.75. For periods that the scale is inoperative, the rate charged shall be \$8.00 per cubic yard. Any uncovered load will be assessed an additional amount equal to 50% of the computed charge for such load. The minimum fee for uncovered loads shall be \$50.00.

SCHEDULE D – Construction and Demolition Debris Landfill

FLAT RATE SCHEDULE

The following rates shall be applied to all vehicles having a one-ton rating or less, with a cargo height of 5 feet or less; and trailers with a flatbed carrying size of 60 square feet or less, with a cargo height of 5 feet or less using the Construction and Demolition Debris Landfill:

Cars per vehicle trip	\$4.00
Passenger Vehicles per vehicle trip	\$4.00
Cargo Vehicles per vehicle trip	\$4.00
Trailers per vehicle trip	\$4.00
Any above vehicle and trailer per vehicle trip	\$4.00

COMPUTED (WEIGHED) RATE SCHEDULE

The following rate shall be applied to all vehicles greater than a one-ton rating, trailers with a flatbed carrying size of greater than 60 square feet, all vehicles and trailers regardless of weight or size with a cargo height of greater than 5 feet using the Construction and Demolition Debris Landfill on a load weight basis:

\$4.00 Per Ton

The minimum charge shall be equal to the per ton rate of \$4.00. For periods that the scale is inoperative, the rate charged shall be \$4.00 per cubic yard.

SCHEDULE E – Special Wastes

1. Special Wastes as defined by Municipal Code 8.32.080
 - 1a. Special Wastes landfilled directly with other refuse at time of disposal Schedule B per ton rate plus \$5.00 per permit administrative fee
Minimum Charge (1 ton rate plus \$5.00) \$23.00
 - 1b. Special Wastes requiring segregation from other refuse at time of disposal (including, but not limited to, asbestos containing materials) Schedule B per ton rate plus \$25.00 per load special handling fee
Minimum Charge (1 ton rate plus \$25.00) \$43.00
 - 1c. Cars, Passenger Vehicles, Cargo Vehicles and Trailers as defined in Schedule A with Special Wastes Applicable Schedule A fee plus \$5.00 per permit administrative fee

SCHEDULE F - Special Fees

1. All whole and processed tires (portions of tires)
 - 1a. Car passenger tire or light truck tire \$3.00 each plus applicable Schedule A or Schedule B fees
 - 1b. Heavy (over-the-road) truck tire \$6.50 each plus applicable Schedule A or Schedule B fees
 - 1c. Farm or industrial (off-road) tire \$11.50 each plus applicable Schedule A or Schedule B fees
2. All appliances prohibited from land disposal \$5.00 each plus applicable Schedule A or Schedule B fees
3. The following fee shall be assessed for wastes which are unacceptable, including but not limited to out-of-county wastes, or prohibited from land disposal, if they are found to exist in a load and the vehicle driver fails to remove the waste or place the waste in the designated areas.

Unacceptable waste loads rejected \$50.00 per occurrence

The Director of Public Works & Utilities shall have the authority to negotiate for and collect fees on any wastes that may require unusual or special handling considerations other than those wastes addressed herein. The Director of Public Works & Utilities shall have the authority to issue rules and regulations which further define vehicle types, uncovered loads, unacceptable wastes and other policies for the City's solid waste disposal facilities and operations.

The Mayor shall have the authority to waive all or any portion of the scheduled fees in the event of an emergency or natural disaster which creates the need for immediate disposal of wastes resulting from such emergency.

**REGULAR MEETING
AUGUST 18, 2014
PAGE 572**

BE IT FURTHER RESOLVED that Resolution No. A-86945, adopted by the City Council on August 8, 2012, is hereby superseded.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: Camp.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

VACATION 14004 - VACATING WEST PROSPECTOR COURT AND PORTIONS OF SPEEDWAY CIRCLE, HILL STREET, AND SOUTH 1ST STREET, GENERALLY LOCATED NEAR SOUTH 1ST STREET, SOUTH OF VAN DORN STREET - CLERK read an ordinance, introduced by Jonathan Cook, vacating West Prospector Court and portions of Speedway Circle, Hill Street, and South 1st Street, generally located near South 1st Street, south of Van Dorn Street and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

CHANGE OF ZONE NO. 12018A - APPLICATION OF STALLION VENTURES, LLC TO AMEND THE HOLDREGE/IDYLVILD REDEVELOPMENT PLANNED UNIT DEVELOPMENT TO INCREASE THE ALLOWABLE DWELLING UNITS FROM 40 TO 60 AND TO DECREASE THE COMMERCIAL FLOOR AREA FROM 66,000 SQ. FT. TO 27,750 SQ. FT., ON PROPERTY GENERALLY LOCATED AT HOLDREGE STREET AND IDYLVILD DRIVE - CLERK read an ordinance, introduced by Jonathan Cook, amending Holdrege/Idylwild Planned Unit Development on property generally located at Holdrege Street and Idylwild Drive and legally described on Attachment "A" attached hereto to increase the allowable dwelling units from 40 to 60 and to decrease the commercial floor area from 66,000 sq. ft. to 27,750 sq. ft., the first time.

RESOLUTIONS - 1ST READING

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN M CLASS EMPLOYEES ASSOCIATION (LMCEA) FOR A TERM EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2016.

HEARING ON THE REQUEST TO TRANSFER THE CABLE TELEVISION FRANCHISE HELD BY TIME WARNER CABLE MIDWEST LLC TO COMCAST CORPORATION.

APPROVING AN AMENDMENT TO THE 2014-2020 CAPITAL IMPROVEMENT PROGRAM (CIP) TO MOVE PROJECTS FORWARD TO THE 2014-2015 FISCAL YEAR THAT WILL BE INCLUDED FOR A GENERAL OBLIGATION BOND VOTE ON THE NOVEMBER 2014 GENERAL ELECTION BALLOT INCLUDING PROJECT 0240 CO-LOCATION OF FIRE STATION 12 WITH LPD PRECINCT, PROJECT 0348 CO-LOCATED LPF TEAM ASSEMBLY STATION AND LFR STATION 12, AND TO CHANGE THE AMOUNT FOR PROJECT 0765 RADIO SYSTEM UPGRADE FROM \$24 MILLION TO \$20.5 MILLION.

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED GENERAL OBLIGATION BOND ISSUE IN AN AMOUNT NOT TO EXCEED \$29,500,000.00 TO CONSTRUCT, ACQUIRE, IMPROVE, FURNISH AND EQUIP THE CITY'S PUBLIC SAFETY COMMUNICATIONS SYSTEM AND PUBLIC SAFETY BUILDINGS, INFRASTRUCTURE, AND EQUIPMENT AT THE NOVEMBER 4, 2014 GENERAL ELECTION.

OPEN MICROPHONE - NONE

ADJOURNMENT

4:57 P.M.

CAMP Moved to adjourn the City Council Meeting of August 18, 2014.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk