

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, JUNE 29, 2009 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Emery; Council Members: Camp, Carroll, Cook, Hornung, Snyder, Spatz; City Clerk, Joan E. Ross.

Council Chair Emery asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

SNYDER Having been appointed to read the minutes of the City Council proceedings of June 22, 2009 reported having done so, found same correct.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**PUBLIC HEARING**

APPOINTING DR. DAVID R. SMITH TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A THREE-YEAR TERM EXPIRING APRIL 15, 2012 -Bruce Dart, Director of the Health Department, came forward to request the approval of the appointment of Dr. David R. Smith to the Board of Health. He is a veterinarian and will be valuable in helping with issues concerning animals.

This matter was taken under advisement.

APPLICATION OF KINSETH HOTEL CORPORATION DBA RESIDENCE INN FOR A CLASS I LIQUOR LICENSE AT 5865 BOBOLI LANE;  
MANAGER APPLICATION OF DAVID M. WHEATON FOR KINSETH HOTEL CORPORATION DBA RESIDENCE INN AT 5865 BOBOLI LANE;  
APPLICATION OF KINSETH HOTEL CORPORATION DBA HAMPTON INN FOR A CLASS I LIQUOR LICENSE AT 7343 HUSKER CIRCLE;  
MANAGER APPLICATION OF ROBERT E. GRIMM FOR KINSETH HOTEL CORPORATION DBA HAMPTON INN AT 7343 HUSKER CIRCLE - Dave Wheaton, Manager of Residence Inn, Linda Skinner, representing Kinseth Hospitalities Companies, Robert Grimm, Manager of Hampton Inn, came forward to take the oath.

Linda Skinner, stated Kinseth Hotel Corporation is building a Residence Inn by Village Gardens which will serve a special reception at night for all the guests. Hampton Inn will be built on North 27<sup>th</sup> Street which will have a sweet shop where they serve bottled beer and wine and will do receptions for guests.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN LINCOLN PUBLIC SCHOOLS AND THE CITY OF LINCOLN TO CONSTRUCT STORMWATER BEST MANAGEMENT PRACTICES AT ARNOLD ELEMENTARY SCHOOL GENERALLY LOCATED SOUTHWEST OF W. CUMING AND N.W. 48TH STREETS - Ben Higgins, Public Works & Utilities - Watershed Management Division, came forward to request this item be placed on Pending with no date certain as Lincoln Public Schools have not signed the agreement.

This matter was taken under advisement.

APPROVING A REQUEST FOR RELAXATION OF STANDARDS FROM THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS FOR THE USE OF 10 FOOT WIDE LANES ON CITY PROJECTS: 701809 - P STREET, S. 17TH TO S. 27TH; 701811 - VINE STREET, N. 70TH TO SIERRA AND ADAMS STREET, I-180 TO N. 14TH; 701812 - O STREET, N. 15TH TO N. 25TH; 540012 - N. 70TH STREET, AYLESWORTH TO VINE; AND 540013 - HOLDREGE STREET, N. 70TH TO N. 79<sup>th</sup> - Chad Blahak, Public Works & Utilities Dept., came forward to state this is part of the process for requesting the relaxation of design standards from the State of Nebraska for the use of the stimulus roads package. It is requested to allow the use of 10' lanes in lieu of 11' for rehab projects which will minimize the impact on the people who already live

there. The City needs to have approvals from NDOR and FHWA which is then taken to the Board of Public Roads Classifications and Standards for approval. Federal funding could have an impact on rehab projects in the future.

This matter was taken under advisement.

APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "ANTELOPE CREEK MAIN STEM WATER QUALITY PROJECT" - Ed Kouma, Public Works & Utilities - Watershed Management Division, stated these grants of \$270,000 from Federal 319 Grant funds and \$180,000 from State Stormwater Grant funds will be used to reduce adverse water quality impacts to Antelope Creek and Holmes Lake. Unstable stream banks in Antelope Creek upstream from

Holmes Lake are eroding and contributing sediment to the stream to Holmes Lake and there is eroding close to a City Parks trail causing a potential safety concern.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$150,000.00 FROM GENERAL EXPENSE/SHARED SERVICES - CORRECTIONS TO INTERFUND TRANSFERS/CITY SHARE - AUDITORIUM FOR ADDITIONAL FUNDING DUE TO A CURRENT YEAR OPERATING SHORTFALL FOR PERSHING AUDITORIUM - Tom Lorenz, General Manager of Pershing Center, came forward to answer questions. He stated the shows in September and October 2008 did not do well due to the impact of the economy and the fact that fewer shows booked events. The USA Roller Sport and Eight Ball Tournament, which are big events, did not hold their events at Pershing this year, but will be back next year along with the Special Olympics. There will be a cash flow issue starting in July, therefore, additional funds are requested which will be the first time this request has been made in the past 13 years. They have taken steps to cut back expenses by cutting staff, health care costs, utilities, and suspending 401K. The projected budget amount requested for next year is \$642,000.

Don Herz, Finance Director, came forward to answer questions. The transfer of \$150,000 would come from General Expense/Shared Services-Corrections, an account created as the result of an agreement with the County Board, of which these funds are not being used in the current year. This will represent a portion of that appropriation which is in excess of a million dollars. The unspent balance of appropriations will go to the General Fund.

This matter was taken under advisement.

**\*\* END OF PUBLIC HEARING \*\***

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

APPOINTING DR. DAVID R. SMITH TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A THREE-YEAR TERM EXPIRING APRIL 15, 2012 - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85409 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Dr. David R. Smith to the Lincoln-Lancaster County Board of Health for a three-year term expiring April 15, 2012 is hereby approved.

Introduced by John Spatz

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON JUNE 15, 2009 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR THE MONTH OF MAY 2009 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

### **PETITIONS & COMMUNICATIONS**

INFORMAL PETITION FROM THE LANCASTER COUNTY AGRICULTURAL SOCIETY TO CREATE A SPECIAL ASSESSMENT DISTRICT TO PAY THE COSTS RELATED TO OFF-SITE TRAFFIC IMPROVEMENTS AT 84<sup>TH</sup> STREET AND HAVELOCK AVENUE - CLERK presented said petition which was referred to the Public Works Department.

SETTING THE HEARING DATE OF MONDAY, JULY 13, 2009 AT 1:30 P.M. FOR APPLICATION OF ROGELIO & MARIA ARIAS DBA SUPER TACO II FOR A CLASS I LIQUOR LICENSE LOCATED AT 500 WESTGATE BOULEVARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-85410 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 13, 2009 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, NE, for Application of Rogelio & Maria Arias dba Super Taco II for a Class I liquor license located at 500 Westgate Boulevard.

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

Introduced by Jon Camp

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

#### LIQUOR RESOLUTIONS

APPLICATION OF KINSETH HOTEL CORPORATION DBA RESIDENCE INN FOR A CLASS I LIQUOR LICENSE AT 5865 BOBOLI LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:  
A-85411 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 Kinseth Hotel Corporation dba Residence Inn for a Class "I" liquor license at 5865 Boboli Lane, Lincoln, Nebraska, for the license period ending April 30, 2010, 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. The premise 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF DAVID M. WHEATON FOR KINSETH HOTEL CORPORATION DBA RESIDENCE INN AT 5865 BOBOLI LANE - CLERK read the following resolution, introduced by Jane Snyder, who moved its adoption for approval:  
A-85412 WHEREAS, Kinseth Hotel Corporation dba Residence Inn located at 5865 Boboli Lane, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that David M. Wheaton be named manager;

WHEREAS, David M. Wheaton 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 David M. Wheaton 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 Jane Snyder

