

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JULY 30, 2012 AT 5:30 P.M.**

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

Council Chair Hornung 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 July 23, 2012 reported having done so, found same correct.

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

PUBLIC HEARING

AMENDING SECTIONS 9.20.050 AND 10.14.460 OF THE LINCOLN MUNICIPAL CODE RELATING TO DISTURBING THE PEACE AND UNNECESSARY NOISE FROM MOTOR VEHICLES, RESPECTIVELY, TO TRANSFER THE REGULATION OF SOURCES OF MUSIC IN PUBLIC STREETS, ALLEYS, OR OTHER PUBLIC PLACES FROM SECTION 9.20.050, DISTURBING THE PEACE, TO SECTION 10.14.460, UNNECESSARY NOISE FROM MOTOR VEHICLES, TO AMEND THE PENALTY FOR VIOLATION OF SECTION 9.20.050 TO CORRESPOND TO STATE STATUTE AND TO SPECIFY THE PENALTY FOR VIOLATION OF SECTION 9.20.050 IN THAT SECTION; AND AMENDING SECTION 9.20.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO MINIMUM PENALTIES TO DELETE A REPETITIOUS REFERENCE TO THE MINIMUM FINE FOR DISTURBING THE PEACE - Rod Confer, City Attorney, came forward to explain that this measure moves the provision concerning loud music originating from motor vehicles from Section 9.20.050 of the LMC, Disturbing the Peace, to Section 10.14.460, Unnecessary Noise from Motor Vehicles. It also amends the penalty to correspond with State Statute and removes repetitious language.

Council Members Cook and Eskridge stated that citizens have brought concerns and complaints to Council about noise from vehicles.

In answer to Council questions, Mr. Confer stated that motorcycles are considered motor vehicles, but may fall under a separate definition. He confirmed that the ordinance states that it is unlawful to operate a stereo system so that it can be heard more than 50 feet from a vehicle. The difficulty is in enforcing this law, but a citizen is able to act as a witness even if an officer is not present when a violation occurs.

This matter was taken under advisement.

AMENDING CHAPTER 9.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFENSES AGAINST PUBLIC DECENCY BY AMENDING SECTION 9.16.030 DEFINING TOXIC COMPOUNDS; AMENDING SECTION 9.16.035 DEFINING PARAPHERNALIA; AMENDING SECTION 9.16.110 RELATING TO THE UNLAWFUL USE OF TOXIC COMPOUNDS TO CLARIFY THAT A TOXIC COMPOUND COULD BE INTRODUCED INTO THE HUMAN SYSTEM BY OTHER MEANS THAN CURRENTLY SET FORTH IN THE SECTIONS; AND AMENDING SECTION 9.16.140 TO MAKE THE PENALTY COMPARABLE WITH STATE STATUTE - Rod Confer, City Attorney, came forward to state this is a cleanup provision for City ordinances concerning drug use. It broadens the definitions to cover other chemicals that are used for recreational drug use and it covers other methods of ingestion. It makes the penalty for those violations consistent with state statute.

This matter was taken under advisement.

APPROVING THE FIRST STREET AND HIGHWAY 2 DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN SHARON Y. SCHWARTZ AND MARLYN SCHWARTZ, JEFFREY T. COLSON AND LANETTE COLSON, AND THE CITY OF LINCOLN TO CONDITIONALLY ALLOW THE DEVELOPMENT OF PROPERTY LOCATED AT FIRST STREET AND HIGHWAY 2 (CHENEY) TO BE LIMITED TO MINI-WAREHOUSING SHOULD THE PROPERTY BE RE-ZONED FROM AG AGRICULTURAL DISTRICT AND R-2 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT. (RELATED ITEMS: 12R-95, 12-48) (ACTION DATE: 6/4/12) (5/21/12 - P.H. CON'T TO 6/4/12) (6/4/12 - PLACED ON INDEFINITE PENDING) (7/16/12 - REMOVED FROM PENDING TO HAVE P.H. ON 7/30/12 W/ACTION ON 8/6/12) (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12);

CHANGE OF ZONE 12005 - APPLICATION OF SHARON SCHWARTZ AND JEFFREY COLSON FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT AND R-2 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT HIGHWAY 2 AND FIRST STREET (CHENEY). (RELATED ITEMS: 12R-95, 12-48) (ACTION DATE: 6/4/12) (5/21/12 - P.H. CON'T TO 6/4/12) (6/4/12 - PLACED ON INDEFINITE PENDING) (7/16/12 - REMOVED FROM PENDING TO HAVE P.H. ON 7/30/12 W/ACTION ON 8/6/12) (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12);

CHANGE OF ZONE 12019 - APPLICATION OF SHARON Y. SCHWARTZ AND JEFFREY T. COLSON TO REDUCE THE BUILDING LINE DISTRICT FROM A 125 FOOT SETBACK TO A 108 FOOT SETBACK ON PROPERTY GENERALLY LOCATED AT FIRST STREET AND HIGHWAY 2 IN CHENEY. (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12) - Mark Hunzeker, Baylor, Evnen, Curtiss, Gritmit & Witt, L.L.P., came forward on behalf of property owner, Jeff Colson. In 2001, the City decided against building sanitary sewer for a new shopping center in this area at a depth sufficient to serve the surrounding town

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of Cheney. This decision was short sighted in a planning sense, but a number of political concerns came about with respect to area schools and annexation, and Cheney was therefore carefully drawn out of Lincoln's future urban area. Within a short time after that subarea claim was adopted, the Athey Painting building burned down. In 2002, they were allowed to rebuild at their current location. It is a good business and there have been no complaints about it, but it does create a physical barrier between properties. Additionally, the City again approved a Comprehensive Plan which continues to exclude Cheney from sanitary sewer service. The property is improved with a 92 year old, 925 square foot house. The land value, according to the County Assessor, is \$39,900, and the house is valued at \$32,400. It is divided approximately in half with AG zoning and R-2 zoning. Even if the property were rezoned R-2, it lacks the sewer taps necessary for most development. The choices that remain for this property are to leave it in its underutilized, dilapidated condition, or to consider the conditional rezoning which allows for the modern, attractive storage facility that the property owners are proposing. We have agreed to a 30 foot setback that would accommodate potential widening of Highway 2.

Marvin Krout, Director of Planning, came forward to state that this is a difficult area to work with. It has infrastructure deficiencies and is in a transitional stage between residential and commercial use. A mini-warehouse is the lightest possible commercial use. There was one resident who came forward in opposition, believing that the area should maintain its residential character, but the lack of sewer could become problematic. The warehouse will be well screened by landscaping and will have the equivalent of street trees every 50 feet, with large shrubs between.

Mr. Hunzeker reiterated that the development of property along 1st Street has taken a long time because there are few options available that effectively use less sewer than residential. They have received 2 letters in support and have received no opposition from the residents of Cheney.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO THE HOLDREGE STREET AND IDYLWILD DRIVE DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT TO MODIFY THE PROPERTY RESTRICTIONS REGARDING THE SETBACK ON THE EAST SIDE OF LOT 48, GENERALLY LOCATED AT HOLDREGE STREET AND IDYLWILD DRIVE - Kent Seacrest, Seacrest & Kalkowski, came forward representing the Kappa Foundation, the land owner of the Alpha Gamma Rho Fraternity. Due to the large size of this 5 million dollar fraternity project, a conditional zoning agreement was worked out. This provided for a 15-foot "side yard" area along the side of the neighboring house, which was agreeable to that property owner. The terminology of "side yard" has since proven to be incorrect. Because the home is on a corner lot, the area in question can also be deemed a "rear yard". The word "side" is being removed and the area is now being referred to as the "15-foot extra protection zone". The neighbor has the same rights as before and all parties involved are satisfied with this change. Another project will be brought forth in the near future that will eliminate the need for this, but for the next 30-40 day period, this amendment allows the acquisition of the final building permit necessary for the fraternity.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO BID NO. 10-164 FOR THE ANNUAL REQUIREMENTS OF INVENSYS METER PARTS FOR LWS AMR PROGRAM AGREEMENT BETWEEN THE CITY OF LINCOLN AND HD SUPPLY WATERWORKS TO EXTEND THE TERM FOR ONE ADDITIONAL TWO-YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014;

APPROVING AN AMENDMENT TO BID NO. 10-158 FOR THE ANNUAL REQUIREMENTS OF M & H FIRE HYDRANT PARTS AGREEMENT BETWEEN THE CITY OF LINCOLN AND HD SUPPLY WATERWORKS TO EXTEND THE TERM FOR ONE ADDITIONAL TWO-YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - Vince Mejer, City Purchasing Agent, came forward to answer questions. Each agreement is for a very specific set supplies.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 16, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 23, 2012 - 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 20, 2012 AT 5:30 P.M. FOR THE APPLICATION OF MARCUS LINCOLN HOTEL LLC DBA MARRIOTT CORNHUSKER FOR A CLASS CK LIQUOR LICENSE LOCATED AT 333 SOUTH 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-86927 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 20, 2012, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Marcus Lincoln Hotel LLC dba Marriott Cornhusker Class CK liquor license located at 333 South 13th Street.
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 Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

