

AGENDA
BOARD OF EQUALIZATION
MONDAY, JULY 29, 2013, 5:30 P.M.

ELECTION OF CHAIRPERSON

PUBLIC HEARING

- 1) Sewer District #1184 - E. of 56TH Street from Salt Creek to I-80
Improvement District #187 - E. Of 56th Street from Salt Creek to I-80
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 2) Water District #1198 - N 58th Circle N. of Arbor Road
Improvement District #184 - N. of 58th Circle, N. of Arbor Road
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 3) Water District #1199 - E. of 58th N. Circle N. of Arbor Road
Improvement District #185 - E. of N 58th Circle, N. of Arbor Road
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 4) Water District #1200 - E. Of N 58th Cir from Salt Creek to Arbor Road
Improvement District #186 - E. Of N 58th Cir from Salt Creek to Arbor Road
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 5) Sewer District #1186 - Glynoaks, Betty Lou to 84th
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 6) Water District #1202 - Glynoaks, Betty Lou to 84th
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 7) Paving District #2630 - Glynoaks, Betty Lou to 84th
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.
- 8) Water District #1203 - NW 19th Street from W. 'Q' to W. 'S'
 - A) Public Works will come forward with a presentation.
 - B) Public is invited to come forward.
 - C) Questions of staff/discussion.

VOTING SESSION

ADJOURN SINE DIE

THE MINUTES OF THE BOARD OF EQUALIZATION
MONDAY, JULY 29, 2013
IMMEDIATELY PRECEDING REGULAR CITY COUNCIL MEETING

The Board of Equalization met at 5:30 p.m. in the City Council Chambers of the County-City Building in Lincoln, Nebraska as required by law.

Members Present: Jon Camp, Roy Christensen, Jonathan Cook, Doug Emery, Carl Eskridge, Trent Fellers, Leirion Gaylor Baird.

CAMP Nominated Carl Eskridge as Chair.

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

ESKRIDGE Took the Chair and proceeded with the reading of the procedures to be followed for Public Hearing on matters presented to the Board.

PUBLIC HEARING

SEWER DISTRICT #1184 - E. OF 56TH STREET FROM SALT CREEK TO I-80; IMPROVEMENT DISTRICT #187 - E. OF 56TH STREET FROM SALT CREEK TO I-80 - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

REGULAR MEETING

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WATER DISTRICT #1198 - N 58TH CIRCLE N. OF ARBOR ROAD; IMPROVEMENT DISTRICT #184 - N. OF 58TH CIRCLE, N. OF ARBOR ROAD - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

WATER DISTRICT #1199 - E. OF 58TH N. CIRCLE N. OF ARBOR ROAD; IMPROVEMENT DISTRICT #185 - E. OF N 58TH CIRCLE, N. OF ARBOR ROAD - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

WATER DISTRICT #1200 - E. OF N 58TH CIR FROM SALT CREEK TO ARBOR ROAD; IMPROVEMENT DISTRICT #186 - E. OF N 58TH CIR FROM SALT CREEK TO ARBOR ROAD - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district. In answer to Council questions, he stated the overall goal is to provide City services to these annexed areas. When public services are provided to businesses and property owners, they pay for those improvements.

SEWER DISTRICT #1186 - GLYNOAKS, BETTY LOU TO 84TH - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

WATER DISTRICT #1202 - GLYNOAKS, BETTY LOU TO 84TH - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

PAVING DISTRICT #2630 - GLYNOAKS, BETTY LOU TO 84TH - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

WATER DISTRICT #1203 - NW 19TH STREET FROM W. 'Q' TO W. 'S' - Thomas Shafer, Design/Construction Manager, Public Works & Utilities Department, came forward to describe the project district and was available to answer questions.

Neal Reblin, 330 NW 19th St., came forward to state the new water main was constructed to increase water pressure for a new duplex. His household was happy with water service prior to this project and gained no benefit from its completion. It is unfair to now be responsible for approximately \$4,000. The assessment amount was based on lot size, even though his house only takes up a smaller portion of the lot.

Mel Mettscher, 415 NW 19th St., came forward to state that his household did not want the water line. The developer who requested it should pay.

