

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, DECEMBER 17, 2012 AT 5:30 P.M.**

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

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

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of December 10, 2012 reported having done so, found same correct. Seconded by Emery & carried by the following vote: AYES: Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None; ABSENT: Camp.

OATH OF OFFICE

CLERK Administered the Oath of Office to newly-elected City Council Member, Lloyd Hinkley.

Council Chair Eskridge offered thoughts for the citizens of Newtown, Connecticut and the loss they experienced in a recent school shooting. We, in this community, share their anger, frustration and grief over the loss of innocent lives, as well as a commitment to be vigilant and to seek to protect. As we enjoy these important holiday weeks, it is important to focus on what we can do to be loving and caring people who continue to make our community the supportive and loving place that it is.

PUBLIC HEARING

APPOINTING TRACY CORR AND DENNIS D. SCHEER TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR TERMS EXPIRING AUGUST 24, 2017 - Tracy Corr and Dennis D. Scheer came forward to introduce themselves. Council welcomed them and thanked them for bringing their expertise to the Planning Commission.

APPLICATION OF SAM'S WEST, INC. DBA SAM'S CLUB #4873 FOR A CLASS C LIQUOR LICENSE AT 8480 ANDERMATT DRIVE;

MANAGER APPLICATION OF JONATHAN W. ROWE FOR SAM'S WEST, INC. DBA SAM'S CLUB #4873 AT 8480 ANDERMATT DRIVE - Jonathan W. Rowe, 21851 Hilltop Avenue, Gretna, came forward to take the oath and answer questions. He clarified that Sam's Club intended to obtain this class of liquor license to allow for in-store tasting events, but there was confusion with the original application.

APPLICATION OF B & R STORES, INC. DBA SUPER SAVER #27 FOR A CLASS C LIQUOR LICENSE AT 840 FALLBROOK BLVD;

MANAGER APPLICATION OF BRIAN M. HAYES FOR B & R STORES, INC. DBA SUPER SAVER #27 AT 840 FALLBROOK BLVD - Brian M. Hayes, 811 W. Chadderton Dr., came forward to take the oath and answer questions. The store is tentatively set to open February 6th and will have off-sale alcohol and tasting events on premises.

APPLICATION OF BBQ LUCK, LLC DBA LUCKIE'S LOUNGE & BBQ FOR A CLASS C LIQUOR LICENSE AT 5250 CORNHUSKER HIGHWAY;

MANAGER APPLICATION OF JESSE D. OSBORNE FOR BBQ LUCK, LLC DBA LUCKIE'S LOUNGE & BBQ AT 5250 CORNHUSKER HIGHWAY - Jesse D. Osborne, 806 W. Leon Dr., came forward to take the oath and answer questions. Luckie's is restructuring their business and expanding to include this location. The bar area will be renovated and there will also be banquet space for special events.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN - Ben Higgins, Public Works & Utilities Department, came forward to state that this grant, which the City has received for several years, is down to \$400,000. It requires a 20% match which is achieved through bond issues. The money is used to pay for programs and projects related to water quality and for grant staff.

APPROVING THE CITY OF LINCOLN PUBLIC ART MASTER PLAN FOR WORKS OF ART TO BE PLACED ON CITY-OWNED PROPERTY - David Landis, Director of Urban Development, came forward to describe this project. There are three important factors to consider with a public art collection. First, the art must be quality, serve an inspirational purpose, and stand the test of time. Next, the pieces must be placed in appropriate locations. Finally, there must be a commitment made over time for the care and maintenance of the pieces. This plan utilizes the strengths of both the public and private sectors. The group representing the public sector, the Mayor's Art Advisory Group (MAAG), will conduct a technical review of each piece and potential display site to assess appropriateness to location and practical and safety concerns. The private sector is represented by the Lincoln Partners for Public Art Development (LPPAD), who will discern quality pieces of art for acquisition, will serve as the interface with donors, will assist with private sector contributions and will handle money flow. Each piece of art will have a license agreement that will require Mayoral approval and acceptance by the City Council.

Lynn Johnson, Director of Parks & Recreation, came forward to further describe the plan which lays out the legal structure and the public/private partnership that will enable the City to develop, display and manage a public art collection of national prominence. Included is a "Public Art Opportunities Map" which identifies highly visible locations throughout Lincoln where public art could potentially be displayed and where it would contribute to the identity or character of the community. Another aspect of this project is a public art inventory database. In answer to Council questions, Mr. Johnson stated that questions involving funding for acquisition and maintenance of art were driving factors in developing this process. A large portion of funding will come from private donors, including local foundations. There have been conversations with the Sheldon Museum of Art and with the private sector regarding the possibility of displaying loaned artwork. Over time, the City may develop a revolving collection.

Mr. Landis added that there is a "trial run" of this process happening now wherein the City could display sculptures from the private Duncan collection for two year periods.

Mr. Johnson clarified that each piece of artwork would be treated on a case-by-case basis and would have a separate license agreement that would cover issues of insurance, maintenance, installation, and all aspects of displaying artwork, even in cases where the piece is on loan to the City. He reiterated that each of these agreements will come through LPPAD and MAAG for artistic and technical review, and they will additionally require the approval of the Mayor and City Council.

Steve Wake, 5555 A Street, came forward to state that LPPAD was created to provide vision, engender support, create policy, advise the City, and manage the strategic process by which donations will become public art. This requires a network of public and private partnerships. Mr. Wake went on to describe the members of LPPAD and the strengths each of them bring to the group.

Christine Dionisopoulos, 2421 Switchback Rd., came forward to describe in more detail the work of LPPAD subcommittees and to describe projects currently under way, including private donations and artwork in the Haymarket Arena area. Community investment and involvement plays a key role in a public art collection.

APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LINCOLN AND O.P.P.D. FOR FIBER ATTACHMENT POINTS TO POLES TO CONNECT FIBER CABLE AT THE WELL SITES OF THE LINCOLN WATER SYSTEM IN ASHLAND - Jerry Obrist, Public Works & Utilities Department, came forward to describe this agreement for pole attachments used to connect fiber throughout the well field for good connectivity to operate security and control on a remote basis.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING TRACY CORR AND DENNIS D. SCHEER TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR TERMS EXPIRING AUGUST 24, 2017 - CLERK read the following resolution, introduced by Carroll, who moved its adoption:

A-87137 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Tracy Corr and Dennis D. Scheer to the Lincoln-Lancaster County Planning Commission for a term expiring August 24, 2017 is hereby approved.

Introduced by Eugene Carroll

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 3, 2012 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 12059 to Special Permit No. 1311, Sunrise Estates, approved by the Planning Director on December 5, 2012, requested by Sunrise Estates Community Association, to revise the site plan by eliminating the majority of outlots and incorporating them into adjacent lots, on property generally located at Holdrege St. and Linwood Lane.

Administrative Amendment No. 12061 to Special Permit 277I, Pine Lake Community Unit Plan, approved by the Planning Director on December 7, 2012, requested by Benjamin and Ramzi Hynek, to adjust the side yard setback adjacent to the north lot line of Lot 25, Pine Lake Addition (6420 Westshore Drive), from 15 feet to 10 feet, with the condition that the adjustment applies only from the point of the addition nearest the front of the home to the rear lot line, on property generally located near S. 84th St. and Pine Lake Rd.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF SAM'S WEST, INC. DBA SAM'S CLUB #4873 FOR A CLASS C LIQUOR LICENSE AT 8480 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87138 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Sam's West, Inc. dba Sam's Club #4873 for a Class "C" liquor license at 8480 Andermatt Drive, Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that:

1. The on premises consumption of alcohol shall be limited to samplings of 2 ounces or less of any alcoholic beverage.
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 Eugene Carroll

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

MANAGER APPLICATION OF JONATHAN W. ROWE FOR SAM'S WEST, INC. DBA SAM'S CLUB #4873 AT 8480 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87139 WHEREAS, Sam's West, Inc. dba Sam's Club #4873 located at 8480 Andermatt Drive, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Jonathan W. Rowe be named manager;

WHEREAS, Jonathan W. Rowe 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 Jonathan W. Rowe 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 Eugene Carroll

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

APPLICATION OF B & R STORES, INC. DBA SUPER SAVER #27 FOR A CLASS C LIQUOR LICENSE AT 840 FALLBROOK BLVD - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87140 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 B & R Stores, Inc. dba Super Saver #27 for a Class "C" liquor license at 840 Fallbrook Blvd., Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that:

1. The on premises consumption of alcohol shall be limited to samplings of 2 ounces or less of any alcoholic beverage.
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 Eugene Carroll

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

REGULAR MEETING
December 17, 2012
Page 432

MANAGER APPLICATION OF BRIAN M. HAYES FOR B & R STORES, INC. DBA SUPER SAVER #27 AT 840 FALLBROOK BLVD - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87141 WHEREAS, B & R Stores, Inc. dba Super Saver #27 located at 840 Fallbrook Blvd., Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Brian M. Hayes be named manager;

WHEREAS, Brian M. Hayes 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 Brian M. Hayes 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 Eugene Carroll

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

APPLICATION OF BBQ LUCK, LLC DBA LUCKIE'S LOUNGE & BBQ FOR A CLASS C LIQUOR LICENSE AT 5250 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87142 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 BBQ Luck, LLC dba Luckie's Lounge & BBQ for a Class "C" liquor license at 5250 Cornhusker Highway, Lincoln, Nebraska, for the license period ending October 31, 2013, be approved with the condition that 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 Eugene Carroll

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

MANAGER APPLICATION OF JESSE D. OSBORNE FOR BBQ LUCK, LLC DBA LUCKIE'S LOUNGE & BBQ AT 5250 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption for approval:

A-87143 WHEREAS, BBQ Luck, LLC dba Luckie's Lounge & BBQ located at 5250 Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Jesse D. Osborne be named manager;

WHEREAS, Jesse D. Osborne 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 Jesse D. Osborne 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 Eugene Carroll

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

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required) - 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 NOVEMBER 16-30, 2012 - PRIOR to reading:

Rod Confer, City Attorney, came forward to make a request to remove the claim of Bobby Lybarger from the list of Denied Claims.

CARROLL Made a Friendly Motion to add the claim of Bobby Lybarger the amendment; Moved to amend Bill No. 12R-296 in the following manner:

1. Remove the claim of Wayne DeLong in the amount of \$704.50 from the list of Denied Claims.

2. Remove the claim of Bobby Lybarger in the amount of \$1,160.39 from the list of Denied Claims

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

CLERK Read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-87144 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 December 3, 2012, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Anthony Heidtbrink	NAS*	Kelly Sears	\$ 594.26
Garrett J. Sund	\$ 400.00	Amanda Lambert	1,699.62
Carol Bom	838.57	Eric Rock	1,233.85
Ingenix a/s/o United Healthcare	NAS*		
Bobby Lybarger	1,160.39		
Wayne DeLong	704.50		
Domaneak Muhammad	NAS*		
Dawn Amory	250,000.00		
Miguel Franco	3,523.17		
Ryan Zuspan	300.00		

* No Amount Specified

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

Introduced by Eugene Carroll

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

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-87145 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Intergovernmental Agreement between the City of Lincoln and the Nebraska Department of Environmental Quality (NDEQ) regarding grant funding from the state Stormwater Management Plan Program, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for NDEQ grant funding to implement programs and projects in association with the City of Lincoln's Stormwater Management Program.

The City Clerk is directed to transmit an executed original Agreement to Ben Higgins, Public Works and Utilities Department, 555 South 10th Street, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Eugene Carroll

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

APPROVING THE CITY OF LINCOLN PUBLIC ART MASTER PLAN FOR WORKS OF ART TO BE PLACED ON CITY-OWNED PROPERTY - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-87146 WHEREAS, in September, 2011 the City Council amended Chapter 14.56 of the Lincoln Municipal Code for the development of a master plan for art work on City owned property; and

WHEREAS, pursuant to Section 14.56.130 of the Lincoln Municipal Code, the City of Lincoln Public Art Master Plan was prepared as guidance for selection of public art, establishing a process for acquiring public art for the community public art collection and for release of public art from the community collection; and

WHEREAS, the City of Lincoln Public Art Master Plan has been reviewed by the Mayor and endorsed by Lincoln Partners for Public Art Development (LPPAD) for approval by the City Council.

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

That, after review by the Mayor and a recommendation by the Lincoln Partners for Public Art Development for approval, the City of Lincoln Public Art Master Plan, dated June 14, 2012, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved and adopted.

The City Clerk is directed to forward a copy of this resolution to the Director of Parks and Recreation.

Introduced by Eugene Carroll

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

APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LINCOLN AND O.P.P.D. FOR FIBER ATTACHMENT POINTS TO POLES TO CONNECT FIBER CABLE AT THE WELL SITES OF THE LINCOLN WATER SYSTEM IN ASHLAND - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-87147 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Inter-Governmental Agreement between the City of Lincoln, and the License Agreement between the City of Lincoln, Nebraska, on behalf of the Lincoln Water System, and Omaha Public Power District, to place aerial and underground cable, equipment and facilities on O.P.P.D. poles at the well sites of the Lincoln Water System in Ashland, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is hereby directed to transmit a copy of the executed

original Agreement to Jerry Obrist, Lincoln Water System, for transmittal to O.P.P.D.

Introduced by Eugene Carroll

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

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

REPEALING ORDINANCE NO. 18002, PASSED ON JUNE 3, 2002, ESTABLISHING A VOLUNTARY UTILITY BILLING DONATION PROGRAM BY USERS OF ELECTRICITY FURNISHED BY THE LINCOLN ELECTRIC SYSTEM, KNOWN AS LINCOLN CARES - CLERK read an ordinance, introduced by Jon Camp, repealing Ordinance No. 18002, passed on June 3, 2002, establishing the voluntary utility billing donation program with Lincoln Electric System, known as the Lincoln Cares program. The Lincoln Cares program will be modified and continued under an Executive Order, the third time.

CARROLL Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19812**, if recorded in Ordinance Book #28, Page .

ANNEXATION NO. 12006 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 100 ACRES GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVENUE - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CARROLL Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19813**, if recorded in Ordinance Book #28, Page .

CHANGE OF ZONE NO. 04075D - APPLICATION OF VILLAGE GARDENS DEVELOPMENT COMPANY, LLC, TO AMEND THE VILLAGE GARDENS PLANNED UNIT DEVELOPMENT TO EXPAND THE AREA BY APPROXIMATELY TWO ACRES; FOR A CHANGE OF ZONE FROM AG AGRICULTURE DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD ON A PORTION OF OUTLOT F, VILLAGE MEADOWS 3RD ADDITION; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WITH MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW SINGLE FAMILY RESIDENTIAL DWELLINGS IN THE UNDERLYING R-3 ZONED AREA GENERALLY LOCATED AT SOUTH 62ND STREET AND BLANCHARD BOULEVARD - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CARROLL Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19814**, if recorded in Ordinance Book #28, Page .

TECHNICAL AMENDMENTS ORDINANCE AMENDING CHAPTER 2.02 OF THE LINCOLN MUNICIPAL CODE RELATING TO GOVERNMENTAL ORGANIZATION, CHAPTER 2.14 RELATING TO CITY AUDITOR, AND CHAPTER 2.56 RELATING TO RESTRICTIONS ON PARTICIPATION IN LOTTERIES BY AMENDING SECTION 2.02.050, THE TITLE OF CHAPTER 2.14, AND SECTIONS 2.14.010, 2.14.020, 2.14.030, 2.14.040, 2.14.050, 2.14.060, 2.14.070, 2.14.080, AND 2.56.030 TO REFLECT THE CHANGE OF TITLE OF THE POSITION OF CITY AUDITOR TO CITY CONTROLLER; AMENDING CHAPTER 2.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO CITY TREASURER BY AMENDING SECTIONS 2.16.040, 2.16.050, AND 2.16.060 TO CHANGE TERMINOLOGY TO ACCORD WITH MODERN PRACTICE AND TECHNOLOGY CURRENTLY UTILIZED BY THE CITY TREASURER; AMENDING CHAPTER 3.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO REVENUE AND FINANCE GENERAL PROVISIONS BY AMENDING SECTION 3.04.010 TO ACCORD WITH THE 2007 AMENDMENT OF THE LINCOLN CHARTER BY PROVIDING THAT PAYMENTS OF APPROVED CLAIMS MAY BE MADE BY CHECKS OR WARRANTS - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 2.02 of the Lincoln Municipal Code relating to Governmental Organization, Chapter 2.14 relating to City Auditor, and Chapter 2.56 relating to Restrictions on Participation in Lotteries by amending Section 2.02.050, the title of Chapter 2.14, and Sections 2.14.010, 2.14.020, 2.14.030, 2.14.040, 2.14.050, 2.14.060, 2.14.070, 2.14.080, and 2.56.030 to reflect the change of title of the position of City Auditor to City Controller; amending Chapter 2.16 of the Lincoln Municipal code relating to City Treasurer by amending Sections 2.16.040, 2.16.050, and 2.16.060 to change terminology to accord with modern practice and technology currently utilized by the City Treasurer; amending Chapter 3.04 of the Lincoln Municipal Code relating to Revenue and Finance General Provisions by amending Section 3.04.010 to accord with the 2007 amendment of the Lincoln Charter by providing that payments of approved claims may be made by checks or warrants; and repealing Sections 2.02.050, 2.14.010, 2.14.020, 2.14.030, 2.14.040, 2.14.050, 2.14.060, 2.14.070, 2.14.080, 2.16.040, 2.16.050, 2.16.060, 2.56.030 and 3.04.010 of the Lincoln Municipal Code as hitherto existing, the third time.

CARROLL Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19815**, if recorded in Ordinance Book #28, Page .

CONSENT AMENDMENTS ORDINANCE AMENDING CHAPTER 2.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO CITY TREASURER BY AMENDING SECTIONS 2.16.090 AND 2.16.100 TO REVISE DUTIES TO ACCORD WITH MODERN PRACTICE AND TECHNOLOGY CURRENTLY UTILIZED BY THE CITY TREASURER; AMENDING CHAPTER 2.18 OF THE LINCOLN MUNICIPAL CODE RELATING TO PURCHASING DIVISION BY AMENDING SECTIONS 2.18.020 AND 2.18.030 TO RAISE DEPARTMENTAL AUTHORITY TO MAKE DIRECT PURCHASES TO ACCORD WITH FEDERAL REQUIREMENTS; AMENDING CHAPTER 2.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIRE AND RESCUE DEPARTMENT BY AMENDING SECTION 2.20.150 TO TRANSFER AUTHORITY FOR FIRE HYDRANT USE FROM THE FIRE CHIEF TO THE DIRECTOR OF PUBLIC WORKS AND UTILITIES; AMENDING CHAPTER 5.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR BY AMENDING SECTION 5.04.062 TO REQUIRE AN APPLICATION FOR A SPECIAL DESIGNATED LICENSE THAT DOES NOT REQUIRE COUNCIL APPROVAL TO BE FILED AT LEAST 21 DAYS BEFORE THE EVENT TO MEET DEADLINES ESTABLISHED BY THE NEBRASKA STATE LIQUOR COMMISSION; AMENDING CHAPTER 8.26 OF THE LINCOLN MUNICIPAL CODE RELATING TO NUISANCES BY AMENDING SECTION 8.26.040 TO PROVIDE THAT NO REPORT OF CLEARING A NUISANCE SHALL BE REQUIRED WHEN THE PROPERTY OWNER HAS PAID THE ASSESSMENT FOR CLEARING THE NUISANCE BEFORE SEPTEMBER 1; AMENDING CHAPTER 10.26 OF THE LINCOLN MUNICIPAL CODE RELATING TO ARTERIAL STREETS BY REPEALING SECTION 10.26.136 TO REMOVE THE DESIGNATION OF FORTY-FIFTH STREET AS AN ARTERIAL STREET, AND AMENDING SECTION 10.26.360 TO DESIGNATE THE PORTION OF FOLSOM STREET BETWEEN ROSA PARKS WAY AND CAPITOL PARKWAY WEST AS AN ARTERIAL STREET - PRIOR to reading:

COOK Moved MTA #1 to amend Bill No. 12-154 in the following manner:
1. On page 1, lines 15 and 16, delete the phrase "repealing Section 10.26.136 to remove the designation of Forty-fifth Street as an arterial street, and".
2. On page 8, delete lines 21 through 25.
3. On page 9, renumber Sections 9, 10 and 11 as Sections 8, 9 and 10 respectively.

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

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 2.16 of the Lincoln Municipal Code relating to City Treasurer by amending Sections 2.16.090 and 2.16.100 to revise duties to accord with modern practice and technology currently utilized by the City Treasurer; amending Chapter 2.18 of the Lincoln Municipal Code relating to Purchasing Division by amending Sections 2.18.020 and 2.18.030 to raise departmental authority to make direct purchases to accord with federal requirements; amending Chapter 2.20 of the Lincoln Municipal Code relating to Fire and Rescue Department by amending Section 2.20.150 to transfer authority for fire hydrant use from the Fire Chief to the Director of Public Works and Utilities; amending Chapter 5.04 of the Lincoln Municipal Code relating to alcoholic liquor by amending Section 5.04.062 to require an application for a Special Designated License that does not require Council approval to be filed at least 21 days before the event to meet deadlines established by the Nebraska State Liquor Commission; amending Chapter 8.26 of the Lincoln Municipal Code relating to Nuisances by amending Section 8.26.040 to provide that no report of clearing a nuisance shall be required when the property owner has paid the assessment for clearing the nuisance before September 1; amending Chapter 10.26 of the Lincoln Municipal Code relating to Arterial Streets by ~~repealing Section 10.26.136 to remove the designation of Forty-fifth street as an arterial street, and~~ amending Section 10.26.360 to designate the portion of Folsom Street between Rosa Parks Way and Capitol Parkway West as an arterial street; and repealing Sections 2.16.090, 2.16.100, 2.18.020, 2.18.030, 2.20.150, 5.04.062, 8.26.040, and 10.26.360 of the Lincoln Municipal Code as hitherto existing, the third time.

SCHIMEK Moved to pass the ordinance as amended.
Seconded by Carroll and carried by the following vote: AYES: Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None; ABSENT: Camp.
The ordinance, being numbered #19816, if recorded in Ordinance Book #28, Page .

TECHNICAL AMENDMENTS ORDINANCE AMENDING CHAPTER 2.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE FIRE AND RESCUE DEPARTMENT BY AMENDING SECTION 2.20.010 TO UPDATE TERMINOLOGY TO ACCORD WITH CURRENT PRACTICE; AMENDING SECTIONS 2.20.050 AND 2.20.080 TO PROVIDE THAT THE FIRE OFFICER IN COMMAND HAS AUTHORITY AT THE SCENE OF AN EMERGENCY; AMENDING SECTION 2.20.060 TO PROVIDE THAT MEMBERS OF LINCOLN FIRE AND RESCUE WILL PROTECT RESIDENCES AS WELL AS BUSINESSES; AMENDING SECTION 2.20.070 TO PROVIDE FOR PERSONNEL IDENTIFICATION OTHER THAN BADGES AND DISPOSITION OF IDENTIFICATION UPON LEAVING THE DEPARTMENT; AMENDING CHAPTER 7.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO ROUTINE AMBULANCE SERVICE BY AMENDING SECTION 7.06.010 TO CLARIFY THAT THE FINANCE DIRECTOR ISSUES LICENSES FOR AMBULANCE SERVICE; AMENDING SECTION 7.06.070 TO PROVIDE THAT PROVIDERS OF ROUTINE AMBULANCE SERVICE SHALL COMPLY WITH MEDICAL PROTOCOLS; AMENDING SECTIONS 7.06.090 AND 7.06.100 TO UPDATE TERMINOLOGY TO ACCORD WITH CURRENT PRACTICE; AMENDING CHAPTER 7.08 RELATING TO EMERGENCY AMBULANCE SERVICE BY AMENDING SECTION 7.08.040 TO CLARIFY THAT PROHIBITION OF EMERGENCY AMBULANCE SERVICE DOES NOT APPLY TO LINCOLN FIRE AND RESCUE; AND AMENDING SECTION 7.08.050 TO CLARIFY THE DEFINITION OF LIFE-THREATENING CONDITION - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 2.20 of the Lincoln Municipal Code relating to the Fire and Rescue Department by amending Section 2.20.010 to update terminology to accord with current practice; amending Sections 2.20.050 and 2.20.080 to provide that the Fire Officer in command has authority at the scene of an emergency; amending Section 2.20.060 to provide that members of Lincoln Fire and Rescue will protect residences as well as businesses; amending Section 2.20.070 to provide for personnel identification other than badges and disposition of identification upon leaving the Department; amending Chapter 7.06

of the Lincoln Municipal Code relating to Routine Ambulance Service by amending Section 7.06.010 to clarify that the Finance Director issues licenses for ambulance service; amending Section 7.06.070 to provide that providers of routine ambulance service shall comply with medical protocols; amending Sections 7.06.090 and 7.06.100 to update terminology to accord with current practice; amending chapter 7.08 relating to Emergency Ambulance Service by amending Section 7.08.040 to clarify that prohibition of emergency ambulance service does not apply to Lincoln Fire and Rescue; and amending Section 7.08.050 to clarify the definition of life-threatening condition; and repealing Sections 2.20.010, 2.20.050, 2.20.060, 2.20.070, 2.20.080, 7.06.010, 7.06.070, 7.06.090, 7.06.100, 7.08.040, and 7.08.050 of the Lincoln Municipal Code as hitherto existing, the third time.

SCHIMEK Moved to pass the ordinance as read.

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

The ordinance, being numbered #19817, if recorded in Ordinance Book #28, Page .

TECHNICAL AMENDMENTS ORDINANCE AMENDING CHAPTER 4.20 OF THE LINCOLN MUNICIPAL CODE, RELATING TO THE LIBRARY BOARD, BY AMENDING SECTION 4.20.010 TO REMOVE PROVISIONS RELATING TO THE INITIAL APPOINTMENTS OF MEMBERS TO THE LIBRARY BOARD, AND AMENDING SECTION 4.20.020 BY REMOVING OBSOLETE LANGUAGE THAT MADE THE LIBRARY BOARD RESPONSIBLE FOR FUNCTIONS THAT ARE NOW PERFORMED BY THE PURCHASING DIVISION; AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE, RELATING TO SOLID WASTES, BY AMENDING SECTION 8.32.150 TO PROVIDE THAT INCREASE IN THE OCCUPATION TAX ON SOLID WASTES COLLECTED WITHIN THE CITY LIMITS, OR COLLECTED OUTSIDE THE CITY LIMITS AND PLACED IN PUBLIC SANITARY LANDFILLS, SHALL NOT TAKE EFFECT UNTIL SEPTEMBER 1, 2013; AMENDING CHAPTER 10.28 OF THE LINCOLN MUNICIPAL CODE RELATING TO ONE-WAY STREET SYSTEM BY AMENDING SECTION 10.28.020 TO INDICATE THAT "P" STREET IS A TWO-WAY STREET BETWEEN TENTH AND ELEVENTH STREETS; AMENDING CHAPTER 12.04 OF THE LINCOLN MUNICIPAL CODE, RELATING TO PARKS AND RECREATION ADVISORY BOARD, BY AMENDING SECTION 12.04.020 TO REVISE LANGUAGE TO ACCORD WITH CURRENT ACTIVITIES AND RESPONSIBILITIES OF THE PARKS AND RECREATION ADVISORY BOARD; AMENDING CHAPTER 12.08 OF THE LINCOLN MUNICIPAL CODE, RELATING TO GENERAL RULES AND REGULATIONS FOR PARKS, BY AMENDING SECTION 12.08.140 TO CLARIFY THE DESCRIPTION OF TRAILERS THAT MAY NOT OCCUPY PARKS DURING CERTAIN HOURS AND AMENDING SECTION 12.08.270 TO REFLECT THE RE-NAMING OF LINCOLN CHILDREN'S ZOO; AMENDING CHAPTER 12.24 OF THE LINCOLN MUNICIPAL CODE, RELATING TO GOLF AND TENNIS UNDER THE PARKS AND RECREATION DEPARTMENT, AMENDING CHAPTER 12.28, RELATING TO FISHING IN PARKS, AND AMENDING CHAPTER 12.32 OF THE LINCOLN MUNICIPAL CODE, RELATING TO BOATING IN PARKS, BY AMENDING SECTIONS 12.24.010, 12.24.020, 12.24.030, 12.24.060, 12.28.010, 12.28.040, AND 12.32.040, TO UPDATE LANGUAGE AND THE TITLE OF THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT, AND TO CLARIFY PROCEDURES FOR APPROVING AND FILING REGULATIONS; AMENDING CHAPTER 12.36, RELATING TO FOLSOM CHILDREN'S ZOO, BY AMENDING THE TITLE OF THE CHAPTER AND SECTIONS 12.36.010, 12.36.030, 12.36.040, 12.36.060, 12.36.070, AND 12.36.090 TO REFLECT THE RE-NAMING OF THE ZOO AS LINCOLN CHILDREN'S ZOO, AND UPDATING THE TITLE OF THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT - PRIOR to reading:

CARROLL Moved MTA #1 to amend Bill No. 12-156 in the following manner:

1. On page 3, line 9, delete the phrase "to enrich people's lives" and insert thereafter the phrase "and to select and purchase furnishings, fixtures, and supplies according to City Purchasing guidelines".

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

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 4.20 of the Lincoln Municipal Code, relating to the Library Board, by amending Section 4.20.010 to remove provisions relating to the initial appointments of members to the Library Board, and amending section 4.20.020 by removing obsolete language that made the Library Board responsible for functions that are now performed by the Purchasing Division; amending Chapter 8.32 of the Lincoln Municipal Code, relating to Solid Wastes, by amending Section 8.32.150 to provide that increase in the occupation tax on solid wastes collected within the city limits, or collected outside the city limits and placed in public sanitary landfills, shall not take effect until September 1, 2013; amending Chapter 10.28 of the Lincoln Municipal Code relating to one-way street system by amending section 10.28.020 to indicate that "P" street is a two-way street Between Tenth and Eleventh streets; amending chapter 12.04 of the Lincoln Municipal Code, relating to Parks and Recreation Advisory Board, by amending Section 12.04.020 to revise language to accord with current activities and responsibilities of the Parks and Recreation Advisory Board; amending Chapter 12.08 of the Lincoln Municipal Code, relating to general rules and regulations for Parks, by amending Section 12.08.140 to clarify the description of trailers that may not occupy parks during certain hours and amending Section 12.08.270 to reflect the re-naming of Lincoln Children's Zoo; amending Chapter 12.24 of the Lincoln Municipal Code, relating to Golf and Tennis under the Parks and Recreation Department, amending Chapter 12.28, relating to Fishing in Parks, and amending Chapter 12.32 of the Lincoln Municipal Code, relating to Boating in Parks, by amending Sections 12.24.010, 12.24.020, 12.24.030, 12.24.060, 12.28.010, 12.28.040, and 12.32.040, to update language and the title of the Director of the Parks and Recreation Department, and to clarify procedures for approving and filing regulations; amending Chapter 12.36, relating to Folsom Children's Zoo, by amending the title of the chapter and Sections 12.36.010, 12.36.030, 12.36.040, 12.36.060, 12.36.070, and 12.36.090 to reflect the re-naming of the zoo as Lincoln Children's Zoo, and updating the title of the Director of the Parks and

Recreation Department, and repealing Sections 4.20.010, 4.20.020, 8.32.150, 10.28.020, 12.04.020, 12.08.140, 12.08.270, 12.24.010, 12.24.020, 12.24.030, 12.24.060, 12.28.010, 12.28.040, 12.32.040, 12.36.010, 12.36.030, 12.36.040, 12.36.060, 12.36.070, and 12.36.090 as hitherto existing, the third time.

SCHIMEK Moved to pass the ordinance as amended.

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

The ordinance, being numbered #19818, if recorded in Ordinance Book #28, Page .

CONSENT AMENDMENTS ORDINANCE AMENDING CHAPTER 12.08 OF THE LINCOLN MUNICIPAL CODE, RELATING TO GENERAL RULES AND REGULATIONS FOR PARKS, BY AMENDING SECTION 12.08.010 TO DEFINE HIKER-BIKER TRAIL AND MULTI-USE TRAILS, AND CLARIFY THAT THE DEFINITION OF ROADWAY INCLUDES MULTI-USE TRAILS, REPEALING SECTION 12.08.030 AND 12.08.040, TO REMOVE THE AUTHORIZATION TO PERMIT USE OF SNOWMOBILES IN PARKS, AMENDING SECTION 12.08.060 BY APPLYING SPEED LIMITS TO MULTI-USE TRAILS, AMENDING SECTION 12.08.070 TO REFLECT THE RENAMING OF BILL HARRIS PARK, CLARIFYING THAT MULTI-USE TRAILS ARE OPEN 24 HOURS A DAY AND REPEALING THE REQUIREMENT THAT THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT REPORT CHANGES OF PARK HOURS TO THE PARKS AND RECREATION ADVISORY BOARD, AMENDING SECTION 12.08.200 BY PROVIDING THAT SHOOTING MODEL ROCKETS AND FLYING MODEL AIRCRAFT ARE PROHIBITED IN PARKS, AND AMENDING SECTION 12.08.230, TO PROVIDE THAT COMMERCIAL ACTIVITIES MAY BE PERMITTED BY THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT; AMENDING CHAPTER 12.12 OF THE LINCOLN MUNICIPAL CODE, RELATING TO POLICING PARKS OUTSIDE CITY BY REPEALING THAT CHAPTER, CONSISTING OF SECTION 12.12.010; AMENDING CHAPTER 12.20 OF THE LINCOLN MUNICIPAL CODE, RELATING TO TREES AND SHRUBBERY, BY AMENDING SECTION 12.20.025 TO DELETE THE REQUIREMENT FOR ANNUAL REPORTS ON TREE PLANTING; AMENDING CHAPTER 12.32, RELATING TO BOATING IN PARKS, BY REPEALING SECTION 12.32.050 REQUIREMENTS FOR LIABILITY INSURANCE FOR HAULING PASSENGERS BY BOAT FOR HIRE - PRIOR TO reading:

COOK Moved MTA #3 to amend Bill No. 12-157 by accepting the substitute ordinances attached hereto as Bill No. 12-157A and 12-157B.

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

COOK Moved MTA #4 to amend Bill No. 12-157A in the following manner:

1. On page 1, lines 8 and 9, delete the phrase "amending Section 12.08.200 by providing that shooting model rockets and flying model aircraft are prohibited in parks,".
2. On page 1, line 16, delete "12.08.200,".
3. On page 5, delete lines 9 through 25.
4. On page 8, line 1, delete "12.08.200,".
5. Renumber Sections 7, 8, 9, 10, 11, and 12 as Sections 6, 7, 8, 9, 10, and 11, respectively.

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

COOK Moved MTA #5 to amend Bill No. 12-157A in the following manner:

1. On page 1, lines 13 and 14, delete the words "delete the requirement for annual" and insert in lieu thereof the words "provide that";
2. On page 1, line 14, after the word "planting" insert the words "shall be prepared at the request of a Council Member".
3. On page 7, line 8, after the period, insert the following sentence: "The Parks and Recreation Department shall prepare a report for the City Council detailing where trees have been planted on private property and the reasons for such plantings at the request of a City Council member."

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

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 12.08 of the Lincoln Municipal Code, relating to General Rules and Regulations for Parks, by amending Section 12.08.010 to define hiker-biker trail and multi-use trails, and clarify that the definition of roadway includes multi-use trails, repealing Section 12.08.030 and 12.08.040, to remove the authorization to permit use of snowmobiles in parks, amending Section 12.08.060 by applying speed limits to multi-use trails, amending section 12.08.070 to reflect the renaming of Bill Harris Park, clarifying that multi-use trails are open 24 hours a day and repealing the requirement that the Director of the Parks and Recreation Department report changes of park hours to the Parks and Recreation Advisory Board, ~~amending Section 12.08.200 by providing that shooting model rockets and flying model aircraft are prohibited in parks,~~ and amending Section 12.08.230, to provide that commercial activities may be permitted by the Director of the Parks and Recreation Department; repealing Chapter 12.12 of the Lincoln Municipal Code, consisting of Section 12.12.010 relating to Policing Parks Outside City; amending Chapter 12.20 of the Lincoln Municipal Code, relating to Trees and Shrubbery, by amending Section 12.20.025 to ~~delete the requirement for annual~~ provide that reports on tree planting shall be prepared at the request of a Council Member; amending chapter 12.32, relating to Boating in Parks, by repealing section 12.32.050 requirements for liability insurance for hauling passengers by boat for hire; and repealing 12.08.010, 12.08.060, 12.08.070, ~~12.08.200,~~ 12.08.230, and 12.20.025 of the Lincoln Municipal Code as hitherto existing, the third time.

SCHIMEK Moved to pass the ordinance as amended.

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

The ordinance, being numbered #19819, if recorded in Ordinance Book #28, Page .

CARROLL Moved to Delay Bill No. 12-157B with Action Only to 01/14/13

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

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

APPROVING THE FIRST AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND SMG TO AMEND THE MANAGEMENT AGREEMENT DATED JUNE 7, 2012 TO DEFINE PRE-OPENING EXPENSES AND ADOPT A BUDGET FOR PRE-OPENING EXPENSES, TO MODIFY AND CLARIFY SMG'S INSURANCE OBLIGATIONS AS REIMBURSABLE EXPENSES AND TO AMEND THE COMMENCEMENT DATE OF THE TERM - CLERK read the following ordinance, introduced by Jonathan Cook, accepting and approving the First Amendment to Management Agreement between the City of Lincoln, Nebraska and SMG to amend the Management Agreement dated June 7, 2012 to define pre-opening expenses and adopt a budget for pre-opening expenses, to modify and clarify SMG's insurance obligations as Reimbursable Expenses and to amend the commencement date of the term, the first time.

RESOLUTIONS - 1ST READING - ADVANCE NOTICE - NONE

MISCELLANEOUS BUSINESS

RENAMING IRON HORSE PARK GENERALLY LOCATED AT 7TH AND Q STREET AS BILL HARRIS PARK.
(12/10/12 - PLACED ON INDEFINITE PENDING; TO HAVE P.H. WHEN REMOVED FROM PENDING);

CARROLL Moved to remove Bill No. 12R-293 from Pending for Withdrawal.
Seconded by Emery and carried by the following vote: AYES: Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None; ABSENT: Camp.
The ordinance, having been **WITHDRAWN**, was assigned the File #38-4628 and was placed on file in the Office of the City Clerk.

AMENDING SECTION 12.08.270 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR PROHIBITED IN PARKS TO ALLOW ALCOHOLIC BEVERAGES TO BE SERVED AND CONSUMED AT AULD PAVILION DURING PERIODS THAT ARE SUBJECT TO AN AGREEMENT BETWEEN THE CITY AND A PRIVATE BUSINESS FOR RENTAL OF THE FACILITY AND CATERING RELATED EVENTS.
(8/6/12 - TO HAVE 2ND READING/P.H. ON 9/10/12) (9/10/12 - PLACED ON INDEFINITE PENDING);

CARROLL Moved to remove Bill No. 12-92 from Pending for Withdrawal.
Seconded by Schimek and carried by the following vote: AYES: Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None; ABSENT: Camp.
The ordinance, having been **WITHDRAWN**, was assigned the File #38-4627 and was placed on file in the Office of the City Clerk.

OPEN MICROPHONE

Jane Svoboda, no address given, came forward to discuss various subjects.
Mike Morosin, 1500 N. 4th St., came forward to thank the Council for their work and service throughout the year.

ADJOURNMENT 6:36 P.M.

CARROLL Moved to adjourn the City Council meeting of December 17, 2012.
Seconded by Schimek & carried by the following vote: AYES: Carroll, Cook, Emery, Eskridge, Hinkley, Schimek; NAYS: None; ABSENT: Camp.

Joan E. Ross, City Clerk

Amy H. Huffman, Senior Office Assistant