

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JULY 25, 2011 AT 5:30 P.M.**

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

Council Chair Carroll 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**

CAMP Having been appointed to read the minutes of the City Council proceedings of July 18, 2011 reported having done so, found same correct.

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

**PUBLIC HEARING**

STREET NAME CHANGE 11003 - RENAMING THAT PORTION OF NORTH 90TH STREET BETWEEN LEIGHTON AVENUE AND BROKEN SPOKE DRIVE AS "CEDAR COVE ROAD" LOCATED IN CEDAR COVE ADDITION - Marvin Krout, Director of Planning, came forward to clarify that no lots will ever have the address of, nor will the route ever connect to a further North 90<sup>th</sup> Street.

This matter was taken under advisement.

AMENDING CHAPTER 8.44 OF THE LINCOLN MUNICIPAL CODE RELATING TO WATER WELLS BY AMENDING SECTION 8.44.010 TO ADD, DELETE AND REVISE DEFINITIONS USED WITHIN THE CHAPTER; AMENDING SECTION 8.44.020 TO CLARIFY THE PURPOSES OF THIS CHAPTER; AMENDING SECTION 8.44.030 REGARDING THE PERMITTED USE OF WATER WELLS; REPEALING SECTION 8.44.040, TEMPORARY PERMIT FOR DOMESTIC USE OF NEW WATER WELL - WHEN REQUIRED; AMENDING SECTION 8.44.050 REGARDING WHO IS AUTHORIZED IN CONSTRUCTION OR REPAIR OF WATER WELLS AND WHAT PERMITS ARE REQUIRED; AMENDING SECTION 8.44.060 TO REQUIRE PERMITS FOR MAINTAINING AND USING WATER WELLS EVERY YEAR; AMENDING SECTION 8.44.070 TO CLARIFY FEES AND REFUNDS AND FILING OF THE PERMIT; AMENDING SECTION 8.44.075 TO CHANGE PERMIT FEE REFERENCES FROM BIENNIAL TO ANNUAL; AMENDING SECTION 8.44.080 TO CLARIFY APPEAL REQUIREMENTS; AMENDING SECTION 8.44.100 TO CLARIFY NOTICE AND PROCEDURE TO DECOMMISSION A WATER WELL; AMENDING SECTION 8.44.110 TO CLARIFY PERMITTED USE OF WATER WELLS WITHIN THE CITY LIMITS; AMENDING SECTION 8.44.120 TO CLARIFY DECOMMISSIONING OF A WELL BY THE DIRECTOR; AND ADDING A NEW SECTION NUMBERED 8.44.130 TO PROVIDE ENFORCEMENT AND PENALTY PROVISIONS FOR VIOLATIONS OF CHAPTER 8.44 - Scott Holmes, Environmental Public Health Manager of the Health Department, came forward to present history of this ordinance dating back to 1937 with the last main revision as being 20 years ago. Changes were made to be in compliance with state regulations and address local changes in legal matters. In response to Council questions, Mr. Holmes said of all 500 wells in the City of Lincoln, each one is inspected, owners were sent notification and meetings were held at three different quadrants for input.

This matter was taken under advisement.

AMENDING SECTION 3.24.080 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE TELECOMMUNICATION OCCUPATION TAX TO FURTHER CLARIFY THAT STATE UNIVERSAL SERVICE FUND FEES HAVE BEEN AND CONTINUE TO BE A NECESSARY COMPONENT OF TELECOMMUNICATION SERVICES WHICH ARE SUBJECT TO THE TELECOMMUNICATION OCCUPATION TAX; AND TO INDICATE THAT TELECOMMUNICATION RELAY SYSTEM SURCHARGES AND ENHANCED WIRELESS 911 SURCHARGES ARE NO LONGER SUBJECT TO THE TELECOMMUNICATION OCCUPATION TAX - Rod M. Confer, City Attorney, came forward to clarify negotiated changes as a result of the settlement of the Verizon litigation.

This matter was taken under advisement.

AMENDING ORDINANCE NO. 17366 PASSED JUNE 29, 1998, AND ORDINANCE NO. 18214 PASSED AUGUST 4, 2003, FOR THE WIDENING AND RECONSTRUCTION OF OLD CHENEY ROAD FROM NEBRASKA HIGHWAY 2 TO APPROXIMATELY 1,450 FEET EAST OF SOUTH 84TH STREET TO REMOVE DESIGN REQUIREMENTS FOR RAISED MEDIANS AND RIGHT TURN LANES - Greg MacLean, Director of Public Works & Utilities, came forward regarding the widening of Old Cheney. He said the ordinance which passed in 1998 set the width of the right-of-way for the road to allow for the addition of the center left turn lanes. In 2003, the right

turn lanes were added as an amendment to the ordinance. In 2009 when funds became available for the project, design began in accordance with the ordinance. Mr. MacLean said a public process began with neighborhood meetings to identify & address adjacent property owners' concerns. He shared proposed changes to the ordinance as follows: design speed was lowered/slope was adjusted to minimize impact; space was reduced between curb & sidewalk thereby reducing right-of-way width required; the raised median width was reduced to 20 ft.; and the 136 ft. of width was reduced to 106-113 ft. overall. Mr. MacLean said changes reduce the impact to adjacent property owners but maintain the character & intent of the 2003 ordinance.