Mr. Shafer returned to answer Council questions. The water main was created in April of 2011 and this assessment is to settle the cost. It had three public readings, including the Public Hearing. Three residents protested at that time. The assessment amounts are based on a \$40 per front foot value which is capped. Roughly \$38,000 was assessed to the benefitted property owners, and Lincoln Water System is subsidizing \$46,000. The properties belong to several different owners. The developer will \$9,600 for the duplexes and will also pay impact fees when they hook up to the water system as well. All property owners benefit from the water main because they now have a shorter services to maintain.

VOTING SESSION

EMERY Moved approval of Items #1 thru #7 as assessed.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

EMERY Moved approval of Item #8 as assessed.
Seconded by Fellers and carried by the following vote: AYES: Camp, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: Christensen.

ADJOURNMENT

CAMP Moved to adjourn Sine Die.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

5:50 P.M.

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JULY 29, 2013 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Eskridge; Council Members: Camp, Christensen, Cook, Emery, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Eskridge 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 22, 2013 reported having done so, found same correct.

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

PUBLIC HEARING

STREET NAME CHANGE 13006 - RENAMING A PORTION OF HILLTOP ROAD AS "NORTH HILL ROAD" LOCATED BETWEEN NORTH HILL ROAD AND FOLKWAYS BOULEVARD, GENERALLY LOCATED AT NORTH 27TH STREET AND FOLKWAYS BOULEVARD - Marvin Krout, Director of Planning Department, came forward to state that this area is being replatted for a new development. After review by staff and emergency services, it was determined that this was an item of possible confusion. The small section of road named North Hill Road was named in the 1990s and was originally intended to continue to the east to connect to 33rd Street. In 1997, Folkways Boulevard was built and has become the major collector to 33rd Street. Now this small section of roadway currently named "Hilltop Road" would make more sense as a continuation of North Hill Road. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 13013 - APPLICATION OF ARMSTRONG PROPERTIES FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO B-3 COMMERCIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT 366 NORTH 48TH STREET - Peter Katt, Baylor Evcen, came forward to state this is the site of the former Armstrong Furniture Store. Parking was not a problem while it was operated as a furniture store because there had been a waiver allowing for a reduction in parking requirements. In recent years, temporary fixes have been implemented, but this is not conducive to finding a long-term tenant. The B-3 Zoning District has a parking ratio requirement that will allow for the site to be fully parked and fully leased. Planning Commission gave its unanimous approval. Discussion followed.

Council Member Cook stated that at some point in the future, a different building could be constructed. In December of 2005, there was a resolution before Council to keep the curb cut open on the R Street side. That is the reason corner access is still there. If there were a high-traffic use on this site, it would potentially be problematic to have that type of access. It needs to be on record that Council acted in 2005, and that Public Works will revisit this matter when it becomes necessary.

Mr. Katt replied that if, in the future, the property is redeveloped for a different use, access would be an issue Public Works would review at that time.

This matter was taken under advisement.

APPROVING THE NEBRASKA PUBLIC HEALTH LABORATORY AGREEMENT FOR LABORATORY SERVICES BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT, AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, ON BEHALF OF THE UNIVERSITY OF NEBRASKA MEDICAL CENTER COLLEGE OF MEDICINE, D/B/A NEBRASKA PUBLIC HEALTH LABORATORY FOR LABORATORY TESTING SERVICES FOR A TERM OF JULY 1, 2013 THROUGH JUNE 30, 2015. - Judy Halstead, Director of Health Department, came forward to state this is a relatively small agreement with University Medical Center. This particular contract has two purposes. The first is to build an interface with City electronic medical records and the Public Health lab so values can be electronically transferred back and forth. It is also a service agreement with the Public Health Lab to do specialized testing for tuberculosis for refugees.

This matter was taken under advisement.

IDENTIFYING AND DECLARING AN AREA WITHIN THE WEST HAYMARKET/DOWNTOWN AREA AS THE WEST HAYMARKET/DOWNTOWN BUSINESS AREA; APPROVING THE MAYOR'S APPOINTMENT OF MEMBERS TO THE WEST HAYMARKET/DOWNTOWN BUSINESS IMPROVEMENT BOARD; AND DIRECTING THE BOARD TO MAKE RECOMMENDATIONS TO THE CITY COUNCIL FOR THE ESTABLISHMENT OF A PLAN FOR IMPROVEMENTS IN THE WEST HAYMARKET/DOWNTOWN BUSINESS AREA. - David Landis, Director of Urban Development, came forward to state this is the first of 3 stages in creating a business improvement district. After the appointments and boundaries are approved, the appointees develop a plan for the BID. At that 2nd stage, a resolution of intent to create the BID comes before Council and becomes the notice to the community that there will be an assessment. After the

public process, the actual creation of the district is the final step. BIDs are organized for maintenance purposes and take on the responsibilities of day-to-day activities to keep the City right-of-way clean, safe and attractive. Without the BID, the City would be responsible for all costs. Discussion followed.

Rick Peo, Chief Assistant City Attorney, came forward to state the Business Improvement District Act does not provide much specific guidance as to the actions of the board after they make their recommendations to the City Council. There is the exception that if an occupation tax is used to fund the improvements rather than special assessments, the City Council can delegate the Board to administer those funds. That could be a reason for ongoing existence of a board. The area was made broad to eliminate gaps, but smaller districts could be created within the core overlay area. The actions of the board are limited to the boundaries defined by Council.

Ed Swotek, Chair of BID Evaluation Committee, came forward on behalf of Downtown Lincoln Association's Board of Directors to convey support for the creation of this improvement board to explore the creation of new business improvement districts. The Downtown Lincoln Association is confident the creation of this BID is a valuable tool to keep the area inviting, to promote growth, and to preserve and enhance the investments that have been made.

This matter was taken under advisement.

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, 2013 - Lee Kolb, 1145 Charleston St., came forward to state that on June 24, a tree adjacent to his property fell on his vehicle. The City was notified about the damage. The tree was on the vehicle for two days before Mr. Kolb removed it himself. When the City did arrive the following Monday, they removed an adjacent tree that was deemed hazardous. The tree that fell had rotted on the inside, but it had shown no visible signs of deterioration.

Rod Confer, City Attorney, came forward to state this falls under Political Subdivision Tort Claims Act which states that in order for the City to pay claims, under State law, there must be proof of negligence on the part of the City. Although the tree was in decline, there was no prior knowledge of it. The other tree was removed to prevent future damage.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING AMENDMENT NO. 2 TO THE HOME VISITING SERVICES CONTRACT BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT, AND THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH LIFESPAN HEALTH SERVICES UNIT FOR NEBRASKA MATERNAL INFANT EARLY CHILDHOOD HOME VISITING, TO EXTEND THE TERM BY AN ADDITIONAL FOUR MONTH PERIOD AND TO INCREASE THE FUNDING OF THE PROGRAM FOR THE EXTENDED TERM - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87453 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Amendment No. 2 to the Home Visiting Services Contract between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department, and the Nebraska Department of Health and Human Services, Division of Public Health Lifespan Health Services Unit, for Nebraska Maternal Infant Early Childhood Home Visiting, to extend the term by an additional four month period and to increase the funding of the Program for the extended term, in accordance with the terms, conditions and assurances contained in said Amendment to the Agreement, which is attached hereto as Exhibit "A", is hereby approved and the Mayor is hereby authorized to execute said Amendment on behalf of the City.

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

REPORT FROM THE CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS JUNE 30, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 15, 2013 - 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 12, 2013 AT 3:00 P.M. FOR THE APPLICATION OF BREEZY ISLAND, LLC DBA BREEZY ISLAND FOR A CLASS I LIQUOR LICENSE LOCATED AT 350 CANOPY STREET, SUITE 120 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87454 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 12, 2013, 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 Breezy Island, LLC dba Breezy Island for a Class I liquor license located at 350 Canopy Street, Suite 120.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 12, 2013 AT 3:00 P.M. FOR THE APPLICATION OF BREEZY ISLAND, LLC DBA BREEZY ISLAND FOR A CLASS E LIQUOR LICENSE LOCATED AT 350 CANOPY STREET, SUITE 120 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87455 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 12, 2013, 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 Breezy Island, LLC dba Breezy Island for a Class E liquor license located at 350 Canopy Street, Suite 120.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 12, 2013 AT 3:00 P.M. FOR THE APPLICATION OF FOOD AND BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A CLASS C LIQUOR LICENSE LOCATED AT 400 PINNACLE ARENA DRIVE - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87456 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 12, 2013, 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 Food and Beverage, LLC dba Pinnacle Bank Arena for a Class C liquor license located at 400 Pinnacle Arena Drive.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 12, 2013 AT 3:00 P.M. FOR THE APPLICATION OF ADEPT DEVELOPMENT, LLC DBA ACES HAUS OF CUISINE FOR A CLASS I LIQUOR LICENSE LOCATED AT 200 NORTH 70TH STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-87457 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 12, 2013, 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 Adept Development, LLC dba Aces Haus of Cuisine for a Class I liquor license located at 200 North 70th Street.

