

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JULY 9, 2001 AT 1:30 P.M.**

The Meeting was called to order at 1:36 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 July 2, 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.

"MAYOR'S AWARD OF EXCELLENCE"

Mayor Don Wesely presented the Mayor's Award of Excellence to Floyd Anderson of the Public Works and Utilities Dept., N.E. Wastewater Plant, for the category of Loss Prevention.

PUBLIC HEARING

APP. OF MARY'S PLACE, INC. DBA "MARY'S PLACE" FOR A CLASS "C" LIQUOR LICENSE AT 1920 WEST O STREET;

MANAGER APP. OF MARY J. JONES FOR MARY'S PLACE, INC. DBA "MARY'S PLACE" AT 1920 WEST O STREET - Darrell Stock, 1115 K Street & Mary Jones, no address given, took oath. Discussion followed.

This matter was taken under advisement.

MANAGER APP. OF THOMAS E. LORENZ FOR SMG FOOD & BEVERAGE, L.L.C. DBA "PERSHING MUNICIPAL AUDITORIUM" AT 226 CENTENNIAL MALL - Thomas Lorenz, 5510 Dove Circle, took oath and came forward to answer any questions.

This matter was taken under advisement.

APP. OF PICKFAIR ENTERTAINMENT CORP. DBA "BIG RED KENO SPORTS BAR & GRILL" FOR A LIQUOR CATERING LICENSE AT 955 WEST O STREET - Chris Anderson, no address given, took oath & came forward to answer any questions.

This matter was taken under advisement.

APPLICATION OF LAZLO, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 290' BY 115' IN THE LINCOLN DEPOT SOUTH PARKING LOT AT 7TH AND P STREET ON JULY 14, 2001 FROM 11:00 A.M. TO 1:00 A.M. - Scott Miller, 7041 Woody Creek Lane, explained this special event is for the 10th anniversary of Lazlo's in the Haymarket.

Glenn Friendt, Council Member, asked about the parking situation in the Haymarket area for this event.

Mr. Miller stated they would be using the entire South parking lot, but have found other parking for the Train Station wedding reception guests for that evening.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,750,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S GOLF COURSE REVENUE REFUNDING BONDS. (WITH EMERGENCY CLAUSE) - Don Herz, Finance Director & Lauren Wismer, Bond Counsel from Cline Williams, 1900 First bank Bldg., 233 S. 13th St., explained that the refinancing will save the City \$60,000 per year for a total of \$400,000.

Jon Camp, Council Member, asked where this savings will be focused.

Mr. Herz stated it will stay in the Golf Fund.

Mr. Wismer, also, stated that this money cannot be diverted to any other municipal fund.

This matter was taken under advisement.

CHANGE OF ZONE 3238 - APPLICATION OF OLSSON ASSOCIATES FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH AND WEST OF S. 70TH STREET AND OLD CHENEY ROAD. (IN CONNECTION W/01R-171);

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF HAWKSWOOD ESTATES FOR 27 LOTS AND

WAIVERS FOR STREET LIGHTING INTERVALS, ROADWAY APPROACH GRADES, SIDEWALKS, CURB & GUTTER, LOCATION OF WATER AND SEWER MAINS, STORM WATER REQUIREMENTS, TRANSFER OF SANITARY SEWER BASINS, BLOCK LENGTHS, AND LENGTH OF PERMANENT DEAD END STREETS, ON PROPERTY GENERALLY LOCATED SOUTH AND WEST OF SOUTH 70TH STREET AND OLD CHENEY ROAD. (IN CONNECTION W/01-107) - Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing a coalition of property owners, asked that the Council approve this package plan that they have been working on for 3 to 4 years.

Mark Hunzeker, 530 S. 13th St., Suite B, representing Zane & Ethel Fairchild, who have tentatively sold the large lot of their 20 acres to Sheridan Lutheran Church.

Mike DeKalb, Planning Dept., requested a deferral for two weeks to research how this sale to Sheridan Lutheran Church will impact all the other portions that they had agreements on and if there's reasonable and workable solutions to those. Further discussion followed.

This matter was taken under advisement.

AUTHORIZING A CONTRACT FOR THE PURCHASE OF 20 REPLACEMENT TRANSIT VEHICLES FROM GILLIG CORP. - Larry Worth, Director of StarTran, stated this was a routine replacement of buses.