SETTING THE HEARING DATE OF MONDAY, AUGUST 20, 2012 AT 5:30 P.M. FOR THE APPLICATION OF MC HOMES SOLUTIONS LLC DBA SMOOTH FOR A CLASS C LIQUOR LICENSE LOCATED AT 1640 O STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86928 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 20, 2012, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of MC Home Solutions LLC dba Smooth Class C liquor license located at 1640 O Street.
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 Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

SETTING THE HEARING DATE OF MONDAY, AUGUST 20, 2012 AT 5:30 P.M. FOR THE APPLICATION OF SIKARIN LLC DBA ISSARA FOR A CLASS CK LIQUOR LICENSE LOCATED AT 1701 PINE LAKE ROAD - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86929 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 20, 2012, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Sikarin LLC dba Issara Class CK liquor license located at 1701 Pine Lake Road.
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 Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS - NONE

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

AMENDING SECTIONS 9.20.050 AND 10.14.460 OF THE LINCOLN MUNICIPAL CODE RELATING TO DISTURBING THE PEACE AND UNNECESSARY NOISE FROM MOTOR VEHICLES, RESPECTIVELY, TO TRANSFER THE REGULATION OF SOURCES OF MUSIC IN PUBLIC STREETS, ALLEYS, OR OTHER PUBLIC PLACES FROM SECTION 9.20.050, DISTURBING THE PEACE, TO SECTION 10.14.460, UNNECESSARY NOISE FROM MOTOR VEHICLES, TO AMEND THE PENALTY FOR VIOLATION OF SECTION 9.20.050 TO CORRESPOND TO STATE STATUTE AND TO SPECIFY THE PENALTY FOR VIOLATION OF SECTION 9.20.050 IN THAT SECTION; AND AMENDING SECTION 9.20.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO MINIMUM PENALTIES TO DELETE A REPETITIOUS REFERENCE TO THE MINIMUM FINE FOR DISTURBING THE PEACE - CLERK read an ordinance, introduced by Carl Eskridge, amending Section 9.20.050 and 10.14.460 of the Lincoln Municipal Code relating to Disturbing the Peace and Unnecessary Noise from Motor Vehicles, respectively, to transfer the regulation of sources of music in public streets, alleys, or other public places from Section 9.20.050, Disturbing the Peace, to Section 10.14.460, Unnecessary Noise From Motor Vehicles, to amend the penalty for violation of Section 9.20.050 to correspond to state statute and to specify the penalty for violation of Section 9.20.050 in that section; amending Section 9.20.100 of the Lincoln Municipal Code relating to minimum penalties to delete a repetitious reference to the minimum fine for disturbing the peace; and repealing Sections 9.20.050, 9.20.100 and 10.14.460 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING CHAPTER 9.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFENSES AGAINST PUBLIC DECENCY BY AMENDING SECTION 9.16.030 DEFINING TOXIC COMPOUNDS; AMENDING SECTION 9.16.035 DEFINING PARAPHERNALIA; AMENDING SECTION 9.16.110 RELATING TO THE UNLAWFUL USE OF TOXIC COMPOUNDS TO CLARIFY THAT A TOXIC COMPOUND COULD BE INTRODUCED INTO THE HUMAN SYSTEM BY OTHER MEANS THAN CURRENTLY SET FORTH IN THE SECTIONS; AND AMENDING SECTION 9.16.140 TO MAKE THE PENALTY COMPARABLE WITH STATE STATUTE - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 9.16 of the Lincoln Municipal Code relating to Offenses Against Public Decency by amending Section 9.16.030 defining toxic compounds; amending Section 9.16.035 defining paraphernalia; amending Section 9.16.110 relating to the unlawful use of toxic compounds to clarify that a toxic compound could be

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introduced into the human system by other means than currently set forth in the sections; amending Section 9.16.140 to make the penalty comparable with state statute; and repealing Sections 9.16.030, 9.16.065, 9.16.100, and 9.16.140 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING THE FIRST STREET AND HIGHWAY 2 DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN SHARON Y. SCHWARTZ AND MARLYN SCHWARTZ, JEFFREY T. COLSON AND LANETTE COLSON, AND THE CITY OF LINCOLN TO CONDITIONALLY ALLOW THE DEVELOPMENT OF PROPERTY LOCATED AT FIRST STREET AND HIGHWAY 2 (CHENEY) TO BE LIMITED TO MINI-WAREHOUSING SHOULD THE PROPERTY BE RE-ZONED FROM AG AGRICULTURAL DISTRICT AND R-2 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT. (RELATED ITEMS: 12R-95, 12-48) (ACTION DATE: 6/4/12) (5/21/12 - P.H. CON'T TO 6/4/12) (6/4/12 - PLACED ON INDEFINITE PENDING) (7/16/12 - REMOVED FROM PENDING TO HAVE P.H. ON 7/30/12 W/ACTION ON 8/6/12) (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12).

CHANGE OF ZONE 12005 - APPLICATION OF SHARON SCHWARTZ AND JEFFREY COLSON FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT AND R-2 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT HIGHWAY 2 AND FIRST STREET (CHENEY). (RELATED ITEMS: 12R-95, 12-48) (ACTION DATE: 6/4/12) (5/21/12 - P.H. CON'T TO 6/4/12) (6/4/12 - PLACED ON INDEFINITE PENDING) (7/16/12 - REMOVED FROM PENDING TO HAVE P.H. ON 7/30/12 W/ACTION ON 8/6/12) (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12) - CLERK read the following ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 12019 - APPLICATION OF SHARON Y. SCHWARTZ AND JEFFREY T. COLSON TO REDUCE THE BUILDING LINE DISTRICT FROM A 125 FOOT SETBACK TO A 108 FOOT SETBACK ON PROPERTY GENERALLY LOCATED AT FIRST STREET AND HIGHWAY 2 IN CHENEY. (RELATED ITEMS: 12R-95, 12-48, 12-87) (ACTION DATE: 8/6/12) - CLERK read an ordinance, introduced by Carl Eskridge, to amend the Building Line District Map attached to and made part of Title 27 of Lincoln Municipal Code by reducing the Building Line District on the south side of Highway 2 from 125 feet to 108 feet adjacent to Lot 65, located in the Southeast Quarter of Section 23, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, generally at First Street and Highway 2, Cheney, Nebraska, the second time.

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 JULY 1 - 15, 2012 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86930

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 July 16, 2012, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	DENIED CLAIMS	ALLOWED/SETTLED CLAIMS
Elizabeth Thayer	\$ 548.56	Eakes Office Plus \$432.36
Amy Rorebeck	NAS*	
Robert Overkamp	NAS*	
Candace Polfus, individually		
and on behalf of Robert Polfus	\$50,000.00	
Frederic L. Storm	103.00	
Marianne Mack	115.00	
Ellie Lane	50.00	
Tim Baker	1,150.00	
Sandra Ellis	1,578.39	
Betty Rollf	NAS*	
Sarah Sturgeon	774.44	
Donald Duff	93.00	
Eric Bradford	251.83	

* No Amount Specified

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 Carl Eskridge

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

SPECIAL PERMIT 11015A - APPLICATION OF KELLY LANGER TO AMEND THE SPECIAL PERMIT FOR HISTORIC PRESERVATION OF THE FORMER ST. JAMES EVANGELICAL LUTHERAN CHURCH TO ADJUST THE LOT WIDTH AND AREA REQUIREMENTS TO PERMIT TWO-FAMILY USE, ON PROPERTY GENERALLY LOCATED AT 3935 RANDOLPH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86931

WHEREAS, Kelly Langer has submitted an application designated as Special Permit No. 11015A to allow property designated as a landmark to be used as a two-family dwelling and to accept the site plan providing two driveways for

parking on property generally located at 3935 Randolph Street (the former St. James Evangelical Lutheran Church), and legally described as:

The west 58 feet of the north 100 feet of Lot 1, Riley & Whitney's Subdivision, Lincoln, Lancaster County, Nebraska;

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this use of an historic landmark as a two-family dwelling will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of Kelly Langer, hereinafter referred to as "Permittee", to allow the former St. James Evangelical Lutheran Church on the property described above to be used as a two-family dwelling and to accept the site plan for two driveways, be and the same is hereby granted under the provisions of Section 27.63.400 of the Lincoln Municipal Code upon condition that construction of said two-family dwelling be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This Permit approves development of a building for two dwelling units and rescinds the previously approved uses granted by Special Permit 11015. Development is subject to compliance with building, fire, health, and any other relevant codes.
2. The site plan with twin driveways is approved.
3. Any modifications to the building exterior or to the approved site plan must be submitted and approved for a Certificate of Appropriateness by the Preservation Commission.
4. Before occupying the improvement all development and construction shall substantially comply with the approved plans.
5. All privately-owned improvements shall be permanently maintained by the Permittee.
6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
7. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Carl Eskridge