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF KINSETH HOTEL CORPORATION DBA HAMPTON INN FOR A CLASS I LIQUOR LICENSE AT 7343 HUSKER CIRCLE - CLERK read the following resolution, introduced by John Camp, who moved its adoption for approval:  
A-85413 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 Kinseth Hotel Corporation dba Hampton Inn for a Class "I" liquor license at 7343 Husker Circle, Lincoln, Nebraska, for the license period ending April 30, 2010, 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. The premise 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 John Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF ROBERT E. GRIMM FOR KINSETH HOTEL CORPORATION DBA HAMPTON INN AT 7343 HUSKER CIRCLE - CLERK read the following resolution, introduced by John Camp, who moved its adoption for approval:  
A-85414 WHEREAS, Kinseth Hotel Corporation dba Hampton Inn located at 7343 Husker Circle, Lincoln, Nebraska has been approved for a Retail Class

"I" liquor license, and now requests that Robert E. Grimm be named manager;

WHEREAS, Robert E. Grimm 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 Robert E. Grimm 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required) - NONE**

**PUBLIC HEARING RESOLUTIONS**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1 - 15, 2009 - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85415 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated June 16, 2009, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED/SETTLED</u>
Robert Bussard	\$ 6,000.00	Daniel VandenHeuvel	\$ 550.00
Graylin Gray	100,000.00	Autumn Schafer	665.31
Eric D. Manley	53.00	Steve Rothwell	115.00
		Barbara Schmidt	120.00
		Beth Hollon	1,250.00
	<u>WITHDRAWN</u>		
Paul Meder & Stacie Meder	\$85,000.00		

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

Introduced by John Spatz

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN LINCOLN PUBLIC SCHOOLS AND THE CITY OF LINCOLN TO CONSTRUCT STORMWATER BEST MANAGEMENT PRACTICES AT ARNOLD ELEMENTARY SCHOOL GENERALLY LOCATED SOUTHWEST OF W. CUMING AND N.W. 48TH STREETS - PRIOR to reading:

COOK Moved to place Bill No. 09R-103 on Pending with no date certain.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$25,000.00 FROM THE CITY COUNCIL CONTINGENCY ACCOUNT TO AUDITING SERVICES FOR FUNDING THE NEBRASKA STATE AUDITORS ATTESTATION REVIEW OF THE ANTELOPE VALLEY PROJECT - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85416 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That a transfer of appropriations in the amount of \$25,000 from City Council Contingency, Account 18001.5989, Miscellaneous Other Services and Charges, to Auditing Services in the General Expense Budget, Account 18001.5624, for the City of Lincoln's share of funding of the Nebraska State Auditor's Attestation Review of the Antelope Valley project, is hereby approved and the Finance director is authorized to make such transfer upon passage of this Resolution.

Introduced by John Spatz

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A REQUEST FOR RELAXATION OF STANDARDS FROM THE STATE OF NEBRASKA, BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS FOR THE USE OF 10 FOOT WIDE LANES ON CITY PROJECTS: 701809 - P STREET, S. 17TH TO S. 27TH; 701811 - VINE STREET, N. 70TH TO SIERRA AND ADAMS STREET, I-180 TO N. 14TH; 701812 - O STREET, N. 15TH TO N. 25TH; 540012 - N. 70TH STREET, AYLESWORTH TO VINE; AND 540013 - HOLDREGE STREET, N. 70TH TO N. 79<sup>TH</sup> - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85417 WHEREAS, the State of Nebraska, Board of Public Roads Classifications and Standards has established a minimum lane width of 11 feet for Urban Arterial Streets; and

WHEREAS, the 10 foot wide lanes proposed for City Projects 701809 - P Street, S. 17th to S. 27th; 701811 - Vine Street, N. 70th to Sierra and Adams Street, I-180 to N. 14th; 701812 - O Street, N. 15th to N. 25th; 540012 - N. 70th Street, Aylesworth to Vine; and 540013 - Holdrege Street, N. 70th to N. 79th, does not meet such minimum design standard for lane widths on Urban Arterial Streets; and

WHEREAS, the City of Lincoln desires to request a modification of the Standards by the Board of Public Roads Classification and Standards so as to not substantially affect adjacent properties through the proposed reconstruction of these projects; and

WHEREAS, the City of Lincoln believes that the granting of such an exception will not impair the safety of traffic within the limits of these projects;

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

Pursuant to Neb. Rev. Stat. § 39-2113(5) (Reissue 2008), the City of Lincoln does hereby request that the Board of Public Roads Classifications and Standards to grant an exception to the above described minimum design lane width to allow 10 foot wide streets for the following City Projects: 701809 - P Street, S. 17th to S. 27th; 701811 - Vine Street, N. 70th to Sierra and Adams Street, I-180 to N. 14th; 701812 - O Street, N. 15th to N. 25th; 540012 - N. 70th Street, Aylesworth to Vine; and 540013 - Holdrege Street, N. 70th to N. 79th.