Terry Werner, Council Member, questioned the using of more ethanol to support the agricultural community & if StarTran has implemented more incentives to use the buses. Discussion followed.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS

APP. OF MARY'S PLACE, INC. DBA "MARY'S PLACE" FOR A CLASS "C" LIQUOR LICENSE AT 1920 WEST O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80955 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 Mary's Place, Inc. dba "Mary's Place" for a Class "C" liquor license at 1920 O Street, 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 APP. OF MARY J. JONES FOR MARY'S PLACE, INC. DBA "MARY'S PLACE" AT 1920 WEST O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80956 WHEREAS, Mary's Place, Inc. dba "Mary's Place" located at 1920 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Mary J. Jones be named manager;

WHEREAS, Mary J. Jones 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 Mary J. Jones 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.

APP. OF LINCOLN WINGS, L.L.C. DBA "HOOTERS" FOR A SPECIAL DESIGNATED LICENSE TO

COVER AN AREA MEASURING APPROXIMATELY 67' BY 97' AT 6811 O STREET ON JULY 13 & 14, 2001 FROM 11:00 A.M. TO 1:00 A.M., AND ON JULY 15, 2001 FROM 12:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80957 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 Lincoln Wings, L.L.C. d/b/a Hooters of Lincoln for a Special Designated License to cover an area measuring 67 feet by 97 feet at 6811 O Street, Lincoln, Nebraska, on July 13 and 14, 2001, from 11:00 a.m. to 1:00 a.m., and on July 15, 2001, from 12:00 p.m. to 11:00 p.m., be approved with the condition that the premise complies in every respect with all City and State regulations.

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.

MANAGER APP. OF THOMAS E. LORENZ FOR SMG FOOD & BEVERAGE, L.L.C. DBA "PERSHING MUNICIPAL AUDITORIUM" AT 226 CENTENNIAL MALL - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80958 WHEREAS, SMG Food & Beverage, L.L.C. dba "Pershing Municipal Auditorium" located at 226 Centennial Mall, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Thomas E. Lorenz be named manager;

WHEREAS, Thomas E. Lorenz 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 Thomas E. Lorenz 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.

APP. OF PICKFAIR ENTERTAINMENT CORP. DBA "BIG RED KENO SPORTS BAR & GRILL" FOR A LIQUOR CATERING LICENSE AT 955 WEST O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80959 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 ordinance, the City Council recommends that the application of Pickfair Entertainment Corp. dba "Big Red Keno Sports Bar & Grill" for the issuance of a Catering Permit to the existing liquor license, located at 955 West O Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all city and state regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk 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 LAZLO, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 290' BY 115' IN THE LINCOLN DEPOT SOUTH PARKING LOT AT 7TH AND P STREET ON JULY 14, 2001 FROM 11:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80960 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 Lazlo's, Inc. for a Special Designated License to cover an area measuring 290 feet by 115 feet in the Lincoln Depot south parking lot at 7th and P Streets, Lincoln, Nebraska, on the 14th day of July, between the hours of 11:00 a.m. and 1:00 a.m., be approved with the condition that the 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.

ORDINANCES - 2ND READING

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 4.4 ACRES OF PROPERTY GENERALLY LOCATED NORTH OF SOUTH 14TH STREET AND YANKEE HILL ROAD - PRIOR to reading:

SENG Moved to delay Public Hearing for two weeks to 7/23/01.

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

CLERK Read an ordinance, introduced by Jon Camp, amending Section 5 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17869 (Bill No. 01-97) passed June 25, 2001, prescribing and defining the corporate limits of the City of Lincoln, Nebraska; and repealing Section 5 or Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17869 (Bill No. 01-97), passed June 25, 2001, as hitherto existing, the second time.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,750,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S GOLF COURSE REVENUE REFUNDING BONDS - CLERK read an ordinance, introduced by Jonathan Cook, authorizing the issuance of not to exceed \$3,750,000 aggregate principal amount of the City's Golf Course Revenue Refunding Bonds, the second time.

CHANGE OF ZONE 3238 - APPLICATION OF OLSSON ASSOCIATES FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH AND WEST OF S. 70TH STREET AND OLD CHENEY ROAD - CLERK read an ordinance, introduced by Jonathan Cook, 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 second time.

RESOLUTIONS

AUTHORIZING A CONTRACT FOR THE PURCHASE OF 20 REPLACEMENT TRANSIT VEHICLES FROM GILLIG CORP. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80961 WHEREAS, the City Council of the City of Lincoln, Nebraska on April 17, 2000 adopted Resolution No. A-80123 which allowed the City to participate in a Cooperative Purchasing Agreement with Intercity Transit of Olympia Washington for the purpose of replacing 20 transit buses in January 2002; and

WHEREAS, pursuant to the terms of the Resolution and Cooperative Purchasing Agreement, on April 19, 2000 the Mayor approved the Agreement and executed the same on behalf of the City; and

WHEREAS, in reliance upon the authorizing Resolution and the terms and conditions of the Cooperative Purchasing Agreement, the City in good faith issued Purchase Order No. 4702 on May 8, 2000 for the purchase of 20 Gillig transit vehicles at the price of \$254,740.00 each; and

WHEREAS, the City was advised on May 15, 2001 by Federal Transit Administration Region 7 officials that the Cooperative Purchasing Agreement with Intercity Transit of Olympia, Washington had become noncompliant with FTA regulations due to the contracts substantial amendments thereby resulting in non-participation by FTA in the purchase of the transit vehicles; and

WHEREAS, through further discussions with FTA representatives of Region 7, the City has indicated its intent to purchase directly from Gillig Corporation the 20 transit vehicles previously ordered at the same purchase price as previously contracted for and the FTA has indicated its concurrence with this method of acquisition and will provide funding participation in the purchase of the 20 replacement transit vehicles.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the City of Lincoln Public Works Department, StarTran Division, is hereby authorized to purchase, directly from Gillig Corporation, the 20 replacement transit vehicles previously purchased through the Cooperative Purchasing Agreement approved by Resolution No. A-80123 and the Mayor is hereby authorized to execute any necessary contracts and/or purchase orders to accomplish the purchase of the 20 replacement transit vehicles.

BE IT FURTHER RESOLVED that Resolution No. A-80123 is hereby superceded by this Resolution.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Resolution to Larry Worth, Public Works & Utilities Department, StarTran Division, for transmittal to representatives of FTA Region 7.

Introduced by Jonathan Cook

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

REAPPOINTING JIM RITZMAN AND DAVID MCBRIDE TO THE AUDITORIUM ADVISORY BOARD FOR SIX-YEAR TERMS EXPIRING AUGUST 31, 2007 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-80962 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Jim Ritzman and David McBride to the Auditorium Advisory Board for six-year terms expiring August 31, 2007 is hereby approved.

Introduced by Glenn Friendt

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

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR ADDITIONAL FUNDING FOR THE EAST "O" STREET WIDENING PROJECT FROM 52ND STREET TO WEDGEWOOD DRIVE - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-80963 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads to amend the East "O" Street widening project agreement for utilization of additional Federal STPAA funds for right-of-way acquisition, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Department of Public Works, for transmittal and execution by the State Department of Roads.

Introduced by Glenn Friendt

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

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF HAWKSWOOD ESTATES FOR 27 LOTS AND WAIVERS FOR STREET LIGHTING INTERVALS, ROADWAY APPROACH GRADES, SIDEWALKS, CURB & GUTTER, LOCATION OF WATER AND SEWER MAINS, STORM WATER REQUIREMENTS, TRANSFER OF SANITARY SEWER BASINS, BLOCK LENGTHS, AND LENGTH OF PERMANENT DEAD END STREETS, ON PROPERTY GENERALLY LOCATED SOUTH AND WEST OF SOUTH 70TH STREET AND OLD CHENEY ROAD. (IN CONNECTION W/01-107) - PRIOR to reading:

COOK Moved to delay action Bill No. 01R-171 for one week to 7/16/01.

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

PETITIONS AND COMMUNICATIONS

FORMAL PETITION TO VACATE PUBLIC WAY EAST-WEST ALLEY FROM 57TH ST. ON THE NORTH SIDE OF UNIVERSITY PLACE, BLOCK 103 E 25', LOT 11 & ALL OF LOT 12 AT 57TH ST. & WALKER AVE. REQUESTED BY WAYNE HAHN - CLERK presented said petition which was referred to the Law Dept.

INFORMAL PETITION FOR A WATER & SEWER DISTRICT AT STEVEN'S RIDGE ESTATES, BLOCK 1, LOT 6 REQUESTED BY RON & DEBBIE HACHIYA - CLERK presented said petition which was referred to the Public Works Dept.

INFORMAL PETITION THAT A WATER DIST. BE CREATED IN PARK AVENUE FROM 10TH ST. TO 11TH ST. REQUESTED BY JOYCE DANIELL - CLERK presented said petition which was referred to the Public Works Dept.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Change of Zone 3327 - App. of Leonard G. Stolzer, Jr. & Lynette M. Stolzer for a change of the Lincoln Municipal Code 27.71.130 to "More than one main building on agricultural, business, commercial, or industrial tract".

Change of Zone 3330 - App. of Ridge Development Co. from AG to R-3 at S. 27th St. & Yankee Hill Rd.

Change of Zone 3331 - App. of Director of Public Works & Utilities for a text amendment to revise Chapter 27.55, "Flood Plain District".

Special Permit 1013H - App. of Shari Shell - True to allow for planned service commercial (26.63.470 (21)) private school, Dance Academy, at 6140 S.57th St.

Special Permit 1786A - App. of Quin-C Inc. to add a picnic shelter, removal of crosscut lane, between Burlwood Dr. & Black Forest Dr., removal of sidewalks along both sides of Black Forest Court at Old Cheney & 62nd St.

Special Permit 1920 - App. of Cricket Nebraska Property Co. for replacement of a light standard on the west side of the football field of the Pius X Central High School at 6000 A St.

Special Permit 1922 - App. of Cricket Nebraska Property Co. to replace a flagpole on the clock tower of Commercial Federal Bank with a stealth flagpole application while housing wireless communication equipment inside the clock tower at S. 16th St. & South St.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JUNE 25, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

INVESTMENTS OF FUNDS - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-80964 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 June 25 - June 29, 2001.)

Introduced by Glenn Friendt

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

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF MAY, 2001: Nebr. Tech & Telecomm., Coast Int'l., WorldCom Broadwing, IBM Global, Intellicall, Aliant., Lincoln Ctelco, Global Crossing, Aliant Comm.(dba Alltel) - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20)**

REPORT FROM LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR MAY 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(8-71)**

ORDINANCES - 1ST READING

CHANGE OF ZONE HP70 - APP. OF RHO CHAPTER HOUSE CORP. KAPPA ALPHA THETA FRATERNITY FOR A LANDMARK DESIGNATION FOR THE KAPPA ALPHA THETA SORORITY HOUSE AT 1545 S STREET - CLERK read an ordinance, introduced by Glenn Friendt, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

APPROVING A CONSENT TO SUBLEASE AGREEMENT WITH ALLTEL TO ALLOW QWEST WIRELESS TO CO-LOCATE ON THE ALLTEL TOWER IN ANTELOPE PARK - CLERK read an ordinance, introduced by Glenn Friendt, accepting and consenting to an Agreement to Sublease between Alltel and Qwest Wireless for the sublease and co-location of telecommunications facilities upon City property in Antelope Park and authorizing the Mayor to sign such consent on behalf of the City, the first time.

APPROVING A CONSENT TO SUBLEASE AGREEMENT WITH AMERICAN TOWER CORP. TO ALLOW

AMERICAN TOWER TO SUBLEASE THE ALLTEL PREMISES IN ANTELOPE PARK - CLERK read an ordinance, introduced by Glenn Friendt, accepting and approving and consenting to an Agreement to Sublease between Alltel and the American Tower Corporation for the sublease and assignment of telecommunications facilities upon City property in Antelope Park and authorizing the Mayor to sign such consent on behalf of the City, the first time.

ORDINANCES - 3RD READING

AUTHORIZING THE SALE OF SURPLUS PROPERTY DESCRIBED AS LOT 1, LOT 15, LOTS 19-22, AND LOTS 24-33, BLOCK 6, OLYMPIC HEIGHTS 1ST ADDITION, GENERALLY LOCATED AT NW 53RD STREET BETWEEN WEST ST. PAUL AND WEST LEIGHTON AVE. TO NEBRASKA HOUSING RESOURCE, INC. - CLERK read an ordinance, introduced by Jon Camp, authorizing the sale of a surplus tract of land legally described as Lot 1, Lot 15, Lots 19-22, and Lots 24-33, Block 6, Olympic Heights 1st Addition, Lincoln, for the third time.

CAMP Moved to pass the 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 **#17874**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 2531(BB) - APPLICATION OF NORTH WILLIAMSBURG/HAMPTON ENTERPRISES, INC. TO AMEND WILLIAMSBURG VILLAGE FINAL PLANNED UNIT DEVELOPMENT TO INCREASE THE SQUARE FOOTAGE IN THE COMMERCIAL AREA LOCATED ON THE SOUTHWEST CORNER OF SOUTH 34TH STREET AND OLD CHENEY ROAD BY 3,300 SQ. FT. FOR A TOTAL OF 35,300 SQ. FT. - CLERK read an ordinance, introduced by Jon Camp, amending the approved Development Plan for Williamsburg Village Planned Unit Development as appended to Change of Zone 2531AA to increase the maximum allowable square footage in the commercial area located on the southwest corner of South 34th Street and Old Cheney Road to 35, 300 square feet, the third time.

CAMP Moved to pass the 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 **#17875**, is recorded in Ordinance Book 24, Page

VACATING NORTH 11TH STREET BETWEEN FLETCHER AVENUE AND INTERSTATE 80 - CLERK read an ordinance, introduced by Jon Camp, vacating North 11th Street between Fletcher Ave. and Interstate 80, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4369**, & was placed on file in the Office of the City Clerk.

MISCELLANEOUS BUSINESS

PENDING LIST -

VACATING THE SOUTH 40' OF X ST. ADJACENT TO LOT 1, BLOCK 6, NORTH LINCOLN ADD., GENERALLY LOCATED AT N. 9TH & X STS. - CLERK requested to remove Bill No. 01-39 from Pending.

COOK Moved to have Bill No. 01-39 remain on Pending.

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

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 45 ACRES OF PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE NORTH. (IN CONNECTION W/00R-308, 00R-309, 00-209) ;

VACATING A PORTION OF PINE LAKE RD. FROM THE WEST LINE OF LAZY ACRES SUBDIVISION WEST TO THE RAILROAD RIGHT-OF-WAY, GENERALLY LOCATED WEST OF S. 14TH ST. & PINE LAKE RD. (IN CONNECTION W/00R-308, 00R-309, 99-93);

SPECIAL PERMIT 1832 - APP. OF GEORGE & KATHY MECHLING TO DEVELOP WILDERNESS PARK ESTATES C.U.P. CONSISTING OF 19 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE. (IN CONNECTION W/99-93, 00R-308, 00-209) ;

ACCEPTING & APPROVING THE PRE. PLAT OF WILDERNESS PARK ESTATES INCLUDING WAIVERS FOR CURB & GUTTERS, SIDEWALKS, STORMWATER DETENTION, & STREET TREES, ON PROPERTY GENERALLY LOCATED WEST OF S. 14TH ST. & MOCKINGBIRD

REGULAR MEETING

JULY 9, 2001

PAGE 454

LANE. (IN CONNECTION W/99-93, 00R-309, 00-209) - CLERK requested to remove Bill No. 99-93, 00-209, 00R-309, & 00R-308 from Pending to have Public Hearing & Action on 7/16/01.

COOK So moved.
 Seconded by Seng & 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 -

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY & GRETCHEN ZWETZIG, TRUSTEE OF THE DAVID W. FLEMMING REVOCABLE TRUST OUTLINING CERTAIN CONDITIONS & UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF PROPERTY GENERALLY LOCATED AT 8101 SOUTH 14TH STREET. **(IN CONNECTION W/01-98, 01R-145) ;**

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY & ALAN SCHROEDER OUTLINING CERTAIN CONDITIONS & UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF PROPERTY GENERALLY LOCATED AT 8201 SOUTH 14TH STREET. **(IN CONNECTION W/01-98, 01R-144)** - CLERK requested to have Bill No. 01R-144 & 01R-145 to have Public Hearing delayed to 7/23/01 & to remain on the Introduction List.

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

CAMP Moved to approve the resolutions to have Public Hearing on July 16, 2001.
 Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None;

ADJOURNMENT

2:53 p.m.

CAMP Moved to adjourn the City Council Meeting of July 9, 2001.
 Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None;
 So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Office Assistant III