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

APPROVING AN AMENDMENT TO THE HOLDREGE STREET AND IDYLWILD DRIVE DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT TO MODIFY THE PROPERTY RESTRICTIONS REGARDING THE SETBACK ON THE EAST SIDE OF LOT 48, GENERALLY LOCATED AT HOLDREGE STREET AND IDYLWILD DRIVE - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86932 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled Holdrege Street and Idylwild Drive First Amendment of the Development and Conditional Zoning Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between Kappa Foundation, as Owner, and the City of Lincoln, Nebraska, to modify the property restrictions regarding the setback on the east side of Lot 48, Block 1, University Park Addition, generally located at Holdrege Street and Idylwild Drive, is approved and the Mayor is authorized to execute the First Amendment to the Development and Conditional Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Carl Eskridge

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

APPROVING AN AMENDMENT TO BID NO. 10-164 FOR THE ANNUAL REQUIREMENTS OF INVENSYS METER PARTS FOR LWS AMR PROGRAM AGREEMENT BETWEEN THE CITY OF LINCOLN AND HD SUPPLY WATERWORKS TO EXTEND THE TERM FOR ONE ADDITIONAL TWO-YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86933 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendment to Bid No. 10-164 for the Annual Requirements of Invensys Meter Parts for LWS AMR Program Agreement between the City of Lincoln

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and HD Supply Waterworks to extend the term for a two-year period from August 1, 2012 through July 31, 2014, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Carl Eskridge

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

APPROVING AN AMENDMENT TO BID NO. 10-158 FOR THE ANNUAL REQUIREMENTS OF M & H FIRE HYDRANT PARTS AGREEMENT BETWEEN THE CITY OF LINCOLN AND HD SUPPLY WATERWORKS TO EXTEND THE TERM FOR ONE ADDITIONAL TWO-YEAR TERM FROM AUGUST 1, 2012 THROUGH JULY 31, 2014 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-86934

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

That the Amendment to Bid No. 10-158 for the Annual Requirements of M & H Fire Hydrant parts Agreement between the City of Lincoln and HD Supply Waterworks to extend the term for a two-year period from August 1, 2012 through July 31, 2014, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Carl Eskridge

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

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

VACATION NO. 12003 - VACATING THE NORTH-SOUTH ALLEY LOCATED ONE-HALF BLOCK WEST OF SOUTH 52ND STREET BETWEEN PRESCOTT AVENUE AND COOPER AVENUE - CLERK read an ordinance, introduced by Doug Emery, vacating the alley located one-half block west of South 52nd Street between Prescott Avenue and Cooper Avenue within the Union College campus, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

EMERY Moved to pass the ordinance as read.

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

The ordinance, being numbered #19748, is recorded in Ordinance Book #27, Page .

RESOLUTION - ACTION ONLY

SPECIAL PERMIT NO. 12016 - APPEALS FROM THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF THE APPLICATION OF RADIX, INC. FOR AUTHORITY TO OPERATE A RECREATIONAL FACILITY IN THE AG AGRICULTURAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SW 29TH STREET AND W WITTSTRUCK ROAD. (7/17/12 - JOINT P.H.; TO HAVE ACTION ONLY ON 7/30/12) - PRIOR to reading:

CARROLL Made Motion to Amend #1 to amend Bill No. 12R-150 by accepting the Substitute Resolution 12R-150S.

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

CLERK Read the following substitution resolution, introduced by Jonathan Cook, who moved it adoption:

A-86935 WHEREAS, Radix Inc. has submitted an application designated as Special Permit No. 12016 to convert City Special Permit No. 07032 from a Club to a special permit for a Recreational Facility and to expand the number of participants on property in the AG Agriculture District generally located at SW 29th Street and W. Wittstruck Road and legally described as:

Lot 1 and a portion of Outlot A, Bentzinger Pleasant Acres

First Addition, located in the South Half of Section 9,

Township 8 North, Range 6 East of the 6th P.M. Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on said application and adopted Resolution No. PC-01293 conditionally approving the same; and

WHEREAS, William K. Adams and nine other persons have filed a Notice of Appeal appealing the action of the Planning Commission conditionally approving Use Permit No. 12016; and

WHEREAS, pursuant to Lincoln Municipal Code § 27.27.080(g), the action appealed from is deemed advisory and the City Council is authorized to take final action on the application for Special Permit No. 12016; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this recreational facility will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of Radix Inc., hereinafter referred to as "Permittee", for a special permit to operate a recreational facility on the property described above be and the same is hereby granted under the provisions of Section 27.63.130 the Lincoln Municipal Code upon condition that the

