

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, MAY 21, 2001 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Friendt, Seng, Svoboda, Werner; Joan Ross, City Clerk.

The Council stood for a moment of silent meditation.

**READING OF THE MINUTES**

SENG Having been appointed to read the minutes of the City Council proceedings of May 14, 2001, reported having done so, found same correct.

Seconded by Svoboda carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None.

**PUBLIC HEARING**

APPLICATION OF SHILAR INC. DBA "SPEAKEASY" FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING 62 FEET BY 88 FEET TO THE SOUTH OF THE LICENSED PREMISES AT 3233 ½ SOUTH 13TH STREET ON MAY 25, 2001 FROM 6:00 P.M. TO 12:00 A.M. - Joan Ross, City Clerk: Stated the applicant was not present. As per Inspector Fosler the applicant has had no problems in the past.

This matter was taken under advisement.

APPLICATION OF BCRT INC. DBA "THE PIT CREW" FOR A CLASS C LIQUOR LICENSE AT 3223 CORNHUSKER HIGHWAY;

MANAGER APPLICATION OF BONNIE CHARLESWORTH FOR BCRT INC. DBA "THE PIT CREW" AT 3223 CORNHUSKER HIGHWAY; Bonnie Charlesworth, 5015 N. 25th St., took oath & came forward to answer any questions.

Brian Kruse, Attorney, 1201 Lincoln Mall: Representing BCRT Inc., took oath & also came forward to answer any questions.

This matter was taken under advisement.

APPLICATION OF MIKE NGUYEN DBA "EGG ROLL PALACE" FOR A CLASS A LIQUOR LICENSE AT 1221 NORTH 27TH STREET - Mike Nguyen, 1221 N. 27th Street, took oath & came forward to answer any questions.

This matter was taken under advisement.

MANAGER APPLICATION OF CHERYL K. CARLSON FOR ELLEVEN CORP. DBA "ELLEVEN" AT 13TH AND O STREETS - Cheryl K. Carlson, 13th & O Street, took oath & came forward to answer any questions.

This matter was taken under advisement.

MANAGER APPLICATION OF MATTHEW C. KIMMERLING FOR LPG CORP. DBA "BUSTER BARBECUE & BREW" AT 2435 S. 48TH STREET - Matthew Kimmerling, 2810 Prairie Rd., took oath & came forward to answer any questions.

This matter was taken under advisement.

CREATING ALLEY PAVING DISTRICT NO. 361 IN THE EAST-WEST ALLEY, FROM BALLARD TO MORRILL, 62ND TO 63RD STREETS - Patrick Conover, 6219 Ballard Ave.: Came forward to request the alley be paved for better access to their garages, for dust control, & to increase the value of property. Discussion followed.

Elmer Cole, Public Works, Engineering Service: Stated that once the Council passes this ordinance it will stay on the books indefinitely.

Lauri Cook, 6236 Morrill Avenue: Presented an additional name to the petition giving 350' against the alley paving.

Kendra Zachrison, 4215 N. 63rd St.: Came forward in opposition.

Pauline Johnson, 4216 N. 62nd St.: Came forward in opposition.

This matter was taken under advisement.

CREATING PAVING DISTRICT NO. 2621 IN 7TH STREET FROM O TO N STREETS - Nicole Fleck-Tooze, Public Works Dept.: Requested to delay Bill No. 01-80 with Public Hearing to June 4, 2001 to have time to talk to LES regarding the design of this paving.

Jonathan Cook: So moved.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

This matter was taken under advisement.

CHANGE OF ZONE 3322 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE TO CHANGE

"CITY DATA" AND "CITY DATUM" TO "NAVD 1988" TO MAKE THE ZONING ORDINANCE CONSISTENT WITH TITLE 26, AND LAND SUBDIVISION ORDINANCE - Ray Hill, Planning Dept. came forward to answer any questions.  
This matter was taken under advisement.

ASSESSING PROPERTY OWNERS FOR THE COST OF SNOW REMOVAL BY THE CITY FROM SIDEWALKS ADJACENT TO THEIR PROPERTY DURING THE WINTER OF 2000 - 2001 - Harry Kroos, Public Works Dept.: Requested to amend Bill No. 01R-111 by deleting assessment of property at 2941 NW 8th Street because it's already been paid.

Robert Popkin, 875 S 33rd St.: Expressed concern for the elderly & the young people who can't afford this assessment. He asked what the percentage was for those having snow removed by contractors.

Mr. Kroos: Stated that 1,150 complaints were responded to & 45 of those were cleaned by contractors. The Red Cross provides service to clean the sidewalks if they qualify.

Mr. Cook: Verified that these assessments are complaint based & the property owner is notified before any action is taken. Further discussion followed.

Lori Holle-Fonfara, 2547 Woods Blvd.: Owner of property assessed at 811 Charleston Street felt the \$104.00 inspection fee was excessive & should be stated in the municipal code.

James Bailey, 3944 Sumner: Stated he cleaned the sidewalk, but the snow plows pushed snow back onto the sidewalks.

David Nesladek, 1387 Ridgerow, West Point, NE: He requested that his partner, who lives in Lincoln, receive the notice instead of himself so his partner could take care of the snow removal when notified.

Dan Trainor, 5619 Longhorn Circle: Owner of property at 6301 & 6305 S. 28th St., a duplex, requested removing one of the inspection fees of \$104.00 that was charged for each duplex because it's only one unit. Discussion followed.

Mr. Camp: Moved to delete the second \$104.00 inspection fee.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

Craig Groat, 4935 Huntington Ave.: Stated that he has complained 5 or 6 times about property next to him that fails to clean snow from their sidewalks each winter & the City never responds. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS AS SET FORTH THEREIN FOR THE PERIOD OF APRIL 1 - 15, 2001. (CLAIM OF ERIKA DAVIS) - Harry Kroos, Sidewalk Inspector: Reported that the sidewalk of concern shows no need for repair.

Lin Quenzer, Ombudsman for City of Lincoln: Stated Harry Kroos, the witness to the accident & herself inspected the exact spot of the accident & found nothing indicating responsibility of the City for this accident. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR THE FUNDING OF THE ANTELOPE VALLEY PROJECT - PHASE I - Nicole Fleck-Tooze, Public Works Dept.: Stated that this gives political subdivisions authority to share finances & is for continued participation for the RTSD w/the City.

This matter was taken under advisement.

APPROVING AN INTERLOCAL GAS PURCHASING CONSORTIUM AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY, THE PUBLIC BUILDING COMMISSION, THE DISTRICT ENERGY CORPORATION, AND LINCOLN PUBLIC SCHOOLS FOR A CONTINUED GAS PURCHASING CONSORTIUM, TO PURSUE COST REDUCTION STRATEGIES AND COST SAVINGS, FOR A FOUR-YEAR PERIOD - Allen Hersh, Peoples Natural Gas: Commented about the gas consortium & the role that People's Natural Gas plays in the transportation of gas supplies for the group. Discussion followed.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND COUNTY RELATING TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION TO REDUCE THE LENGTH OF A TERM FROM THREE TO TWO YEARS, INCREASE REAPPOINTMENT TERMS FROM ONE

ADDITIONAL TERM TO TWO ADDITIONAL TERMS AND TO PROVIDE FOR APPOINTMENTS BY THE MAYOR - Bonnie Coffey, Lincoln Lancaster Women's Commission: Came forward to explain that these changes are to clean up the language & to answer any questions. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 1912 - APPLICATION OF MICHAEL RAASCH TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT 1502 WEST O STREET - Michael Raasch, 9200 Saticillo Rd.: Came forward to answer any questions.

This matter was taken under advisement.

SPECIAL PERMIT 1903 - APPEAL OF MOHAMED DAHAB AND DEBRA DAHAB FROM THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT 1903 FOR AUTHORITY TO CONSTRUCT A 68' TALL WIRELESS COMMUNICATIONS FACILITY ON PROPERTY GENERALLY LOCATED AT SOUTH 37TH STREET AND HIGH STREET - Debra Dahab, 3211 Weaver Lane: Came forward in opposition. Discussion followed.

Roger Refler, 3221 Weaver Lane: Came forward in opposition.

Jennifer Dam, Planning Dept.: Came forward to answer questions & discussion followed.

Jill Bazell, 910 N 43rd Ave, Omaha, NE, Real Estate Mgr. for Qwest: Came forward to give a brief overview of the site & address some of the concerns brought up by the neighbors. Discussion followed.

Mohamed Dahab, 3211 Weaver Lane: Came forward in rebuttal to previous discussion. More discussion followed.

This matter was taken under advisement.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY SHAWN PODRAZA FOR THE INSTALLATION OF A REPLACEMENT RETAINING WALL AT 548 NORTH 24TH STREET - Shawn Podraza, 548 N. 24th St.: Came forward to explain the replacement retaining wall & answer any question. Discussion followed.

This matter was taken under advisement.

**\*\* 7:55 P.M. TOOK BREAK\*\***

**\*\* 8:08 P.M. RECONVENED\*\***

#### MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Ave.: Came forward to discuss the need for the City to hire a qualified Traffic Engineer. He played a tape of Tom Bronze, President of the National Assn. of Transportation Engineers discussing this concern.

This matter was taken under advisement.

#### ORDINANCES - 3RD READING

APPROVING THE STREET NAME FOR THE STREET EXTENDING SOUTH FROM FLETCHER AVENUE TO THE UNION PACIFIC RAILROAD (WEST OF HIGHLANDS GOLF COURSE) AS N.W. 20TH STREET - CLERK read an ordinance, introduced by Jonathan Cook, naming the street which extends south from Fletcher Avenue to the Union Pacific Railroad, west of Highlands Golf Course, as N.W. 20th Street, as recommended by the Street Name Committee, the third time.

COOK Moved to pass ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **#17854**, is recorded in Ordinance Book 24, Page

AMENDING TITLE 4 OF THE LINCOLN MUNICIPAL CODE RELATING TO BOARDS AND COMMISSIONS BY REPEALING CHAPTER 4.12, ECONOMIC DEVELOPMENT COMMISSION, CHAPTER 4.32, SPORTS INDUSTRY COMMISSION, AND CHAPTER 4.44, CIVIL DEFENSE PROGRAM, WHICH COMMISSIONS AND PROGRAMS ARE OBSOLETE - CLERK read an ordinance, introduced by, Jonathan Cook, amending Title 4 of the Lincoln Municipal Code relating to Boards and Commissions by repealing Chapter 4.12, Economic Development Commission, Chapter 4.32, Sports Industry Commission, and Chapter 4.44, Civil Defense Program, as said commissions and program are obsolete, the third time.

COOK Moved to pass ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **#17855**, is recorded in Ordinance Book 24, Page

#### SPECIAL PERMITS

SPECIAL PERMIT 1912 - APPLICATION OF MICHAEL RAASCH TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT 1502 WEST O STREET

- CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80861 WHEREAS, Michael Raasch has submitted an application designated as Special Permit No. 1912 for authority to sell alcoholic beverages for consumption off the premises at Buggy Bath West Convenience Store at 1502 West O Street, legally described as:

Lot 5, except the south 27 feet thereof, and all of Lot 4, Block 13, Woods Bros. Lakeview Acres, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages for consumption off the premises will not be adversely affected; and

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

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

That the application of Michael D. Raasch, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for consumption off the premises.

2. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, location of parking and circulation elements, and similar matters.

3. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, his successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

4. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1903 - APPEAL OF MOHAMED DAHAB AND DEBRA DAHAB FROM THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT 1903 FOR AUTHORITY TO CONSTRUCT A 68' TALL WIRELESS COMMUNICATIONS FACILITY ON PROPERTY GENERALLY LOCATED AT SOUTH 37TH STREET AND HIGH STREET - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-120 for two weeks to 6/4/01.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1887 - APPLICATION OF WEST POINT, L.L.C. TO DEVELOP 230,000 SQ. FT. OF COMMERCIAL USES, WITH WAIVERS OF PUBLIC SIDEWALKS ON THE NORTH SIDE OF WEST O STREET AND THE EAST SIDE OF N.W. 40TH STREET, AND REDUCTION OF THE FRONT AND SIDE YARD SETBACKS ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF N.W. 40TH STREET AND WEST O STREET - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-121 for two weeks to 6/4/01.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### PETITIONS

PETITION TO VACATE PUBLIC WAY OF THE EAST 20 FEET OF SOUTH 120<sup>TH</sup> STREET ADJACENT LOTS 6 & 7, BLOCK 241 OF THE ORIGINAL PLAT SUBMITTED BY STEVEN & BETTY NELSON & AILEEN ELIKER - CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY ALL OF THE NORTH-SOUTH ALLEY IN BLOCK 68, UNIVERSITY PLACE SUBMITTED BY MARY HEPBURN O'SHEA - CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY THE WEST "C" STREET STUB FROM THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 6<sup>TH</sup> STREET TO THE WEST LINE OF OUTLOT "A" IMS ADDITION SUBMITTED BY ELMER A. WESSELL - CLERK presented said petition which was referred to the Law Dept.

**THE FOLLOWING WERE REFERRED TO PLANNING DEPT.:**

Change of Zone HP69 - App. of David L. Johnson , Pres. of Rape/Spouse Abuse Crisis Center as a landmark designation for the Pace-Woods House at 2545 N St.

Change of Zone 3279 - App. of Carl R. & Vicki A Schmidt from Ag to AGR on property at S. 70<sup>th</sup> & Countryview.

Change of Zone 3313 - App. of Engineering Design Consultants from R-3 to H-3 on property at N. 27<sup>th</sup> St. & Whitehead Dr.

Special Permit No. 1868 - Carl R & Vicki A. Schmidt for a Community Unit Plan on property at S. 70<sup>th</sup> & Countryview.

Special Permit No. 1914 - App. of David Johnson, Pres. of Rape/Spouse Abuse Crisis Center to operate a non-profit rape & domestic violence crisis center (no lodging) at 2545 N. Street.

Special Permit No. 1915 - App. of Steven L. Oldham to install a roof-mounted steeple on property at 31<sup>st</sup> & Old Cheney Rd.

**REPORTS OF CITY OFFICERS**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON May 14, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

**A-80871** BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments from May 7 to 11, 2001.)

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORT FROM CITY TREASURER OF CASH ON HAND AS OF CLOSE OF BUSINESS APRIL 30, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk.

ORDERING ALLEY PAVING DISTRICT NO. 359 CONSTRUCTED IN THE EAST-WEST ALLEY FROM 47TH TO 48TH STREET, LOWELL AVE. TO PRESCOTT AVE. - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

**A-80856** WHEREAS a majority petition has been submitted by the owners of record title, representing a majority of the front footage of the property directly abutting upon the alley in Alley Paving District No. 359, being East/West Alley, 47th Street to 48th Street, Lowell Avenue to Prescott Avenue, and have been filed with the City Clerk, petitioning for the construction of said alley paving.

THEREFORE BE IT RESOLVED that the Department of Public Works is hereby authorized and directed to proceed with the preparation of detailed plans and specifications and to obtain bids for the said alley paving work in accordance with this resolution.

BE IT STILL FURTHER RESOLVED that, in the event that the actual bid price exceeds 25 percent over the preliminary cost estimate for the improvements, then such bid shall not be awarded until the Council has approved such bid by resolution.

Introduced by Coleen Seng

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS AS SET FORTH THEREIN FOR THE PERIOD OF APRIL 1 - 15, 2001. (CLAIM OF ERIKA DAVIS) - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80857 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 May 1, 2001, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

DENIED

ALLOWED

Erika Davis NAS\*

\* 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 Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 18, 2001 AT 10:00 A.M. ON THE BOARD OF EQUALIZATION SPECIAL ASSESSMENT GROUP I - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80865 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the City Clerk be and he is hereby instructed to give ten days notice by publication according to law that the City Council will, at a regular meeting to be held on the 11th day of June, 2001, at 1:30 p.m., assess the improvements in the following special assessment districts:

Water District No. 1179

Paving District No. 2616

Alley Repaving District No. 47

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, June 18, 2001, at 10:00 a.m. with adjournments from day to day until said work of equalizing said assessments are completed.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### OTHER RESOLUTIONS

APPLICATION OF SHILAR INC. DBA "SPEAKEASY" FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING 62 FEET BY 88 FEET TO THE SOUTH OF THE LICENSED PREMISES AT 3233 ½ SOUTH 13TH STREET ON MAY 25, 2001 FROM 6:00 P.M. TO 12:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80849 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 Shilar Inc. dba Speakeasy for a Special Designated License covering an area measuring 62 feet by 88 feet in the parking lot at 3233 ½ South 13th Street, Lincoln, Nebraska, on May 25, 2001, between the hours of 6:00 p.m. and 12:00 a.m., be approved with the condition that the applicant and premise 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF BCRT INC. DBA "THE PIT CREW" FOR A CLASS C LIQUOR LICENSE AT 3223 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80850 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 BCRT Inc. dba "The Pit Crew" for a Class "C" liquor license at 3223 Cornhusker Highway, Lincoln, Nebraska, for the license period ending October 31, 2001, be approved with the condition that the premise complies 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF BONNIE CHARLESWORTH FOR BCRT INC. DBA "THE PIT CREW" AT 3223 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80851 WHEREAS, BCRT Inc. dba "The Pit Crew" located at 3223 Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Bonnie Charlesworth be named manager; WHEREAS, Bonnie Charlesworth 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 Bonnie Charlesworth 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF MIKE NGUYEN DBA "EGG ROLL PALACE" FOR A CLASS A LIQUOR LICENSE AT 1221 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80852 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 Mike Nguyen dba "Egg Roll Palace" for a Class "A" liquor license at 1221 N. 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2002, be approved with the condition that the premise complies 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF CHERYL K. CARLSON FOR ELLEVEN CORP. DBA "ELLEVEN" AT 13TH AND O STREETS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80853 WHEREAS, Elleven Corp. dba "Elleven" located at 13th and O Streets, Lincoln, Nebraska has been approved for a Retail Class "IK" liquor license, and now requests that Cheryl K. Carlson be named manager;

WHEREAS, Cheryl K. Carlson 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 Cheryl K. Carlson 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF MATTHEW C. KIMMERLING FOR LPG CORP. DBA "BUSTER BARBECUE & BREW" AT 2435 S. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80854 WHEREAS, LPG Corp. dba "Buster's Barbecue & Brew" located at 2435 South 48th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Matthew C. Kimmerling be named manager;

WHEREAS, Matthew C. Kimmerling 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 Matthew C. Kimmerling 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 Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ASSESSING PROPERTY OWNERS FOR THE COST OF SNOW REMOVAL BY THE CITY FROM SIDEWALKS ADJACENT TO THEIR PROPERTY DURING THE WINTER OF 2000 - 2001 - PRIOR to reading:

CAMP Moved to delete assessment on property at 2941 NW 8th St. as it's already been paid.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CAMP Moved to remove administrative costs for snow removal of \$104.00 on duplex property at 6301 S. 28th St.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80855 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the snow removal costs for snow and ice removal off sidewalks for the 2000-2001 winter as listed below be and the same hereby are assessed against the property listed opposite the amount.

Location	Legal Description	Snow Removal Charges
1941 'J' Street	C J Hull's Capitol Addition Block 2, Lots 1 & 2	\$154.00
2001 'J' Street	C J Hull's Capitol Addition Block 3, Lot 5	\$154.00
601 S. 21st Street	Davenport's Second Addition Block 2, N38' S114' Lots 1 & 2	\$154.00
26/628 S. 27th Street	Elm Park, Block 4, Lot 21	\$154.00
2809 'F' Street	Grant Add. American Sub. Lots 4 & 5 Blk 3 of S5' of 'F' St. Abutting: Lots 1 & 12 & 13, Blk 3	\$154.00
1129 SW 10th Circle	Susan Subdivision Block 2, Lot 13	\$154.00
2860 Garfield Street	Zehrunge & Ames Add. Farrells Sub. Lots 15 to 18: Lot A Blk 8	\$154.00
3641 Baldwin Avenue	G M Barnes' Sub Block 39, Lots 1 & 2	\$154.00
2825 N. 14th Street	Belmont Addition Block 7, Lots 1, 2 & 3	\$154.00
		\$25.00
6301 S. 28th Street	Seven Oaks Eleventh Addition, Lot 1	<del>\$129.00</del>
6305 S. 28th Street	Seven Oaks Eleventh Addition, Lot 2	\$129.00
5941 S. 28th Court	Seven Oaks 1st Addition Block 1, Lot 74	\$154.00
2701 Sedalia Circle	Southern Hills Addition Block 1 Lot 5	\$154.00
4901 S. 56th Street	Lot 126 Irregular Tract NE 1/4 Section 8, Township 9 North, Range 7 East	\$154.00
1145 N. 9th Street	Cahn Metcalf & Farwell's Sub	\$154.00



	Block 13, N47 1/3' Lots 1 & 2	
3944 Sumner Street	East Lawn Terrace, Block 14, Lot 24	\$154.00
4445 Sumner Street	Witt & Juckette Addition	\$154.00
	Block 1, Lot 1	
4631 Holdrege Street	Mt. Forrest Addition, Block 2 Lot 2	\$184.00
1023 'O' Street	Original Plat, Block 55, Lots 6 & 7	\$462.00
800 Westward Road	Homestead Park Sixth Addition	\$154.00
	Block1, Lot 23	
<del>2941 NW 8th Street</del>	<del>Homestead Park Eighth Addition</del>	<del>\$154.00</del>
	<del>Block 2, Lot 4</del>	
1301 Meadow Dale Drive	Meadow Lane, Block 3, Lot 6	\$154.00
3041 N. 48th Street	Imhoff's Addition to University Place	\$154.00
	Block 41, North 1/2 Lots 1 & 2	
4438 Vine Street	T F Barnes Sub of SE 1/4 NW 1/4	\$154.00
	20-10-7, South 77' EX Tract on South	
	Cont 260.5', Lot 31	
3644 'A' Street	Blvd Hts Sub Lot 50 in 30-10-7	\$154.00
	Palmer Place: Lot 240	
1501 S. 48th Street	Shurtleffs Piedmont Park	\$154.00
	Block 7, Lot 1	
731 Charleston Street	Cahn Metcalf & Farwell's Sub	\$154.00
	Block 13, Lot 11	
811 Charleston Street	Cahn Metcalf & Farrell's Sub	\$154.00
	Block 13, Lot 6	
854 'Y' Street	Cahn Metcalf & Farwell's Sub	\$154.00
	Block 13, Lot 26	
4501 N. 27th Street	Northview Centre First Addition Lot 2	\$154.00
1341 'F' Street	Original Plat, Block 180	\$154.00
	W10' N54' Lot 1 & N54' E 1/2 Lot 2	
2445 'E' Street	Houtz Place, Block 8, N89' Lots 1 & 2	\$154.00

Introduced by Coleen Seng

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR THE FUNDING OF THE ANTELOPE VALLEY PROJECT - PHASE I - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80858 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska (City) and the Lincoln / Lancaster County Railroad Transportation Safety District (District) desire to cooperate in the final design, right-of-way acquisition and construction activities for Phase-1 of the Antelope Valley Project (amended draft single package); and

WHEREAS, the District agrees to continue to participate in the project and has additional budgeted funds in its 2000-2001 budget for such participation; and

WHEREAS, the District will pay the City up to \$1,500,000.00 to be applied to said project; and the City will bill the District up to \$1,500,000.00 as expenditures are incurred by the City for such work.

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

That the Interlocal Agreement between the City and the District attached hereto as Exhibit "A" in connection with the Antelope Valley Project in Lincoln, Lancaster County, Nebraska, is hereby approved and the Mayor is authorized to execute said agreement on behalf of the City.

Introduced by Coleen Seng

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN INTERLOCAL GAS PURCHASING CONSORTIUM AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY, THE PUBLIC BUILDING COMMISSION, THE DISTRICT ENERGY CORPORATION, AND LINCOLN PUBLIC SCHOOLS FOR A CONTINUED GAS PURCHASING CONSORTIUM, TO PURSUE COST REDUCTION STRATEGIES AND COST SAVINGS, FOR A FOUR-YEAR PERIOD - PRIOR to reading:

CAMP Moved to amend Bill No. 01R-117 to remove the District Energy Corporation from the Interlocal Gas Purchasing Consortium Agreement on lines 6 & 14.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80859 WHEREAS, the City of Lincoln currently spends approximately \$284,400.00 a year on natural gas purchases; and

WHEREAS, deregulation in the natural gas industry provides opportunities to reduce costs; and

WHEREAS, the City of Lincoln, Nebraska; Lancaster County, Nebraska; the Lincoln-Lancaster County Public Building Commission; the ~~District Energy Corporation~~; and the Lincoln Public Schools have previously formed a natural gas purchasing consortium to pursue cost reduction strategies including aggregating their natural gas loads to achieve market presence and maximum potential cost savings; and

WHEREAS, all the parties to the gas purchasing consortium now desire to continue the consortium beyond the originally agreed to four-year period; and

WHEREAS, the parties have drawn up the attached Agreement to continue for an additional four-year period the mutually beneficial gas purchasing consortium.

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

That, the attached agreement with Lancaster County, the Lincoln-Lancaster County Public Building Commission, the ~~District Energy Corporation~~, and Lincoln Public Schools to continue the cooperative gas purchasing consortium for the mutual benefit of the City and the other participating public agencies is hereby approved and the Mayor is authorized to execute said agreement on behalf of the City.

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND COUNTY RELATING TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION TO REDUCE THE LENGTH OF A TERM FROM THREE TO TWO YEARS, INCREASE REAPPOINTMENT TERMS FROM ONE ADDITIONAL TERM TO TWO ADDITIONAL TERMS AND TO PROVIDE FOR APPOINTMENTS BY THE MAYOR - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80860 WHEREAS, the City of Lincoln and the County of Lancaster have previously entered into an Interlocal Agreement providing for the creation of an advisory body known as the Lincoln-Lancaster Women's Commission; and

WHEREAS, said City and County are desirous of amending said Interlocal Agreement to reduce the length of a term from three to two years, increase reappointment terms from one additional term to two additional terms and to provide for appointments by the Mayor.

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

That the attached Revised Interlocal Agreement between the City of Lincoln and the County of Lancaster is hereby accepted and approved, and the Mayor is authorized to execute said Interlocal Agreement on behalf of the City.

Introduced by Coleen Seng

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

WAIVING THE PEDESTRIAN-WAY EASEMENT AND SIDEWALKS BETWEEN LOTS 17 AND 18, BLOCK 3, HARTLAND ESTATES, ON PROPERTY GENERALLY LOCATED AT S.W. 14TH AND WEST WASHINGTON STREETS - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80862 WHEREAS, Hartland Homes has requested a waiver of the pedestrian way easement and sidewalks on property generally located at S.W. 14th Street and Washington Street and legally described as:

Lots 17 and 18, Block 3, Hartland Estates, located in the Northeast Quarter of Section 33, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, Section 26.23.125 of the Lincoln Municipal Code requires a pedestrian-way easement for a pedestrian sidewalk when a block exceeds 1,000 feet in length; and

WHEREAS, the Applicant has requested a modification to waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

WHEREAS, the Planning Commission has reviewed said request and has made recommendations thereon; and

WHEREAS, the City Council finds that the strict application of all

requirements would result in actual difficulties or substantial hardship or injustice to the Applicant.

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

That, in consideration of the findings made above, the requirement of a pedestrian way easement within the plat of Hartland Estates for a pedestrian sidewalk when a block length exceeds 1,000 feet, is hereby waived.

BE IT FURTHER RESOLVED that the pedestrian way easement between Lots 17 and 18, Block 3, Hartland Estates is hereby released and terminated. Said easement was granted to the City of Lincoln through the final plat of Hartland Estates which was recorded in the Lancaster County Register of Deeds office as Instrument No. 95-028543 recorded on September 14, 1995.

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF ST. THOMAS AQUINAS CHURCH/NEWMAN CENTER FOR ONE RAFFLE AND 5 LOTTERY PERMITS FOR THE FOLLOWING TIMES: JUNE 1, 2001 TO AUGUST 31, 2001; OCT. 1, 2001 TO OCT. 31, 2001; NOV. 1, 2001 TO NOV. 30, 2001; DEC. 1, 2001 TO DEC. 31, 2001; JAN. 1, 2002 TO JAN. 30, 2002; FEB. 1, 2002 TO FEB. 28, 2002 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80863 WHEREAS, St. Thomas Aquinas Church/Newman Center has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

WHEREAS, said application complies with all of the requirements of Section 9.32.030 of the Lincoln Municipal Code.

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

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to St. Thomas Aquinas Church/Newman Center to conduct a raffle in the City of Lincoln in accordance with the application filed by Fr. Robert A. Matya. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific raffles described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that pursuant to Section 9.32.080 of the Lincoln Municipal Code, a tax of 5% is imposed upon the gross proceeds received from the sale of raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each raffle to be conducted hereunder, and if unpaid at that time, shall thereafter be delinquent.

Introduced by Coleen Seng

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY SHAWN PODRAZA FOR THE INSTALLATION OF A REPLACEMENT RETAINING WALL AT 548 NORTH 24TH STREET - CLERK read the following resolution, introduced by Jonathan Cook for Annette McRoy, who moved its adoption:

A-80864 WHEREAS, Shawn Podraza has submitted an application for a permit to use the public right-of-way adjacent to 548 North 24th Street for the installation of a rock retaining wall; and

WHEREAS, said applicant has submitted a letter of application and a site plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and made a part of this resolution by reference, to use the public right-of-way as above described; and

WHEREAS, said applicant has complied with all of the provisions of Chapter 14.54 of the Lincoln Municipal Code pertaining to such use.

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

That the application aforesaid of Shawn Podraza, hereinafter referred to as "Permittee" to use the public right-of-way adjacent to property legally described as the west 85 feet of Lot 6, Block 8, Hawley's Addition, Easterdays Subdivision, commonly known as 548 North 24th Street is granted as a privilege only by virtue of and subject to strict compliance with the site plan, the letter of application, and the following terms and conditions, to wit:

1. That the permission herein granted is granted as a privilege only, and is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code including those provisions relating to the

posting of a continuing bond in the amount of \$5,000, and the filing of a certificate of insurance with a minimum combined single limit of \$500,000 aggregate for any one occurrence.

2. That said use shall be in full accordance with the aforesaid application, the site plan filed therewith, and with all applicable City ordinances and regulations.

3. The Permittee, his heirs, successors or assigns shall save and keep the City free and harmless from any and all loss or damages or claims for damages arising from or out of the use of the public way requested herein.

4. That all work done under the authority of this resolution shall be subject to the inspection and approval of the Director of Public Works of the City of Lincoln.

5. This permit may be revoked by resolution of the City Council and after giving of five days written notice to the Permittee by the City Clerk, for the following reasons: (a) failure of the Permittee to pay the compensation required within ten days after the date payment is due; (b) failure or neglect of the Permittee to comply with the provisions of Chapter 14.54 of the Lincoln Municipal Code, or any other provisions of the Lincoln Municipal Code or the provisions of the permit; (c) failure to use the space for which the permit was granted for a continuous period of at least six months or (d) upon a determination by the City that the space for which the permit was granted is needed for public use.

Upon revocation of a permit, the Permittee shall forthwith remove or abandon the space for which the permit was granted, together with the removal of any structure at their own cost and expense and return that space to the City of Lincoln, free and clear of all structures or encroachments of any type, at no expense to the City. If the requested removal or abandonment has not been completed within six months after revocation of the permit, the City Council may cause such removal or abandonment to be so done and the cost of such work shall become a lien against the property of the Permittee.

6. Permittee shall pay, as rental fee for the space occupied, an amount equal to ten percent of the square foot value, as last fixed by the Board of Equalization, of the lot directly abutting on the use, multiplied by the square footage of the use of space.

Said rental payments shall be made to the City Treasurer and shall be due and payable on the 1st day of October of each year; provided however, the amount of the initial payment required hereunder shall be pro-rated from the date when the permit is issued to the 1st day of October of the next year and payments shall be due and payable on October 1st thereafter. Rent shall become delinquent on the 1st day of December of each year and such delinquent rent shall bear interest at the rate of one percent per month until paid and if such rent is not paid for six months or more after such delinquent date, a penalty of five percent shall be added thereto in addition to said interest.

7. The use of the public way herein granted and the terms and conditions of this resolution shall be binding and obligatory upon the above-named Permittee, his successors and assigns.

8. That within thirty (30) days from the adoption of this resolution, and before commencing any construction under the provisions hereof, the above-named Permittee shall file an unqualified written acceptance of all the terms and conditions of this resolution with the City Clerk. Failure to do so will be considered a rejection hereof and all privileges and authorities hereunder granted shall thereupon ipso facto terminate.

Introduced by Jonathan Cook

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 11, 2001 AT 1:30 P .M. FOR APP. OF RESTAURANTE Y PUPUSERIA EL SALVADOR FOR A CLASS I LIQUOR LICENSE AT 1501 CENTER PARK RD., #100 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80866 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 11, 2001, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Restaurante Y Pupuseria El Salvador for a Class "I" Liquor License at 1501 Center Park Rd., #100.

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

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 11, 2001 AT 1:30 P.M. FOR APP. OF SUPER SAVER #17 FOR A LIQUOR CATERING LICENSE AT 2525 PINE LAKE RD. - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80867 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 11, 2001, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for B&R Stores, Inc. dba Super Saver #17 for a Liquor Catering License at 2525 Pine Lake Rd.

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

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 11, 2001 AT 1:30 P.M. FOR APP. OF RUSS'S B & R IGA FOR A LIQUOR CATERING LICENSE AT 130 N. 66<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80868 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 11, 2001, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for B&R Stores, Inc. dba "Russ's B&R IGA" for a Liquor Catering License at 130 N. 66th St.

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

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 11, 2001 AT 1:30 P.M. FOR APP. OF B&R STORES, INC. DBA "SUPER SAVER SPIRITS" FOR A LIQUOR CATERING LICENSE AT 2662 CORNHUSKER - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80869 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 11, 2001, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for B&R Stores, Inc. dba "Super Saver Spirits" for a Liquor Catering License at 2662 Cornhusker.

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

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JUNE 11, 2001 AT 1:30 P.M. FOR APP. OF GRANDSTAND LLC DBA BLEACHERS BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 5601 S. 56<sup>TH</sup> ST., STE 20 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80870 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 11, 2001, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City

Building, 555 S. 10th St., Lincoln, NE, for Grandstand, LLC dba "Bleachers Bar & Grill" for a Class "I" Liquor License at 5601 South 56th St., Ste.20.

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

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### RESOLUTION RECONSIDERED

RESOLUTION NO. A-80833 - (SPECIAL PERMIT NO. 1753B) - APP. OF KRUEGER DEVELOPMENT CO. TO DEVELOP VAVRINA MEADOWS 1<sup>ST</sup> COMMUNITY UNIT PLAN CONSISTING OF 517 SINGLE FAMILY UNITS, 34 SINGLE FAMILY ATTACHED UNITS, 355 MULTI-FAMILY DWELLING UNITS AND 86 UNITS FOR SINGLE FAMILY, SINGLE FAMILY ATTACHED OR DUPLEX USE, WITH WAIVERS OF CLUSTER DENSITY, FRONT,

REAR AND SIDE YARD SETBACKS AND BUILDING HEIGHT, ON PROPERTY GENERALLY LOCATED NORTHEAST OF SOUTH 14<sup>TH</sup> STREET & YANKEE HILL ROAD - PRIOR to reading:

- COOK Moved to re-approve Amendment No. 2 for Bill No. 01R-92 as follows:
1. On page 4, between lines 10 and 11, insert a new condition 3 to read as follows:
    3. Revise the site plan as follows:
      - (a) Renumber 19th Street, south of Ryley Lane, to 18th Street;
      - (b) Renumber 22nd as 21st Street;
      - (c) Change 21st Street to a non-numbered street name; and
      - (d) Provide a non-numbered street name for 20th Street, south of Scotch Pines Pass to the intersection with Ryley Lane.
      - (e) Realign South 19th Street to a location generally across from Executive Woods Drive as it intersects Yankee Hill Road approximately 1130 feet east of South 14th Street to the satisfaction of the Director of Planning and the Director of Public Works.
  2. On pages 4 and 5, renumber existing conditions 3, 4, 5, 6, 7, and 8 as conditions 4, 5, 6, 7, 8, and 9, respectively.

Seconded by Seng & carried by the following vote: AYES: Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: Camp.

- COOK Moved to re-approve Amendment No. 4 on Bill No. 01R-92 as follows:
1. On page 3, line 15, delete "992" and insert "982".
  2. On page 4, line 4, delete 23.6 and insert 22.3.
  3. On page 4, between lines 10 and 11, insert a new condition 3 to read as follows:

- "3. Revise the site plan as follows:
  - (a) Increase the setback of the apartments on the east end of the two lots designated as Lot 11, Block 21, and Lot 1, Block 22, on the preliminary plat for Vavrina Meadows 1st from 38 feet to 80 feet; and
  - (b) Add a note prohibiting balconies on the east end of the apartments located on said Lot 11, Block 21 and Lot 1, Block 22.

4. On pages 4 and 5, renumber existing conditions 3, 4, 5, 6, 7, and 8 as conditions 4, 5, 6, 7, 8, and 9, respectively.

Seconded by Seng & carried by the following vote: AYES: Cook, McRoy, Seng, Werner; NAYS: Camp, Friendt, Svoboda.

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

A-80833 WHEREAS, Krueger Development Inc. has submitted an application designated as Special Permit No. 1753B for authority to develop Vavrina Meadows 1st Addition Community Unit Plan on property located at South 14th Street and Yankee Hill Road, and legally described to wit:

Lots 2-23, Block 1; Lots 2-8 and 10-18, Block 2; Lots 1-7 and 11-15, Block 3; Lots 2-6, Block 4; Lots 1-4, Block 5; Lots 1 and 2, Block 6; Lots 1 and 2, Block 7; Lots 1-11, Block 8; Lot 1, Block 9; Lot 1, Block 10; Lots 1-18, Block 11; Lots 1-8, Block 12; and Outlots B, C, and D, Vavrina Meadows Addition; Lots 1 and 2, Vavrina Meadows 1st Addition; Lots 1-3, Vavrina Meadows 3rd Addition; Lots 1-9, Block 1; Lots 1-18, Block 2; Lots 1-18, Block 3; Lots 1-16, Block 4; Lots 1-8, Block 5; Lots 1-14, Block 6; and Outlot A, Vavrina Meadows 3rd Addition; Lots 1 and 2, Vavrina Meadows 4th Addition; Lots 1 and 2, Block 1; and Lots 1 and 2, Block 2, Vavrina Meadows 5th Addition; Lots 1-3, Block 1; Lots 1 and 8, Block 2; a portion of Lots 1-12 Block 3; and a portion of Outlot A; and all of Outlots B and C, Vavrina Meadows 6th Addition; a portion of Irregular Tract Lots 14, 18, 20-25, 67, 68, and 75, and the remaining portion of Irregular Tract Lot 74, all located in the West Half of Section 24, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the west corner of Section 24, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska and extending north 01 degrees 56 minutes 43 seconds west, 358.04 feet; thence north 88 degrees 03 minutes 17 seconds east, 50.00 feet to the point of beginning; thence north 01 degrees 56 minutes 44 seconds

west, 154.49 feet; thence north 02 degrees 08 minutes 34 seconds east, 140.28 feet; thence north 01 degrees 56 minutes 41 seconds west, 80.00 feet; thence north 06 degrees 01 minutes 42 seconds west, 140.45 feet; thence north 01 degrees 56 minutes 42 seconds west, 256.82 feet; thence north 88 degrees 03 minutes 18 seconds east, 10.00 feet; thence north 01 degrees 56 minutes 42 seconds west, 130.00 feet; thence north 06 degrees 11 minutes 06 seconds east, 70.71 feet; thence north 88 degrees 33 minutes 17 seconds east, 2563.00 feet; thence south 01 degrees 59 minutes 29 seconds east, 2627.48 feet; thence south 88 degrees 29 minutes 47 seconds west, 171.11 feet; thence north 01 degrees 30 minutes 10 seconds west, 41.40 feet; thence south 88 degrees 29 minutes 47 seconds west, 115.00 feet; thence north 01 degrees 30 minutes 09 seconds west, 611.99 feet; thence south 88 degrees 29 minutes 51 seconds west, 320.00 feet; thence south 01 degrees 30 minutes 09 seconds east, 611.99 feet; thence north 88 degrees 29 minutes 48 seconds east, 30.00 feet; thence south 01 degrees 30 minutes 09 seconds east, 60.00 feet; thence south 88 degrees 29 minutes 47 seconds west, 29.34 feet; thence south 01 degrees 30 minutes 10 seconds east, 225.00 feet; thence south 16 degrees 20 minutes 16 seconds west, 120.14 feet; thence south 36 degrees 05 minutes 35 seconds west, 80.75 feet; thence south 01 degrees 40 minutes 13 seconds east, 890.60 feet; thence south 88 degrees 19 minutes 47 seconds west, 454.46 feet; thence north 01 degrees 46 minutes 39 seconds west, 572.27 feet to the point of curvature of a curve to the right having a central angle of 2 degrees 45 minutes 03 seconds, a radius of 300.00 feet and whose chord bears north 00 degrees 24 minutes 07 seconds west (14.40 feet); thence along the arc of said curve 14.40 feet; thence north 66 degrees 29 minutes 59 seconds west, 358.27 feet to the point of curvature of a curve to the right having a central angle of 35 degrees 47 minutes 36 seconds, a radius of 330.00 feet and whose chord bears north 48 degrees 36 minutes 11 seconds west (202.82 feet); thence along the arc of said curve 206.15 feet; thence north 30 degrees 42 minutes 23 seconds west, 816.41 feet to the point of curvature of a curve to the right having a central angle of 28 degrees 45 minutes 39 seconds, a radius of 431.88 feet and whose chord bears north 16 degrees 19 minutes 33 seconds west (214.53 feet); thence along the arc of said curve 216.79 feet; thence north 01 degrees 56 minutes 43 seconds west, 857.78 feet; thence north 88 degrees 30 minutes 08 seconds east, 50.00 feet; thence north 01 degrees 56 minutes 42 seconds west, 322.85 feet; thence south 88 degrees 03 minutes 18 seconds west, 566.47 feet to the point of beginning, containing 152.28 acres;

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

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

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

That the application of Krueger Development Inc., hereinafter referred to as "Permittee", to develop Vavrina Meadows 1st Addition Community Unit Plan, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a total of ~~992~~ 982 dwelling units.
2. This permit approves the following adjustments:
  - a. An adjustment to Section 27.15.080(a) of the Lincoln Municipal code to reduce the front yard setback along South 14th Street for the apartment area from 20 feet to 8 feet to reflect the acquisition of additional right-

- of-way.
- b. An adjustment to Section 27.15.080(a) of the Lincoln Municipal Code to increase the building height from 35 feet to 38 feet in height for the apartment area at 19th and Yankee Hill Road.
  - c. An adjustment to Title III Chapter 3.35 Section 1.1(B) of the City of Lincoln Design Standards relating to Design Standards for Community Unit Plans to increase the cluster density from 15 to ~~23.6~~ 22.3 dwelling units per acre for the apartments at South 19th Street and Yankee Hill Road.
  - d. An adjustment to Section 27.15.080(a) of the Lincoln Municipal Code to reduce the front yard, side and rear yard setbacks for the dwelling units west of South 16th Street for the main buildings and accessory units for the lots with access from the rear lot line.
3. a. Renumber 19th Street, south of Ryley Lane to 18th St.  
b. Renumber 22nd as 21st St.  
c. Change 21st St. to a non-numbered street name.  
d. Provide a non-numbered street name for 20th St., south of Scotch Pines Pass to the intersection with Ryley Lane.  
e. Realign South 19th St. to a location generally across from Executive Woods Drive as it intersects Yankee Hill Road approx. 1130 feet east of South 14th St. to the satisfaction of the Director of Planning and the Director of Public Works.  
f. Increase the setback of the apartments on the east end of the two lots designated as Lot 11, Block 21, and Lot 1, Block 22, on the preliminary plat for Vavrina Meadows 1st from 38 feet to 80 feet.  
g. Add a note prohibiting balconies on the east end of the apartments located on said Lot 11, Block 21 and Lot 1, Block 22.

4.3. Before receiving building permits the Permittee must submit a permanent reproducible final site plan as approved.

~~5.4.~~ Before occupying this development all development and construction must conform to the approved plans.

~~6.5.~~ All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee, its successors and assigns.

~~7.6.~~ The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

~~8.7.~~ The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

~~9.8.~~ The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Re-Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: Camp.

#### ORDINANCES - 1ST & 2ND READING

CHANGE OF ZONE 3319 - APPLICATION OF RICHARD AND ANN HUDSON FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT SOUTH 112TH STREET AND VAN DORN STREET. (IN CONNECTION W/01R-125)- CLERK read an ordinance, introduced by Coleen Seng, 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 first time.

AMENDING CHAPTER 2.62 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE POLICE AND FIRE PENSION PLAN - PLAN A TO ESTABLISH A DATE FOR COMMENCEMENT OF BENEFIT PAYMENTS; TO ESTABLISH LIMITATIONS UPON THE USE OF PLAN ASSETS; TO



ESTABLISH PROVISIONS FOR THE AMENDMENT, TERMINATION, AND DISCONTINUANCE OF THE PLAN; TO ESTABLISH THE CITY'S INTENTION THAT THE PLAN BE A QUALIFIED PLAN PURSUANT TO THE INTERNAL REVENUE SERVICE REQUIREMENTS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapter 2.62 of the Lincoln Municipal Code relating to the Police and Fire Pension Plan - Plan A by amending Section 2.62.040 to establish a date for commencement of benefit payments; amending Section 2.62.180 to establish limitations upon the use of plan assets; adding a new section numbered 2.62.220 to establish provisions for the amendment, termination, and discontinuance of the Plan; adding a new section numbered 2.62.230 to establish the City's intention that the Plan be a qualified plan pursuant to the Internal Revenue Service Requirements; and repealing Sections 2.62.040 and 2.62.180 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 2.65 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE POLICE AND FIRE PENSION PLAN - PLAN B TO ESTABLISH A DATE FOR COMMENCEMENT OF BENEFIT PAYMENTS; TO ESTABLISH LIMITATIONS UPON THE USE OF PLAN ASSETS; TO ESTABLISH PROVISIONS FOR THE AMENDMENT, TERMINATION, AND DISCONTINUANCE OF THE PLAN; TO ESTABLISH THE CITY'S INTENTION THAT THE PLAN BE A QUALIFIED PLAN PURSUANT TO THE INTERNAL REVENUE SERVICE REQUIREMENTS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapter 2.65 of the Lincoln Municipal Code relating to the Police and Fire Pension Plan - Plan B by amending Section 2.65.040 to establish a date for commencement of benefit payments; amending Section 2.65.180 to establish limitations upon the use of plan assets; adding a new section numbered 2.65.210 to establish provisions for the amendment, termination, and discontinuance of the Plan; adding a new section numbered 2.65.220 to establish the City's intention that the Plan be a qualified plan pursuant to the Internal Revenue Service Requirements; and repealing Sections 2.65.040 and 2.65.180 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 2.66 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE POLICE AND FIRE PENSION PLAN - PLAN C TO ESTABLISH A DATE FOR COMMENCEMENT OF BENEFIT PAYMENTS; TO ESTABLISH LIMITATIONS UPON THE USE OF PLAN ASSETS; TO ESTABLISH PROVISIONS FOR THE AMENDMENT, TERMINATION, AND DISCONTINUANCE OF THE PLAN; TO ESTABLISH THE CITY'S INTENTION THAT THE PLAN BE A QUALIFIED PLAN PURSUANT TO THE INTERNAL REVENUE SERVICE REQUIREMENTS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapter 2.66 of the Lincoln Municipal Code relating to the Police and Fire Pension Plan - Plan C by amending Section 2.66.040 to establish a date for commencement of benefit payments; amending Section 2.66.140 to establish limitations upon the use of plan assets; adding a new section numbered 2.66.190 to establish provisions for the amendment, termination, and discontinuance of the Plan; adding a new section numbered 2.66.200 to establish the City's intention that the Plan be a qualified plan pursuant to the Internal Revenue Service Requirements; and repealing Sections 2.66.040 and 2.66.140 of the Lincoln Municipal Code as hitherto existing, the first time.

VACATING A PORTION OF SOUTH 16TH STREET FROM THE NORTH LINE OF LAKE STREET TO THE SOUTH LINE OF THE PREVIOUSLY VACATED SOUTH 16TH STREET - CLERK read an ordinance, introduced by Coleen Seng, vacating a portion of South 16th Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

AMENDING SECTION 10.06.120 OF THE LINCOLN MUNICIPAL CODE TO INCREASE NON-MOVING TICKET FINES AND ADMINISTRATIVE FEES FOR TRAFFIC VIOLATIONS - CLERK read an ordinance, introduced by Coleen Seng, amending Section 10.06.120 of the Lincoln Municipal Code to increase non-moving ticket fines and administrative fees for traffic violations; and repealing Section 10.06.120 of the Lincoln Municipal Code as hitherto existing, the first time.

CREATING ALLEY PAVING DISTRICT NO. 361 IN THE EAST-WEST ALLEY, FROM BALLARD TO MORRILL, 62ND TO 63RD STREET - CLERK read an ordinance, introduced by Annette McRoy, creating Alley Paving District No. 361, defining the limits thereof, establishing the width of the roadway to be paved and the width of the grading to be done, providing for the curbing, guttering, and relaying of sidewalks, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, for the second time.

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CREATING PAVING DISTRICT NO. 2621 IN 7TH STREET FROM O TO N STREETS - PRIOR to reading:

COOK Moved to delay action & Public Hearing on Bill No. 01-79 for two weeks to June 4, 2001.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read an ordinance, introduced by Annette McRoy, creating Paving District No. 2621, defining the limits thereof, establishing the width of the roadway to be paved and the width of the grading to be done, providing for the curbing, guttering, and relaying of sidewalks, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the second time.

CHANGE OF ZONE 3322 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE TO CHANGE "CITY DATA" AND "CITY DATUM" TO "NAVD 1988" TO MAKE THE ZONING ORDINANCE CONSISTENT WITH TITLE 26, AND LAND SUBDIVISION ORDINANCE - CLERK read an ordinance, introduced by Annette McRoy, amending Sections 27.27.080, 27.28.090, 27.31.100, 27.37.070, 27.51.100, 27.58.060, 27.60.035, 27.65.070 and 27.70.050 of the Lincoln Municipal Code to change "city data" and "city datum" to "NAVD 1988" and to make the Zoning Ordinance consistent with Title 26, the Land Subdivision Ordinance; and repealing Sections 27.27.080, 27.28.090, 27.31.100, 27.37.070, 27.51.100, 27.58.060, 27.60,035, 27.65.070, and 27.70.050 of the Lincoln Municipal Code as hitherto existing, the second time.

**MISCELLANEOUS BUSINESS**

**PENDING LIST -**

AMENDING SEC. 5.04.060 OF THE LMC TO PROHIBIT ISSUANCE OF SDL'S FOR SALE OF LIQUOR TO THE GENERAL PUBLIC IN THE DOWNTOWN AREA ON HOME FOOTBALL GAME DAYS. (8/25/97 - AMENDED; PLACED ON PENDING) - CLERK requested Bill 97-122 to be Indefinitely Postponed.

COOK So moved.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, having been **Indefinitely Postponed**, was assigned File #38-4360, & was placed on file in the Office of the City Clerk.

APPROVING A RECOMMENDATION THAT THE MAYOR AMEND ADMINISTRATIVE REGULATION #9 TO ALLOW FOR THE CREATION & IMPLEMENTATION OF A TAKE-HOME VEHICLE PROGRAM FOR POLICE OFFICERS IN TARGETED REVITALIZATION STRATEGY AREAS. (5/10/99 - PLACED ON PENDING) - CLERK requested Bill No. 99R-134 to be Indefinitely Postponed.

COOK So moved.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, having been Indefinitely Postponed, was assigned File #38-4361, & was placed on file in the Office of the City Clerk.

CHANGE OF ZONE 3245 - APP. OF MANETTE KIDNEY FOR A CHANGE FROM AG AGRICULTURAL TO O-2 SUBURBAN OFFICE ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & OLD CHENEY RD. (4/24/00 - RECONSIDERED & PLACED ON PENDING) (2/26/01 - MOTION TO INDEFINITELY POSTPONE DIED DUE TO LACK OF SECOND; REMAIN ON PENDING) - CLERK requested Bill No. 00-72 be removed from Pending for action on 6/4/01.

SENG So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CHANGE OF ZONE 3206 - APP. OF REALTY TRUST GROUP FOR A CHANGE FROM AGR AGRICULTURAL RESIDENTIAL TO B-1 LOCAL BUSINESS DIST. ON PROPERTY GENERALLY LOCATED AT S. 70TH ST. & PINE LAKE RD. (9/18/00 - PLACED ON PENDING) (2/26/01 - MOTION TO INDEFINITELY POSTPONE LOST, 1-5; REMAIN ON PENDING) - CLERK requested that Bill No. 00-159 be removed from Pending for action on 6/4/01.

SENG So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ORD. 17727 - CHANGE OF ZONE 3207 - APP. OF REALTY TRUST GROUP FOR A CHANGE FROM AG AGRICULTURAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS DIST. ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & OLD CHENEY RD. (10/2/00 - PLACED ON PENDING) (2/26/01 - MOTION TO INDEFINITELY POSTPONE LOST, 1-5; REMAIN ON PENDING) - CLERK requested that Bill No. 00-160 be removed from Pending for action on 6/4/01.

SENG So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CAMP Moved to extend the Pending List for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on June 4, 2001.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### ADJOURNMENT

9:15 p.m.

CAMP Moved to adjourn the City Council Meeting of May 21, 2001.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

So ordered.

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Joan E. Ross, City Clerk

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Judy Roscoe, Office Assistant III