

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 22, 2016 AT 3:00 P.M.**

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

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of August 15, 2016, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPLICATION OF GNS CORP DBA CAPPY'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 165 FEET BY 55 FEET AT LINCOLN RACQUET CLUB AT 5300 OLD CHENEY ROAD ON AUGUST 26, 2016 FROM 10:00 A.M. TO 2:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - John Caporale, 5560 S. 48th Street, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF TP LINCOLN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 200 FEET BY 50 FEET AT YOWIES LODGE AT 800 Q STREET ON AUGUST 27 & 28, 2016 FROM 10:00 A.M. TO 2:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - Kyle Fessler, 3126 Shirley Court, applicant, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF TOP HAT TAVERN, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 59 FEET AT 736 WEST CORNHUSKER HIGHWAY ON AUGUST 27, 2016 FROM 6:00 P.M. TO 1:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - Rachel Rice-Mattson, 736 W. Cornhusker Highway, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO, LLC DBA ZIPLINE BREWING CO FOR A CLASS AB LIQUOR LICENSE AT 5740 HIDCOTE DRIVE, SUITE B;  
MANAGER APPLICATION OF MARCUS A. POWERS FOR ZIPLINE BREWING CO, LLC DBA ZIPLINE BREWING CO AT 5740 HIDCOTE DRIVE, SUITE B - Marcus Powers, 2100 Magnum Circle, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF BJB VENTURES, LLC DBA RABBIT HOLE BAKERY FOR A CLASS C LIQUOR LICENSE AT 800 Q STREET, SUITE 10;  
MANAGER APPLICATION OF BEAU J. BALLARD FOR BJB VENTURES, LLC DBA RABBIT HOLE BAKERY AT 800 Q STREET, SUITE 10 - Beau Ballard, 1503 W. Raymond Road, applicant, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member, asked if Mr. Ballard completed his alcohol class that was scheduled for August 11, 2016.

Mr. Ballard confirmed he has taken his class.

This matter was taken under advisement.

MANAGER APPLICATION OF GENG YE FOR LAM KUAI FANG, LLC DBA PERFECT DINER AT 2855 NORTH 27<sup>TH</sup> STREET - Lin Linling, 1840 Hartley Street, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

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MANAGER APPLICATION OF SENAY GHEBREYOHANNES FOR TEMENAY CORP. DBA MUM'S LIQUOR AT 2202 O STREET - Patrick O'Brien, 811 S. 13th, Attorney, came forward to take the oath and requested approval.

Senay Ghebreyohannes, 1311 C Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATIONS OF YIN FAMILY, LLC DBA HIRO 88, MVPZ AND ME – LINCOLN, LLC DBA BURGERFI, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL'S, THE CLUB AT THE YARD, LLC DBA RULE G, HOME GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM, YARD INVESTMENTS, LLC DBA GATE 25, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON SEPTEMBER 1, 2016 FROM 3:00 P.M. TO MIDNIGHT - Tessa Warner, Business Manager for Railyard Entertainment, 440 N. 8th Street, came forward and requested approval.

Roy Christensen, Council Member, asked if all the businesses at the Railyard with liquor licenses would be participating with this event.

Ms. Warner confirmed one business from the commons area is not listed and will not participate. In the event that business still decides to not be apart of this event, they will have double fencing so alcoholic beverages can not be passed to the street. There will be staff members at the exits that lead to the street to make sure the appropriate establishment cups are going in and out of the SDL area.

Trent Fellers, Council Member, inquired about the business that is not listed on the SDL.

Ms. Warner stated she believed it is Bufallo Wings and Rings.

Mr. Fellers asked if there will still be access to Bufallo Wings and Rings although they are not participating in this event.

Ms. Warner shared Bufallo Wings and Rings will still be able to have patrons in and out of their establishment, but alcohol beverages in their cups will not be allowed to leave the commons area and into the street.

This matter was taken under advisement.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 205 FEET, 440 FEET BY 123 FEET, AND 35 FEET BY 60 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1<sup>ST</sup> STREET ON SEPTEMBER 11, 2016 FROM 7:00 A.M. TO 2:00 A.M. - Christy Harris, 7055 S. 1st Street, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF HOPCAT-LINCOLN, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 42 FEET BY 108 FEET AT 601 P STREET ON SEPTEMBER 3, 10, & 17 AND OCTOBER 1, 15, & 22, 2016 FROM 8:00 A.M. TO 2:00 A.M. - Sean Kelley, 7134 Pacific Street, came forward and requested approval.

Jon Camp, Council Member, asked for clarification on the area that is being requested and if it would effect any part of the street.

Mr. Kelley explained the area to the west of the building adjacent to Olsson and Associates would be blocked off with a chain linked fence and would be further back from the street.

Mr. Camp asked if this would also go into the indoor courtyard

Mr. Kelley stated that would go into the courtyard.

Carl Eskridge, Council Member, asked if the surrounding tenants in the building have been consulted regarding this request.

Mr. Kelley said he believes they have been notified of this request.

This matter was taken under advisement.

APPLICATION OF MIDWEST BBQ VENTURES LINCOLN, LLC DBA FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 25 FEET BY 100 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 259 FEET BY 150 FEET AT GOVERNOR'S MANSION AT 1425 H STREET ON SEPTEMBER 10, 2016 FROM 8:00 A.M. AND 1:00 P.M. - Nick Tarlowski, 2750 Pine Lake, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 30 FEET AT 925 ROBBERS CAVE ROAD ON SEPTEMBER 2, 9, 16, & 30; OCTOBER 21; AND NOVEMBER 11 & 18, 2016 FROM NOON TO 11:59 P.M. - Brian Podwinski, 9322 S. 28th, applicant, came forward and requested approval.

This matter was taken under advisement.

APPROVING AMENDMENT NO. 2 FOR A THREE YEAR EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN WATER SYSTEM AND THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WHICH ALLOWS PRIVATE DEVELOPERS AND LINCOLN WATER SYSTEM TO CONTINUE CONSTRUCTING NEW AND REPLACEMENT DISTRIBUTION WATER MAINS IN ACCORDANCE TO APPROVED STANDARDS - Steve Owen, Public Works and Utilities, came forward and shared that this Agreement allows the Department to construct both replacement and new water mains without seeking approval through the Department of Health and Human Services. Without this approval, each project would have to go to DHHS for approval, which would create extra time and extra expenses.

Leirion Gaylor Baird, Council Chair, confirmed the reason DHHS is comfortable with this Agreement is due to Public Works meeting particular standards and asked for more clarification regarding that.

Mr. Owen confirmed as part of the Agreement, standard plans and specifications have been developed. The City and developers have to follow these standards and specifications when building or replacing water mains. By having those standards in place, DHHS is comfortable with entering into the Agreement.

Cyndi Lamm, Council Member, asked if there were any other changes in this Agreement from the last Agreement.

Mr. Owen stated there were no other changes to the Agreement.

This matter was taken under advisement.

CHANGE OF ZONE 16021 – APPLICATION OF BENNY AND CONNIE DAHLBERG FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 3255 SOUTH 10<sup>TH</sup> STREET - Brian Podwinski, 9322 S. 28th, came forward and requested approval.

Leirion Gaylor Baird, Council Chair, asked if there is a concern switching to I-1 zoning and the property being close to a residential neighborhood.

David Cary, Planning Department Director, came forward and explained, to a degree, this is a clean up item due to some split zoning. The property to the north and the west are also zoned as I-1 and this would provide consistency in this area. The residential neighborhoods that surround this area are a sufficient distance away from the property that there would not be any issues.

This matter was taken under advisement.

TEXT AMENDMENT 16007 – AMENDING SECTIONS 27.02.030, 27.02.040, 27.02.080, 27.02.090, 27.02.140, 27.02.160, 27.02.170, 27.02.220, 27.06.060, 27.06.090, AND 27.06.170; CHAPTER 27.28; SECTIONS 27.28.020, 27.60.060, 27.61.090, 27.62.030, 27.62.040, 27.63.430, 27.63.590, 27.65.020, 27.65.060, 27.65.075, 27.67.030, AND 27.67.040; FIGURES 27.67.020 AND 27.67.040; SECTIONS 27.69.035, 27.72.080, AND 27.72.190, ADDING A NEW SECTION 27.63.065, AND REPEALING SECTIONS 21.52.010, 27.63.430, AND 27.63.590 OF THE LINCOLN MUNICIPAL CODE, TO AMEND DEFINITIONS, PARKING REGULATIONS, HEIGHT AND LOT REGULATIONS, AND SPECIAL PERMIT REGULATIONS FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING UNCLEAR TERMS AND CONCEPTS, STREAMLINING APPROVAL PROCESSES FOR CITY STAFF AND THE PUBLIC, AND ELIMINATING BURDENSOME REQUIREMENTS - David Cary, Planning Department Director, came forward and stated a briefing with the Council had taken place last week. This is mostly a clean up item, and these changes have been building up over a number of years. A comprehensive package was presented so Council can act on everything at one time.

This matter was taken under advisement.

TEXT AMENDMENT 16008 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY AMENDING SECTION 27.020.080 TO REVISE THE DEFINITION OF GARAGE, PRIVATE; BY AMENDING SECTION 27.72.120 TO PROVIDE A MAXIMUM HEIGHT OF 15 FEET FOR ACCESSORY BUILDINGS NOT PART OF A MAIN BUILDING WHICH EXTEND INTO THE REQUIRED SIDE YARD IN THE LISTED ZONING DISTRICTS, AND TO ESTABLISH THE MAXIMUM ALLOWABLE AREA FOR ACCESSORY BUILDINGS ON SINGLE-FAMILY OR 2-FAMILY LOTS OR TRACTS IN THE AG, AGR, AND R-1 TO R-8 ZONING DISTRICTS - David Cary, Planning Department Director, came forward and shared a briefing with the Council regarding this item took place last week. There was an extensive process to come up with this proposal. There was a working group, they also reached out to the Neighborhood Roundtable Committee, and placed this item on the website to allow for questions and comments. This request is for accessory buildings on residential lots.

Walt Broer, 2455 W. Van Dorn, came forward in favor.

This matter was taken under advisement.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND STEVEN L. CARPER AND GAYLE E. CARPER FOR THE LEASE OF PROPERTY GENERALLY LOCATED AT 139 NORTH 18<sup>TH</sup> STREET FOR A TWO YEAR TERM - David Landis, Urban Development Director, came forward and said this request involves a parking lot on the corner of 18th and P Street. The City owns a portion of the parking lot. When the Department performed a Surplus Property Agenda, they discovered the City owns 8 parking spots within the land and has owned it for a while. There is value to the land, and the City has asked Mr. and Mrs. Carper to share in the value of the land, rather than the City taking the land, or

surrendering the land. The parking lot was analyzed, the City calculated the amount of revenue for a year and divided that amount in half. Mr. and Mrs. Carper will take care of the maintenance, pay the taxes, and pay for the use of the land. In return, the City will continue to let them use the land receive the benefit of splitting the costs. This Agreement is in effect for two years with an option to renew for another two years and, following that, another two years. The renewal is only based on the Carpers options, not the City's. There is an escape clause that states if there is a redevelopment project in the area that involves the land then the Agreement could change.

Cyndi Lamm, Council Member, inquired about the renewal terms.

Mr. Landis confirmed the renewal option is for two years, but the rent year is one of those years. There will be two years at \$1,600.00, and two years at \$1,760.00. Discussion followed.

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 AUGUST 8, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

### LIQUOR RESOLUTIONS

APPLICATION OF GNS CORP DBA CAPPY'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 165 FEET BY 55 FEET AT LINCOLN RACQUET CLUB AT 5300 OLD CHENEY ROAD ON AUGUST 26, 2016 FROM 10:00 A.M. TO 2:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89932 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 GNS Corp dba Cappy's for a special designated license to cover an outdoor area measuring approximately 165 feet by 55 feet at Lincoln Racquet Club at 5300 Old Cheney Road, Lincoln, Nebraska, on August 26, 2016, between the hours of 10:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF D & S OPERATIONS DBA CIGARZ LOUNGE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 130 FEET BY 20 FEET AND 100 FEET BY 200 FEET AT CIGARZ LOUNGE/YOWIES STREET/Q STREET AT 800 Q STREET ON AUGUST 27 & 28, 2016 FROM 10:00 A.M. TO 2:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) (APPLICANT HAS WITHDRAWN THEIR APPLICATION) - PRIOR to reading:

CAMP Moved to Withdraw the application.

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

The resolution, having been **WITHDRAWN**, was assigned the File #38-4671 & was placed on file in the Office of the City Clerk.