Lancaster County Board approves County Special Permit No. 12015 and that the construction and occupancy of said recreational facility be in substantial compliance with said application, the site plan, the requirements of Section 27.63.130 and the following additional express terms, conditions, and requirements:

1. This approval permits a recreation facility for:
 - a. A maximum occupancy of 50 participants that shall not exceed five consecutive days in a given calendar week;
 - b. A maximum occupancy of 150 participants that shall not exceed five events in a 30 day period and no more than two events in a calendar week; and
2. Before receiving building permits the Permittee shall
 - a. Cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including five copies with all required revisions as listed below:
 - i. Update Note 7 to show correct floodplain map reference.
 - ii. Show preliminary 2012 FEMA floodplain, preliminary 2012 FEMA floodplain is wider than the current floodplain.
 - iii. Either:
 - (a) Add a Note stating, "Any construction (e.g. buildings, parking lots, etc.) within the floodplain area needs to comply with new growth area floodplain standards and have a floodplain permit. No buildings or structures are allowed in the minimum corridor (show minimum corridor on plan); or
 - (b) Add a Note stating that no construction (e.g. buildings, parking lots, etc.) is allowed in the floodplain.
 - iv. Correct the legal description of the property.
 - v. Add a Note that commits the Permittee to promoting a route to the facility that uses Highway 33 to SW 29th Street to W. Wittstruck Road to minimize travel on un-paved roads.
 - vi. Add a Note that indicates events as described in Note 3.c. shall conclude by 10:00 p.m.
 - vii. Revise Note 4 to read "All exterior lighting shall comply with the design standards for parking lot lighting as adopted by the City of Lincoln. Parking lot lighting shall be shielded from adjacent properties and be turned off by 10:00 p.m. except for security lighting." The athletic course itself shall not be lighted.
 - viii. Revise Note 6 to read, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
 - ix. Revise all notes to remove the legal format and renumber.
 - b. Obtain an administrative amendment of Special Permit #174CO to redefine the purpose of Outlot A and identify areas which will remain in agricultural use or open space use.
3. Before receiving building permits the Permittee shall provide to the Planning Department verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
4. Prior to the issuance of a building permit the construction plans must substantially comply with the approved plans.
5. Events with an occupancy greater than 150 participants are prohibited unless Change of Zone 12022 amending Section 27.07.030 of the Lincoln Municipal Code is adopted by the City Council to allow any use approved by the Lancaster County Board of Commissioners by the granting of an amusement license for such use as a conditional permitted use provided said use is limited to one event per calendar year and the Permittee complies with the conditions of approval for such conditional permitted use.
6. Before occupying buildings or starting the operation all development and construction shall substantially comply with the approved plans.
7. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
8. Before occupying this recreation facility the City-County Health Department is to approve the water and wastewater systems.
9. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
10. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
11. The Permittee shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Jonathan Cook

Seconded by Carroll and carried by the following vote: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

REQUEST OF COUNCILMAN JON CAMP TO RECONSIDER

APPLICATION OF SAM'S WEST, INC. DBA SAM'S CLUB #4873 FOR A CLASS D LIQUOR LICENSE AT 8480 ANDERMATT DRIVE - PRIOR to reading:

CAMP Made Motion to Reconsider vote on A-86922.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

CLERK Read the following resolution, introduced by Camp, who moved its adoption for approval.

A-86936 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 Sam's West, Inc. dba Sam's Club #4873 for a Class "D" liquor license at 8480 Andermatt Drive, Lincoln, Nebraska, for the license period ending April 30, 2013, 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 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 Eskridge and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

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

AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK AND TRUST COMPANY FOR THE ACQUISITION OF STREET LIGHTS, A TELEPHONE SYSTEM AND IMPROVEMENTS TO THE CITY'S MUNICIPAL SERVICE CENTER - CLERK read an ordinance, introduced by Jon Camp, authorizing and approving a lease-purchase transaction with Union Bank and Trust Company, the proceeds of which will be used to pay the costs of (A) acquiring and installing street lights and related improvements and certain electronic communication equipment and related software and (B) remodeling, renovating, equipping and furnishing certain real property of the City; approving the issuance, sale, and delivery of not to exceed \$10,000,000 principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the first time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY ADJUSTING THE HOURLY PAY RANGE SCHEDULE AND SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES OF THE CITY OF LINCOLN WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 16, 2012 - CLERK read an ordinance, introduced by Jon Camp, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X" and repealing Ordinance No. 19743, passed by the City Council on July 23, 2012, the first time.