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

Introduced by Jonathan Cook

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

REFERRALS TO THE PLANNING DEPARTMENT:

Pre-existing Use Permit No. 9U - Requested by BCLINC, LLC., for authority to adjust the parking requirements, on property legally described as Lot 1 and Outlots A and B, Edgewood Center; Lots 1 and 2, Edgewood Center 2nd Addition; Lot 2 and Outlot A, Edgewood Center 4th Addition; Lots 1 and 2, Edgewood Center 5th Addition; Lots 1 and 2, Edgewood Center 6th Addition; and, Lots 120 and 121 I.T., all located in the SW 1/4 of Section 9-9-7, Lancaster County, Nebraska, generally located at South 56th Street and Highway 2.

Special Permit No. 1787A - Requested by The Becher Trust, for an amendment to expand the area of the special permit for a personal wireless facility, on property generally located at Sun Valley Boulevard and Line Drive (603 Sun Valley Boulevard)

Special Permit No. 09022A - Requested by BVH Architects, for an amendment to allow a gas station/convenience store, on property generally located at S. 33rd Street and Yankee Hill Road (3201 Yankee Hill Road).

Special Permit No. 13035 - Requested by Tiffany Heier, for expansion of a nonconforming use, to reduce the side yard setback to construct a garage on property generally located at Cedar Avenue and High Street (3141 Cedar Avenue).

Special Permit No. 13037 - requested by Casey's Retail Company, for the expansion of a nonconforming use to allow a building expansion for a building that is nonconforming relative to setbacks and the required separation for the sale of alcohol for consumption off the premises, on property generally located at S. 13th Street and E Street (1003 S. 13th Street).

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 13049 to Change of Zone No. 13004, The Railyard Special Sign District, approved by the Director on July 16, 2013, requested by TDP Phase One, LLC, to clarify the language to allow translucent covers with internal light sources to be used with dimensional channel letters, and to allow a 4 foot by 4 foot logo to accompany the channel letters, on property generally located at N. 7th St. and Q St.

Administrative Amendment No. 13041 to Special Permit No. 1813A, The Preserve on Antelope Creek Community Unit Plan, approved by the Planning Director on July 17, 2013, requested by Stephen and Debra Hennings, to adjust the rear setback for Lot 6, Block 2 (4625 Firebrush Lane) from 25 feet to 21 feet, on property generally located near S. 80th St. and Pioneers Blvd.

Administrative Amendment No. 13050 to Pre-Existing Use Permit No. 13D, Briarhurst Center, approved by the Planning Director on July 19, 2013, requested by Jeff Luthy, to reduce the front yard setback from 50 feet to 20 feet and to revise the parking layout, on property generally located at S. 48th St. and Briarpark Dr.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS - NONE

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

STREET NAME CHANGE 13006 - RENAMING A PORTION OF HILLTOP ROAD AS "NORTH HILL ROAD" LOCATED BETWEEN NORTH HILL ROAD AND FOLKWAYS BOULEVARD, GENERALLY LOCATED AT NORTH 27TH STREET AND FOLKWAYS BOULEVARD - CLERK read an ordinance, introduced by Roy Christensen, changing the name of a portion of Hilltop Road located between North Hill Road and Folkways Boulevard, generally located at North 27th Street and Folkways Boulevard, to North Hill Road, as recommended by the Street Name Committee, the second time.

CHANGE OF ZONE 13013 - APPLICATION OF ARMSTRONG PROPERTIES FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO B-3 COMMERCIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT 366 NORTH 48TH STREET - CLERK read an ordinance, introduced by Roy Christensen, 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.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE NEBRASKA PUBLIC HEALTH LABORATORY AGREEMENT FOR LABORATORY SERVICES BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT, AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, ON BEHALF OF THE UNIVERSITY OF NEBRASKA MEDICAL CENTER COLLEGE OF MEDICINE, D/B/A NEBRASKA PUBLIC HEALTH LABORATORY FOR LABORATORY TESTING SERVICES FOR A TERM OF JULY 1, 2013 THROUGH JUNE 30, 2015 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87458 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Nebraska Public Health Laboratory Agreement for Laboratory Services between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department, and the Board of Regents of the University of Nebraska, on behalf of the University of Nebraska Medical Center College of Medicine, d/b/a Nebraska Public Health Laboratory for laboratory testing services for a term of July 1, 2013 through June 30, 2015, in accordance with the terms, conditions and assurances contained in said Agreement, which is attached hereto as Exhibit "A", is hereby approved and the Mayor is hereby authorized to execute said Agreement on behalf of the City.