APPLICATION OF TP LINCOLN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 200 FEET BY 50 FEET AT YOWIES LODGE AT 800 Q STREET ON AUGUST 27 & 28, 2016 FROM 10:00 A.M. TO 2:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89933 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 TP Lincoln for a special designated license to cover an outdoor area measuring

approximately 200 feet by 50 feet at Yowies Lodge at 800 Q Street, Lincoln, Nebraska, on August 27 & 28, 2016, between the hours of 10:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF TOP HAT TAVERN, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 40 FEET BY 59 FEET AT 736 WEST CORNHUSKER HIGHWAY ON AUGUST 27, 2016 FROM 6:00 P.M. TO 1:00 A.M. (8/15/16 - PUBLIC HEARING & ACTION CONT'D TO 8/22/16) - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89934 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 Top Hat Tavern, LLC for a special designated license to cover an outdoor area measuring approximately 40 feet by 59 feet at 736 West Cornhusker Highway, Lincoln, Nebraska, on August 27, 2016, between the hours of 6:00 p.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF ZIPLINE BREWING CO, LLC DBA ZIPLINE BREWING CO FOR A CLASS AB LIQUOR LICENSE AT 5740 HIDCOTE DRIVE, SUITE B - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89935 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 Zipline Brewing Co, LLC dba Zipline Brewing Co for a Class AAB@ liquor license at 5740 Hidcote Drive, Suite B, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF MARCUS A. POWERS FOR ZIPLINE BREWING CO, LLC DBA ZIPLINE BREWING CO AT 5740 HIDCOTE DRIVE, SUITE B - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89936 WHEREAS, Zipline Brewing Co, LLC dba Zipline Brewing Co located at 5740 Hidcote Drive, Suite B, Lincoln, Nebraska has been approved for a Retail Class "AB" liquor license, and now requests that Marcus A. Powers be named manager;

WHEREAS, Marcus A. Powers 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 Marcus A. Powers be approved as manager of this business for said licensee.

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

APPLICATION OF BJB VENTURES, LLC DBA RABBIT HOLE BAKERY FOR A CLASS C LIQUOR LICENSE AT 800 Q STREET, SUITE 10 - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89937 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 BJB Ventures, LLC dba Rabbit Hole Bakery for a Class AC@ liquor license at 800 Q Street, Suite 10, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
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.

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

MANAGER APPLICATION OF BEAU J. BALLARD FOR BJB VENTURES, LLC DBA RABBIT HOLE BAKERY AT 800 Q STREET, SUITE 10 - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89938 WHEREAS, BJB Ventures, LLC dba Rabbit Hole Bakery located at 800 Q Street, Suite 10, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Beau J. Ballard be named manager;

WHEREAS, Beau J. Ballard 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 Beau J. Ballard be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF GENG YE FOR LAM KUAI FANG, LLC DBA PERFECT DINER AT 2855 NORTH 27<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89939 WHEREAS, Lam Kuai Fang, LLC dba Perfect Diner located at 2855 North 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Geng Ye be named manager;

WHEREAS, Geng Ye 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 Geng Ye be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF SENAY GHEBREYOHANNES FOR TEMENAY CORP. DBA MUM'S LIQUOR AT 2202 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89940 WHEREAS, Temenay Corp. dba Mum's Liquor located at 2202 O Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Senay Ghebreyohannes be named manager;

WHEREAS, Senay Ghebreyohannes 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 Senay Ghebreyohannes be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATIONS OF YIN FAMILY, LLC DBA HIRO 88, MVPZ AND ME – LINCOLN, LLC DBA BURGERFI, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL’S, THE CLUB AT THE YARD, LLC DBA RULE G, HOME GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM, YARD INVESTMENTS, LLC DBA GATE 25, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 300/350 CANOPY STREET ON SEPTEMBER 1, 2016 FROM 3:00 P.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89941 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 applications of Yin Family, LLC dba Hiro 88, MVPZ AND ME-Lincoln, LLC dba BurgerFi, Breezy Island, LLC dba Breezy Island, The Bar at the Yard, LLC dba Longwell’s, The Club at the Yard, LLC dba Rule G, Home Grown Industries of Lincoln, LLC dba Mellow Mushroom, Yard Investments, LLC dba Gate 25, and Astra Vega, LLC dba Vega for a special designated license to cover an outdoor area in the Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on September 1, 2016, between the hours of 3:00 p.m. and midnight, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 205 FEET, 440 FEET BY 123 FEET, AND 35 FEET BY 60 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1<sup>ST</sup> STREET ON SEPTEMBER 11, 2016 FROM 7:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89942 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 Omaha Exposition & Racing for a special designated license to cover an outdoor area measuring approximately 55 feet by 205 feet, 440 feet by 123 feet, and 35 feet by 60 feet at the Lincoln Race Course at 7055 South 1st Street, Lincoln, Nebraska, on September 11, 2016, between the hours of 7:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF HOPCAT-LINCOLN, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 42 FEET BY 108 FEET AT 601 P STREET ON SEPTEMBER 3, 10, & 17 AND OCTOBER 1, 15, & 22, 2016 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

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A-89943

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 Hopcat-Lincoln, LLC for a special designated license to cover an outdoor area measuring approximately 42 feet by 108 feet at 601 P Street, Lincoln, Nebraska, on September 3, 10, & 17 and October 1, 15, & 22, 2016, between the hours of 8:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF MIDWEST BBQ VENTURES LINCOLN, LLC DBA FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 25 FEET BY 100 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 259 FEET BY 150 FEET AT GOVERNOR'S MANSION AT 1425 H STREET ON SEPTEMBER 10, 2016 FROM 8:00 A.M. AND 1:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89944

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 Midwest BBQ Ventures Lincoln, LLC dba Famous Dave's for a special designated license to cover an indoor area measuring approximately 25 feet by 100 feet and an outdoor area measuring approximately 259 feet by 150 feet at Governor's Mansion at 1425 H Street, Lincoln, Nebraska, on September 10, 2016, between the hours of 8:00 a.m. and 1:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 30 FEET BY 30 FEET AT 925 ROBBERS CAVE ROAD ON SEPTEMBER 2, 9, 16, & 30; OCTOBER 21; AND NOVEMBER 11 & 18, 2016 FROM NOON TO 11:59 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved it adoption for approval:

A-89945

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 Blue Blood Brewing Company, Inc. for a special designated license to cover an outdoor area measuring approximately 30 feet by 30 feet at 925 Robbers Cave Road, Lincoln, Nebraska, on September 2, 9, 16 & 30; October 21; and November 11 & 18, 2016, between the hours of noon and 11:59 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

**PUBLIC HEARING - RESOLUTIONS**

APPROVING AMENDMENT NO. 2 FOR A THREE YEAR EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN WATER SYSTEM AND THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WHICH ALLOWS PRIVATE DEVELOPERS AND LINCOLN WATER SYSTEM TO CONTINUE CONSTRUCTING NEW AND REPLACEMENT DISTRIBUTION WATER MAINS IN ACCORDANCE TO APPROVED STANDARDS - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89946 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Amendment No. 2 to an Agreement between the City of Lincoln, on behalf of the Lincoln Water System, and the Nebraska Department of Health and Human Services for an additional three (3) year extension of the Agreement which allows private developers and the Lincoln Water System to continue constructing new and replacement distribution water mains, in accordance with the terms and conditions as set forth in said Amendment No. 2, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jane Raybould

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

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

CHANGE OF ZONE 16021 – APPLICATION OF BENNY AND CONNIE DAHLBERG FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 3255 SOUTH 10<sup>TH</sup> STREET - CLERK read an ordinance, introduced by Jane Raybould, an ordinance 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.