AMENDING SECTION 2.76.365 OF THE LINCOLN MUNICIPAL CODE, HOURS OF WORK, TO ALLOW EMPLOYEES WITH A PAY RANGE PREFIXED BY THE LETTER "X" AND ELIGIBLE TO RETIRE TO ELECT A REDUCED WORK SCHEDULE - CLERK read an ordinance, introduced by Jon Camp, amending Section 2.76.365 of the Lincoln Municipal Code relating to hours of work to allow employees with a pay range prefixed by the letter "X" and eligible to retire to elect a reduced work schedule; and repealing Section 2.76.365 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 12.08.270 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR PROHIBITED IN PARKS TO ALLOW ALCOHOLIC BEVERAGES TO BE SERVED AND CONSUMED AT AULD PAVILION DURING PERIODS THAT ARE SUBJECT TO AN AGREEMENT BETWEEN THE CITY AND A PRIVATE BUSINESS FOR RENTAL OF THE FACILITY AND CATERING RELATED EVENTS - CLERK read an ordinance, introduced by Jon Camp, amending Section 12.08.270 of the Lincoln Municipal Code relating to alcoholic liquor in parks to allow alcohol to be served inside Auld Pavilion under the circumstances provided therein; and repealing Section 12.08.270 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING THE TRANSFER OF UNSPENT AND UNENCUMBERED APPROPRIATIONS AND CASH (IF ANY) BETWEEN AND ELIMINATING APPROPRIATIONS WITHIN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE STREET CONSTRUCTION FUND, WATER FUND, WASTEWATER FUND, AND SOLID WASTE FUND FOR THE PUBLIC WORKS & UTILITIES DEPARTMENT; WITHIN THE CAPITAL PROJECTS FUND AND SOLID WASTE FUND FOR THE PARKS & RECREATION DEPARTMENT; AND WITHIN THE CAPITAL PROJECTS FUND FOR THE URBAN DEVELOPMENT DEPARTMENT - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of unspent and unencumbered appropriations and cash (if any) and eliminating appropriations between certain capital improvement projects within the Street Construction Fund, Water Fund, Wastewater Fund, and Solid Waste Fund for the Public Works & Utilities Department; within the Capital Projects Fund for the Parks & Recreation Department; and within the Capital Projects Fund for the Urban Development Department, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

MISC. NO. 12007 - DECLARING THE GATEWAY SENIOR LIVING REDEVELOPMENT AREA (AN ESTIMATED 11 ACRE AREA GENERALLY BOUNDED BY O STREET ON THE SOUTH, NORTH 56TH STREET ON THE EAST, R STREET ON THE NORTH AND NORTH 52ND STREET ON THE WEST) AS BLIGHTED AND SUBSTANDARD.

**THE FOLLOWING ORDINANCES & RESOLUTIONS WILL HAVE
PUBLIC HEARING ON 8/6/12 AT 2:30 P.M. IMMEDIATELY
FOLLOWING THE REGULAR COUNCIL MEETING**

PUBLIC HEARING ON THE 1 & 6 YEAR STREET & HIGHWAY PROGRAM, THE 2012-2014 CITY OF LINCOLN BIENNIAL OPERATING BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2012-2014. (TO HAVE PUBLIC HEARING 8/6; ACTION: 8/20/12)

AMENDING SECTION 2.32.110 OF THE LINCOLN MUNICIPAL CODE RELATING TO LINCOLN POLICE DEPARTMENT FEES TO INCREASE THE FEE CHARGED FOR A COPY OF AN ACCIDENT REPORT FROM \$2.00 TO \$15.00. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Section 2.32.110 of the Lincoln Municipal Code relating to Lincoln Police Department Fees by increasing the fee charged for a copy of an accident report from \$2.00 to \$15.00; repealing Section 2.32.110 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 2.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE FIRE AND RESCUE DEPARTMENT BY ADDING NEW SECTIONS NUMBERED 2.20.160, 2.20.170, 2.20.180, 2.20.190 AND 2.20.200 TO IDENTIFY AND ESTABLISH FEES FOR SPECIFIC SERVICES PERFORMED BY THE FIRE AND RESCUE DEPARTMENT. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 2.20 of the Lincoln Municipal Code relating to the Fire and Rescue Department by adding new sections numbered 2.20.160, 2.20.170, 2.20.180, 2.20.190 and 2.20.200 to identify and establish fees for specific services performed by the Fire and Rescue department, the first time.