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 Roy Christensen

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

IDENTIFYING AND DECLARING AN AREA WITHIN THE WEST HAYMARKET/DOWNTOWN AREA AS THE WEST HAYMARKET/DOWNTOWN BUSINESS AREA; APPROVING THE MAYOR'S APPOINTMENT OF MEMBERS TO THE WEST HAYMARKET/DOWNTOWN BUSINESS IMPROVEMENT BOARD; AND DIRECTING THE BOARD TO MAKE RECOMMENDATIONS TO THE CITY COUNCIL FOR THE ESTABLISHMENT OF A PLAN FOR IMPROVEMENTS IN THE WEST HAYMARKET/DOWNTOWN BUSINESS AREA - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-87459 WHEREAS, the City is authorized by the Business Improvement District Act (Neb. Rev. Stat. §§ 19-4015-19-4038) (the Act) to create Business Improvement Districts within an established business area of the City zoned for Business, Public or Commercial purposes to provide means to raise the necessary funds for the purpose of providing and maintaining the improvements authorized by the Act; and

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

WHEREAS, the area generally bounded by Pinnacle Arena Drive on the west, from L Street north to its intersection with Stadium Drive, thence south along Stadium Drive/North 10th Street to P Street, thence east along P Street to North 11th Street, thence south along North 11th Street to L Street, thence west along L Street to Pinnacle Arena Drive, shown in Attachment "A" attached hereto and incorporated herein by this reference, consists of land zoned for Business, Public, or Commercial purposes under the City of Lincoln Zoning Code.

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

1. The Area described in Attachment "A" is eligible to be and is hereby declared to be an established Business Area of the City of Lincoln to be known as the "West Haymarket/Downtown Business Area".
2. The Mayor has appointed, and the City Council hereby approves, the following persons consisting of property owners, residents, business operators or users of space within the West Haymarket/Downtown Business Area as members of a Business Improvement Board to be known as the "West Haymarket/Downtown Business Improvement Board":
 - Jim Arter
 - Josh Berger
 - Diane Cunningham
 - John Kay
 - Wilma Hansen McCoy
 - John Olsson
 - Trish Owen
 - Scott Richardson
 - Will Scott
 - Clay Smith
 - Angie Tucci
3. The above-named members of the West Haymarket/Downtown Business Improvement Board have agreed to and shall serve without compensation for a three year term or until their successors are appointed and qualified as provided under the Act.
4. The West Haymarket/Downtown Business Improvement Board shall make recommendations to the City Council for the establishment of a plan or plans for improvements in the West Haymarket/Downtown Business Area.
5. The West Haymarket/Downtown Business Improvement Board may make recommendations to the City Council on the proposed boundaries for any Business Improvement Districts to be established in the West Haymarket/Downtown Business Area. The Board may also make recommendations as to the use of funds collected in any type of assessments, if any, related to the West Haymarket/Downtown Business Area.
6. The West Haymarket/Downtown Business Improvement Board shall comply with the Act and meet according to law and such rules and by-laws as the Board shall adopt.

Introduced by Roy Christensen

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

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, 2013 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption: A-87460

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, 2013, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Jo Angela Wesley	NAS*	Kip Lippold	\$ 673.12
Deb Broussard	\$ 147.24	Joseph Brandon	296.37
Alex Souza	380.23	Douglas Chonis/Allstate Insurance Co.	2,500.00
William Kolb	3,975.78		

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 Roy Christensen

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

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

ANNEXATION 13002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 24 ACRES GENERALLY LOCATED NORTHEAST OF SOUTH 27TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 13-79, 13-80)- CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19896**, is recorded in Ordinance Book #28, Page .