BE IT FURTHER RESOLVED that the Director of Public Works and Utilities is hereby authorized and directed to forward a copy of this Resolution to the Board of Public Roads Classifications and Standards as a part of the City of Lincoln's request for the design exception.

Introduced by John Spatz

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING AN INTER-GOVERNMENTAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING THE IMPLEMENTATION OF THE SECTION 319 PROJECT ENTITLED "ANTELOPE CREEK MAIN STEM WATER QUALITY PROJECT" - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85418 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Inter-Governmental Agreement between the City of Lincoln, and the Nebraska Department of Environmental Quality, regarding the Implementation of the Section 319 Project Entitled "Antelope Creek Main Stem Water Quality Project", upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for Section 319 grant funding to complete a bank stabilization project to reduce adverse water quality impacts to Holmes Lake.

The City Clerk is hereby directed to transmit a copy of the executed original Agreement to Ed Kouma, Public Works & Utilities Department, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by John Spatz

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$150,000.00 FROM GENERAL EXPENSE/SHARED SERVICES - CORRECTIONS TO INTERFUND TRANSFERS/CITY SHARE - AUDITORIUM FOR ADDITIONAL FUNDING DUE TO A CURRENT YEAR OPERATING SHORTFALL FOR PERSHING AUDITORIUM - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-85419 A RESOLUTION authorizing the transfer of appropriations and cash within the 2008-2009 operating budget in the amount of \$150,000 from General Expense/Shared Services - Corrections (18002.5647) to Interfund Transfers/City Share - Auditorium (19001.9243) to cover a cash and operating shortfall.

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

That the transfer of appropriations and cash in the amount of \$150,000 from General Expense/Shared Services - Corrections (18002.5647) to Interfund Transfers/ City Share - Auditorium (19001.9243) is approved and the Finance Director is authorized to make such transfer on passage of this resolution.

Introduced by John Spatz

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Snyder, Spatz; NAYS: Hornung.

**ORDINANCE - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

COMP. PLAN CONFORMANCE 09006 - DECLARING APPROXIMATELY 21,300 SQ. FT. OF PROPERTY GENERALLY LOCATED NORTHWEST OF NORTH 23RD STREET AND Q STREET AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - CLERK read an ordinance, introduced by Jon Camp, declaring approximately 21,300 sq. ft. of City-owned property generally located at the northwest corner of North 23<sup>rd</sup> Street and Q Street as surplus and authorizing the sale thereof, the first time.

CHANGE OF ZONE 09014HP - APPLICATION OF JOHN M. MOSS TO DESIGNATE THE REIMERS BUNGALOW, GENERALLY LOCATED AT 2201 B STREET, AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Jon Camp, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

APPROVING A TRANSFER OF APPROPRIATIONS WITHIN THE PARKS AND RECREATION CAPITAL IMPROVEMENT PROGRAM IN THE AMOUNT OF \$100,000 FROM IRVING RECREATION CENTER HVAC 409391-6132 (KENO) TO POOL MAINTENANCE & REPAIR 409392-6134 - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of funds between certain capital improvement projects within the Parks and Recreation Department, the first time.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)**

AMENDING CHAPTER 20.10 OF THE LINCOLN MUNICIPAL CODE, THE LINCOLN RESIDENTIAL BUILDING CODE BY AMENDING SECTION 20.10.710 TO INCLUDE CHAPTERS 13, 14, 15, 16, 17, AND 18 OF THE INTERNATIONAL RESIDENTIAL CODE, AS PART OF THE LINCOLN RESIDENTIAL BUILDING CODE; AND REPEALING SECTION 20.10.710 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jayne Snyder, amending Chapter 20.10 of the Lincoln Municipal Code, the Lincoln Residential Building Code, by amending Section 20.10.710 to include Chapters 13, 14, 15, 16, 17 and 18 of the International Residential Code, as amended by this ordinance, as part of the Lincoln Residential Building Code; and repealing Section 20.10.710 of the Lincoln Municipal code as hitherto existing, the third time.