TEXT AMENDMENT 16007 – AMENDING SECTIONS 27.02.030, 27.02.040, 27.02.080, 27.02.090, 27.02.140, 27.02.160, 27.02.170, 27.02.220, 27.06.060, 27.06.090, AND 27.06.170; CHAPTER 27.28; SECTIONS 27.28.020, 27.60.060, 27.61.090, 27.62.030, 27.62.040, 27.63.430, 27.63.590, 27.65.020, 27.65.060, 27.65.075, 27.67.030, AND 27.67.040; FIGURES 27.67.020 AND 27.67.040; SECTIONS 27.69.035, 27.72.080, AND 27.72.190, ADDING A NEW SECTION 27.63.065, AND REPEALING SECTIONS 21.52.010, 27.63.430, AND 27.63.590 OF THE LINCOLN MUNICIPAL CODE, TO AMEND DEFINITIONS, PARKING REGULATIONS, HEIGHT AND LOT REGULATIONS, AND SPECIAL PERMIT REGULATIONS FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING UNCLEAR TERMS AND CONCEPTS, STREAMLINING APPROVAL PROCESSES FOR CITY STAFF AND THE PUBLIC, AND ELIMINATING BURDENSOME REQUIREMENTS - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending Title 21 of the Lincoln Municipal Code relating to Housing by repealing Section 21.52.010 to eliminate an obsolete provision prohibiting housing in a frame or veneer building above the second story; amending Title 27 of the Lincoln Municipal Code (“Zoning Code”) by amending Section 27.02.030 defining terms beginning with the letter B to remove the definition of Boarding House and to revise the definition of Buildings, Height of; by amending Section 27.02.040 defining terms beginning with the letter C to revise the definitions of Campsite and Clubs and to add a definition for Church; by amending Section 27.02.080 defining terms beginning with the letter G to revise the definitions of Garden Center, Grade and Greenhouses; by amending Section 27.02.090 defining terms beginning with the letter H to revise the definition of Health Care Facility, Residential; by amending Section 27.02.140 defining terms beginning with the letter M to revise the definition of Mini-warehouse; by amending Section 27.02.160 defining terms beginning with the letter O to revise the definitions of Outdoor Dining; by amending Section 27.02.170 defining terms beginning with the letter P to add definition of Place of Religious Assembly; by amending Section 27.02.220 defining terms beginning with the letter U to revise the definition of Urban Garden; by amending Section 27.06.060 to remove Greenhouses from the Agriculture Use Group; by amending Section 27.06.090 to delete Broadcast Stations as a special permitted use in the AG District and to re-designate Broadcast Stations as a permitted use rather than permitted special use in the H-4 District under the Utilities Use Group; by amending Section 27.06.170 to eliminate Temporary Storage of Construction Equipment and Materials as a common use type within the Heavy Commercial Services Use Group Table; by amending Chapter 27.28 to add an introductory statement at the beginning of the R-T District to state that the R-T zoning district is envisioned as a transition area consisting primarily of office and other types of small scale commercial uses in close proximity to residential use; by amending Section 27.28.020 to clarify that the R-T zoning district is a commercial district; by amending Section 27.60.060 to allow the Planning Director to approve an amendment to a Planned Unit Development District granting a height increase up to five feet for single-family or two-family dwellings; by amending Section 27.61.090 to automatically adjust the setback when the City obtains property for right-of-way and to automatically adjust the maximum building height for existing buildings built prior to the adoption of this ordinance to reflect their existing height under the new definition when the revised definitions of building, height of and grade cause the building to exceed the applicable district maximum height allowed; by amending Section 27.62.030 to remove Greenhouses as a conditional use type under the Agriculture Use

Group and to modify the districts Urban Gardens are allowed in as a conditional use; by amending Section 27.62.040 to delete the note providing that if the dwellings do not qualify as a conditional use the dwelling use may be allowed by special permit; by adding a new section 27.63.065 to allow by special permit more than one platted lot or irregular tract under common ownership or under combined ownership of the Permittees under a special permit, separated by a street to be used as a single premises provided at least 50 percent of the street frontage of the platted lots or irregular tracts on each side of the street are directly opposite of each other; by repealing Sections 27.63.430 and 27.63.590 to eliminate Greenhouses and Temporary Storage of Construction Equipment and Material as special permitted uses; by amending Section 27.65.020 to clarify that in a Community Unit Plan the allowed dwelling unit bonuses shall not exceed a cumulative total of twenty percent; by amending Section 27.65.060 to allow the Planning Director to approve an amendment to increase the maximum building height of single and two-family dwellings in a Community Unit Plan up to 5 feet; by amending Section 27.65.075 to revise provisions for the Acreage Development Component in Community Unit Plans for Build Through Acreages and to adopt a preferred plan for the Acreage Development Component; by amending Section 27.67.030 to add under the general conditions for parking that no parking space is required for outside open use areas; by amending Section 27.67.040 to modify the special parking requirements for mini-warehouses, domestic shelters, restaurants in the B-1 and B-3 Districts, and joint parking in the B-5 District, to eliminate the special parking requirement for doctors' and dentists' offices and to add special parking requirements for guest parking associated with small width lots for two-family or attached single family dwellings under a CUP, PUD or Use Permit; by amending Figure 27.67.020 (Parking Matrix ) to reduce the required parking ratios from 4.5 stalls/1,000 sq. ft. to 1 stall/300 sq. ft. for office, retail and commercial uses in a B-5 District and to clarify that parking for accessory buildings for retail sales is not required to be provided, when the accessory buildings are not fully enclosed; by amending Figure 27.67.040 to delete dentists' offices and doctors' offices and to add accessory buildings for retail and guest parking for single and two-family dwellings as uses with Special Parking Requirements; by amending Section 27.69.035 to provide that the only required setback for off premises signs from residential districts is 150 feet; by amending Section 27.72.080 to modify the existing exception to the Front Yard Requirements requiring a greater front yard setback in all zoning districts except the R-1, O-3, B-2, B-5, H-4, and I-3 districts where 40% or more of the frontage in the same zoning district is developed with two or more main buildings that have a greater frontage and setback than required and to adopt a new exception for the R-1 Zoning District; by amending Sections 27.06.020, 27.06.100, 27.51.060, 27.62.070, 27.62.110, 27.62.120, 27.62.150, 27.63.170, 27.63.220, 27.63.470, 27.63.610, 27.63.680, 27.63.685, 27.63.730, 27.67.040, 27.67.040, 27.69.090, 27.72.110, the introductory statement in Chapters 27.11, 27.13, 27.17, 27.19, 27.21, 27.23, 27.24, and Figure 27.67.040 to change references to Church to Place of Religious Assembly; by amending Section 27.72.190 to provided that the Planning Director may make minor modifications to the maximum height regulations; by amending Section 27.81.030 to delete language referring to illustrations as illustrations are no longer in the Zoning Code; and repealing Sections 21.52.010, 27.02.030, 27.02.040, 27.02.080, 27.02.090, 27.02.140, 27.02.160, 27.02.170, 27.02.220, 27.06.020, 27.06.060, 27.06.090, 27.06.100, 27.06.170, 27.28.020, 27.51.060, 27.60.060, 27.62.030, 27.62.040, 27.62.070, 27.62.110, 27.62.120, 27.62.150, 27.63.170, 27.63.220, 27.63.470, 27.63.610, 27.63.680, 27.63.685, 27.63.730, 27.65.020, 27.65.060, 27.65.075, 27.67.030, 27.67.040, 27.69.035, 27.69.090, 27.72.080, 27.72.110, 27.72.190, 27.81.030, Figure 27.67.020, and Figure 27.67.040 as hitherto existing, the second time.