CHANGE OF ZONE 13011 - APPLICATION OF LINCOLN FEDERAL BANCORP, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURE DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHEAST OF SOUTH 27TH STREET AND ROKEBY ROAD. (RELATED ITEMS: 13-79, 13-80)- CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title

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27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#19897**, is recorded in Ordinance Book #28, Page .

TEXT AMENDMENT 13007 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE TO DEFINE AND REGULATE THE USE OF OUTLOTS BY AMENDING SECTION 27.02.160 TO ADD THE DEFINITION OF "OUTLOT"; AMENDING SECTION 27.69.030 TO PROVIDE SIGNS MAY BE ERECTED AND MAINTAINED ON AN OUTLOT; AND ADDING A NEW SECTION 27.70.070 TO ESTABLISH PERMITTED USES FOR AN OUTLOT - CLERK read an ordinance, introduced by Jon Camp, amending Title 27 of the Lincoln Municipal Code to define and regulate the use of outlots by amending Section 27.02.160 to add the definition of "outlot"; amending Section 27.69.030 to provide signs may be erected and maintained on an outlot; adding a new Section 27.70.070 to establish permitted uses for an outlot; and repealing sections 27.02.160 and 27.69.030 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#19898**, is recorded in Ordinance Book #28, Page .

TEXT AMENDMENT 13009 - AMENDING CHAPTER 26.07 OF THE LINCOLN MUNICIPAL CODE (LAND SUBDIVISION DEFINITIONS) BY AMENDING SECTION 26.07.135 TO REVISE THE DEFINITION OF "OUTLOT" - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 26.07 of the Lincoln Municipal Code (Land Subdivision Definitions) by amending Section 26.07.135 to revise the definition of "outlot"; and repealing Section 26.07.135 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#19899**, is recorded in Ordinance Book #28, Page .

APPROVING AMENDMENT NO. 1 TO THE WILDERNESS HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND LINCOLN FEDERAL BANCORP, RELATING TO THE ANNEXATION OF APPROXIMATELY 153 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF SOUTH 40TH STREET AND SOUTH OF YANKEE HILL ROAD TO DEFINE THE PHASE I COMMERCIAL AREA OF WILDERNESS HEIGHTS, AND TO CLARIFY THE REQUIREMENTS FOR THE TIMING AND CONSTRUCTION OF SITE RELATED IMPROVEMENTS TO YANKEE HILL ROAD, SOUTH 40TH STREET AND HOHENSEE, AND ARTERIAL STREET IMPROVEMENTS TO SOUTH 40TH STREET TO ACCOMMODATE DEVELOPMENT IN THE PHASE I AND PHASE II COMMERCIAL AREAS. (RELATED ITEMS: 13R-158, 13-83) (ACTION DATE: 7/29/13) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-87461 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That Amendment No. 1 to the Wilderness Heights Conditional Annexation and Zoning Agreement (Amendment No. 1) which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Lincoln Federal Bancorp, to amend the terms and conditions contained in said Wilderness Heights Conditional Annexation and Zoning Agreement with respect to the annexation of approximately 153 acres of property generally located on the east side of South 40th Street and south of Yankee Hill Road, to define the Phase I Commercial Area of Wilderness Heights, and to clarify the requirements for the timing and construction of site related improvements to Yankee Hill Road, South 40th Street and Hohensee, and Arterial Street Improvements to South 40th Street to accommodate development in the Phase I and Phase II Commercial Areas is hereby approved and the Mayor is authorized to execute Amendment No. 1 on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Amendment No. 1 to Christy Eichorn, Planning Department, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Amendment No. 1 with the Register of Deeds to be indexed against Lots 49 and 50 of Irregular Tracts, located in the Northwest Quarter of Section 29, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

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 Jon Camp

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

CHANGE OF ZONE 07060A - APPLICATION OF WEST DODGE PLACE TO AMEND THE WILDERNESS HEIGHTS PLANNED UNIT DEVELOPMENT TO ALLOW MOTORIZED VEHICLE SALES AND SERVICE, AND TO REZONE A PORTION OF THE PUD FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD TO R-3 RESIDENTIAL, ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH 40TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 13R-158, 13-83) - CLERK read an ordinance, introduced by Jon Camp, amending the Wilderness Heights Planned Unit Development to rezone approximately 1.13 acres of the below described property from B-2 Planned Neighborhood Business District to R-3 Residential District and to remove said R-3 zoned land from the Planned Unit Development Overlay District, and to allow motor vehicle sales and service as a permitted use on property generally located on the southeast corner of South 40th Street and Yankee Hill Road and legally described as a portion of Lots 49 and 50, located in the Northwest Quarter of Section 29, Township 9 North, Range

7 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described by metes and bounds in Attachment "A" attached hereto, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered #19900, is recorded in Ordinance Book #28, Page .

AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED FACILITIES AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND THE WEST HAYMARKET JOINT PUBLIC AGENCY AND RELATED MATTERS - CLERK read an ordinance, introduced by Jon Camp, an ordinance of the City of Lincoln, Nebraska approving an amended and restated facilities agreement between the City and The West Haymarket Joint Public Agency, and related matters, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered #19901, is recorded in Ordinance Book #28, Page .

RESOLUTION - FOR ACTION ONLY

SPECIAL PERMIT 13022 - APPEAL OF SCOTT A. TOOL FROM THE PLANNING COMMISSION'S CONDITIONAL APPROVAL TO DEVELOP JOSHUA'S GLEN COMMUNITY UNIT PLAN FOR 90 LOTS WITH A MAXIMUM ALLOWED DENSITY OF 156 DWELLING UNITS, TOGETHER WITH A REQUEST TO WAIVE/MODIFY THE LAND SUBDIVISION AND ZONING CODE REQUIREMENTS TO (1) ADJUST THE MINIMUM AVERAGE LOT WIDTH; (2) ADJUST MINIMUM LOT AREA; AND (3) ADJUST THE FRONT AND REAR SETBACKS, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND SHADOW PINES DRIVE. (7/22/13 - ACTION DELAYED 1 WEEK TO 7/29/13) - PRIOR to reading:

CAMP Moved to Amend Bill No. 13R-156 in the following manner:

1. On page 2, after line 20, add a new condition under number 2 to read as follows:

2. Before commencing the construction of subdivision improvements

under any final plat for the development of Joshua's Glen Addition Community Unit Plan the Permittee shall build and utilize a temporary construction road with separate access to 56th Street north of Shadow Pines Drive, with the specific location and design to be approved by Public Works and Utilities. The temporary access shall be used until the Storm Water Pollution Prevention Plan is terminated or the opening of the completed 56th Street project, which ever happens first.

2. Renumber existing conditions 2 through 7 as conditions 3 through 8.

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

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

A-87462 WHEREAS, John Hollingsworth has submitted an application designated as Special Permit No. 13022 for authority to develop Joshua's Glen Community Unit Plan showing 90 lots with a maximum allowed density of 156 dwelling units, together with a request to waive/modify Land Subdivision and Zoning Code requirements to (1) adjust the minimum average lot width; (2) adjust minimum lot area; and (3) adjust the front and rear setbacks, on property generally located at South 56th Street and Shadow Pines Drive and legally described as:

Lot 93 I.T., Lot 172 I.T., a portion of Lot 15 I.T. and a portion of Lot 111 I.T. located on the Southwest Quarter of Section 16, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; and more particularly described by metes and bounds on Attachment "A" attached hereto;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on June 26, 2013 on said application and adopted Resolution No. PC-01343 conditionally approving the same; and

WHEREAS, Scott A. Tool has filed a Notice of Appeal appealing the action of the Planning Commission conditionally approving Special Permit No. 13022; and

WHEREAS, pursuant to Lincoln Municipal Code § 27.63.025, the action appealed from is deemed advisory and the City Council is authorized to take final action on the application for Special Permit No. 13022; 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 community unit plan 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; and

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

That the application of John Hollingsworth, hereinafter referred to as "Permittee", to develop Joshua's Glen Addition Community Unit Plan showing 90 lots with a maximum allowed density of 156 dwelling units, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

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1. This permit grants the requested adjustments to minimum average lot width, minimum lot area, and front and rear setbacks.

2. Before commencing the construction of subdivision improvements under any final plat for the development of Joshua's Glen Addition Community Unit Plan the Permittee shall build and utilize a temporary construction road with separate access to 56th Street north of Shadow Pines Drive, with the specific location and design to be approved by Public Works and Utilities. The temporary access shall be used until the Storm Water Pollution Prevention Plan is terminated or the opening of the completed 56th Street project, which ever happens first.