Council Member Cook expressed concern that Public Works' draft of changes to the ordinance have not been brought forward for Council review.

Thomas Shafer, Public Works & Utilities/Engineering Services, came forward to request that the record show he stated that there would have to be an amendment to the ordinance for revisions to take effect.

Craig Aldridge, Public Works & Utilities/Engineering Services, came forward to answer questions and clarify width.

Council Member Camp said he wanted to fully understand the facts. He stated for the record that a 250' by 13' long right-turn lane will cost \$10,000 in concrete.

Robb Linafelter, 7829 Red Oak Rd., came forward in opposition to a right-turn lane as he feels it will be safe without it.

Scott Blehm, 7835 Red Oak Rd., came forward in opposition to the current plan. He feels Old Cheney with a 4 + 1 lane configuration will not compromise safety but will lower construction costs and lessen environmental damages.

Bethany Brunsman, 7911 Red Oak Rd., came forward to present findings on safety data taken from a Kentucky Road Study. She suggested that a right-turn lane could be put to better use on 70<sup>th</sup> Street at South or Sumner intersections. She expressed concern for property owners who will be severely impacted.

Eric Lee, 5640 S. 72<sup>nd</sup> St., came forward in opposition to the current plan. He said efforts should be made to save money and use it on other projects. With two existing schools and one proposed, Mr. Lee feels 45 & 50 mph is too fast. The change in ordinance will affect all future widening projects, not just Old Cheney.

Thomas Taylor, 7650 Kennelley, came forward in opposition to the current plan. He provided photos showing examples of raised medians which require a lot of care. He questioned how snow would be removed from proposed sidewalks next to a nine-foot wall.

DeLoyd Larsen, 5401 S. 73<sup>rd</sup> St., came forward as President of Edenton Homeowners Association in opposition to the current plan. He commented about development of Edenton which has no access to Old Cheney and expressed concern about maintenance of the steep slope on the north side. He said residents are concerned about drainage problems in a commons area next to 70<sup>th</sup> Street.

Council Member Hornung suggested City staff take many different considerations into account that were presented today.

Council Member Cook suggested Public Works provide an amendment as a substitute ordinance and if needed, Council Member Camp can make changes to the substitute.

Mr. MacLean came forward to state that a draft copy with changes exists and would be made available to Council immediately. He complied with a plan to prepare a substitute ordinance.

This matter was taken under advisement.

DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH ACQUISITION, INSTALLATION AND IMPLEMENTATION OF COMPUTER SOFTWARE USED BY THE CITY FROM PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION - Don Herz, Director of Finance, came forward to state if the reimbursement resolution is approved, a bond ordinance will be brought forward in the future.

Fred Hoke, Development Services Director, came forward to state that an upgrade is needed now because it has been predicted that there will be an increase in commercial/residential permits in 2013. While the current technology has worked well since 1999, the new software system, called Accela Land Management, is an upgrade to the current Permits Plus. He said another added benefit at this time is that the software cost has been reduced by half. Mr. Hoke said while permit numbers are down, it is an ideal opportunity to train 100 or so of his staff without putting undue hardship on them. He said this upgrade will enhance opportunities to draw in outside developers and investment in the community allowing Lincoln to be more competitive with other cities. He said amongst all four departments, calculations indicate there are 40,000 web transactions per year.

Mr. Herz came forward to speak in response to Council questions. He said there is an annual maintenance cost in the range of \$150,000 which is an incremental increase from Permits Plus. While total costs range \$1.4 million, the financed cost is approximately \$1 million. Mr. Herz said there are federal funds amounting to \$225,000 as well as some balances in the DSC fund going toward the project.

Dave Johnson, Studio 951 Architects, came forward in support of the new technology which will lead to improvements and efficiency.

Jared Rohrs, 5209 S. Dove Pl., came forward representing John Henry's Plumbing/Heating/Air in support of the new computer software. From experience in his private business, it has provided a huge savings.

This matter was taken under advisement.

APPROVING THE ISSUANCE OF NOT TO EXCEED \$100,000,000 OF GENERAL OBLIGATION FACILITY BONDS OF THE WEST HAYMARKET JOINT PUBLIC AGENCY - Don Herz, Director of Finance, came forward to state that because of favorable interest rates, now was the time to act instead of six to nine months from now. He said the first \$200,000,000 was issued in August and November of 2010.

Scott Keene, Ameritas, came forward to say this is a favorable time to issue these bonds on a tax-exempt basis. He said the average interest rate will be in the range of 4.5% with a low cost of capital.

This matter was taken under advisement.

APPROVING THE APPLICATION OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A SUBGRANT IN THE AMOUNT OF \$938,626.18 FOR THE MINORITY HEALTH INITIATIVE PROJECTS FOR THE PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2013 - Judy Halstead, Director of Lincoln-Lancaster County Health Dept., came forward to clarify that these grant funds represent a fourth cycle of 2-year funding in a competitive application process resulting in successful receipt. She said two-thirds goes to the People's Health Center to provide direct patient care and helps pay for one physician & additional ancillary staff. As lead agency, funding is provided to Lancaster County Medical Society, College of Dentistry, Cultural Centers and Clinic With a Heart.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

APPOINTING MOGIEN BOYD TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A THREE-YEAR TERM EXPIRING APRIL 15, 2014 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86419

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

That the appointment of Mogien Boyd to the Lincoln-Lancaster County Board of Health for a three-year term expiring April 15, 2014 is hereby approved.

Introduced by Carl Eskridge

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 11, 2011 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 15, 2011 REQUESTED BY AMEETA MARTIN, M.D., APPEALING FROM THE DETERMINATION OF IMPACT FEES IMPOSED ON THE PROPERTY KNOWN AS 7301 S. 27TH STREET, SUITES 150-170 - Approved.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 11032 to Use Permit No. 80, University of Nebraska Technology Park, approved by the Planning Director on July 13, 2011 requested by University of Nebraska Foundation to add section 4.8 Aesthetic Improvements to Article IV - Landscaping and amend Covenants, Conditions and Restrictions as required by Article III of Resolution A-77118 for the University of Nebraska Technology Park on property generally at NW. 1st Street and Highland Blvd.

Administrative Amendment No. 11035 to Special Permit No. 419A Southwood Community Unit Plan, approved by the Planning Director on July 15, 2011 requested by Hutchinson Architects to add the note "Building locations are conceptual and may be constructed anywhere within the required setbacks" on property generally located at S. 27th Street and Highway 2.

**MISCELLANEOUS REFERRALS - NONE**

**LIQUOR RESOLUTIONS - NONE**

**ORDINANCE - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

STREET NAME CHANGE 11003 - RENAMING THAT PORTION OF NORTH 90TH STREET BETWEEN LEIGHTON AVENUE AND BROKEN SPOKE DRIVE AS "CEDAR COVE ROAD" LOCATED IN CEDAR COVE ADDITION - CLERK read an ordinance, introduced by Carl Eskridge, changing the name of the portion of North 90<sup>th</sup> Street located between Leighton Avenue and Broken Spoke Drive in Cedar Cove Addition to Cedar Cove Road, as recommended by the Street Name Committee, the second time.

AMENDING CHAPTER 8.44 OF THE LINCOLN MUNICIPAL CODE RELATING TO WATER WELLS BY AMENDING SECTION 8.44.010 TO ADD, DELETE AND REVISE DEFINITIONS USED WITHIN THE CHAPTER; AMENDING SECTION 8.44.020 TO CLARIFY THE PURPOSES OF THIS CHAPTER; AMENDING SECTION 8.44.030 REGARDING THE PERMITTED USE OF WATER WELLS; REPEALING SECTION 8.44.040, TEMPORARY PERMIT FOR DOMESTIC USE OF NEW WATER WELL - WHEN REQUIRED; AMENDING SECTION 8.44.050 REGARDING WHO IS AUTHORIZED IN CONSTRUCTION OR REPAIR OF WATER WELLS AND WHAT PERMITS ARE REQUIRED; AMENDING SECTION 8.44.060 TO REQUIRE PERMITS FOR MAINTAINING AND USING WATER WELLS EVERY YEAR; AMENDING SECTION 8.44.070 TO CLARIFY FEES AND REFUNDS AND FILING OF THE PERMIT; AMENDING SECTION 8.44.075 TO CHANGE PERMIT FEE REFERENCES FROM BIENNIAL TO ANNUAL; AMENDING SECTION 8.44.080 TO CLARIFY APPEAL REQUIREMENTS; AMENDING SECTION 8.44.100 TO CLARIFY NOTICE AND PROCEDURE TO DECOMMISSION A WATER WELL; AMENDING SECTION 8.44.110 TO CLARIFY PERMITTED USE OF WATER WELLS WITHIN THE CITY LIMITS; AMENDING SECTION 8.44.120 TO CLARIFY DECOMMISSIONING OF A WELL BY THE DIRECTOR; AND ADDING A NEW SECTION NUMBERED 8.44.130 TO PROVIDE ENFORCEMENT AND PENALTY PROVISIONS FOR VIOLATIONS OF CHAPTER 8.44 - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 8.44 of the Lincoln Municipal Code relating to water wells by amending Section 8.44.010 to add, delete and revise definitions used within the chapter; amending Section 8.44.020 to clarify the purposes of this chapter; amending Section 8.44.030 regarding the permitted use of water wells; repealing Section 8.44.040, Temporary Permit for Domestic Use of New Water Well - When Required; amending Section 8.44.050 regarding who is authorized in construction or repair of water wells and what permits are required; amending Section 8.44.060 to require permits for maintaining and using water wells every year; amending Section 8.44.070 to clarify fees and refunds and filing of the permit; amending Section 8.44.075 to change permit fee references from biennial to annual; amending Section 8.44.080 to clarify appeal requirements; amending Section 8.44.100 to clarify notice and procedure to decommission a water well; amending Section 8.44.110 to clarify permitted use of water wells within the city limits; amending Section 8.44.120 to clarify decommissioning of a well by the director; and adding a new section numbered 8.44.130 to provide enforcement and penalty provisions for violations of Chapter 8.44, the second time.