SNYDER Moved to pass the ordinance as read.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19275**, is recorded in Ordinance Book #26, Page

AMENDING TITLE 25 OF THE LINCOLN MUNICIPAL CODE RELATING TO HEATING BY CREATING A NEW CHAPTER 25.04 TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND APPENDIX CHAPTERS A AND B REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS WITHIN THE CITY OF LINCOLN AND WITHIN THREE MILES THEREOF AND OUTSIDE THE LIMITS OF ANY OTHER INCORPORATED CITY OR VILLAGE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING CHAPTER 25.03 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING; AND ESTABLISHING THE

OPERATIVE DATE AS 60 DAYS AFTER PASSAGE OF THE ORDINANCE - CLERK read an ordinance, introduced by Jayne Snyder, amending Title 25 of the Lincoln Municipal Code relating to Heating by creating a new Chapter 25.04 to adopt the 2006 edition of the International Mechanical Code and Appendix Chapters A and B regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems within the City of Lincoln and within three miles thereof and outside the limits of any other incorporated city or village; providing for the issuance of permits and collection of fees therefor; repealing Chapter 25.03 of the Lincoln Municipal Code as hitherto existing; and establishing the operative date for this ordinance as 60 days after passage hereof, the third time.

SNYDER Moved to pass the ordinance as read.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19276, is recorded in Ordinance Book #26, Page

AMENDING TITLE 25 OF THE LINCOLN MUNICIPAL CODE RELATING TO HEATING BY CREATING A NEW CHAPTER 25.10 TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2006 EDITION, INCLUDING APPENDIX CHAPTERS B AND C, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES WITHIN THE CITY OF LINCOLN AND WITHIN THREE MILES THEREOF AND OUTSIDE THE LIMITS OF ANY OTHER INCORPORATED CITY OR VILLAGE, AND THE REGULATIONS, PROVISIONS, PENALTIES, CONDITIONS AND TERMS OF SAID FUEL GAS CODE; AND ESTABLISHING THE OPERATIVE DATE FOR THIS ORDINANCE AS 60 DAYS AFTER PASSAGE - CLERK read an ordinance, introduced by Jayne Snyder, amending Title 25 of the Lincoln Municipal Code relating to Heating by creating a new Chapter 25.10 to adopt the International Fuel Gas Code, 2006 edition, including Appendix Chapters B and C, regulating and governing fuel gas systems and gas-fired appliances within the City of Lincoln and within three miles thereof and outside the limits of any other incorporated city or village, and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Director of Building and Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this ordinance; and establishing the operative date for this ordinance as 60 days after passage hereof, the third time.

SNYDER Moved to pass the ordinance as read.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19277, is recorded in Ordinance Book #26, Page

**OPEN MICROPHONE SESSION**

Mike Morosin, 1500 N. 15<sup>th</sup> St., came forward to state more evening meetings would be appropriate in his opinion.

This matter was taken under advisement.

Christopher Lawhead, 836 W. Belmont, came forward to express his concern with the fluoride in the water supply. He presented a written copy of his research of fluoride.

Steven Lawhead, no address given, came forward in support of evening meetings and to encourage people to do their own research of fluoride.

This matter was taken under advisement.

**MISCELLANEOUS BUSINESS**

**PENDING -**

CAMP Moved to extend the Pending List to July 13, 2009.  
Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**UPCOMING RESOLUTIONS**

COOK Moved to approve the resolutions to have Public Hearing on July 13, 2009.  
Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

**ADJOURNMENT 6:24 P.M.**

CAMP Moved to adjourn the City Council meeting of June 29, 2009.  
Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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Joan E. Ross, City Clerk

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Judy Roscoe, Senior Office Assistant



