

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JUNE 15, 2015 AT 3:00 P.M.**

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

Council Chair Fellers 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**

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of June 8, 2015, reported having done so, found same correct.

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

**PUBLIC HEARING**

MANAGER APPLICATION OF TRAVIS A. EHLERS FOR GMRI INC. DBA OLIVE GARDEN RESTAURANT #1432 AT 6100 O STREET, SUITE 900 - Travis A. Ehlers, Manager of Olive Garden, 6100 O St., Suite 900, came forward to take the oath and answer questions.

This matter was taken under advisement.

MANAGER APPLICATION OF LISA FRYDA FOR NEBRASKA ENTERTAINMENT INC DBA LINCOLN GRAND CINEMA AT 1101 P ST - Lisa Fryda, Manager of Lincoln Grand Cinema, 1101 P St., came forward to take the oath and answer questions.

Council Member Eskridge inquired about her experience since the approval of the initial liquor license.

Ms. Fryda shared that it has been wonderful and that its an added amenity for their guests.

Mr. Eskridge asked what is being done to help prevent underage drinking and over serving guests.

Ms. Fryda said they only allow one drink, per id, per individual at a time. If needed they will utilize Lincoln Police but as of this time, there have been no issues.

This matter was taken under advisement.

APPROVING A RESOLUTION REGARDING THE PUBLICATION OF THE REVENUES AND EXPENDITURES ASSOCIATED WITH THE CITY OF LINCOLN'S TEMPORARY ONE QUARTER (1/4) PERCENT SALES TAX INCREASE INSTITUTED ON OCTOBER 1, 2015; DIRECTING THE CITY'S FINANCE DIRECTOR TO PUBLISH ON THE CITY'S WEBSITE A MONTHLY AND RUNNING TOTAL OF THE REVENUE RECEIVED FROM THE CITY SALES TAX INCREASE; AND DIRECTING THE FINANCE DIRECTOR TO PUBLISH ON THE CITY'S WEBSITE AN ITEMIZED LIST OF THE MONTHLY AND RUNNING TOTAL OF EXPENDITURES SPENT, FOR THE PUBLIC SAFETY RADIO SYSTEM AS WELL AS THE JOINT POLICE AND FIRE AND RESCUE STATION AND THE THREE FIRE AND RESCUE STATIONS - Jeff Kirkpatrick, City Attorney, came forward and said the intent of this resolution is to have a place on the city website where the public can track the sales tax receipts as well as all the expenditures. An itemized list of monthly running total of expenditures will also be available on the website.

This matter was taken under advisement.

A RESOLUTION REGARDING THE RESPONSE BY THE CITY'S PUBLIC WORKS DEPARTMENT TO THE SANITARY SEWER BACK-UP PROBLEMS SUFFERED BY SOME LINCOLN RESIDENTS DURING TWO RECENT EXTRAORDINARY RAIN EVENTS; DIRECTING THE CITY'S PUBLIC WORKS DEPARTMENT TO TAKE A NUMBER OF STEPS TO DECREASE THE LIKELIHOOD OF SEWAGE BACK-UPS DURING FUTURE LARGE RAIN EVENTS;

A RESOLUTION TO APPROVE THE CREATION OF A TEMPORARY SANITARY SEWER DISASTER RECOVERY ASSISTANCE PROGRAM, FUNDED BY RISK MANAGEMENT, TO PROVIDE A CITY FUND FOR REIMBURSEMENT OF MITIGATION COSTS FOR LINCOLN HOMEOWNERS, RENTERS, AND SMALL BUSINESS OWNERS THAT WERE IMPACTED BY DAMAGES CAUSED BY SANITARY SEWER BACK-UP DURING TWO EXTRAORDINARY RAIN EVENTS - Donna Garden, Public Works and Utilities, came forward and said the first resolution states a series of activities that Public Works and Utilities will do or perform responding to the sanitary sewer back-ups that occurred on October 31 and May 7, 2015. She said flooded basements, faulty man holes, sump pumps, foundation drains, and broken or cracked surface and main lines can allow water to enter the sanitary sewer system. Lincoln's system is designed to handle inflow from a 10 year rain event and exceeds the standards in the industry. The inflow and infiltration reduction program, includes televising with in-pipe video, pipeline maintenance jetting, root control, continuous monitoring of flow indications in the system to detect high levels. Ms. Garden stated this resolution states the additional activity that Public Works and Utilities will

undertake to evaluate the system: Continue use of in-pipe video, fully inspect the siphons, special emphasis will be placed at Dead Mans Run crossings that directly impact the areas that were most affected, utilize the monitoring system, evaluate piping changes. Also, at the Teresa Street Wastewater plant, they will look at other economical, practical, and environmentally sound ways to handle excess flows and reports will be submitted to the Mayor and Council Members on May 1, 2016.

Council Member Lamm requested that as part of Public Work's evaluation, information about sump pumps and proactive programs should be available to the public.

Ms. Garden stated that they are looking at several ways, such as providing check lists, that will help the homeowners understand the systems that they own.

Council Member Raybould inquired if a permit is necessary to install a sump pump.