AMENDING SECTION 3.24.080 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE TELECOMMUNICATION OCCUPATION TAX TO FURTHER CLARIFY THAT STATE UNIVERSAL SERVICE FUND FEES HAVE BEEN AND CONTINUE TO BE A NECESSARY COMPONENT OF TELECOMMUNICATION SERVICES WHICH ARE SUBJECT TO THE TELECOMMUNICATION OCCUPATION TAX; AND TO INDICATE THAT TELECOMMUNICATION RELAY SYSTEM SURCHARGES AND ENHANCED WIRELESS 911 SURCHARGES ARE NO LONGER SUBJECT TO THE TELECOMMUNICATION OCCUPATION TAX - CLERK read an ordinance, introduced by Carl Eskridge, amending Section 3.24.080 of the Lincoln Municipal Code relating to the Telecommunication Occupation Tax to further clarify that state universal service fund fees have been and continue to be a necessary component of telecommunication services which are subject to the telecommunication occupation tax; and to indicate that Telecommunication Relay System surcharges and Enhanced Wireless 911 surcharges are no longer subject to the telecommunication occupation tax; and repealing Section 3.24.080 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING ORDINANCE NO. 17366 PASSED JUNE 29, 1998, AND ORDINANCE NO. 18214 PASSED AUGUST 4, 2003, FOR THE WIDENING AND RECONSTRUCTION OF OLD CHENEY ROAD FROM NEBRASKA HIGHWAY 2 TO APPROXIMATELY 1,450 FEET EAST OF SOUTH 84TH STREET TO REMOVE DESIGN REQUIREMENTS FOR RAISED MEDIANS AND RIGHT TURN LANES (5/2/11 - Action delayed 1 wk w/P.H. on 5/9/11) (5/9/11 - Placed on Indefinite Pending) (6/20/11 - Remove from Pending to have P.H. 7/25 with Action on 8/1/11) - PRIOR to reading:

HORNUNG Moved to continue Public Hearing on Bill No. 11-47 one week to August 1, 2011 with Action on August 8, 2011.

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

CLERK Read an ordinance, introduced by Eugene Carroll, amending Ordinance No. 17366 and Ordinance No. 18214, which in part authorized and directed the Department of Public Works and Utilities to proceed with the preparation of detailed plans and specifications for the widening, reconstruction, and improvement of Old Cheney Road from Nebraska Highway 2 to South 84th Street; to acquire necessary rights-of-way and easements relating thereto; and to proceed with construction thereof, the second time.

#### PUBLIC HEARING - RESOLUTIONS

DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH ACQUISITION, INSTALLATION AND IMPLEMENTATION OF COMPUTER SOFTWARE USED BY THE CITY FROM PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86420 A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH ACQUIRING, INSTALLING AND IMPLEMENTING COMPUTER SOFTWARE FROM THE PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION.

BE IT RESOLVED by the Council (the "Council") of the City of Lincoln, Nebraska (the "City") as follows:

Section 1. Findings.

(a) The City has begun acquiring, installing and implementing certain computer software to be used by the City in connection with the issuance of permits by the City (the "Project") in the current fiscal year to provide for the health, safety and welfare of its residents.

(b) Pursuant to Section 15-201.02, Reissue Revised Statutes of Nebraska, as amended ("Section 15-201.02"), the City is authorized to enter into installment contracts for the purchase of real or personal property, which contracts need not be restricted to a single year and may provide for the purchase of the property in installment payments to be paid over more than one fiscal year.

(c) The City anticipates entering into a lease-purchase agreement (the "Lease Agreement") pursuant to its authority under Section 15-201.02 in connection with the Project to finance all or a portion of the costs of the Project through issuance, sale and delivery of Certificates of Participation in the Lease Agreement (the "COPs").

(d) The City anticipates incurring a portion of the costs of the Project prior to the issuance of the COPs and desires to preserve its ability to reimburse such costs under the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder (the "Regulations").

(e) The Regulations govern the City's use of proceeds derived from the sale of the COPs to reimburse "original expenditures" made by the City prior to the authorization of the COPs. Specifically, the Code requires the City to declare its official intent to reimburse original expenditures made in furtherance of the Project not later than 60 days after payment of such original expenditures. The Code requires that tax-exempt obligations be issued, and a reimbursement allocation be made, from the proceeds of those obligations within 18-months after the later of the date the original expenditure is paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

(f) It is necessary, desirable, advisable and in the best interests of the City that the requirements of the Regulations be satisfied to preserve the ability of the City to reimburse costs of the Project made by the City from and after the date of the passage and adoption of this Resolution from the proceeds of the COPs.

Section 2. Declaration of Intent and Related Matters.

(a) In accordance with the provisions of this Resolution and Section 1.150-2 of the Regulations, the Council hereby declares the official intent of the City to reimburse all or part of the costs of the Project through the execution and delivery of the Lease Agreement and the issuance of the COPs in connection therewith, the interest portion of which will be excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended. Prior to the execution and delivery of the Lease Agreement and the issuance of the COPs, the City is authorized to advance moneys in an amount not to exceed \$1,400,000 for the purposes hereinbefore described.

(b) Except for (i) expenditures to be paid or reimbursed from sources other than the COPs, (ii) "de minimus expenditures" defined under Section 1.150-2(f)(1) of the Regulations, and (iii) "preliminary expenditures" defined under Section 1.150-2(f)(2) of the Regulations, no expenditures made in furtherance of the Project have been paid by the City more than 60 days prior to the adoption of this Resolution.

(c) Payments under the Lease Agreement constituting debt service on the COPs will be paid from the City's General Fund.

(d) The COPs will be issued in the amount, and upon the terms and conditions agreed to between or among the City, the lessor under the Lease Agreement and the purchaser(s) of the COPs, as authorized by the Council at a meeting held for such purpose.