AMENDING CHAPTER 5.56 OF THE LINCOLN MUNICIPAL CODE RELATING TO EMERGENCY ALARM SYSTEMS BY AMENDING SECTION 5.56.010 TO REVISE AND ADD DEFINITIONS; AMENDING SECTIONS 5.56.025 AND 5.56.030 TO REQUIRE FIRE ALARM BUSINESSES AND FIRE ALARM USERS, RESPECTIVELY, TO OBTAIN THE PERMITS REQUIRED IN THIS CHAPTER; AND AMENDING SECTIONS 5.56.040, 5.56.050 AND 5.56.055 TO PROVIDE FEES FOR FALSE FIRE ALARMS. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 5.56 of the Lincoln Municipal Code relating to Emergency Alarm Systems by amending Section 5.56.010 to revise and add definitions; amending Sections 5.56.025 and 5.56.030 to require fire alarm businesses and fire alarm users, respectively, to obtain permits required in this chapter; amending Sections 5.56.040, 5.56.050, and 5.56.055 to provide fees for false fire alarms; and repealing Sections 5.56.010, 5.56.025, 5.56.030, 5.56.040, 5.56.050, and 5.56.055 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 8.32.150 OF THE LINCOLN MUNICIPAL CODE RELATING TO SOLID WASTE TO INCREASE THE OCCUPATION TAX ON REFUSE HAULERS FROM \$7.00 PER TON TO \$9.00 PER TON. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Section 8.32.150 of the Lincoln Municipal Code to increase the occupation tax imposed on refuse haulers from \$7.00 per ton to \$9.00 per ton; and repealing Section 8.32.150 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CREATING THE CLASSIFICATION OF "COMMUNITY OUTREACH COORDINATOR." (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Section 3 of Ordinance No. 19601 passed August 15, 2011, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "C" by creating the job classification of "Community Outreach Coordinator", the first time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "M" BY CREATING THE CLASSIFICATION OF "EQUITY AND DIVERSITY OFFICER." (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12) - CLERK read an ordinance, introduced by Jon Camp, amending Section 1 of Ordinance No. 19424 passed August 9, 2010, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M", by creating the job classification of "Equity and Diversity Officer", the first time.

ADOPTING THE FEE SCHEDULE FOR APPLICATION REVIEWS UNDER CHAPTER 14.20, TITLE 26, AND TITLE 27 OF THE LINCOLN MUNICIPAL CODE AND AMENDMENTS TO THE LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO BE EFFECTIVE OCTOBER 1, 2012. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12)

REGULAR MEETING

July 30, 2012

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ADOPTING A REVISED STARTRAN FARE STRUCTURE EFFECTIVE OCTOBER 1, 2012 FOR A REGULAR 31-DAY PASS, HANDIVAN 31-DAY PASS, STAR SHUTTLE AND TRANSFERS AND ADOPTING A REVISED BIG RED SHUTTLE FARE EFFECTIVE AUGUST 15, 2013. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12)

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 COSTS OF THE CAPITAL IMPROVEMENTS PROGRAM FOR FY 2012/2013 AND FY 2013/2014. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12)

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 2012/2013 AND FY 2013/2014. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12)

ESTABLISHING A NEW SCHEDULE FOR SOLID WASTE SYSTEM USER CHARGES FOR THE PRIVILEGE OF USING ANY PUBLIC LANDFILL OR OTHER WASTE DISPOSAL SYSTEM OWNED BY THE CITY TO INCREASE REVENUES FOR PURPOSES OF COVERING OPERATIONAL AND MAINTENANCE COSTS, THE CAPITAL IMPROVEMENTS PROGRAM AND TO HELP BUILD A FINANCIAL BASE FOR FUTURE SOLID WASTE REVENUE BONDS FOR CAPITAL IMPROVEMENT COSTS, TO BE EFFECTIVE SEPTEMBER 1, 2013. (TO HAVE PUBLIC HEARING/2ND READING 8/6; ACTION: 8/8/12)

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE

Jane Svoboda, no address given, came forward to speak on various issues.
This matter was taken under advisement.

Jo Tetherow, 3118 Shirley Court, came forward to express her concerns about the noise and pollution associated with the Fourth of July holiday.
This matter was taken under advisement.

ADJOURNMENT 6:16 P.M.

CAMP Moved to adjourn the City Council meeting of July 30, 2012.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Eskridge, Hornung; NAYS: None; ABSENT: Schimek.

Joan E. Ross, City Clerk

Amy H. Huffman, Senior Office Assistant