Ms. Garden said that sump pumps should be put in by a licensed plumber and should be installed in accordance to city code.

Council Member Camp asked Ms. Garden if the city scopes both city and tap lines.

Ms. Garden said the city only scopes city lines but does notify the homeowner if there is an issue with their tap line.

Greg Hacker, no address given, came forward to ask questions about the Temporary Sanitary Sewer Disaster Recovery Assistance program and expressed concerns regarding the incident.

Jeff Kirkpatrick, City Attorney, came forward to address resolution 15R-119, regarding the Disaster Recovery Assistance Program. This program can be compared to other disaster recovery programs on a national basis. The Federal government will set up temporary disaster programs for people in areas that are most significantly affected by severe weather events. This program is capped at \$1 million dollars and the individual cap is \$5,000.00 per storm. Once the \$1 million dollars is paid out for disaster recovery relief, funds will no longer be available. Mr. Kirkpatrick states that he anticipates claims from individuals that were affected by both storms. This is proposed only for remediation.

Jim Davidsaver, Director of Lincoln Lancaster County Emergency Management, came forward to state that he filed the Incident Status Report to NEMA, Nebraska Emergency Management Agency. He explained that, from the local level, as the City/County official, he is responsible for filing the report. This status report notifies NEMA that there is potential for a disaster. Mr. Davidsaver stated they coordinated their efforts with NEMA's Public Assistance Officer, Donnie Christensen, who was dealing with Lancaster County's flood event along with 10 other counties in Southeastern Nebraska. In the latter part of May, FEMA had some of their teams in Lancaster County to conduct the PDA, Preliminary Damage Assessment. The county had already met its threshold for a disaster declaration which is only at \$1 million dollars. The damage estimates that were turned in only covers public property and critical infrastructure is over \$3.9 million dollars. Even though the conditions and thresholds are met, it does not mean that the disaster declaration will automatically be issued. Mr. Davidsaver stated that when FEMA conducted their PDA, they met with all the principles, the City's Public Works and Utilities, Parks and Recreation, and the Lancaster County Engineer. After FEMA collects all the data, they go back to their regional office in Kansas City and do their evaluation from there. From the state level, Governor Ricketts office just issued a formal Disaster Declaration Request on June 12, 2015, this is part of the process. When FEMA did their onsite assessment in late May, they estimated it to be late July or early August on whether or not the disaster declaration will be granted. If that disaster declaration is granted, FEMA then will come back and host several different meetings, one of which is an applicant briefing. They will talk with the principles involved and tell them what is available and what is needed from the applicant to qualify for the assistance. In a large scope, this is broken down into what is public assistance and individual assistance. Mr. Davidsaver stated this is the process, but just because you ask for a disaster declaration, it doesn't mean it will be granted, and if a disaster declaration is issued, it doesn't mean you qualify for the public or individual assistance.

Matt Wattier, 3525 Baldwin St., came forward to state that he has not yet resubmitted his claim for October and for one of his apartment buildings his damages is estimated to be \$41,750.00. He inquired if the time he has requested off work to fix his apartment buildings would be compensated. Mr. Wattier made several statements regarding sump pumps and sewer back flow preventors.

Council Member Camp asked Mr. Kirkpatrick to explain the stipulations of the proposed disaster recovery program.

Mr. Kirkpatrick said that this program is capped at \$1 million dollars and the individual cap is \$5,000.00 per unit, per storm. Once the \$1 million dollars is paid out for disaster recovery relief, funds will no longer be available. Even though a claim was submitted to the city, individuals affected would still have to apply for the program.

Quelle Holz, 3805 Saint Paul, came forward and asked if those that submitted their claims first would be notified about the program prior to the public notification. She expressed additional comments and concerns.

Brandon Seifert, 4241 Knox St., came forward to speak about his experience from both the October and May storms. One of his concerns is how these events would affect the market value of his home and requested clarification on what the remediation terms are.

Mr. Kirkpatrick said if this program passes, our media outlets would be a source for notification. Also, for those that submitted claims related to sewage back-up, the Public Works Department or City Attorney's Office will mail a letter notifying them that this program is in place as well as encouraging them to apply for the disaster relief program.

Council Member Christiansen inquired about how soon applications may be submitted.

Mr. Kirkpatrick shared that he hopes that they would be in a position to be able to accept applications as early as next week. Discussion followed.

This matter was taken under advisement.

MISCELLANEOUS 15001 - APPLICATION OF LINCOLN NORTH CREEK, LLC TO VACATE A PORTION OF NORTH CREEK COMMERCIAL PARK FINAL PLAT, GENERALLY LOCATED AT THE END OF WILDCAT DRIVE AND WHITEHEAD DRIVE - Marcia Kinning, REGA Engineering Group, Inc. 601 Old Cheney Rd., Suite A, came forward to answer questions.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON JUNE 1, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTH OF APRIL 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE TIME PERIOD OF APRIL 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

### PETITIONS & COMMUNICATIONS

INFORMAL PETITION TO CREATE A WATER DISTRICT IN C STREET BETWEEN S. 1ST STREET AND S. 2ND STREET, SUBMITTED BY MELODEE CUMMINGS - CLERK presented said petition which was referred to the Public Works and Utilities Department.

SETTING THE HEARING DATE OF MONDAY, JUNE 29, 2015 AT 5:30 P.M. FOR THE APPLICATION OF FRED WANISKA DBA THE BIG ROOM EVENT CENTER FOR A CLASS I LIQUOR LICENSE LOCATED AT 2310 N. 1<sup>ST</sup> STREET, SUITE 7, 8, AND 9 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89013 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 29, 2015 at 5:30 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 Fred Waniska dba The Big Room Event Center for a Class I liquor license located at 2310 N. 1st Street, Suite 7, 8, & 9.

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

Introduced by Leirion Gaylor Baird

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

SETTING THE HEARING DATE OF MONDAY, JUNE 29, 2015 AT 5:30 P.M. FOR THE APPLICATION OF RSB VOLLEYBALL INC. DBA PLAYMAKERS SPORTS BAR & GRILL FOR A CLASS C LIQUOR LICENSE LOCATED AT 640 W PROSPECTOR COURT, SUITE 100 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89014 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 29, 2015 at 5:30 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 RSB Volleyball Inc. dba Playmakers Sports Bar & Grill for a Class C liquor license located at 640 W. Prospector Court, Suite 100.

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

Introduced by Leirion Gaylor Baird

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

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF TRAVIS A. EHLERS FOR GMRI INC. DBA OLIVE GARDEN RESTAURANT #1432 AT 6100 O STREET, SUITE 900 - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-89015 WHEREAS, GMRI, Inc. dba The Olive Garden Italian Restaurant #1432 located at 6100 O Street, Suite 900, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Travis A. Ehlers be named manager;

WHEREAS, Travis A. Ehlers appears to be a fit and proper person to manage said business.

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

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

Introduced by Jon A. Camp

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

MANAGER APPLICATION OF LISA FRYDA FOR NEBRASKA ENTERTAINMENT INC DBA LINCOLN GRAND CINEMA AT 1101 P ST. - CLERK read the following resolution, introduced by Jon A. Camp, who moved its adoption for approval:

A-89016 WHEREAS, Nebraska Entertainment, Inc. dba Lincoln Grand Cinema located at 1101 P Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Lisa M. Fryda be named manager;

WHEREAS, Lisa M. Fryda appears to be a fit and proper person to manage said business.

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

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

Introduced by Jon A. Camp

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

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 460 FEET BY 453 FEET, LABELED PATRON PARKING ON MAP 1, OUTDOOR AREA MEASURING APPROXIMATELY 965 FEET BY 1137 FEET, LABELED SHOW CARS #1 ON MAP 1, OUTDOOR AREA MEASURING APPROXIMATELY 652 FEET BY 406 FEET, LABELED SHOW CARS #2 ON MAP 1, AND OUTDOOR AREA MEASURING APPROXIMATELY 2,082 FEET BY 18 FEET, LABELED PEDESTRIAN BRIDGE ON MAP 1 AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON JUNE 27, 2015 FROM 7:00 A.M. TO 6:30 P.M. - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action for 1 Week to 6/22/15.

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

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 16-31, 2015 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89017 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated June 1, 2015, 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

Anthony Steinkraus \$1,043.35

ALLOWED/SETTLED CLAIMS

Sedgwick CMS as subrogee of Corporation of  
Presiding Bishop of The Church of Jesus  
Christ of Latterday Saints \$ 1,622.18  
Thomas Schiffern 11,575.00

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

Introduced by Carl Eskridge

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

APPROVING A RESOLUTION REGARDING THE PUBLICATION OF THE REVENUES AND EXPENDITURES ASSOCIATED WITH THE CITY OF LINCOLN'S TEMPORARY ONE QUARTER (1/4) PERCENT SALES TAX INCREASE INSTITUTED ON OCTOBER 1, 2015; DIRECTING THE CITY'S FINANCE DIRECTOR TO PUBLISH ON THE CITY'S WEBSITE A MONTHLY AND RUNNING TOTAL OF THE REVENUE RECEIVED FROM THE CITY SALES TAX INCREASE; AND DIRECTING THE FINANCE DIRECTOR TO PUBLISH ON THE CITY'S WEBSITE AN ITEMIZED LIST OF THE MONTHLY AND RUNNING TOTAL OF EXPENDITURES SPENT, FOR THE PUBLIC SAFETY RADIO SYSTEM AS WELL AS THE JOINT POLICE AND FIRE AND RESCUE STATION AND THE THREE FIRE AND RESCUE STATIONS - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89018 A RESOLUTION regarding the publication of the revenues and expenditures associated with the City of Lincoln's temporary one quarter (1/4) percent sales tax increase instituted on October 1, 2015.

WHEREAS, on April 7<sup>th</sup>, voters in the City of Lincoln voted to increase the city sales tax by one quarter (1/4) of a percent with the revenue from that increase to be directed to pay the costs to buy and install a new City 911 public safety radio communications system, including equipment, infrastructure, replacements, and upgrades; a joint police and fire and rescue station; and three new fire and rescue stations, and

WHEREAS the City Council on May 18, 2015 passed an ordinance which amended chapter 3.16.010 of the Lincoln Municipal Code to implement the sales tax rate change approved by the voters; and

WHEREAS this is a revenue increase passed by the voters to make crucial improvements in the City's public safety infrastructure; and

WHEREAS in the interest of improving the public's faith in and knowledge of the City's collection and investment of their tax dollars, it is advisable that the City's Finance Department publish on its website a monthly report of the additional revenues received from this temporary sales tax increase and a monthly report of the expenditures made for the public safety radio system and the police/fire stations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska as follows: That the City Council directs the City's Finance Director to publish on the City's website a monthly total of the revenue received from the temporary one quarter (1/4) percent city sales increase along with a running total of the revenue received from that source. The Finance Director is also directed to publish on the City's website an itemized list of the monthly expenditures spent, including the vendor, amount paid, date paid, and a brief description of each item, for the public safety radio system as well as the joint police and fire and rescue station and the three fire and rescue stations along with a running total of all of the expenditures with the total for public safety radio system being maintained separately from the stations.

Introduced by Carl Eskridge

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

A RESOLUTION REGARDING THE RESPONSE BY THE CITY'S PUBLIC WORKS DEPARTMENT TO THE SANITARY SEWER BACK-UP PROBLEMS SUFFERED BY SOME LINCOLN RESIDENTS DURING TWO RECENT EXTRAORDINARY RAIN EVENTS; DIRECTING THE CITY'S PUBLIC WORKS DEPARTMENT TO TAKE A NUMBER OF STEPS TO DECREASE THE LIKELIHOOD OF SEWAGE BACK-UPS DURING FUTURE LARGE RAIN EVENTS - PRIOR to reading:

LAMM Moved to amend Bill #15R-118 in the following manner:

On pg. 2, add a new paragraph 9 to read as follows:

- 9) That the Department review and evaluate the effectiveness and/or anticipated impact of a proactive program to encourage homeowners and businesses to correct any improperly installed sump pumps.

Seconded by Christensen.

CAMP Made a friendly amendment to insert after "sump pumps." the verbiage "and/or collateral lines."

LAMM Accepted the friendly amendment.

Motion carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89019 A RESOLUTION regarding the response by the City's Public Works Department to the sanitary sewer back-up problems suffered by some Lincoln residents during two recent storms.

WHEREAS, extraordinarily heavy rain events occurred in the Lincoln metropolitan area on October 1, 2014 and May 7, 2015. The amount of water entering the City's sanitary system in relatively short periods of time greatly exceeded the design capacity of the City's wastewater treatment facilities, and

WHEREAS the massive amount of water in the sanitary sewer system led to homes in several neighborhoods around the City experiencing sewer back-ups, and

WHEREAS a review of the City's sanitary sewer design reveals that the system's excess capacity is well above the average excess capacity of comparable Midwestern cities, and

WHEREAS a review of the City's sanitary sewer operational decisions during both the October and May storms does not support the conclusion that City staff made any operational decisions that increased the number of sewer back-ups within the City, and

WHEREAS it is a goal of the City to reduce to the greatest extent practical the number of sewer back-ups, even during times of extraordinary rain events.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the City Council directs the City's Public Works Department make the following efforts to decrease the likelihood of sewage back-ups during future large rain events:

- 1) That the Department continue its on-going efforts to conduct periodic video inspections of all city owned sanitary sewer lines and repair in a timely manner all discovered defects that impact the integrity of the system.
- 2) That the Department inspect the siphons along the trunk sewer lines in central Lincoln in an attempt to discover whether surcharging may have affected the siphons' performance.
- 3) That the Department gather and analyze flow data within the entire system to determine whether higher than expected localized flows can help identify inflow sources.
- 4) That the Department evaluate the option of routing more water on a permanent basis to the Northeast Wastewater Treatment Plant as a method of reducing the pressure on the trunk sewer lines located in central Lincoln.
- 5) That the Department engage an industry consulting firm to model high flow events to help determine if the City has excessive inflows of storm water during rain events or whether the back-ups are primarily the result of flow issues within the collection system.
- 6) That the Department review and evaluate the current Inflow/Infiltration Reduction program to see if any modifications need to be made.
- 7) That the Department review if there are practical, economic, environmentally sound ways to handle excess flow at Theresa Street Wastewater Treatment Plant.
- 8) That the Department will submit a written report to the Mayor's office and the City Council with the results of its investigations and recommendations no later than May 1, 2016.
- 9) That the Department review and evaluate the effectiveness and/or anticipated impact of a proactive program to encourage homeowners and businesses to correct any improperly installed sump pumps and/or collateral lines.

Introduced by Carl Eskridge

Seconded by Raybould & carried on by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould.