TEXT AMENDMENT 16008 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY AMENDING SECTION 27.020.080 TO REVISE THE DEFINITION OF GARAGE, PRIVATE; BY AMENDING SECTION 27.72.120 TO PROVIDE A MAXIMUM HEIGHT OF 15 FEET FOR ACCESSORY BUILDINGS NOT PART OF A MAIN BUILDING WHICH EXTEND INTO THE REQUIRED SIDE YARD IN THE LISTED ZONING DISTRICTS, AND TO ESTABLISH THE MAXIMUM ALLOWABLE AREA FOR ACCESSORY BUILDINGS ON SINGLE-FAMILY OR 2-FAMILY LOTS OR TRACTS IN THE AG, AGR, AND R-1 TO R-8 ZONING DISTRICTS - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending Title 27 of the Lincoln Municipal Code ("Zoning Code") by amending Section 27.02.080 defining terms beginning with the letter G to revise the definition of Garage, Private; by amending Section 27.72.120 to provide a maximum height of 15 feet for accessory buildings not part of a main building which extend into the required side yard in the listed zoning districts, and to establish the maximum allowable area for accessory buildings on single family or two family lots or tracts in the AG, AGR, and R-1 to R-8 Zoning districts and repealing Sections 27.02.080 and 27.72.120 as hitherto existing, the second time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND STEVEN L. CARPER AND GAYLE E. CARPER FOR THE LEASE OF PROPERTY GENERALLY LOCATED AT 139 NORTH 18<sup>TH</sup> STREET FOR A TWO YEAR TERM - CLERK read an ordinance, introduced by Jane Raybould, an ordinance accepting and approving a Lease Agreement between the City of Lincoln, Nebraska and Steven L. Carper and Gayle E. Carper for the lease of City owned property generally located at 139 North 18th Street for a two year term (9/1/2016-8/31/2018) with the option to renew for two addition two year terms, the second time.

**ORDINANCES - 3<sup>rd</sup> READING & RELATED RESOLUTIONS**

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "X" TO BE EFFECTIVE AUGUST 11, 2016 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X", and repealing Ordinance No. 20224, passed by the City Council on August 10, 2015, the third time.

ESKRIDGE Moved to pass the 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 **#20366**, is recorded in Ordinance Book 31.

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY ADJUSTING THE PAY RANGE SCHEDULES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES PREFIXED BY THE LETTER "E" TO BE EFFECTIVE AUGUST 11, 2016 - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E", and repealing Ordinance No. 20225, passed by the City Council on August 10, 2015, the third time.

ESKRIDGE Moved to pass the 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 **#20367**, is recorded in Ordinance Book 31.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE TO ADD LANGUAGE FOR THE NEW UNREPRESENTED "W" GROUP - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 2.76 of the Lincoln Municipal Code relating to Personnel System by amending Sections 2.76.040, 2.76.130, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.370, 2.76.380, 2.76.385, 2.76.395, and 2.76.450 and repealing Sections 2.76.040, 2.76.130, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.370, 2.76.380, 2.76.385, 2.76.395, and 2.76.450 as hitherto existing, the third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.  
The ordinance, being numbered **#20368**, is recorded in Ordinance Book 31.

ORDINANCE CREATING A PAY PLAN FOR EMPLOYEES IN A PAY RANGE PREFIXED BY "W" - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "W", in accordance with Section 2.76.120 of the Lincoln Municipal Code, the third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.  
The ordinance, being numbered **#20369**, is recorded in Ordinance Book 31.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "W" TO DELETE THE CLASSIFICATIONS OF "EMPLOYMENT MANAGER", "PUBLIC UTILITIES ADMINISTRATOR", "PUBLIC UTILITIES COORDINATOR", "ANTELOPE VALLEY PROJECT MANAGER", "TRAFFIC ENGINEER", AND "ASSISTANT PLANNING DIRECTOR" - CLERK read an ordinance, introduced by Carl Eskridge, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by the letter "W", by deleting the job classification of "Employment Manager", "Public Utilities Administrator", "Public Utilities Coordinator", "Antelope Valley Project Manager", "Traffic Engineer", and "Assistant Planning Director", the third time.

ESKRIDGE Moved to pass the 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 **#20370**, is recorded in Ordinance Book 31.

**RESOLUTION - FOR ACTION ONLY**

APPROVING THE ONE AND SIX YEAR STREET AND HIGHWAY PROGRAM, THE 2016-2018 CITY OF LINCOLN BIENNIAL BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2016-2018. (ACTION DATE: 8/22/16) - PRIOR to reading:

CAMP Moved a 2 part motion: 1) Take those firefighters/paramedics out of the budget and 2) the funds would go into a Contingency Fund and any further action would require Council Action.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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CHRISTENSEN Offered a friendly amendment to keep the authorization in the budget instead of removing them, but still put the money in the Contingency Fund - Camp did not accept the friendly amendment.

CAMP Moved to put the excess property tax revenue we receive into the General Fund to be transferred to Building and Safety and to amend paragraphs 19, 20 & 21, accordingly.

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

CAMP Moved to Amend the second year of the Biennium to apply second year of property tax excess and apply it to the Emerald ash Borer.

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

GAYLOR BAIRD Moved to Amend to accept a compromise budget - No second.

CLERK Read the following resolution, introduced by Trent Fellers, who moved it adoption as amended:

A -89947 WHEREAS, under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the proposed biennial budget for the City of Lincoln was submitted on July 18, 2016; and

WHEREAS, under the provisions of Section 26 of Article IX and Chapter 3.06 of the Lincoln Municipal Code of the City Charter, a public hearing on the proposed budget was held on August 8, 2016 notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing; and

WHEREAS, all necessary changes have been made as to revenue estimates and appropriation items.

