

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 13, 2001 AT 1:30 P.M.**

The Meeting was called to order at 1:35 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Seng, Svoboda, Werner; Teresa Meier-Brock, Deputy City Clerk. Absent: Friendt.

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 August 6, 2001, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF BUGEATER INVESTMENTS, INC. DBA THE WATERING HOLE FOR AN ADDITION TO THEIR LICENSED PREMISES OF AN AREA MEASURING 22' X 150' IN THE BASEMENT AT 1321 O STREET - Evelyn McFarland (no address given), came forward and took the oath to answer any questions.

This matter was taken under advisement.

APPLICATION OF K-SARA ENTERPRISES, INC. DBA "MEIER IMPORTS" FOR A CLASS "D" AND CATERING LIQUOR LICENSE AT 3540 VILLAGE DRIVE, SUITE 200;
MANAGER APPLICATION OF KEVIN R. MEIER FOR K-SARA ENTERPRISES, INC. DBA "MEIER IMPORTS" AT 3540 VILLAGE DRIVE, SUITE 200 - Kevin R. Meier, 3621 San Mateo Lane, came forward and took the oath to answer any questions.

This matter was taken under advisement.

APPLICATION OF LINCOLN WINGS L.L.C. DBA "HOOTERS" FOR A SPECIAL DESIGNATION LICENSE IN AN AREA MEASURING 67' BY 90' IN THE PARKING LOT ADJACENT TO 6811 O STREET ON AUGUST 18, 2001 FROM 11:00 A.M. TO 1:00 A.M. - Brian Clark (no address given), came forward and took the oath to answer any questions.

This matter was taken under advisement.

APPROVING THE TRANSFER OF APPROPRIATIONS WITHIN PUBLIC WORKS & UTILITIES AND PARKS & RECREATION TO ENSURE THE COMPLETION OF CERTAIN PROJECTS THAT NEED ADDITIONAL FUNDING WITHIN THE FISCAL YEAR BUDGET - Margaret Remmenga, Public Works and Utilities, came forward in favor.

This matter was taken under advisement.

CHANGE OF ZONE 3327 - AMENDING SECTION 27.71.130 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AN ADDITIONAL MAIN BUILDING ON A LOT IN THE AG ZONING DISTRICT WHERE THERE IS AN EXISTING RESIDENCE.;

SPECIAL PERMIT 1909 - APPLICATION OF LEONARD STOLZER TO ALLOW THE TEMPORARY STORAGE OF CONSTRUCTION EQUIPMENT ON PROPERTY GENERALLY LOCATED AT 5400 S. FOLSOM STREET - Bill Austin, 301 S. 13th St., Attorney for Mechanical Specialties owned by Mr. Lynn Stolzer. Mr. Austin presented the case on behalf of Mr. Stolzer for the Change of Zone.

Craig Strong, 301 S. 13th St., Attorney for Mr. Stolzer, presented the case in favor of the application for the Special Permit.

Lynn Stolzer, 5400 S. Folsom Street, came forward in favor.

Jason Reynolds, Planning Staff, came forward to answer questions of Council.

Mike Merwick, Director of Building & Safety, came forward to explain the history of the application of this particular building.

Mel Goddard, Chief Inspector for Building & Safety, came forward to explain the inspections that took place.

Dana Roper, City Attorney, came forward to answer Council questions. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 3331 - AMENDING CHAPTER 27.55 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY, AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT BY AMENDING THE LINCOLN ZONING ORDINANCE;
AMENDING TITLE 26, THE LAND SUBDIVISION ORDINANCE, OF THE LINCOLN MUNICIPAL CODE

TO ADD SECTION 26.07.115 AND TO AMEND SECTIONS 26.07.120 AND 26.15.040 TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT - Nicole Fleck-Tooze, Public Works and Utilities Dept., came forward to explain that this is basically a housekeeping item and that it clarifies the language of floodplain management.

Danny Walker, 427 "E" Street, came forward in opposition to these two items.

Mike Morosin, 2055 "S" St., Past President of Malone Neighborhood Assoc. came forward in opposition to these two items.

Discussion by Council followed.

This matter was taken under advisement.

APPROVING CHEERLEADER'S AT 5560 S. 48TH STREET AS A KENO SATELLITE SITE - John Hewitt of Big Red Keno came forward in favor of this application.

This matter was taken under advisement.

APPROVING THE PIT CREW AT 3223 CORNHUSKER HIGHWAY AS A KENO SATELLITE SITE - John Hewitt of Big Red Keno came forward in favor of this application and to answer questions posed by Council.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO THE NORTH 27TH STREET REDEVELOPMENT PLAN TO ADD A PROJECT THAT INCLUDES THE PURCHASE AND DEMOLITION OF THE OLD MIDAS MUFFLER BUILDING GENERALLY LOCATED AT 601 NORTH 27TH STREET - Wynn Hjermstad of Urban Development Staff, came forward in favor of the purchase of property on North 27th Street, and to answer questions posed by Council.

Mike Morosin, 2055 "S" St., Past President of Malone Neighborhood Assoc., came forward in favor of this as it benefits the neighborhood.

This matter was taken under advisement.

SPECIAL PERMIT 1873 - APPEAL OF SPRINT SPECTRUM, L.P., FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT 1873 FOR AUTHORITY TO CONSTRUCT A 90' TALL WIRELESS COMMUNICATIONS FACILITY AND WAIVER OF THE FALL ZONE, ON PROPERTY GENERALLY LOCATED AT 4700 ANTELOPE CREEK ROAD - Dana Roper, City Attorney came forward to explain that since this is an appeal, the neighbors will go first in their testimony.

Topher Anderson, 4601 S. 46th Street, came forward in opposition to the cell tower being located in the neighborhood.