(e) As of the date of this Resolution, there are no funds of the City reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than the contemplated issuance of the COPs.

Section 3. Authorizations.

(a) The Finance Director and the City Controller (each an "Authorized Officer") are hereby authorized to take any further action that is necessary to preserve the ability of the City to reimburse original expenditures made in furtherance of the Project from and after the date of the passage and adoption of this Resolution from the proceeds of the COPs.

(b) The Authorized Officers be, and each of them hereby is, authorized to execute on behalf of the City and to deliver any and all other instruments and documents including, but not limited to, such certificates or instruments as may be required under the terms of this Resolution necessary to be executed and delivered in connection with this Resolution and the approvals made hereby.

(c) An Authorized Officer shall be responsible for making the "reimbursement allocations" described in Section 1.150-2 of the Regulations by transferring the appropriate amount of COPs proceeds to the City accounts used to temporarily finance some or all of the Project. Each allocation must be evidenced by an entry on the official books of the City maintained for the Project and must specifically identify the original expenditure being reimbursed.

Section 4. Ratification. All acts and deeds heretofore done by any officer, employee or agent of the City, on behalf of the City, to preserve the City's ability to reimburse expenditures made in furtherance of the Project with the proceeds of the COPs are hereby ratified, confirmed and approved.

Section 5. Effective Dates. This Resolution will be in full force and effect from and after its passage and adoption by the Council and approval by the Mayor.

Section 6. Conflicting Resolutions Repealed. All resolutions of the Council, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Introduced by Carl Eskridge

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

APPROVING THE ISSUANCE OF NOT TO EXCEED \$100,000,000 OF GENERAL OBLIGATION FACILITY BONDS OF THE WEST HAYMARKET JOINT PUBLIC AGENCY - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86421 A RESOLUTION OF THE CITY OF LINCOLN, NEBRASKA APPROVING THE ISSUANCE OF NOT TO EXCEED \$100,000,000 PRINCIPAL AMOUNT WEST HAYMARKET JOINT PUBLIC AGENCY GENERAL OBLIGATION FACILITY BONDS, SERIES 2011; AND RELATED MATTERS.  
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA:

Section 1. Findings and Determinations. The City Council (the "Council") of the City of Lincoln, Nebraska (the "City") hereby finds and determines as follows:

(a) The Council has heretofore approved the creation of the West Haymarket Joint Public Agency (the "Agency") pursuant to the Joint Public Agency Agreement Creating the West Haymarket Joint Public Agency, dated as of April 1,

2010 (the "JPA Agreement") executed and delivered by the City and The Board of Regents of the University of Nebraska (the "Regents") in accordance with the Nebraska Joint Public Agency Act (Chapter 13, Article 23, Reissue Revised Statutes of Nebraska, as amended, the "Act").

(b) The Agency has been formed for the purpose of (1) constructing, equipping, furnishing and financing public facilities in the West Haymarket area of the City, including but not limited to, (A) a sports/entertainment arena (the "Arena"), (B) roads, streets and sidewalks, (C) a pedestrian overpass, (D) public plaza space, (E) sanitary sewer mains, (F) water mains, (G) electric transmission lines, (H) drainage systems, (I) flood control, (J) parking garages and (K) surface parking lots (collectively, the "Facilities"), and (2) to (A) acquire land and to relocate existing businesses, and (B) undertake environmental remediation and site preparation as necessary and appropriate for the construction, equipping, furnishing and financing of the Facilities (collectively, the "Projects," and, individually, a "Project"), (3) issuing bonds to finance the same (the "Bonds"), (4) providing for the operation, maintenance and management of the Arena and related facilities, (5) collecting revenues, rents, receipts, fees, payments and other income related to the Arena, (6) levying a tax, as required and as provided by the Act and the JPA Agreement to pay the principal or redemption price of and interest on the Bonds, when and as the same shall become due; and (7) exercising any power, privilege or authority to provide for the acquisition, construction, equipping, furnishing, financing and owning such capital improvements or other projects upon or related to any of the Projects as shall be determined by the governing body of the Agency to be necessary, desirable, advisable or in the best interests of any of the Participants in the manner and as provided by the Act.

(c) The Agency has determined that it is necessary, desirable, advisable and in the best interest of the Agency and the City to issue its General Obligation Facility Bonds, Series 2011, dated the date of delivery thereof, in a principal amount not to exceed \$100,000,000 (the "Series 2011 Bonds") for the purpose of (1) financing certain costs of the Projects, including, without limitation, the purchase of general obligation bonds of the City issued to pay certain costs of the Projects, and (2) the costs of issuing the Bonds.

(d) Article VI of the JPA Agreement provides that "the Agency shall not issue any bonds or other form of indebtedness without the question of whether the Agency should issue such bonds or indebtedness being first presented to, and approved by, the Mayor and Council of the City."

Section 2. Approval of Issuance of Agency Bonds. The issuance of the Series 2011 Bonds in an aggregate principal amount not to exceed \$100,000,000, such Series 2011 Bonds having such additional designation (if any), principal maturities, interest rates and redemption provisions as shall be determined by the Finance Director of the City as the chief financial officer of the Agency in accordance with the terms and conditions specified in the resolution of the Agency authorizing the issuance of the Series 2011 Bonds is hereby ratified, confirmed and approved.

Section 3. Further Authority. The appropriate staff and officers of the City are authorized and directed to take all necessary steps and do such acts to execute, acknowledge and deliver all such documents as may in their discretion be deemed necessary or desirable in order to carry out or comply with the terms and provisions of this Resolution.

Section 4. Effective Date. This resolution shall take effect and be in force from and after its passage and publication according to law.

Introduced by Carl Eskridge

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

APPROVING THE APPLICATION OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A SUBGRANT IN THE AMOUNT OF \$938,626.18 FOR THE MINORITY HEALTH INITIATIVE PROJECTS FOR THE PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2013 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86422 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Application to the Nebraska Department of Health and Human Services by the Lincoln-Lancaster County Health Department to accept a subgrant in the amount of \$938,626.18 for the Minority Health Initiative Projects

for the period of July 1, 2011 through June 30, 2013, in accordance with the terms, conditions and assurances contained in said Application is hereby approved by the majority vote of the City Council.

The City Clerk is directed to return the executed copies of the Agreement to Judy Halstead, Director of the Lincoln Lancaster County Health Department.

Introduced by Carl Eskridge

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

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

- CHANGE OF ZONE 11024 - APPLICATION OF SOUTHVIEW INC. FOR A CHANGE OF ZONE FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO B-2 PLANNED UNIT DEVELOPMENT ON PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND FLETCHER AVENUE; APPROVING A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION; APPROVING A DEVELOPMENT PLAN TO DEVELOP 198,825 SQ. FT. OF COMMERCIAL FLOOR AREA AND 565 DWELLING UNITS; AND APPROVING A WAIVER TO ALLOW ADMINISTRATIVE AMENDMENTS - CLERK read an ordinance, introduced by Adam Hornung, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.
- APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN HAYMARKET HOTEL/TOOL HOUSE REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE AND AMEND THE TOTAL NOT TO EXCEED AMOUNT TO \$3,015,000 (RELATED ITEMS 11-106, 11R-168) (ACTION DATE: 8/8/11) - CLERK read an ordinance, introduced by Adam Hornung, amending Ordinance No. 19403 to (a) increase the authorized principal amount of bonds to \$2,633,000, and (b) modify the final maturity date of the bonds; to repeal certain provisions of Ordinance No. 19403, in connection therewith; taking other action in connection with the foregoing; and related matters, the first time.
- APPROVING AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT FOR THE CITY OF LINCOLN HAYMARKET HOTEL/TOOL HOUSE REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE AND TO AMEND THE TOTAL NOT TO EXCEED AMOUNT TO \$3,015,000. (RELATED ITEMS 11-106, 11R-168) (ACTION DATE: 8/8/11)
- APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN BLOCK 38 REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE (RELATED ITEMS 11-107, 11R-169) (ACTION DATE: 8/8/11) - CLERK read an ordinance, introduced by Adam Hornung, amending Ordinance No. 19473 to modify the final maturity date of the bonds; to repeal certain provisions of Ordinance No. 19473, in connection therewith; taking other action in connection with the foregoing; and related matters, the first time.
- APPROVING AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT FOR THE CITY OF LINCOLN BLOCK 38 REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE. (RELATED ITEMS 11-107, 11R-169) (ACTION DATE: 8/8/11)
- APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN TELESIS/DAIRY HOUSE REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE AND AMEND THE TOTAL NOT TO EXCEED AMOUNT TO \$651,000 (RELATED ITEMS 11-108 11R-170) (ACTION DATE: 8/8/11) - CLERK read an ordinance, introduced by Adam Hornung, amending Ordinance No. 19498 to (a) increase the authorized principal amount of bonds to \$651,000, and (b) modify the final maturity date of the bonds; to repeal certain provisions of Ordinance No. 19498, in connection with the foregoing; and related matters, the first time.
- APPROVING AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT FOR THE CITY OF LINCOLN TELESIS/DAIRY HOUSE REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE AND TO AMEND THE TOTAL NOT TO EXCEED AMOUNT TO \$651,000. (RELATED ITEMS 11-108 11R-170) (ACTION DATE: 8/8/11)
- APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN NORTH HAYMARKET HOTEL REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE (RELATED ITEMS 11-109 11R-171) (ACTION DATE: 8/8/11) - CLERK read an ordinance, introduced by Adam Hornung, amending Ordinance No. 19510 to modify the final maturity date of the bonds; to repeal certain provisions of Ordinance No. 19510, in connection therewith; taking other action in connection with the foregoing; and related matters, the first time.

APPROVING AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT FOR THE CITY OF LINCOLN NORTH HAYMARKET HOTEL REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO ALLOW FOR A CHANGE IN THE EFFECTIVE DATE. (RELATED ITEMS 11-109 11R-171) (ACTION DATE: 8/8/11)

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

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,200,000 PRINCIPAL AMOUNT OF THE CITY OF LINCOLN GENERAL OBLIGATION SPECIAL ASSESSMENT REVOLVING FUND BONDS, SERIES 2011 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and directing the issuance, sale, and delivery of \$1,200,000 principal amount of General Obligation Special Assessment Revolving Fund Bonds, Series 2011, of the City of Lincoln, Nebraska; prescribing the form and details of such bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on such bonds as they become due; and authorizing certain other documents and actions in connection therewith, the third time.

SNYDER Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19576**, is recorded in Ordinance Book #27, Page .

AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO AN EQUIPMENT LEASE PURCHASE AGREEMENT NO. LIN2011-06E WITH COMMUNITY FIRST NATIONAL BANK, MANHATTAN, KANSAS IN THE AMOUNT OF \$561,330 FOR THE ACQUISITION OF PLOW TRUCKS FOR THE USE OF THE CITY - CLERK read an ordinance, introduced by Doug Emery, authorizing and approving Equipment Lease Purchase Agreement No. LIN2011-06E with Community First National Bank for plow trucks in the amount of \$561,330.00 and an escrow agreement; and related matters, the third time.

SNYDER Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19577**, is recorded in Ordinance Book #27, Page .

AMENDING CHAPTER 5.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO ARBORISTS BY AMENDING SECTIONS 5.06.010, 5.06.020, 5.06.030, 5.06.040, 5.06.050, 5.06.060, 5.06.070, 5.06.080, 5.06.090 AND 5.06.100 TO DELETE REFERENCES TO UNUSED SECOND CLASS ARBORIST CERTIFICATION FOR PEST AND DISEASE CONTROL ONLY; TO CLARIFY THAT EMPLOYEES MAY PERFORM WORK UNDER THE DIRECT SUPERVISION OF A CERTIFIED ARBORIST; TO ALLOW CERTIFICATION AND TESTING FEES TO BE ESTABLISHED AND AMENDED ADMINISTRATIVELY; TO INCREASE LIABILITY INSURANCE REQUIREMENTS FROM \$500,000 TO \$1,000,000; AND TO CLARIFY THAT INSURANCE SHOULD BE IN CATEGORIES OF TREE TRIMMING AND REMOVAL - PRIOR to reading:

COOK Moved to amend Bill No. 11-93 in the following manner:

1. On page 5, line 7, strike \$1,000,000 and insert in lieu thereof \$500,000.

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

CLERK Read an ordinance, introduced by Doug Emery, amending Chapter 5.06 of the Lincoln Municipal Code relating to Arborists by amending Sections 5.06.010, 5.06.020, 5.06.030, 5.06.040, 5.06.050, 5.06.060, 5.06.070, 5.06.080, 5.06.090 and 5.06.100 to delete references to unused second class arborist certification for pest and disease control only; to clarify that employees may perform work under the direct supervision of a certified arborist; to allow certification and testing fees to be established and amended administratively; to increase liability insurance requirements from \$500,000 to \$1,000,000; and to clarify that insurance should be in categories of tree trimming and removal; and repealing Sections 5.06.010, 5.06.020, 5.06.030, 5.06.040, 5.06.050, 5.06.060, 5.06.070, 5.06.080, 5.06.090 and 5.06.100 of the Lincoln Municipal Code as hitherto existing, the third time.

COOK Moved to pass the ordinance as amended.

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

The ordinance, being numbered **#19578**, is recorded in Ordinance Book #27, Page .

AMENDING SECTION 12.08.270 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR IN PARKS TO ALLOW ALCOHOL TO BE SERVED AT PINWOOD BOWL AND IN THE INDOOR PREMISES OF PIONEERS PARK NATURE CENTER AND AULD PAVILION UNDER THE CIRCUMSTANCES PROVIDED THEREIN - PRIOR to reading:

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COOK Moved to amend Bill No. 11-94 in the following manner:  
1. On page 2, strike lines 3 through 6 being all of subsection (e).  
Seconded by Snyder & carried by the following vote: AYES: Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSTAIN: Camp; ABSENT: Emery.

CLERK Read an ordinance, introduced by Doug Emery, amending Section 12.08.270 of the Lincoln Municipal Code relating to alcoholic liquor in parks to allow alcohol to be served at Pinewood Bowl and in the indoor premises of Pioneers Park Nature Center and Auld Pavilion under the circumstances provided therein; and repealing Section 12.08.270 of the Lincoln Municipal Code as hitherto existing, the third time.

ESKRIDGE Moved to pass the ordinance as amended.  
Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Snyder; NAYS: Hornung; ABSENT: Emery.  
The ordinance, being numbered **#19579**, is recorded in Ordinance Book #27, Page .

AMENDING SECTION 10.14.450 OF THE LINCOLN MUNICIPAL CODE RELATING TO OBSTRUCTING THE VIEW OF A DRIVER BY ADDING A PHRASE TO SPECIFY WHAT CONSTITUTES AN OBSTRUCTION, TO REDUCE ENFORCEMENT TO A SECONDARY VIOLATION TO HARMONIZE THE SECTION WITH STATE STATUTE AMENDMENTS, AND TO ESTABLISH MINIMUM FINES FOR VIOLATIONS OF THE SECTION; REPEALING SECTION 10.14.450 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING; AND ESTABLISHING AN EFFECTIVE DATE OF AUGUST 24, 2011, TO COINCIDE WITH THE EFFECTIVE DATE OF THE STATE STATUTE AMENDMENTS - CLERK read an ordinance, introduced by Doug Emery, amending Section 10.14.450 of the Lincoln Municipal Code relating to obstructing the view of a driver by adding a phrase to specify what constitutes an obstruction, to reduce enforcement to a secondary violation to harmonize the section with state statute amendments, and to establish minimum fines for violations of the section; repealing Section 10.14.450 of the Lincoln Municipal Code as hitherto existing; and establishing an effective date of August 24, 2011, to coincide with the effective date of the state statute amendments, the third time.