3. Before receiving building permits:

a. The Permittee shall 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. Revise the total number of units shown in Note #1 and the density table to provide for up to four dwelling units on Lot 1, Block 3.
- ii. Add a general note that states, "Outlot E will initially be owned by Hollingsworth but may be deeded to the lot to the north. However, if at such time as the lot owner to the north releases the option to purchase the outlot, it will be deeded at no cost to the Joshua's Glen homeowners association. South 57th Street and the adjacent sidewalks will be extended across Outlot E when the land to the north redevelops."
- iii. Revise the first sentence of Note #20 to state "Corner lots shall only have one 20' front yard setback which shall be applicable to the driveway entrance to the lot, where the other front yard setback will only be 10'."
- iv. Show a pedestrian sidewalk connection from the end of South 59th Place to the boundary of the development.
- v. Add a general note that states "The future sidewalk connection to the future City bike trail to be determined by the Parks and Recreation Department. Construction of the sidewalk in Outlot D is not required until such time as the City trail is built. After a review of alternatives and due to the existing floodway and steep topography, an ADA compliant location was deemed not practical.
- vi. Delete the words "PARK AREA" in Outlot D.
- vii. Dimension the amount of right-of-way being dedicated in South 56th Street.
- viii. Show the public access easement and private roadway in Kayla Court stopping 1' short of the south lot line.
- ix. Revise the block numbering to show the lots north of Shailee Court in a separate block.
- x. Revise the waiver table to note the front yard is reduced to 10' for corner lots per Note #20.
- xi. Delete all building envelopes, as setbacks shall be per the approved adjustments and general notes.
- xii. Add a general note that states, "All driveways shall be paired."

b. Submit revised site, grading and drainage, and utility plans to the satisfaction of Public Works and Utilities.

c. The construction plans must substantially comply with the approved plans.

d. Final plat(s) must be approved by the City.

4. Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.

5. All privately-owned improvements shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

6. 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.

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 Jon Camp

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

RESOLUTION FOR RECONSIDERATION

RESOLUTION A-87439 APPROVING THE APPLICATION OF YARD INVESTMENTS DBA GATE 25 FOR A CLASS C LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 140 - PRIOR to reading:
CHRISTENSEN Moved to Reconsider Resolution A-87439.
Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
COOK Moved to remove the Restriction from the resolution.
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
CAMP Moved to readopt the resolution as amended.
Seconded by Fellers and carried by the following vote: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption:
A-87439 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 Yard Investments dba Gate 25 for a Class "C" liquor license at 300 Canopy Street, Suite 140, Lincoln, Nebraska, for the license period ending October 31, 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. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.
~~4. There be no business or personal alcohol related offenses by the applicant within the first year after approval.~~
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.
Introduced by Jon Camp
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "A," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "A"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "C," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "C"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "E"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "F," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "F"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "M," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "M"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

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AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "N," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "N"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "P," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "P"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X," TO BE EFFECTIVE AUGUST 15, 2013 - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classification are assigned to pay ranges prefixed by the letter "X"; and repealing Ordinance No. 19601, passed by the City Council on August 15, 2011, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE

APPROVING JSD, LLC DBA HUSKERVILLE PIZZA & PUB AS A KENO SATELLITE SITE AT 2805 N.W. 48TH STREET.

APPROVING SWEEP LEFT AS A KENO SATELLITE SITE AT 815 O STREET.

REAPPOINTING JEFF HLAVAC AND DON SCHROEDER TO THE ELECTRICAL ADVISORY, APPEALS AND EXAMINING BOARD FOR A TERM EXPIRING AUGUST 15, 2016.

APPROVING A FUNDING AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY SAFETY FUNDS IMPROVEMENTS AT THE INTERSECTION OF U.S. HIGHWAY 6 (WEST O STREET) AND WEST 40TH STREET (PROJECT NO. HSIP-6-6(161), CN 13093).

HEARING ON ONE AND SIX YEAR STREETS AND HIGHWAYS PROGRAM AS REQUIRED BY STATE STATUTE.

MISCELLANEOUS BUSINESS - NONE

OPEN MICROPHONE

Jane Svoboda, no address given, came forward to share her thoughts on various issues.

This matter was taken under advisement.

ADJOURNMENT 7:14 P.M.

CAMP Moved to adjourn the City Council meeting of July 29, 2013.
Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist