

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

The Meeting was called to order at 5:35 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Friendt, Seng, Svoboda; Teresa Meier-Brock, Deputy City Clerk. Absent: Cook, Werner.

The Council stood for a moment of silent meditation.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of July 23, 2001, reported having done so, found same correct.

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

**PUBLIC HEARING**

CHANGE OF ZONE 3313 - APPLICATION OF NORTH CREEK L.L.C. FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND WHITEHEAD DRIVE.;

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF NORTH CREEK COMMERCIAL CENTER FOR TEN COMMERCIAL LOTS AND A WAIVER OF THE BLOCK LENGTH ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND WHITEHEAD DRIVE - Mark Hunzeker, 530 S. 13th St., Suite B, Attorney for Hampton Development Services, came forward in favor and to ask Council to consider waiving the rules to act on the Change of Zone on this date.

This matter was taken under advisement.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 53.67 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS;

CHANGE OF ZONE 3255 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL, R-4 RESIDENTIAL, B-2 PLANNED NEIGHBORHOOD BUSINESS, AND O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS;

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND HOLDREGE INVESTORS, L.L.C. OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 53.67 ACRES OF PROPERTY GENERALLY LOCATED AT 84TH AND HOLDREGE STREETS;

SPECIAL PERMIT 1839 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND THE UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES TO DEVELOP MORNING GLORY ESTATES COMMUNITY UNIT PLAN FOR 269 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS;

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF MORNING GLORY ESTATES FOR 54 RESIDENTIAL LOTS, 12 COMMERCIAL LOTS AND TWO OUTLOTS WITH WAIVERS OF A USE PERMIT WITHIN THE PRELIMINARY PLAT, STREET PROJECTION, SIDEWALKS, DOUBLE FRONTAGE LOTS, LOT DEPTH OF LESS THAN 120', A PEDESTRIAN CONNECTION, DEPTH AND SLOPE OF SANITARY SEWERS, INTERSECTION APPROACHES, AND SIGNS IN THE FRONT YARD; ON PROPERTY GENERALLY LOCATED AT NORTH 84TH AND HOLDREGE STREETS;

USE PERMIT 128 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES TO DEVELOP 153,000 SQ. FT OF OFFICE AND COMMERCIAL SPACE, ON PROPERTY GENERALLY LOCATED AT NORTH 84TH AND HOLDREGE STREETS - Mark Hunzeker, 530 S. 13th St., Suite B, Attorney for Holdrege Investors, came forward in favor and requested Council waive the rules to have the action on the annexation and the Change of Zone, so that they might all be passed at that same time.

Don Linscott, 300 N. 44th Street, one of the owners of this development, also came forward in favor of this project.

This matter was taken under advisement.

SPECIAL PERMIT 286-I - APPLICATION OF ST. ELIZABETH REGIONAL MEDICAL CENTER TO EXPAND THE HOSPITAL FACILITY BY RENOVATING AND REMODELING THE EXISTING HOSPITAL FACILITY; CONSTRUCTING A NEW MEDICAL OFFICE BUILDING AND PARKING STRUCTURE; AND RECONFIGURING THE SURFACE PARKING LOTS, DRIVEWAYS, AND LANDSCAPE MATERIALS, WITH A MODIFICATION OF THE SIGNAGE REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT 70TH AND L STREETS - Bob Lanik, President of Saint Elizabeth Regional Medical Center and Kent Seacrest, Seacrest &

Kalkowski, 1111 Lincoln Mall, Suite 350, Attorney for Saint Elizabeth, both came forward to present the request for the Special Permit.

Jim Clinkenbeard, 7001 S. Wedgewood; Sally Spear, 7020 S. Wedgewood; and Darwin Spear, 7020 S. Wedgewood, all came forward in opposition to the street widening project and the addition of a traffic signal on 70th and Wedgewood Streets.

This matter was taken under advisement.

APPROVING THE AGREEMENT FOR AUTOMATED METER READING SYSTEM BETWEEN THE CITY AND MOUNTAIN STATES PIPE AND SUPPLY FOR AUTOMATED METER READING EQUIPMENT AND SERVICES FOR LINCOLN WATER SYSTEM - Steve Masters, Public Works and Utilities, came before Council for the renewal of contract and to answer any questions.

This matter was taken under advisement.

APPROVING THE BUDGET AND PROGRAM OF WORK FOR DOWNTOWN LINCOLN ASSOCIATION'S FY 2001-2002 MANAGEMENT AND MAINTENANCE DISTRICTS;

APPROVING THE MANAGEMENT AND MAINTENANCE CONTRACT FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (2001 REVISION) BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION FOR A THREE-YEAR PERIOD - Dallas McGee, Urban Dev., Development Project for Downtown Lincoln Association; Brad Korell, President of Wells Fargo Bank and Chairman of DLA; Polly McMullen and Gene Langdale of DLA all came forward in support of the renewal of these contracts.

Glenn Cekal, 1420 "C" Street, came forward to ask questions regarding the bicycle lane hook ups to the trails and to ask where the bicycles would be parked in the downtown area.

Danny Walker, 427 "E" Street, came forward to complain about the trash in his neighborhood and especially by the underpass.

This matter was taken under advisement.

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

#### **MISCELLANEOUS BUSINESS PUBLIC HEARING**

Danny Walker, 427 "E" Street, came forward and read a message from the local neighborhood newsletter. He also asked for Council members to please respond to the questions that were posed at the local Town Hall meeting recently.

Les Helms, 5721 Gladstone, President of the Bus Transportation Union, came forward to ask that Council not cut the Mid-Town route and to propose a new bus route that allows customers access to Wal-Mart and K-Mart. He asked that the Council please consider this route in the future. Les suggested that a printed schedule was also needed so that the public could become aware of all potential routes offered by StarTran.

These matters were taken under advisement.

#### **COUNCIL ACTION**

##### **LIQUOR RESOLUTIONS - NONE**

##### **ORDINANCES - 2ND READING**

CHANGE OF ZONE 3313 - APPLICATION OF NORTH CREEK L.L.C. FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND WHITEHEAD DRIVE. (IN CONNECTION W/01R-192) - PRIOR to reading:

FRIENDT Moved to suspend the rules for Bill #01-116 to have 2nd & 3rd Reading on this date.

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

CLERK Read an ordinance, introduced by Terry Werner, 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. **(See Council Action under "ORDINANCES - 3RD READING")**

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 53.67 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS. (IN CONNECTION W/01-118, 01R-191, 01R-194, 01R-195, 01R-196) - PRIOR to reading:

CAMP Moved to suspend the rules for Bill #01-117 to have 2nd & 3rd Reading on this date.

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

CLERK Read an ordinance, introduced by Terry Werner, amending Section 15 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17552, passed September 20, 1999 defining the corporate limits of the City of Lincoln, Nebraska; repealing said Section 15 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17552, passed September 20, 1999, as hitherto existing, the second time. **(See Council Action under "ORDINANCES - 3RD READING")**

CHANGE OF ZONE 3255 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL, R-4 RESIDENTIAL, B-2 PLANNED NEIGHBORHOOD BUSINESS, AND O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS. (IN CONNECTION W/01-117, 01R-191, 01R-194, 01R-195, 01R-196) - PRIOR to reading:

SENG Moved to suspend the rules on Bill #01-118 to have 2nd & 3rd Reading on this date.

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

CLERK Read an ordinance, introduced by Terry Werner, 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. **(See Council Action under "ORDINANCES - 3RD READING")**

#### RESOLUTIONS

SPECIAL PERMIT 286-I - APPLICATION OF ST. ELIZABETH REGIONAL MEDICAL CENTER TO EXPAND THE HOSPITAL FACILITY BY RENOVATING AND REMODELING THE EXISTING HOSPITAL FACILITY; CONSTRUCTING A NEW MEDICAL OFFICE BUILDING AND PARKING STRUCTURE; AND RECONFIGURING THE SURFACE PARKING LOTS, DRIVEWAYS, AND LANDSCAPE MATERIALS, WITH A MODIFICATION OF THE SIGNAGE REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT 70TH AND L STREETS - PRIOR to reading:

CAMP Moved to amend Bill 01-185 in the following manner (Motion to Amend #1):

On page 3, after line 22, add the following:

BE IT FURTHER RESOLVED that the Saint Elizabeth Regional Medical Center Agreement for the Installation of Off-Site Transportation Improvements, attached hereto marked as Exhibit No. 1 is hereby approved and the mayor is hereby authorized to execute the same on behalf of the City of Lincoln, Nebraska.

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

FRIENDT Moved to amend Motion to Amend #1 of Bill 01-185 in the following manner:

On page 3 after line 22, add the following:

- (1) The third lane to Wedgewood Drive east of South 70th Street and Wedgewood Drive intersection shall be deferred by the Director of Public Works to provide additional time to study the safety and transportation needs of said third lane; and
- (2) Saint Elizabeth Regional Medical Center agrees to escrow for up to four (4) years the estimated cost of adding the third lane, as determined by the Director of Public Works, as part of the executive order process for the traffic improvements to South 70th Street and Wedgewood Drive.

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

CAMP Moved to amend Bill 01-185 in the following manner (Motion to Amend #2):

On Page 2, between lines 20 and 21, add a new subparagraph g to read as follows:

- g. A modification of Section 27.69.260(d) of the Lincoln Municipal Code to allow an increase in the size of the main entry identification sign (illuminated monument) from 50 square feet to 78 square feet in area.

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

CLERK Read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80994 WHEREAS, St. Elizabeth Regional Medical Center has submitted an application designated as Special Permit No. 286-I for authority to expand the hospital facility by renovating and remodeling the existing hospital facility, constructing a new medical office building and parking structure, and reconfiguring the surface parking lots, driveways and landscape materials, and to modify the signage requirements on property located at 70th and L Streets, and legally described to wit:

Lot 1, Saint Elizabeth Regional Medical Center, Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this hospital facility expansion 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 Saint Elizabeth Regional Medical Center, hereinafter referred to as "Permittee", to expand the hospital facility by renovating and remodeling the existing hospital facility, constructing a new medical office building and parking structure, reconfiguring the surface parking lots, driveways and landscape materials, and to modify the signage requirements on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.080 of the Lincoln Municipal Code upon condition that construction and operation of said hospital facility expansion be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves:
  - a. An expansion of the facility to a total of 252 beds.
  - b. A new medical office building with a total of 110,000 square feet in floor area.
  - c. A new parking structure.
  - d. A 5,000 square foot expansion of the power plant.
  - e. A modification of Section 27.69.260 of the Lincoln Municipal Code to allow a new primary directional sign on the southeast corner of the campus. Said sign shall not exceed 8 feet in height or 50 square feet in area.
  - f. A modification of Section 27.69.260 of the Lincoln Municipal Code to allow additional building signage (illuminated) on six building sites: 3 on the parking garage, 1 on the medical office building, and 2 on the hospital building. Each sign will be a maximum of 22.5 square feet. No sign shall exceed 22.5 square feet in area.

- g. A modification of Section 27.69.260(d) of the Lincoln Municipal Code to allow an increase in the size of the main entry identification sign (illuminated monument) from 50 square feet to 78 square feet in area.

2. Before receiving building permits:
  - a. The Permittee must submit a revised final plan including five copies which are acceptable to the Planning Director.
  - b. The construction plans must conform to the approved plans.
  - c. Permittee must furnish the necessary security to guarantee construction of the required improvements and receive an executive order to construct the same.

3. All development and construction must conform to the approved plans.

4. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

5. 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.

6. 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.

7. 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.

8. The site plan as approved with this resolution voids and supersedes all previously approved sign plans, however, all resolutions approving previous permits remain in force unless specifically amended by this resolution.

BE IT FURTHER RESOLVED that the Saint Elizabeth Regional Medical Center Agreement for the Installation of Off-Site Transportation Improvements, attached hereto marked as Exhibit No. 1 is hereby approved and the mayor is hereby authorized to execute the same on behalf of the City of Lincoln, Nebraska.

- (1) The third lane to Wedgewood Drive east of South 70th Street and Wedgewood Drive intersection shall be deferred by the Director of Public Works to provide additional time to study the safety and transportation needs of said third lane; and
- (2) Saint Elizabeth Regional Medical Center agrees to escrow for up to four (4) years the estimated cost of adding the third lane, as determined by the Director of Public Works, as part of the executive order process for the traffic improvements to South 70th Street and Wedgewood Drive.

Introduced by Ken Svoboda

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

REAPPOINTING DOUG BIGGERSTAFF TO THE EXAMINING BOARD OF PLUMBERS FOR A THREE-YEAR TERM EXPIRING SEPTEMBER 4, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80995 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Doug Biggerstaff to the Examining Board of Plumbers for a three-year term expiring September 4, 2004 is hereby approved.

Introduced by Ken Svoboda

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

REAPPOINTING DOUG BIGGERSTAFF TO THE WATER CONDITIONING BOARD OF EXAMINERS FOR A THREE-YEAR TERM EXPIRING SEPTEMBER 4, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80996 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Doug Biggerstaff to the Water Conditioning Board of Examiners for a three-year term expiring September 4, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING ORVILLE JONES TO THE LINCOLN HOUSING AUTHORITY BOARD FOR A FIVE-YEAR TERM EXPIRING JULY 1, 2006 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80997 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Orville Jones to the Lincoln Housing Authority Board for a five-year term expiring July 1, 2006 is hereby approved.

Introduced by Ken Svoboda

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

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF NORTH CREEK COMMERCIAL CENTER FOR TEN COMMERCIAL LOTS AND A WAIVER OF THE BLOCK LENGTH ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND WHITEHEAD DRIVE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80998 WHEREAS, **North Creek L.L.C.** has submitted the preliminary plat of **NORTH CREEK COMMERCIAL CENTER** for acceptance and approval; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated June 15, 2001, which is attached hereto as Exhibit "A".

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

That the preliminary plat of **NORTH CREEK COMMERCIAL CENTER**, located at North 27th Street and Whitehead Drive as submitted by **North Creek L.L.C.** is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision requirements are therefore approved:

1. The requirement of § 26.23.130(a) of the Lincoln Municipal Code that block lengths not exceed 1320 feet between cross streets is waived along I-80, the wetlands located along the southwestern boundary of the Preliminary Plat, and along Telluride Drive.

Introduced by Ken Svoboda

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

WAIVING THE DESIGN STANDARDS TO EXTEND THE TIME FOR INSTALLATION OF SIDEWALKS, STREET TREES, AND LANDSCAPE SCREEN BETWEEN RUSSWOOD PARKWAY AND TRAIL RIDGE ROAD, AND ALONG TRAIL RIDGE COURT AND THE SOUTH SIDE OF TRAIL RIDGE ROAD, LOCATED IN THE RUSSWOOD PARK 1ST ADDITION, GENERALLY LOCATED AT NORTH 84TH AND VINE STREETS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-80999 WHEREAS, Center Associates, hereinafter referred to as "Subdivider", previously submitted and received approval of a Final Plat designated as Russwood Park 1st Addition by the Lincoln-Lancaster County Planning Commission; and

WHEREAS, the conditions of approval for said Final Plat included installation of sidewalks, street trees and landscape screens between Russwood Parkway and Trail Ridge Road, and along Trail Ridge Court and the south side of Trail Ridge Road to be completed by January 31, 2000 for the sidewalks and street trees and by January 31, 1998 for the landscape screen; and

WHEREAS, Subdivider is requesting an extension of the completion date for installation of sidewalks, street trees and landscape screen for five years to 2006; and

WHEREAS, future development of the lots along Trail Ridge Court would most likely cause damage to improvements if installed now.

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

That Russwood Park 1st Addition is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision agreement are therefore approved

a. The requirements of Sections 26.27.020, 26.27.080 and 26.27.090 providing sidewalks, landscape screening, and street trees be installed within 4, 2, and 4 years, respectively, following approval of the final plat are waived to allow said improvements along Trail Ridge Court to be installed as the property is developed or within one year from the date of approval of this waiver of subdivision requirements whichever first occurs.

b. The requirements of Sections 26.27.020, 26.27.080 and 26.27.090 providing sidewalks, landscape screening, and street trees be installed within 4, 2, and 4 years, respectively, following approval of the final plat are waived to allow said improvements along Trail Ridge Court and Russwood Parkway to be installed within 90 days from the date of approval of this waiver of subdivision requirement.

All other conditions for approval of the Final Plat of Russwood Park 1st Addition shall remain in full force and effect.

Introduced by Ken Svoboda

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

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND HOLDREGE INVESTORS, L.L.C. OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 53.67 ACRES OF PROPERTY GENERALLY LOCATED AT 84TH AND HOLDREGE STREETS.

A-81000 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the agreement titled Morning Glory Estates Conditional Annexation and Zoning Agreement (Annexation Agreement), which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Holdrege Investors, L.L.C. (Owner) outlining certain conditions and understandings between the City and said Owner relating to the annexation of land generally located northeast of North 84th and Holdrege Streets is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Annexation Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement with the Register of Deeds, filing fees to be paid by the Owner.

Introduced by Ken Svoboda

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

SPECIAL PERMIT 1839 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND THE UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES TO DEVELOP MORNING GLORY ESTATES COMMUNITY UNIT PLAN FOR 269 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81001 WHEREAS, Holdrege Investors, L.L.C. and the University Park Congregation of Jehovah's Witnesses have submitted an application designated as Special Permit No.1839 for authority to develop Morning Glory Estates Community Unit Plan consisting of 269 dwelling units on property located at the northeast corner of North 84th and Holdrege Streets, and legally described to wit:

A portion of the remaining portion of Lots 93 I.T. and 94 I.T., all located in the Southwest Quarter of Section 14, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Commencing at the northwest corner of the remaining portion of Lot 93 I.T., said point being 90.00 feet east of the west line of said Southwest Quarter; thence on an assumed bearing of north 89 degrees 58 minutes 15 seconds east along the north line of said remaining portion of Lot 93 I.T., a distance of 438.42 feet to the true point of beginning; thence continuing north 89 degrees 58 minutes 15 seconds east along the north line of said remaining portion of Lot 93 I.T., a distance of 796.96 feet to the northeast corner of said remaining portion of Lot 93 I.T.; thence south 00 degrees 02 minutes 52 seconds west along the east line of said remaining portion of Lots 93 I.T. and 94 I.T., a distance of 1896.50 feet to the southeast corner of said remaining portion of Lot 94 I.T.; thence north 89 degrees 35 minutes 51 seconds west along the south line of said remaining portion of Lot 94 I.T., a distance of 624.27 feet to a point; thence north 00 degrees 00 minutes 00 seconds west, a distance of 43.74 feet to a point of curvature; thence along a curve in a counter clockwise direction having a radius of 600.00 feet, arc length of 134.46 feet, delta angle of 12 degrees 50 minutes 25 seconds, a chord bearing of north 06 degrees 25 minutes 12 seconds west, and a chord length of 134.18 feet to a point of reverse curvature; thence along a curve in a clockwise direction having a radius of 800.00 feet, arc length of 177.56 feet, delta angle of 12 degrees 43 minutes 00 seconds, a chord bearing of north 06 degrees 28 minutes 55 seconds west, and a chord

length of 177.19 feet to a point of tangency; thence north 00 degrees 07 minutes 25 seconds west, a distance of 545.29 feet to a point of curvature; thence along a curve in a clockwise direction having a radius of 303.00 feet, arc length of 105.69 feet, delta angle of 19 degrees 59 minutes 09 seconds, a chord bearing of north 09 degrees 52 minutes 10 seconds east, and a chord length of 105.16 feet to a point of tangency; thence north 19 degrees 51 minutes 44 seconds east, a distance of 90.57 feet to a point; thence north 65 degrees 18 minutes 41 seconds west, a distance of 201.91 feet to a point of curvature; thence along a curve in a counter clockwise direction having a radius of 400.00 feet, arc length of 25.80 feet, delta angle of 03 degrees 41 minutes 45 seconds, a chord bearing of north 67 degrees 09 minutes 34 seconds west, and a chord length of 25.80 feet to a point; thence north 20 degrees 59 minutes 34 seconds east, a distance of 67.09 feet to a point; thence north 00 degrees 02 minutes 52 seconds west, a distance of 647.50 feet to the true point of beginning, said tract contains a calculated area of 30.83 acres, or 1,342,924.78 square feet more or less;

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 Holdrege Investors, L.L.C. and the University Park Congregation of Jehovah's Witnesses, hereinafter referred to as "Permittee", to develop Morning Glory Estates Community Unit Plan consisting of 269 dwelling units, 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 community unit plan consisting of 269 dwelling units.
2. Before receiving building permits:
  - a. The Permittee must submit an acceptable, revised and reproducible final plan including five copies to the Planning Department.
  - b. The construction plans must conform to the approved plans.
  - c. Final plats within the area of this community unit plan must be approved by the City.
3. Before occupying the dwelling units, all development and construction must be completed in conformance with the approved plans.
4. All privately-owned improvements must be permanently maintained by the Owner or an appropriately established homeowners association approved by the City Attorney.
5. 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.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, their 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.

7. 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 Ken Svoboda

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



ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF MORNING GLORY ESTATES FOR 54 RESIDENTIAL LOTS, 12 COMMERCIAL LOTS AND TWO OUTLOTS WITH WAIVERS OF A USE PERMIT WITHIN THE PRELIMINARY PLAT, STREET PROJECTION, SIDEWALKS, DOUBLE FRONTAGE LOTS, LOT DEPTH OF LESS THAN 120', A PEDESTRIAN CONNECTION, DEPTH AND SLOPE OF SANITARY SEWERS, INTERSECTION APPROACHES, AND SIGNS IN THE FRONT YARD; ON PROPERTY GENERALLY LOCATED AT NORTH 84TH AND HOLDREGE STREETS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81002 WHEREAS, Nebraska Nurseries, Inc. has submitted the preliminary plat of **Morning Glory Estates** for acceptance and approval; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated April 23, 2001, which is attached hereto as Exhibit "A".

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

That the preliminary plat of **Morning Glory Estates**, located at the northeast corner of 84th Street and Holdrege Street as submitted by Holdrege Investors, L.L.C. is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision requirements are therefore approved:

1. The requirements of Section 3.3 and 3.6 of the Sanitary Sewer Design Standards relating to the minimum slope and standard depth of cover of sanitary sewers is waived.

2. The requirement of § 26.23.140(e) of the Lincoln Municipal Code prohibiting lots with double frontage is waived.

3. The requirement of § 26.23.140(a) that lots abutting an arterial street shall have a minimum lot depth of 120' is waived for Lot 24, Block 5.

4. The requirement of Section 3.4.3 of the Urban Public Street Design Standards relating to intersection approaches is waived to allow approaches which exceed 3%.

Introduced by Ken Svoboda

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

USE PERMIT 128 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES TO DEVELOP 153,000 SQ. FT OF OFFICE AND COMMERCIAL SPACE, ON PROPERTY GENERALLY LOCATED AT NORTH 84TH AND HOLDREGE STREETS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81003 WHEREAS, Holdrege Investors, L.L.C. and the University Park Congregation of Jehovah's Witnesses have submitted an application in accordance with Section 27.27.080 and Section 27.31.100 of the Lincoln Municipal Code designated as Use Permit No. 128 for authority to construct 153,000 sq. ft. of office and commercial space on property generally located at the northeast corner of North 84th and Holdrege Streets, and legally described to wit:

A portion of the remaining portion of Lot 94 I.T., located in the Southwest Quarter of Section 14, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Commencing at the northwest corner of the remaining portion of Lot 93 I.T., said point being 90.00 feet east of the west line of said Southwest Quarter; thence on an assumed bearing of south 00 degrees 56 minutes 03 seconds west along the west line of said remaining portion of Lot 93 I.T., a distance of 294.93 feet to a point of deflection; thence south 00 degrees 02 minutes 14 seconds east along the west line of said remaining portion of Lot 93 I.T., a distance of 338.61 feet to a southwest corner of said remaining portion of Lot 93 I.T.; thence south 71 degrees 35 minutes 42 seconds east along the southwest line of said remaining portion of Lot 93 I.T., a distance of 63.25 feet to a point of deflection; thence south 00 degrees 02 minutes 14 seconds east along a west line of said remaining portion of Lot 93 I.T., a distance of 30.00 feet to a northwest corner of said remaining portion of Lot 94 I.T., said

point being the true point of beginning; thence north 89 degrees 58 minutes 15 seconds east along the north line of said remaining portion of Lot 94 I.T., a distance of 215.98 feet to a point of curvature; thence along a curve in a clockwise direction having a radius of 400.00 feet, arc length of 172.56 feet, delta angle of 24 degrees 43 minutes 04 seconds, a chord bearing of south 77 degrees 40 minutes 13 seconds east, and a chord length of 171.23 feet to a point of tangency; thence south 65 degrees 18 minutes 41 seconds east, a distance of 201.91 feet to a point; thence south 19 degrees 51 minutes 44 seconds west, a distance of 90.57 feet to a point of curvature; thence along a curve in a counter clockwise direction having a radius of 303.00 feet, arc length of 105.69 feet, delta angle of 19 degrees 59 minutes 09 seconds, a chord bearing of south 09 degrees 52 minutes 10 seconds west, and a chord length of 105.16 feet to a point of tangency; thence south 00 degrees 07 minutes 25 seconds east, a distance of 545.29 feet to a point of curvature; thence along a curve in a counter clockwise direction having a radius of 800.00 feet, arc length of 177.56 feet, delta angle of 12 degrees 43 minutes 00 seconds, a chord bearing of south 06 degrees 28 minutes 55 seconds east, and a chord length of 177.19 feet to a point of reverse curvature; thence along a curve in a clockwise direction having a radius of 600.00 feet, arc length of 134.46 feet, delta angle of 12 degrees 50 minutes 25 seconds, a chord bearing of south 06 degrees 25 minutes 12 seconds east, and a chord length of 134.18 feet to a point of tangency; thence south 00 degrees 00 minutes 00 seconds east, a distance of 43.74 feet to a point of intersection with the south line of said remaining portion of Lot 94 I.T.; thence north 89 degrees 35 minutes 51 seconds west along the south line of said remaining portion of Lot 94 I.T., a distance of 593.34 feet to a southwest corner of said remaining portion of Lot 94 I.T.; thence north 43 degrees 56 minutes 50 seconds west along the southwest line of said remaining portion of Lot 94 I.T., a distance of 28.84 feet to a southwest corner of said remaining portion of Lot 94 I.T.; thence north 00 degrees 02 minutes 14 seconds west along the west line of said remaining portion of Lot 94 I.T., a distance of 1133.05 feet to a northwest corner of said remaining portion of Lot 94 I.T.; thence north 71 degrees 32 minutes 06 seconds east along a northwest line of said remaining portion of Lot 94 I.T., a distance of 63.24 feet to a point of deflection; thence north 00 degrees 02 minutes 14 seconds west along a west line of said remaining portion of Lot 94 I.T., a distance of 30.00 feet to the true point of beginning, said tract contains a calculated area of 15.94 acres, or 694,140.40 square feet, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this office and commercial development 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 Holdrege Investors, L.L.C. and the University Park Congregation of Jehovah's Witnesses, hereinafter referred to as "Permittee", to construct 153,000 sq. ft. of office and commercial space on the property legally described above be and the same is hereby granted under the provisions of Section 27.27.080 and Section 27.31.100 of the Lincoln Municipal Code upon condition that construction and operation of said office and commercial development be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 100,000 sq. ft. of office space, 53,000 sq. ft. of commercial space, a church, and a modification of the sign regulations in the O-3 district and B-2 district to allow ground signs in the front yard setback provided that said ground signs shall not be located within the first 21' of the front yard setback.
2. Before receiving building permits:
  - a. The Permittee must submit an acceptable, revised and reproducible final plan including five copies to the Planning Department.
  - b. The construction plans must conform with the approved plans.
  - c. Final plats within this use permit must be approved by the City.
3. Before occupying the dwelling units all development and construction must be completed in conformance with the approved plans.
4. All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, location of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, their successors and assigns. The building official shall report violations to the City Council which may revoke this use permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of this use 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 this use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Ken Svoboda

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

APPROVING THE AGREEMENT FOR AUTOMATED METER READING SYSTEM BETWEEN THE CITY AND MOUNTAIN STATES PIPE AND SUPPLY FOR AUTOMATED METER READING EQUIPMENT AND SERVICES FOR LINCOLN WATER SYSTEM - CLERK read the following resolution, introduced Ken Svoboda, who moved its adoption:

A-81004 WHEREAS, the City of Lincoln Water System requested proposals for the furnishing and installation of an automated water meter reading system; and

WHEREAS, MSPS Installation Group submitted a proposal which is acceptable to the City and in full compliance with the request for proposals in the amount of \$11,822,284.00; and

WHEREAS, the City of Lincoln has spent \$5,504,427..54 to date; and

WHEREAS, the City of Lincoln Water System is desirous of entering into a contract with MSPS Installation Group pursuant to the terms and conditions contained in its proposal; and

WHEREAS, the funding for the contract involves the expenditure of money from appropriations of more that one year which, pursuant to Article VII, Section 3 of the Charter of the City of Lincoln requires approval by resolution of the City Council.

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

That the contract between the City of Lincoln, Nebraska and MSPS Installation Group for the purchase and installation of an automated meter reading system for the Lincoln Water System, a copy of which is available in the City Clerk's Office, County City Building, 555 South 10th Street, Lincoln, Nebraska, is hereby approved.

The City Clerk is directed to deliver one fully executed copy of said contract and attachments to Nick McElvain at the Lincoln Water System for transmittal to MSPS Installation Group.

Introduced by Ken Svoboda

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JULY 1 - 15, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81005 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 July 16, 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:

<u>DENIED</u>		<u>ALLOWED</u>	
Farmers Mutual of Nebraska		Leroy Milbourn & Delores Milbourn	\$2,291.21
(Christine S. Wittmuss, Insured)	\$2,125.58	Earl May Nursery & Garden Center	308.00
Dianne Kurtzer	NAS*		
Jenny Bertsch	194.35		
Allied Insurance			
(Richard & Dolores, Insureds)	291.29		

\*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 Ken Svoboda

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

APPROVING THE BUDGET AND PROGRAM OF WORK FOR DOWNTOWN LINCOLN ASSOCIATION'S FY 2001-2002 MANAGEMENT AND MAINTENANCE DISTRICTS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81006 WHEREAS, the City of Lincoln has entered into a contract with the Downtown Lincoln Association for the provision of services within various downtown business improvement districts; and

WHEREAS, said contract requires the submittal of a work plan and annual budgets for work to be performed in the Downtown Management and Maintenance Districts by the Downtown Lincoln Association.

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

That the attached 2001-2002 Maintenance and Management BID Budgets and Program of Work for the Downtown Lincoln Association Program for the period of September 1, 2001 to August 31, 2002 are hereby approved.

Introduced by Ken Svoboda

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

APPROVING THE MANAGEMENT AND MAINTENANCE CONTRACT FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (2001 REVISION) BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION FOR A THREE-YEAR PERIOD - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81007 WHEREAS, the City of Lincoln and the Downtown Lincoln Association have previously entered into an agreement under which the Downtown Lincoln Association has provided various management and maintenance services as contemplated under the various downtown business improvement districts for a three-year period; and

WHEREAS, the City and the Downtown Lincoln Association are desirous of entering into a contract to provide management and maintenance services for a three-year period.

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

That the Services Contract for Downtown Business Improvement Districts (2001), a copy of which is attached hereto, marked as Attachment "A", and made a part hereof by reference, be and the same is hereby approved and the Mayor is hereby authorized to execute the same on behalf of the City.

The City Clerk is directed to return one fully executed copy of said contract to the Downtown Lincoln Association, and one fully executed copy to the Urban Development Director.

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF AUGUST 13, 2001 AT 1:30 P.M. FOR K-SARA ENTERPRISES, INC., DBA MEIER IMPORTS, FOR A CLASS D LIQUOR LICENSE, LOCATED AT 3540 VILLAGE DR., STE. 200 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81008 BE IT RESOLVED by the City Council, of the City of Lincoln, that a

hearing date is hereby fixed for Mon., August 13, 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 the purpose of considering the Class D Liquor License Application of K-Sara Enterprises, Inc., dba Meier Imports, located at 3540 Village Dr., Suite 200.

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

Introduced by Ken Svoboda

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

SPECIAL PERMIT 572E - APPLICATION OF THOMASBROOK PROPERTIES TO AMEND THE THOMASBROOK APARTMENTS COMMUNITY UNIT PLAN TO DECREASE THE LAND AREA OF THE COMMUNITY UNIT PLAN ON PROPERTY GENERALLY LOCATED AT 60TH AND NORMAL BLVD. - CLERK read the following resolution, introduced by Terry Werner, Coleen Seng, who moved its adoption for approval:

A-81011 WHEREAS, Thomasbrook Properties has submitted an application designated as Special Permit No. 572E for authority to amend Thomasbrook Apartments Community Unit Plan to decrease the land area of the community unit plan by removing the land for the day care facility and Community Playhouse expansion on property located at 60th and Normal Blvd., and legally described to wit:

Lots 2 and 3, Block 2, and Lot 1 and a portion of Lot 2, Block 1, of Thomasbrook Addition, located in Section 33, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 33 and extending thence south 89 degrees 55 minutes 00 seconds east, 48.00 feet; thence north 00 degrees 10 minutes 00 seconds east, 53.00 feet to the point of beginning; thence continuing north 00 degrees 10 minutes 00 seconds east on the east line of South 56th Street, 461.12 feet; thence south 89 degrees 53 minutes 20 seconds east, 320.00 feet; thence north 00 degrees 10 minutes 00 seconds east, 150.00 feet; thence south 89 degrees 53 minutes 20 seconds east, 953.93 feet; thence north 00 degrees 14 minutes 10 seconds west, 602.47 feet to the south line of Normal Boulevard; thence south 89 degrees 52 minutes 35 seconds east, on said south line, 301.76 feet; thence south 00 degrees 07 minutes 00 seconds west, 334.31 feet to the point of curvature of a circular curve to the right having a central angle of 41 degrees 58 minutes and a radius of 622.93 feet; thence on the arc of said circular curve, 456.27 feet to the point of tangency; thence south 42 degrees 05 minutes 00 seconds west, 238.00 feet to the point of curvature of a circular curve to the left having a central angle of 42 degrees 00 minutes and a radius of 170.66 feet; thence on the arc of said circular curve 125.10 feet to the point of tangency; thence south 00 degrees 05 minutes 00 seconds west, 191.00 feet to the north line of Van Dorn Street; thence

north 89 degrees 55 minutes 00 seconds west, on said north line, 1190.00 feet; thence north 44 degrees 50 minutes 00 seconds west, 28.28 feet to the point of beginning, containing 21.85 acres, more or less;

and

Commencing at the southwest corner of the Southwest Quarter of said Section 33, and extending thence south 89 degrees 55 minutes 00 seconds east, 1318.00 feet; thence north 00 degrees 05 minutes 00 seconds east, 33.00 feet to the point of beginning; thence north 00 degrees 05 minutes 00 seconds east, 191.00 feet to the point of curvature of a circular curve to the right having a central angle of 42 degrees 00 minutes and a radius of 110.66 feet; thence on the arc of said circular curve, 81.12 feet to the point of tangency; thence north 42 degrees 05 minutes 00 seconds east, 238.00 feet to the point of curvature of a circular curve to the left having a central angle of 41 degrees 58 minutes and a radius of 682.93 feet; thence on the

arc of said circular curve, 500.22 feet to the point of tangency; thence north 00 degrees 07 minutes 00 seconds east, 172.43 feet; thence south 89 degrees 43 minutes 40 seconds east, 299.87 feet; thence south 00 degrees 00 minutes 00 seconds east, 1069.98 feet to the north line of Van Dorn Street; thence north 89 degrees 55 minutes 00 seconds west, on said north line, 664.67 feet to the point of beginning, containing 11.20 acres, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this reduction of the land area of the 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 Thomasbrook Properties, hereinafter referred to as "Permittee", to amend Thomasbrook Apartments Community Unit Plan to decrease the land area of the community unit plan by removing the land for the day care facility and Community Playhouse lot expansion, 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 the reduction of the land area of Thomasbrook Community Unit Plan.

2. All development and construction must be in conformance with the approved plans.

3. All privately-owned improvements must be permanently maintained by the Permittee.

4. 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.

5. 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.

6. 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.

7. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however, all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Terry Werner

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

#### PETITIONS AND COMMUNICATIONS

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

Change of Zone No. 3333 - App. of Union Bank & Trust, Trustee for Donald C. Foreman Trust, for a change from AG to AGR at 1 ½ Mile South of S.W. 12th & W. Denton Road.

Change of Zone No. 3334 - App. of Rex Anderson, to amend the Zoning Resolution from I-1 to R-4 at 19th & Y Streets.

Special Permit No. 1435C - App. of YMCA, to add a parking lot for the YMCA at 70th & Huntington Streets.

Special Permit No. 1923 - App. of Tami L. Armstrong, to allow for the operation of a daycare in a single family dwelling at 5332 Fremont Street.

Special Permit No. 1924 - App. of Chien Van Nguyen to allow sale of alcoholic beverages for consumption off the premises at 23rd and R Streets.

PETITION TO VACATE PUBLIC WAY OF ALL OF THE EAST-WEST ALLEY IN BLOCK 103, UNIVERSITY PLACE, SUBMITTED BY JON & LEZLIE SINNER - CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY OF NORTH ONE-HALF OF NORTH-SOUTH ALLEY ON WEST LINE OF SW CORNER OF TOUZALIN AND SEWARD STREETS, SUBMITTED BY PETE & GINA KLUCAS AND MILLARD DRYWALL SERVICES, INC. - CLERK presented said petition which was referred to the Law Dept.

#### REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JULY 16, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk.

MAYOR DON WESELY VETO AND VETO MESSAGE OF RESOLUTION NO. A-80974, SPECIAL PERMIT NO. 1918 (APPLICATION OF MIKE OLDERBAK TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT 338 NORTH 27TH STREET) WHICH COUNCIL ADOPTED JULY 16, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk and no Council action taken, veto stands. (#38-4370)

INVESTMENT OF FUNDS FOR JULY 16 - 20, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81009 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 for July 16 - 20, 2001)

Introduced by Ken Svoboda

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

DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS FOR THE MONTH ENDED JUNE 30, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81010 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended June 30, 2001, \$252,517.13 was earned from short-term investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all funds balances.

Introduced by Ken Svoboda

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

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF JUNE, 2001: GLYPHICS COMMUNICATIONS, INC.; GTC TELECOM; LIGHTYEAR COMMUNICATIONS, INC.; XO LONG DISTANCE SERVICES, INC.; RSL COM USA, INC.; TRI-M COMMUNICATIONS, INC.; COMDATA TELECOMMUNICATIONS SERVICES, INC.; NOS COMMUNICATIONS, INC.; AFFINITY NETWORK, INC.; GLOBALCOM, INC.; NOSVA LIMITED PARTNERSHIP; TOUCH 1 COMMUNICATIONS, INC.; INCOMNET COMMUNICATIONS CORP.; SINGLE BILLING SERVICES, INC., DBA ASIAN AMERICAN ASSOCIATION; ATT WIRELESS PCS, LLC, ATT WIRELESS SERVICES; NEXTEL WEST CORP.; WORKING ASSETS FUNDING SERVICE, INC.; ONESTAR LONG DISTANCE, INC.; WINSTAR WIRELESS, INC.; I-LINK COMMUNICATIONS, INC.; BIG PLANET, INC.; SPRINT SPECTRUM, L.P.; USA PAGING LLC; LONG DISTANCE OF MICHIGAN, INC.; ZONE TELECOM, INC.; AND D&D COMMUNICATIONS - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JUNE, 2001: UTILICORP UNITED GAS CO. - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

#### ORDINANCES - 1ST READING

AMENDING LINCOLN MUNICIPAL CODE SECTION 2.76.145, COMPENSATION PLAN, MERIT PAY

PLAN, ADMINISTRATION AND REQUIREMENTS FOR ADVANCEMENT; SECTION 2.76.153, COMPENSATION PLAN, MERIT PAY PLAN, SHIFT DIFFERENTIAL; SECTION 2.76.160, COMPENSATION PLAN, VARIABLE MERIT PAY PLAN; AND SECTION 2.76.380, SICK LEAVE WITH PAY; TO REFLECT NEGOTIATED CHANGES AND CHANGES APPLICABLE TO EMPLOYEES NOT REPRESENTED BY A BARGAINING UNIT - CLERK read an ordinance, introduced by Ken Svoboda, amending Chapter 2.76 of the Lincoln Municipal Code relating to the personnel System to incorporate negotiated changes and changes applicable to employees not represented by a bargaining unit by amending Section 2.76.145 to provide that the Mayor may grant permanent one- or two-step merit increases; amending Section 2.76.153 to provide that both probationary and regular employees may be paid shift differential; amending Section 2.76.160 to provide that employees in pay ranges prefixed by "A" and "C" receive a 4 1/2% increase after probation and to provide 4% temporary exceptional service awards to employees in pay ranges prefixed by "A", "C", "E" and "M"; amending Section 2.76.380 to increase certain accrual amounts and to clarify sick leave accrual amounts, to define the amount of sick leave payable upon death retirement or reduction in force, and to provide a waiver for increased family sick leave in special circumstances; and repealing Sections 2.76.145, 2.76.153, 2.76.160 and 2.76.380 of the Lincoln Municipal Code as hitherto existing, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "F" - CLERK Read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "F" and repealing Sections 11 and 12 of Ordinance No. 16652, passed by the City Council on August 8, 1994, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "X" - CLERK Read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X" and repealing Sections 3 and 4 of Ordinance No. 17704, passed by the City Council on August 7, 2000, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "E" AND "M" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "E" and "M" (Excluded Employee); and repealing Sections 1, 2, 5, and 6 of Ordinance No. 17704, passed by the City Council on August 7, 2000, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "P" - CLERK Read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "P" and repealing Ordinance No. 17713, passed by the City Council on August 14, 2000, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "N" - CLERK Read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to the pay range prefixed by the letter "N"; and repealing Ordinance No. 17707, passed by the City Council on August 7, 2000, the first time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "A" AND "C" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "A" and "C"; and repealing Ordinance No. 17705, passed by the City Council on August 7, 2000, the first time.



CHANGING THE CITY TELECOMMUNICATIONS OCCUPATION TAX RATE FROM 3.8% TO 5.75% OF GROSS RECEIPTS EFFECTIVE SEPTEMBER 1, 2001 - CLERK read an ordinance, introduced by Ken Svoboda, amending Sections 3.24.080 and 3.24.090 of the Lincoln Municipal Code to increase the telecommunications occupation tax rate from 3.8% to 5.75% of gross receipts commencing September 1, 2001; and repealing Sections 3.24.080 and 3.24.090 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE CONDITIONS OF SALE OF VACATED DAIRY DRIVE BY WAIVING THE CHARGE BY THE CITY FOR THE ASSESSMENT OF THIS LAND THAT WILL BE TRANSFERRED TO LINCOLN MATTRESS AND LANCASTER COUNTY - CLERK read an ordinance, introduced by Ken Svoboda, authorizing the conveyance of Dairy Drive as vacated by Ordinance No. 17864 to the County of Lancaster and Jerry Coniglio, the first time.

**ORDINANCES - 3RD READING**

CHANGE OF ZONE 3313 - APPLICATION OF NORTH CREEK L.L.C. FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND WHITEHEAD DRIVE. (IN CONNECTION W/01R-192) - PRIOR to reading:

FRIENDT Moved to suspend the rules to have 2nd & 3rd Reading this date.  
Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

CLERK Read an ordinance, introduced by Terry Werner, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

SENG Moved to pass the ordinance as read.  
Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

The ordinance, being numbered **17886**, is recorded in Ordinance Book 24, Page

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 53.67 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS. (IN CONNECTION W/01-118, 01R-191, 01R-194, 01R-195, 01R-196) - PRIOR to reading:

CAMP Moved to suspend the rules to have 2nd & 3rd Reading this date.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

CLERK Read an ordinance, introduced by Terry Werner, amending Section 15 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17552, passed September 20, 1999 defining the corporate

limits of the City of Lincoln, Nebraska; repealing said Section 15 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17552, passed September 20, 1999, as hitherto existing, the third time.

SENG Moved to pass the ordinance as read.  
Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

The ordinance, being numbered **17887**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3255 - APPLICATION OF HOLDREGE INVESTORS, L.L.C. AND UNIVERSITY PARK CONGREGATION OF JEHOVAH'S WITNESSES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL, R-4 RESIDENTIAL, B-2 PLANNED NEIGHBORHOOD BUSINESS, AND O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 84TH AND HOLDREGE STREETS. (IN CONNECTION W/01-117, 01R-191, 01R-194, 01R-195, 01R-196) - PRIOR to reading:

SENG Moved to suspend the rules to have 2nd & 3rd Reading this date.  
Seconded by Friendt & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

CLERK Read an ordinance, introduced by Terry Werner, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

SENG Moved to pass the ordinance as read.

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Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner. The ordinance, being numbered **17888**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3326 - APPLICATION OF THOMASBROOK PROPERTIES FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT 60TH AND NORMAL BLVD. - 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 third time.

SENG Moved to pass the ordinance as read.

Seconded by Friendt & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner. The ordinance, being numbered **17889**, is recorded in Ordinance Book 24, Page

AMENDING CHAPTERS 5.34 AND 5.42 OF THE LINCOLN MUNICIPAL CODE RELATING TO PAWNBROKERS AND SECONDHAND JEWELRY AND WATCH DEALERS TO REQUIRE PAWNBROKER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED AND TO REQUIRE RECORDING OF SPECIFIC IDENTIFYING MARKS; TO ADD PAWNBROKER EMPLOYEE TO THOSE REQUIRED TO SUBMIT DAILY REPORTS TO THE CHIEF OF POLICE; TO REQUIRE SECONDHAND JEWELRY AND WATCH DEALER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED; TO CHANGE "RECORD OF TRANSACTIONS" TO "FORM FOR EACH TRANSACTION"; TO EXTEND THE TIME OF RETENTION OF SECONDHAND JEWELRY OR SECONDHAND WATCHES PURCHASED BY A DEALER FROM 72 HOURS TO 14 DAYS; AND TO MAKE REQUIREMENTS FOR PURCHASING SECONDHAND JEWELRY CONSISTENT WITH REQUIREMENTS FOR PAWNING GOODS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapters 5.34 and 5.42 of the Lincoln Municipal Code relating to Pawnbrokers and Secondhand Jewelry and Watch Dealers, respectively, by amending Section 5.34.050 to require pawnbroker forms to be typewritten or machine printed and to require recording of specific identifying marks; amending Section 5.34.060 to add pawnbroker employee to those required to submit daily reports to the Chief of Police; amending Section 5.42.070 to require secondhand jewelry and watch dealer forms to be typewritten or machine printed; amending Section 5.42.080 to change the phrase "record of transactions" to "form for each transaction"; amending Section 5.42.100 to extend the time of retention of secondhand jewelry or secondhand watches purchased by a dealer from 72 hours to 14 days; amending Section 5.42.110 to make requirements for purchasing secondhand jewelry consistent with requirements for pawning goods; and repealing Sections 5.34.050, 5.34.060, 5.42.070, 5.42.080, 5.42.100 and 5.42.110 of the Lincoln Municipal Code as hitherto existing, the third time.

SENG Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner. The ordinance, being numbered **17890**, is recorded in Ordinance Book 24, Page

**MISCELLANEOUS BUSINESS**

**PENDING LIST -**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MARCH 16 - 31, 2001:

CAMP Moved to remove Bill No. 01R-83 from pending for action on 8/6/01. Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner.

CAMP Moved to extend the Pending List for 1 week.

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

**UPCOMING RESOLUTIONS**

ADOPTING THE CITY OF LINCOLN 2001-2002 ANNUAL OPERATING BUDGET:

SVOBODA Moved to delay introduction of Bill No. 01R-203 for two weeks to 8/13/01.

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

CAMP Moved to approve the resolutions to have Public Hearing on August

6, 2001.

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

**ADJOURNMENT**

**8:20 p.m.**

CAMP Moved to adjourn the City Council Meeting of July 30, 2001.  
Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook & Werner;  
So ordered.

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Teresa J. Meier-Brock, Deputy City Clerk

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Glenna Graupmann, Office Assistant III

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