A RESOLUTION TO APPROVE THE CREATION OF A TEMPORARY SANITARY SEWER DISASTER RECOVERY ASSISTANCE PROGRAM, FUNDED BY RISK MANAGEMENT, TO PROVIDE A CITY FUND FOR REIMBURSEMENT OF MITIGATION COSTS FOR LINCOLN HOMEOWNERS, RENTERS, AND SMALL BUSINESS OWNERS THAT WERE IMPACTED BY DAMAGES CAUSED BY SANITARY SEWER BACK-UP DURING TWO EXTRAORDINARY RAIN EVENTS - PRIOR to reading:

LAMM Moved to Amend Bill 15R-119, Attachment A, Fund Administration paragraph to insert after "agency" the following: ", or another non-profit agency.".

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

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89020 A RESOLUTION regarding the establishment of a Temporary Sanitary Sewer Disaster Recovery Assistance Program

WHEREAS, the City of Lincoln experienced an extraordinary storm event on October 1, 2014 which exceeded the capacity of the City's wastewater treatment facilities and resulted in an unusual back-up of sanitary sewage affecting a number of the City's residents, and

WHEREAS, heavy rains affected the Lincoln metropolitan area on May 6<sup>th</sup> and 7<sup>th</sup> of 2015. The storm caused flooding and sanitary sewer back-ups throughout the City of Lincoln, Nebraska, and

WHEREAS, both the October and May storms were extraordinary storm events and resulted in overwhelming the capacity of the City's wastewater treatment facilities, and

WHEREAS, a number of citizens have been significantly affected by sanitary sewer back-ups associated with such storms, and

WHEREAS, after a thorough investigation, the City's Law Department has recommended that the City Council deny liability for all claims against the City based upon sewer back-ups suffered during the October storm, and

WHEREAS, the City desires to aid in preventing future public health problems associated with exposure to sanitary sewage.

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

That the Temporary Sanitary Sewer Disaster Recovery Assistance Program, as outlined in the Attachment, to provide assistance to homeowners, renters, and businesses for selected remediation expenses including services and supplies which are used to remove, clean, and disinfect materials, furnishings, and structures that have come in contact with sanitary sewage is hereby approved.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAY: None.

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

MISCELLANEOUS 15001 - APPLICATION OF LINCOLN NORTH CREEK, LLC TO VACATE A PORTION OF NORTH CREEK COMMERCIAL PARK FINAL PLAT, GENERALLY LOCATED AT THE END OF WILDCAT DRIVE AND WHITEHEAD DRIVE - CLERK read an ordinance, introduced by Carl Eskridge, vacating a portion of the final plat of North Creek Commercial Park including a portion of the right-of-way for Wildcat Circle as requested by Lincoln North Creek, LLC, a Nebraska limited liability company, on property generally located at the end of Wildcat Circle and Whitehead Drive, Lincoln, Lancaster County, Nebraska, and reserving certain dedicated easements therein to the City of Lincoln, Nebraska, the second time.

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

USE PERMIT 117E - APPLICATION OF PETERS PROPERTIES, LLC TO REMOVE THE LAND USE TABLE, MAXIMUM FLOOR AREA TABLES, AND LAND AREA CALCULATIONS FROM THE SITE PLAN AND APPROVE THE WAIVER TO ELIMINATE THE SPECIFIC USE REGULATION AS DEFINED IN 27.51.030(C)(1), ON PROPERTY GENERALLY LOCATED WEST OF SOUTH 14TH STREET AND GARRET LANE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89021 WHEREAS, Peters Properties, LLC has submitted an application in accordance with Section 27.51.030(c)(1) of the Lincoln Municipal Code designated as Use Permit No. 117E to remove the land use table, maximum floor area tables, and land area calculations from the site plan and approve the waiver to eliminate the specific use regulation as defined in Section 27.51.030(c)(1) of the LMC, on property generally located west of South 14<sup>th</sup> Street and Garret Lane, legally described as follows:

A TRACT OF LAND COMPOSED OF A PORTION OF VACATED PINE LAKE ROAD RIGHT-OF-WAY, LOT 52 I.T., OUTLOT "A", HORIZON BUSINESS CENTER ADDITION, LOTS 7 THROUGH 9, LOT 11, LOTS 18 AND 19, BLOCK 1, HORIZON BUSINESS CENTER ADDITION, OUTLOT "A", HORIZON BUSINESS 1<sup>ST</sup> ADDITION, LOTS 1 THROUGH 4, BLOCK 1, HORIZON BUSINESS CENTER 1<sup>ST</sup> ADDITION, LOTS 1, 2 AND 4, HORIZON BUSINESS CENTER 2<sup>ND</sup> ADDITION, LOTS 1 THROUGH 4, HORIZON BUSINESS CENTER 3<sup>RD</sup> ADDITION, OUTLOT "A", HORIZON BUSINESS CENTER 4<sup>TH</sup> ADDITION, LOTS 1 THROUGH 5, HORIZON BUSINESS CENTER 4<sup>TH</sup> ADDITION (LOT 1, HORIZON BUSINESS CENTER 4<sup>TH</sup> ADDITION IS ALSO KNOWN AS UNITS 1 AND 2, INFINITY COURT CONDOMINIUM), LOT 1, HORIZON BUSINESS CENTER 5<sup>TH</sup> ADDITION, OUTLOT "A", HORIZON BUSINESS CENTER 6<sup>TH</sup> ADDITION, LOTS 1 AND 2, HORIZON BUSINESS CENTER 6<sup>TH</sup> ADDITION, LOT 1, HORIZON BUSINESS CENTER 9<sup>TH</sup> ADDITION, OUTLOT "B", HORIZON BUSINESS CENTER 10<sup>TH</sup> ADDITION, LOT 1, HORIZON BUSINESS CENTER 10<sup>TH</sup> ADDITION, LOT 1, HORIZON BUSINESS CENTER 11<sup>TH</sup> ADDITION, OUTLOT "A", HORIZON BUSINESS CENTER 12<sup>TH</sup> ADDITION, OUTLOTS "A" AND "B", HORIZON BUSINESS CENTER 13<sup>TH</sup> ADDITION, LOTS 1 THROUGH 5, HORIZON BUSINESS CENTER 13<sup>TH</sup> ADDITION, LOTS 1 THROUGH 4, HORIZON BUSINESS CENTER 14<sup>TH</sup> ADDITION, ALL LOCATED IN EAST HALF OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6<sup>TH</sup> P.M.; THENCE WESTERLY ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23 ON AN ASSUMED BEARING OF N89°56'27"W, A DISTANCE OF 239.85' TO THE NORTHEAST CORNER OF LOT 52 I.T., SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE S00°05'19"E, ON A EAST LINE OF SAID LOT 52 I.T., A DISTANCE OF 459.67' TO AN EAST CORNER OF SAID LOT 52 I.T.; THENCE S89°49'31"E, ON A NORTH LINE OF SAID LOT 52 I.T., A DISTANCE OF 164.88' TO AN EAST CORNER OF SAID LOT 52 I.T., SAID POINT BEING ON A WEST RIGHT-OF-WAY LINE OF SOUTH 14<sup>TH</sup> STREET, SAID POINT BEING 75.00' WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°05'33"E, ON A EAST LINE OF SAID LOT 52 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 75.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 380.13' TO A POINT; THENCE S44°54'27"W, ON A SOUTHEAST LINE OF SAID LOT 52 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 56.57' TO A POINT; THENCE S89°54'27"W, ON A SOUTH LINE OF SAID LOT 52 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A

DISTANCE OF 50.00' TO A POINT; THENCE S00°05'33"E, ON A EAST LINE OF SAID LOT 52 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 100.00' TO A POINT; THENCE N89°54'27"E, ON A NORTH LINE OF SAID LOT 52 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 65.00' TO A POINT; THENCE S45°05'33"E, ON A NORTHEAST LINE OF SAID LOT 52 I.T., SAID LINE BEING A SOUTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 56.57' TO A POINT, SAID POINT BEING 60.00' WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°05'33"E, ON A EAST LINE OF SAID LOT 52 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 60.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 437.00' TO THE SOUTHEAST CORNER OF SAID LOT 52 I.T., SAID POINT BEING ON THE NORTH LINE OF LOT 2, HORIZON BUSINESS CENTER 3<sup>RD</sup> ADDITION; THENCE N89°48'40"E, ON THE NORTH LINE OF SAID LOT 2, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEING 50.00' WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°05'33"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 458.94' TO POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF GARRET LANE; THENCE S89°57'15"W, ON A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 51.25' TO A POINT; THENCE S00°11'20"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 100.00' TO A POINT; THENCE N89°57'15"E, ON A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 51.08' TO A POINT OF INTERSECTION WITH A WEST RIGHT-OF-WAY LINE OF SOUTH 14<sup>TH</sup> STREET, SAID POINT BEING 50.00' WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°05'33"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 643.71' TO THE SOUTHEAST CORNER OF OUTLOT "A", HORIZON BUSINESS CENTER ADDITION; THENCE S00°10'31"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 508.34' TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF INFINITY COURT; THENCE S00°10'41"E, A DISTANCE OF 80.00' TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF INFINITY COURT; THENCE S00°10'31"E, ON A WEST RIGHT-OF-WAY LINE OF SOUTH 14 STREET, SAID LINE BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 598.02' TO THE SOUTHEAST CORNER OF LOT 4, HORIZON BUSINESS CENTER 4<sup>TH</sup> ADDITION; THENCE S89°50'17"W, ON THE SOUTH LINE OF SAID LOT 4, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.06' TO THE NORTHEAST CORNER OF LOT 1, HORIZON BUSINESS CENTER 9<sup>TH</sup> ADDITION, SAID POINT BEING 60.06' WEST OF THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°10'46"E, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 804.21' TO THE MOST SOUTHERN CORNER OF LOT 1, HORIZON BUSINESS CENTER 11<sup>TH</sup> ADDITION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD; THENCE N28°36'30"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 914.64' TO A POINT; THENCE N28°36'24"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 725.41' TO A POINT; THENCE N28°35'56"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 630.91' TO A POINT; THENCE N28°36'13"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 351.69' TO A POINT; THENCE N47°56'36"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 75.63' TO A POINT; THENCE N28°36'13"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 1,319.65' TO A POINT; THENCE N14°05'55"E, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 36.86' TO A POINT; THENCE N28°36'13"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 1,062.35' TO A POINT; THENCE S61°23'47"W, ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, A DISTANCE OF 24.92' TO A POINT OF CURVATURE FOR A SPIRAL

CURVE IN A CLOCKWISE DIRECTION ON A EAST LINE OF SAID RAILROAD RIGHT-OF-WAY, HAVING A CHORD BEARING OF N27°09'21"W, A CHORD DISTANCE OF 207.09', AN 'X' VALUE OF 207.03', AND AN 'Y' VALUE OF 5.23' TO THE NORTHWEST CORNER OF SAID LOT 52 I.T.; THENCE S89°56'58"E, ON THE NORTH LINE OF SAID LOT 52 I.T., A DISTANCE OF 2,369.36' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 5,827,871.47 SQUARE FEET OR 133.79 ACRES, MORE OR LESS.

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent 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 Peters Properties, LLC, hereinafter referred to as "Permittee", to remove the land use table, maximum floor area tables, and land area calculations from the site plan and approve the waiver to eliminate the specific use regulation as defined in Section 27.51.030(c)(1) of the LMC, be and the same is hereby granted under the provisions of Section 27.64.010 of the Lincoln Municipal Code upon condition that construction and operation of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit removes the land use table, maximum floor area tables, and land area calculations from the site plan and approves the waiver to eliminate the specific use regulation as defined in Section 27.51.030(c)(1) of the LMC.
2. Before receiving building permits or a new final plat is approved:
  - a. The Permittee shall submit to the Planning Department a revised and reproducible final plot plan including 5 copies showing the following revisions:
    - I. Add "internal setbacks are zero" at the end of note #20.
    - ii. Remove all extraneous notes including notes 2, 4, 6, 7, 8, 12, 14, 17, 18, 19, 22, 24, 30, 33, 34, 37, and 41.
  - b. City Council approves Text Amendment #15006.
3. Before occupying the buildings, all development and construction shall substantially comply with the approved plans.
4. All privately-owned improvements, including landscaping, are to be permanently maintained by the Permittee or an appropriately established association approved by the City.
5. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.
7. 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 use permit. The City Clerk shall file a copy of the resolution approving the use 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.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans; however, the terms and conditions of all resolutions approving previous permits shall remain in force and effect except as specifically amended by this resolution.

Introduced by Roy Christensen

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

TEXT AMENDMENT 15006 - AMENDING SECTIONS 27.51.030 AND 27.64.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE I-3 EMPLOYMENT CENTER DISTRICT TO ALLOW THE CITY COUNCIL TO WAIVE SPECIFIC USE REGULATIONS SET FORTH IN SECTION 27.51.030; AND REPEALING SECTIONS 27.51.030 AND 27.64.010 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 15R-102, 15-73) - CLERK read an ordinance, introduced by Roy Christensen, amending Sections 27.51.030 and 27.64.010 of the Lincoln Municipal Code relating to the I-3 Employment Center District to allow the City Council to waive specific use regulations set forth in Section 27.51.030; and repealing Sections 27.51.030 and 27.64.010 of the Lincoln Municipal Code as hitherto existing, the third time.

CHRISTENSEN Moved to pass ordinance as read.

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

The ordinance, being numbered #20203, is recorded in Ordinance Book #29.

APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN, ASPEN HEIGHTS REDEVELOPMENT PROJECT IN GREATER DOWNTOWN LINCOLN TO CREATE ANOTHER BOND PURCHASER TYPE AND SET PRIORITIES FOR REPAYMENT - CLERK read an ordinance, introduced by Roy Christensen, amending ordinance No. 20131 to (A) add another category of bonds which may be issued and (B) modify provisions related to repayment priority; to repeal certain provisions of ordinance No. 20131 in connection therewith; taking other action in connection with the

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foregoing; and related matters, the third time.

CHRISTENSEN Moved to pass ordinance as read.

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

The ordinance, being numbered **#20204**, is recorded in Ordinance Book #29.

APPROVING AN AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN, BLOCK 68 REDEVELOPMENT PROJECT IN GREATER DOWNTOWN LINCOLN TO CREATE ANOTHER BOND PURCHASER TYPE AND SET PRIORITIES FOR REPAYMENT - CLERK read an ordinance, introduced by Roy Christensen, amending ordinance No. 19978 to (A) add another category of bonds which may be issued and (B) modify provisions related to repayment priority; to repeal certain provisions of ordinance No. 19978 in connection therewith; taking other action in connection with the foregoing; and related matters, the third time.

CHRISTENSEN Moved to pass ordinance as read.

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

The ordinance, being numbered **#20205**, is recorded in Ordinance Book #29.

**RESOLUTIONS - 1<sup>ST</sup> READING**

APPOINTING HAROLD SIMPSON AND GLORIA ARON TO THE AGING PARTNERS AREA WIDE ADVISORY COUNCIL FOR TERMS EXPIRING JUNE 30, 2018.

APPOINTING STEVE WALLINE AND REBECCA MEINDERS TO THE AGING PARTNERS AREA WIDE ADVISORY COUNCIL FOR TERMS EXPIRING JUNE 30, 2016.

APPOINTING PAUL BARNETT AND STEVEN EGGLAND TO THE AGING PARTNERS AREA WIDE ADVISORY COUNCIL FOR TERMS EXPIRING JUNE 30, 2017.

REAPPOINTING JUSTIN CARLSON, TODD FITZGERALD, PETER LEVITOV, AND SHERRI NELSON TO THE PARKS AND RECREATION ADVISORY BOARD FOR TERMS EXPIRING APRIL 27, 2018.

REAPPOINTING LARRY HUDKINS TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING MAY 31, 2016.

REAPPOINTING EMILY GRAUL AND OLIVE MARTIN TO THE PARKS AND RECREATION ADVISORY BOARD FOR TERMS EXPIRING JUNE 1, 2016.

REAPPOINTING KENT MATTSON TO THE CITY PERSONNEL BOARD FOR A TERM EXPIRING JUNE 22, 2020.

APPOINTING MITCH PAINE TO THE AIR POLLUTION ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2017.

APPROVING A MULTI-YEAR CONTRACT BETWEEN CREIGHTON UNIVERSITY, COLLEGE OF NURSING AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO PROVIDE A CLINICAL SITE FOR BACHELOR OF SCIENCE IN NURSING, MASTER OF SCIENCE IN NURSING, AND DOCTOR OF NURSING PRACTICE STUDENTS.

COMP. PLAN CONFORMANCE 15005 - APPROVING AN AMENDMENT TO THE HAVELOCK REDEVELOPMENT PLAN TO ADD THE "SSH ARCHITECTURE REDEVELOPMENT PROJECT" TO INCLUDE THE CONSTRUCTION OF A NEW APPROXIMATELY 10,800 SQUARE FOOT BUILDING, CONSISTING OF APPROXIMATELY 3,600 SQUARE FEET OF OFFICE SPACE AND APPROXIMATELY 7,200 SQUARE FEET OF RESIDENTIAL SPACE FOR EIGHT 2-BEDROOM APARTMENTS, ON PROPERTY GENERALLY LOCATED AT 6240 BALLARD STREET.

MISCELLANEOUS 15002 - DECLARING THE "VA CAMPUS REDEVELOPMENT AREA" WHICH CONSISTS OF APPROXIMATELY 63.5 ACRES OF LAND AND 20 EXISTING STRUCTURES THEREON, GENERALLY LOCATED AT 600 SOUTH 70TH STREET, INCLUDING THE SOUTH 70TH STREET RIGHT-OF-WAY, AS BLIGHTED AND SUBSTANDARD.

APPROVING THE CONTINUATION OF AN INTERLOCAL AGREEMENT BETWEEN THE NEBRASKA GAME AND PARKS COMMISSION AND LOWER PLATTE SOUTH NRD FOR THE SALINE WETLANDS CONSERVATION PARTNERSHIP.

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

AMENDING CHAPTER 12.08 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKS, GENERAL RULES AND REGULATIONS, BY AMENDING SECTIONS 12.08.010 AND 12.08.270, PROVIDING A DEFINITION OF "FUNDRAISING", AND ADDING THE WOODS PARK TENNIS CENTER TO THE LIST OF FACILITIES WHERE ALCOHOLIC BEVERAGES MAY BE SERVED DURING FUNDRAISING ACTIVITIES - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 12.08 of the Lincoln Municipal Code relating to Parks, General Rules and Regulations, by amending Section 12.08.010 to add a definition for "fundraising activities"; amending Section 12.08.270 to allow alcoholic liquor to be served on the premises of the Woods Park Tennis Center in conjunction with fundraising; and repealing Sections 12.08.010 and 12.08.270 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A FIVE YEAR TERM, WITH THE OPTION OF (3) FIVE YEAR RENEWALS, BETWEEN THE CITY OF LINCOLN AND LEVEL 3 COMMUNICATIONS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Level 3 Communications, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a five year term, with the option of (3) five year renewals, the first time.

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A TWENTY YEAR TERM BETWEEN THE CITY OF LINCOLN AND UNITE PRIVATE NETWORKS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Unite Private Networks, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a twenty year term, the first time.

APPROVING THE LICENSE AGREEMENT FOR PARKING BETWEEN THE CITY OF LINCOLN AND THE OWNERS OF THE RETAIL SPACE UNIT #3 IN THE ACTIVE LIVING CENTER FOR THE USE OF FOUR PARKING SPACES WITHIN THE UNION PLAZA PARKING LOT GENERALLY LOCATED NORTH OF NORTH 21<sup>ST</sup> STREET AND Q STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, accepting and approving the License Agreement between the City of Lincoln, Nebraska and the owners of the Retail Space Unit #3 in the Active Living Center to designate four parking spaces in the Union Plaza parking lot generally located north of North 21<sup>st</sup> Street and q Street for use by Douglas Dittman and Krista Peeks, the first time.

**ADJOURNMENT**

**4:54 P.M.**

CAMP Moved to adjourn the City Council Meeting of June 15, 2015.  
Seconded by Gaylor Baird and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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Teresa J. Meier, City Clerk

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Soulinnee Phan, Office Specialist