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

1. That pursuant to the provisions of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the fiscal years beginning September 1, 2016 and September 1, 2017, a copy of which is hereto attached and made a part of this resolution as fully as if set forth verbatim herein, is hereby adopted, and the several sums therein set forth to be raised by the levy of a tax upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, the estimated balances on hand, the miscellaneous receipts and all other funds and receipts are hereby appropriated for the several purposes therein stated. That all money received in any of the aforesaid funds in excess of the estimated balances and receipts set forth in said budget shall be credited to the unappropriated surplus of such funds.

2. That the City Council, by adoption of the Capital Improvement Program (CIP) on Schedule 5 of this resolution, hereby authorizes the acquisition of all necessary right-of-way, easements, or other interest in land, by purchase if possible, by condemnation if necessary, for those projects included within the first two years of said CIP.

3. Pursuant to Section 2 of L.B. 989 passed by the Second Session of the Ninety-Fifth Legislature, the City is authorized to increase budgeted restricted funds by the basic allowable growth percentage of the base (2.5%) and allowable growth due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation and any personal property valuation over the prior year above 2.5% expressed in dollars and to utilize other lid exemptions authorized in L.B. 989. Such increase is hereby authorized to the extent necessary to generate the revenues to fund the budget, and any unused restricted funds authority is hereby authorized to be carried forward to future budget years.

4. Upon affirmative vote by more than 75% of the City Council restricted funds for Fiscal Years 2016-17 and 2017-18 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Stat. Section 13-519.

5. There is hereby appropriated all money now credited or which will be credited to any Internal Service Fund, Pension Trust Fund, Permanent Fund, Agency Fund and Enterprise Fund, now or heretofore created, notwithstanding any sum limitations set forth in the budget attached hereto.

6. There is hereby appropriated all money now credited or which will be credited to the following Special Revenue Funds notwithstanding any sum limitation set forth in the budget attached hereto: Lincoln Bike Share Fund, Responsible Beverage Server/Seller Fund, Parks and Recreation Maintenance and Repair Fund, Fast Forward Fund, Parks and Recreation Special Projects Fund, Commission On Aging Gift Trust Fund, Charles Gere Library Fund, and Lillian Polley Trust, Building and Safety Fund, Cable Access Television Fund, Disaster Recovery Fund, Impact Fees Fund, Social Security Fund, Snow Removal Fund, Title V Clean Air Fund, Unemployment Compensation Fund, Advance Acquisition Fund as provide in Article IXB, Section 12 of the City Charter, 911 Communication Fund, Tax Sale Revolving Fund, Helen Boosalis Icons of the City Trust Fund, and Development Services Center Fund.

7. There is hereby appropriated all money received or to be received from the County of Lancaster, the State of Nebraska, or the United States, as well as from any grants, earnings from endowment funds, donations, or contributions received for public purposes and the interest earned thereon, notwithstanding any sum limitations set forth in the budget attached hereto.

8. There is hereby appropriated all money received from the interest income on the investments of all authorized bond issue proceeds including bond anticipation notes for the purposes for which said bonds and notes have been authorized to be issued, notwithstanding any sum limitations set forth in the budget attached hereto.

9. There is hereby appropriated all money now credited or which will be credited to the Vehicle Tax Construction Fund created by Section 3.20.220 of the L.M.C. (Vehicle Tax for street improvements) notwithstanding any sum limitation set forth in the budget attached hereto.

10. All receipts for on-street parking meter collections are pledged toward the payment of bonds assigned for payment from the Parking Revenue Fund. Parking meter receipts in excess of those required to meet provisions of the bond covenants shall be credited to the General Fund up to the amounts budgeted. Any on-street parking meter monies transferred to the General Fund during the biennium, appropriated for Contingency expenditures, and not used for Contingency purposes will be returned to the Parking Revenue Fund at the end of the biennium up to \$800,000.

11. There is hereby appropriated all money now credited or which will be credited to the Parking Lots and JPA Garages Fund to be used for debt service, designing, acquiring, constructing, maintaining, repairing, regulating, supervising, and policing of City owned parking lots and facilities in accordance with L.M.C. Chapter 10.34 and Chapter 10.36, notwithstanding any sum limitations set forth in the budget attached hereto.

12. There is hereby appropriated to the Street Construction Fund all monies received as the City's share of the Highway Allocation Fund and the Grade Crossing Protection Fund, together with any other Federal, State, and County funds, received for street construction purposes, any reimbursements and matching funds, including Federal Road Funds, all of which monies are hereby appropriated and reappropriated for all purposes as authorized by State laws pertaining to such funds, notwithstanding any sum limitations set forth in the budget attached hereto.

13. There is hereby appropriated in the Special Assessment Revolving Fund all monies in said fund for expenditures as authorized by Article VIII of the City Charter, Section 10a and all money received to the credit of the Special Assessment Revolving Fund including bond proceeds, grants, donations, special assessment collections, and City participation deemed necessary by the City Council, notwithstanding any sum limitations set forth in the budget attached hereto.

14. There is hereby appropriated all money credited to General Fund/Traffic Operations (79200) and Street Construction Fund/Streets/Highways (79140) that is received as reimbursement from Public Works/Utilities capital projects for staff time and materials used in connection with the said projects.

15. There is hereby appropriated all money now credited or which will be credited to the Arbitrage Rebate Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

16. There is hereby appropriated KENO proceeds for mandated payments, and 1% for administrative fees.

17. There is hereby appropriated KENO proceeds received in prior fiscal years in excess of revenue projections for those years.

18. There is hereby appropriated all monies now credited or which will be credited to the Community Improvement Financing Fund and all Tax Allocation Bond Debt Service funds, notwithstanding any sum limitations set forth in the budget attached hereto.

19. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

YEAR 1	2016-17	2016-17	2016-17
	Appropriated	Total Tax As	Per \$100
	<u>Amount-90%</u>	<u>Levied-100%</u>	<u>Market Value</u>
General	\$33,542,787	\$37,269,763	0.19835
Library	7,546,400	8,384,889	0.04463
Social Security	2,685,892	2,984,324	0.01588
Police & Fire Pension	6,825,310	7,583,678	0.04036
Unemployment Comp.	45,425	50,472	0.00027
Bond Interest & Redemption	<u>5,777,894</u>	<u>6,419,883</u>	<u>0.03417</u>
Total Levy	56,423,708	62,693,009	0.33366

20. For the 2016-17 and 2017-18 Fiscal Years the Finance Director is hereby authorized to adjust property tax revenue amounts, final levies by fund and appropriated balances for funds that receive property tax revenue based on final certified property valuations received from the County Assessor within the authorized expenditure limitations on the attached schedules and the tax rate of 0.33366 per \$100 of assessed valuation.

21. Per Lincoln Municipal Code 3.06.070 the Council shall meet after August 20th in the first year of the biennial period to set the property tax rate for the second year by resolution. The resolution shall set a property tax rate sufficient to ensure the biennial budget is balanced for the second year. It is hereby estimated that the amount levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

YEAR 2	2017-18	2017-18	2017-18
	Appropriated	Total Tax As	Per \$100
	<u>Amount-90%</u>	<u>Levied-100%</u>	<u>Market Value</u>
General	\$34,635,472	\$38,483,858	0.20119
Library	7,633,113	8,481,237	0.04434
Social Security	2,695,866	2,995,407	0.01566
Police & Fire Pension	6,777,686	7,530,762	0.03937
Unemployment Comp	45,832	50,924	0.00027
Bond Interest & Redemption	<u>5,651,365</u>	<u>6,279,294</u>	<u>0.03283</u>
Total Levy	57,439,334	63,821,482	0.33366

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22. There is hereby authorized the transfer to the appropriate reserve accounts of all encumbrances, including accrued payroll, for the fiscal years ending August 31, 2016 and August 31, 2017, together with any monies previously so reserved.

23. All previous capital appropriations are hereby continued and reappropriated pursuant to Section 27 of Article IX of the Charter of the City of Lincoln, except the unexpended balance remaining in any fully completed project shall be credited to the unappropriated surplus in the fund from which such project was funded.

24. There is hereby designated and appropriated General Fund cash balances to pay operation and maintenance expenses for solid waste management in an amount sufficient to produce net revenues equal to 110% of the annual debt service due and payable in such fiscal year on the Solid Waste Management Revenue Bonds outstanding debt, if and to the extent the net revenues in such fiscal year are less than 125% of the annual debt service due and payable in such fiscal year and to the extent that such General Fund cash balances are available.

25. Per resolution A-82134 passed by the City Council on June 9, 2003 establishing an unreserved fund balance policy for the City, the General Fund unreserved fund balance as of the last audited financial statements as of August 31, 2015 was \$41,935,511. This August 31, 2015 unreserved balance is 27.2% of the General Fund budget for 2016-17 of \$154,029,257 included in this resolution. The August 31, 2015 unreserved balance was 7.2% more than the 20% goal for such balance set by Resolution A-82134.

26. That the appropriations and cash (where necessary) for the following items be transferred effective August 31, 2016 up to the following amounts:

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
From: 18002.5856	General Exp./City Share of Downtown Maint.	\$28,811
To: 413536.6137	Urban Dev./Downtown St. Tree Replace. (13001.9234 also)	\$28,811

27. The Finance Director is hereby directed to transfer unencumbered appropriations and cash (where necessary) from the budget for the biennium beginning September 1, 2014 in 18002.5070 (General Expense/Future Labor Settlements) in amounts proportionate to each department's share of the total settlement at such time as contracts are signed with labor unions. Any surplus funds remaining after contracts are signed and amounts are distributed to department's budgets up to \$500,000 shall be transferred to the Cash Reserve Fund.

28. The Finance Director is hereby directed to limit the revenue appropriated in the General Fund to cover administrative costs from the 1% TIF Administrative Fee to \$200,000 for 2016-18. Revenue in excess of \$200,000 is hereby appropriated to General Fund/Urban Development/Admin./Misc. Contractual (13001.5621) for problem properties and any funds remaining August 31, 2018 will be reappropriated to the following fiscal year's budget and any subsequent fiscal year.

29. The Finance Director is hereby directed to utilize parking meter revenue appropriated for General Fund/Contingency only, if necessary, after Contingency appropriations from General Fund (\$365,000 Year 1/\$365,000 Year 2) have been expended.

30. The Finance Director is hereby authorized to transfer to the Lincoln Parks & Recreation Foundation, pursuant to an agreement with said Foundation, up to the following balances plus accrued interest or other revenues as of August 31, 2016:

From: 413333.5621 "N" Street Bikeway	\$250,000
To: Lincoln Parks Foundation "N" Street Bikeway Endowment	\$250,000

31. There is hereby designated any amounts received from any Telecommunication Occupation Tax audit adjustments or other audits made in the 2016-18 biennium. Such amounts shall be deposited in the Cash Reserve Trust Fund unless otherwise designated by a settlement agreement. There is hereby appropriated all money now credited or which will be credited to the Cash Reserve Fund.

32. Donations and TIF funds received for the Entryway Project are hereby appropriated for debt service payments on Entryway Corridor Debt (18040).

33. That the following unexpended appropriations are reappropriated effective August 31, 2016 up to the following amounts:

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
01001.5989	City Council/Misc. Other Serv. & Charges	\$446
0401b.5628	Police/Mgmt./Consultant Serv.	\$15,299
0402b.5420	Police/Support/Minor Equipment	\$18,236
0402b.5421	Police/Support/Safety Equipment	\$27,836
0402b.5633	Police/Support/Software	\$72,007
0402b.5728	Police/Support/Schools & Conf.	\$5,700
0402b.5859	Police/Support/Equip. Maint. Contract	\$57,795
0402b.5861	Police/Supprt/Furniture & Fixture Repair	\$24,614
0402b.5952	Police/Support/Advertising/Media Service	\$62,769
0402b.6062	Police/Support/Audio-Visual Equip.	\$33,499
0402b.6069	Police/Support/DP Equipment	\$50,931
0402b.6076	Police/Support/Misc. Equipment	\$116,885
0403b.5644	Police/Operations/Furniture & Fixtures	\$146,212
0403b.5859	Police/Operations/ Equip. Maint. Contract	\$59,419
0403b.5865	Police/Operations/ Minor Bldg. & Grounds Imp.	\$12,500
0403b.6072	Police/Operations/Furniture & Fixtures	\$77,752

05004.5862	Fire/Emergency Serv./Grounds Maint.	\$15,764
06140.5624	Cash Reserve Fund/Auditing Services	\$247,850
06140.5989	Cash Reserve Fund/Misc. Other Serv. & Charges	\$200,000
06014.6062	Police/911 Comm./Audio Visual Equipment	\$160,000
06014.6076	Police/911 Comm./Misc. Equipment	\$302,000
06065.6085	Police/Radio Shop/Radio Equipment	\$126,348
08001.5633	Bldg. & Safety/Admin./Software	\$99,559
08001.5761	Building & Safety/Admin./Microfilming	\$45,000
09250.5621	Parks/KENO/Misc. Contractual	\$35,000
09259.5633	Parks/KENO/Software	\$20,887
09250.9246	Parks/KENO/Unprogrammed KENO approp.	\$2,677
12101.5628	Health/Director's Office/Consultant Serv.	\$4,445
12113.5272	Health/CHS/Program Supplies	\$2,146
12151.6076	Health/Dental/Misc. Equip.	\$23,541
12172.6069	Health/Info & Fiscal/Data Processing Equip.	\$93,000
14004.6069	Library/KENO/DP Equipment	\$70,000
14012.5621	Library/Support Serv./Misc. Contractual Serv.	\$20,000
14012.6069	Library/Support Serv./ DP Equipment	\$65,000
17004.5638	Com. Health Endowment/Grants	\$2,560,702
18001.5989	Contingency	\$721,697
18002.5070	General Expense/Future Labor Settlements	\$2,552,709
18002.5621	General Expense/Miscellaneous Contractual	\$35,423
18002.5624	General Expense/Auditing Service	\$73,438
18002.5628	General Expense/Consultant Services	\$8,366
18002.5878	General Expense/Problem Resolution Team	\$44,674
18002.5880	General Expense/Graffiti Abatement	\$86,550
18002.5636	General Expense/Demolition of Buildings	\$109,453
18002.5646	General Expense/State/Federal Lobbying	\$30,989
18002.5659	General Expense/Oracle Financial System	\$265,386
18002.5865	General Expense/Minor Bldg. & Grounds Improv.	\$7,500
18002.6024	General Exp./City Share-Impact Fees (Low Income)	\$378,311
18002.6027	General Expense/City Share-Impact Fees (Econ. Dev.)	\$543,071
18002.5970	General Expense/Court & Litigation	\$194,222
18002.5642	General Expense/Legal Services	\$97,158
18002.5998	General Expense/Witness Fees	\$64,139
18002.5856	General Expense/City Share of Lincoln Center Maint.	\$24,606
18013.5784	Street Lights/Misc. Insurance	\$140,000
78570.5328	Pub. Works & Util./Broadband/Misc. Sm. Hardware	\$7,500
78570.5621	Pub. Works & Util./Broadband/Misc. Contractual	\$210,000
78570.6069	Pub. Works & Util./Broadband/D.P. Equip.	\$100,000
78570.6232	Pub. Works & Util./Broadband/Debt	\$10,000
79040.5259	Pub. Works & Util./Broadband/Other Maint. Sup.	\$25,000
79040.5329	Pub. Works & Util./Broadband/Oper. Maint. Sup.	\$30,000
79040.5420	Pub. Works & Util./Broadband/Minor Equip.	\$15,000
79040.5621	Pub. Works & Util./Broadband/Misc. Contractual	\$15,000
79040.5874	Pub. Works & Util./Broadband/ Software Maint.	\$35,000
79040.5961	Pub. Works & Util./Broadband/Ed. & Training	\$7,300
79140.5989	Pub. Works & Util./Sts. & Hwys./Durable Markings	\$289,000

34. That unencumbered appropriations and cash (where necessary) from the budget for the fiscal year beginning September 1, 2015 be transferred and reappropriated up to the following amounts effective August 31, 2016:

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
From: 18002.5661	General Expense/Shared Serv-Case Mgmt.	\$12,200
70100.6878	Pub. Works & Util./Water/Electricity	\$85,000
08001.6069	Bldg. & Safety/Admin./DP Equipment	\$111,179
18002.5659	General Expense/JDE Oracle	\$170,000
79130.5021	Pub. Works & Util./Snow Removal/Salaries	\$350,000
To: 11001.5675	Planning/Storage Charges	\$1,200
404101.6140	City Impound Lot	\$11,000
70100.6950	P.W. & U/Water/Contractual Services	\$85,000
79130.6076	P.W. & U/ Snow Removal/Misc. Equip.	\$350,000
08001.5633	Bldg. & Safety/Admin./Software	\$111,179
18002.5658	General Expense/Payroll System	\$170,000

35. There is hereby appropriated to each departmental operating budget, in the Aging Fund, Animal Control Fund, General Fund, Health Fund, Library Fund, StarTran Fund, and 911 Communications Fund, 100% of the unencumbered operating appropriations as shown in the final Appropriation Status Report as of August 31, 2016 and August 31, 2017.

36. There is hereby attached and made a part hereof a listing of all funds of the City of Lincoln which are hereby confirmed and approved.

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

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

REAPPOINTING DIANNA SCHIMEK, JOSE SOTO, AND THOMAS SULLIVAN TO THE COMMUNITY HEALTH ENDOWMENT BOARD FOR TERMS EXPIRING SEPT. 1, 2019. (*CONSENT*)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 1-15, 2016.

APPROVING 1ST AVENUE LOUNGE INC. DBA 1ST AVENUE LOUNGE AS A KENO SATELLITE AT 2310 NORTH 1<sup>ST</sup> STREET, SUITE 7-9.

AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPALITY PROGRAM AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) TO MAKE IMPROVEMENTS ON A PORTION OF STATE LINK 55W INCLUDING AN AREA THAT IS WITHIN CORPORATE LIMITS OF THE CITY OF LINCOLN. PROJECT NO. S-L55W(1022), CN 13224A.

APPROVING A REQUEST TO THE CITY PERFORMANCE AUDIT COMMITTEE, PURSUANT TO CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE, TO CONDUCT DEPARTMENT AUDITS 1) OF THE CITY OF LINCOLN TO COMPARE FEES AND SERVICES PROVIDED TO THE PUBLIC TO SIMILAR CITIES, AND 2) OF THE BUILDING AND SAFETY DEPARTMENT TO EXPLORE WHETHER THERE EXIST OPPORTUNITIES TO RE-CAST THE ROLE OF CODE ENFORCEMENT TO BE MORE SERVICE ORIENTED.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN FIREFIGHTERS ASSOCIATION (IAFF) FOR A TERM EFFECTIVE AUGUST 13, 2015 THROUGH AUGUST 31, 2016.

SPECIAL PERMIT 16025 – APPEAL OF CHARLES CLARK, WILLIAM WOOD, AND MYRNA WOOD FROM THE PLANNING COMMISSION’S CONDITIONAL APPROVAL OF A SPECIAL PERMIT FOR A NEW COMMUNITY UNIT PLAN COMPRISED OF 7 SINGLE-FAMILY UNITS, WITH WAIVERS TO SETBACKS, MINIMUM AREA AND WIDTH REQUIREMENTS, AND THE LOT WIDTH-TO-DEPTH RATIO, ON PROPERTY GENERALLY LOCATED AT 828 AND 848 D STREET.

**ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)**

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN AND NATIONAL BUS SALES AND LEASING, INC. FOR CNG TROLLEYS – STARTRAN, PURSUANT TO RFP NO. 16-121, FOR A FIVE YEAR TERM - CLERK read and ordinance, introduced by Jon Camp, that the multi-year contract between the City of Lincoln and National Bus sales and Leasing, Inc. for CNG trolleys - StarTran, pursuant to RFP No. 16-121, for a five year term, in accordance with the terms and conditions contained in said contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln, the first time.

**ADJOURNMENT**

**5:40 P.M.**

CAMP Moved to adjourn the City Council Meeting of August 22, 2016.  
Seconded by Christensen & 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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Monet J. McCullen, Office Specialist