SNYDER Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.  
The ordinance, being numbered **#19580**, is recorded in Ordinance Book #27, Page .

CHANGE OF ZONE 11021 - APPLICATION OF FIRST APOSTOLIC CHURCH TO DESIGNATE THE PROPERTY AT 3935 RANDOLPH STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Doug Emery, amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.  
The ordinance, being numbered **#19581**, is recorded in Ordinance Book #27, Page .

CHANGE OF ZONE 11022 - AMENDING SECTION 27.61.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO EXPANSION OF NONSTANDARD SINGLE- AND TWO-FAMILY DWELLINGS INTO REQUIRED YARDS TO ALLOW THE ENLARGEMENT, EXTENSION, OR RECONSTRUCTION OF THE MAIN BUILDING USED FOR A SINGLE- OR TWO-FAMILY DWELLING AND ACCESSORY BUILDINGS CONSIDERED PART OF THE MAIN BUILDING IN THE R-1 THROUGH R-8 RESIDENTIAL ZONING DISTRICTS - CLERK read an ordinance, introduced by Doug Emery, amending Section 27.61.100 of the Lincoln Municipal Code relating to Expansion of Nonstandard Single- and Two-family Dwellings Into Required Yards to allow the enlargement, extension, or reconstruction of the main building used for a single- or two-family dwelling and accessory buildings considered part of the main building in the R-1 through R-8 Residential Zoning Districts; and repealing Section 27.61.100 of the Lincoln Municipal Code as hitherto existing, the third time.

SNYDER Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.  
The ordinance, being numbered **#19582**, is recorded in Ordinance Book #27, Page .

VACATION 11007 - VACATING A PORTION OF S STREET, A PORTION OF NORTH 6TH STREET AND A PORTION OF THE EAST-WEST ALLEY OF BLOCK 270, ORIGINAL PLAT OF LINCOLN; AND A PORTION OF T STREET AND A PORTION OF THE EAST-WEST ALLEY IN BLOCK 281, ORIGINAL PLAT OF LINCOLN - CLERK read an ordinance, introduced by Doug Emery, vacating a portion of S Street, a portion of N. 6<sup>th</sup> Street and a portion of the east-west

alley in Block 270, Original Lincoln; a portion of T Street and a portion of the east-west alley in Block 281, Original Lincoln; and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

SNYDER Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.  
The ordinance, being numbered #19583, is recorded in Ordinance Book #27, Page .

APPROVING AN AGREEMENT BETWEEN THE CITY AND NEW CINGULAR WIRELESS PCS TO LOCATE A COMMUNICATION FACILITY ON PROPERTY GENERALLY LOCATED AT 56TH STREET AND PINE LAKE ROAD - CLERK read an ordinance, introduced by Doug Emery, accepting and approving the Agreement for Tower Space and Appurtenances between the City of Lincoln, Nebraska, a municipal corporation, and New Cingular Wireless PCS, LLC for the placement of telecommunications facilities upon City property generally located at 56<sup>th</sup> and Pine Lake Road and authorizing the Mayor to sign such Agreement on behalf of the City, the third time.

SNYDER Moved to pass the ordinance as read.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.  
The ordinance, being numbered #19584, is recorded in Ordinance Book #27, Page .

#### OPEN MICROPHONE

Richard Esquivel, 733 W. Cuming St., came forward to talk about expanding wheel tax to increase revenue. Council Chair Carroll advised Mr. Esquivel that he could discuss that issue when the future budget hearing would allow it. Mr. Esquivel continued his discussion on other issues of importance to him. He said vehicles without licensing/in-transit are going unnoticed by LPD. He warned that if the contract for live horse racing in Lincoln ends after September 2012, a \$10 million industry would be lost along with 305 jobs. As another source of revenue, he suggested that outside contractors who have contracts in the City must pay some sort of regulated tax.

This matter was taken under advisement.

Mike Morosin, 1500 N. 15<sup>th</sup> St., came forward to express his views on freedom and constitutional rights. His discussion continued on issues regarding government regulation, controlled media and he cited various quotes from our country's forefathers.

This matter was taken under advisement.

John Austin, 826 S. 14<sup>th</sup> St., came forward to suggest that bus transportation should be expanded to include service to the Lancaster County Fair grounds. Council Chair Carroll advised Mr. Austin that discussion about bus service would not be allowed at this time but suggested he discuss his ideas at the Budget Hearing on August 8. Mr. Austin continued discussion about other issues of concern to him. He complained about tree limbs over sidewalks and refuse from the 4<sup>th</sup> of July. He said a Veteran's Hospital is needed in Lincoln.

This matter was taken under advisement.

#### MISCELLANEOUS BUSINESS

##### PENDING -

CAMP Moved to extend the Pending List to August 1, 2011.  
Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.

##### UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on August 1, 2011.  
Seconded by Hornung & carried by the following vote: AYES: Camp, Cook, Carroll, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.

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**ADJOURNMENT 8:17 P.M.**

CAMP            Moved to adjourn the City Council meeting of July 25, 2011.  
                  Seconded by Hornung & carried by the following vote: AYES: Camp, Cook,  
                  Carroll, Eskridge, Hornung, Snyder; NAYS: None; ABSENT: Emery.

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Joan E. Ross, City Clerk

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Sandy L. Dubas, Senior Office Assistant