Abigail Davis, Planning Staff, came forward to answer questions posed by Council.

Lois Hansen, 2611 So. 46th Street, came forward in opposition.

Lynn Johnson, Parks & Recreation, came forward to offer discussion with the applicant regarding the potential of using Roose Park for locating the tower.

Amelda Chronister, 2637 Antelope Circle, came forward in opposition.

Allen Hansen (no address given), came forward in opposition.

Judy Strickler, 2610 Antelope Circle, came forward in opposition.

Harvey Cooper, 8712 West Dodge Road, Suite 300, Attorney representing Sprint, came forward to present the case explaining the case for the proposed location.

Mr. Richard Keith, Certified Appraiser, 1201 O Street, Suite 101, came forward to present his appraisal report of this property.

Ken Weber, Avoca, Iowa, representing Crickett Communications, came forward in favor of the Special Permit. His company plans to co-locate on the same tower.

John Hertzler, Everest Group, 268 N. 115th Street, Suite 4, Omaha, NE, came forward in favor.

Dana Roper, City Attorneys office, came forward to answer council questions.

Discussion followed.

This matter was taken under advisement.

APPROVING A WAIVER OF DESIGN STANDARDS TO EXTEND THE TIME FOR INSTALLATION OF A SANITARY SEWER IN LOT 9, CORNHUSKER BUSINESS PARK, ON PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND HIGHWAY 6 - Carrie Pester, General Excavating, came forward in favor of time extension

This matter was taken under advisement.

APPROVING A WAIVER OF DESIGN STANDARDS TO EXTEND THE TIME FOR INSTALLATION OF SIDEWALKS, STREET TREES, AND LANDSCAPE SCREENING IN LENOX VILLAGE SUBDIVISION, AND TO REVISE THE BONDING AMOUNTS, ON PROPERTY GENERALLY

LOCATED AT SOUTH 70TH STREET AND PIONEERS BLVD. - Jerry Cavan, Omaha, representing Lenox Village, came forward in favor.

This matter was taken under advisement.

APPROVING A WAIVER OF DESIGN STANDARDS FOR STREET TREES ALONG INTERSTATE 80 IN THE NORTH CREEK COMMERCIAL CENTER, ON PROPERTY GENERALLY LOCATED AT FLETCHER AVE. AND TELLURIDE DRIVE - Mark Hunzeker, 530 S. 13th St., Suite B, Attorney for Hampton Enterprises, Inc. came forward in favor.

This matter was taken under advisement.

SPECIAL PERMIT 1423C - APP-. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84TH ST. & OLD CHENEY RD. - Mark Hunzeker, 530 S. 13th Street, Suite B, Attorney for Charter Group of Arizona, came forward in favor.

This matter was taken under advisement.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF BUGEATER INVESTMENTS, INC. DBA THE WATERING HOLE FOR AN ADDITION TO THEIR LICENSED PREMISES OF AN AREA MEASURING 22' X 150' IN THE BASEMENT AT 1321 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81016 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 Bugeater Investments, Inc. dba "The Watering Hole" to expand its licensed premises by the addition of an area measuring 22 feet by 150 feet in the basement of the presently licensed premises located at 1321 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 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, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

APPLICATION OF K-SARA ENTERPRISES, INC. DBA "MEIER IMPORTS" FOR A CLASS "D" AND CATERING LIQUOR LICENSE AT 3540 VILLAGE DRIVE, SUITE 200 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81017 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 K-Sara Enterprises, Inc. dba "Meier Imports" for a Class "D" and Catering liquor license at 3540 Village Drive, Suite 200, Lincoln, Nebraska, for the license period ending April 30, 2002, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF KEVIN R. MEIER FOR K-SARA ENTERPRISES, INC. DBA "MEIER IMPORTS" AT 3540 VILLAGE DRIVE, SUITE 200 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81018 WHEREAS, K-Sara Enterprises, Inc. dba "Meier Imports" located at

3540 Village Drive, Suite 200, Lincoln, Nebraska has been approved for a Retail Class "D" and Catering liquor license, and now requests that Kevin R. Meier be named manager;

WHEREAS, Kevin R. Meier 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 Kevin R. Meier 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, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

APPLICATION OF LINCOLN WINGS L.L.C. DBA "HOOTERS" FOR A SPECIAL DESIGNATION LICENSE IN AN AREA MEASURING 67' BY 90' IN THE PARKING LOT ADJACENT TO 6811 O STREET ON AUGUST 18, 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-81019 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 90 feet in the parking lot at 6811 O Street, Lincoln, Nebraska, on August 18, 2001 from 11:00 a.m. to 1:00 a.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, Seng, Svoboda, Werner; NAYS: McRoy; ABSENT: Friendt.

ORDINANCES - 2ND READING

APPROVING THE TRANSFER OF APPROPRIATIONS WITHIN PUBLIC WORKS & UTILITIES AND PARKS & RECREATION TO ENSURE THE COMPLETION OF CERTAIN PROJECTS THAT NEED ADDITIONAL FUNDING WITHIN THE FISCAL YEAR BUDGET - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of appropriates within Public Works & Utilities and Parks & Recreation to ensure the completion of certain projects that need additional funding within the fiscal year budget, the second time.

CHANGE OF ZONE 3327 - AMENDING SECTION 27.71.130 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AN ADDITIONAL MAIN BUILDING ON A LOT IN THE AG ZONING DISTRICT WHERE THERE IS AN EXISTING RESIDENCE - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.71.130 of the Lincoln Municipal Code to allow an additional main building on a lot in the AG Zoning District where there is an existing residence, the second time.

CHANGE OF ZONE 3331 - AMENDING CHAPTER 27.55 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY, AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT BY AMENDING THE LINCOLN ZONING ORDINANCE - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.55 of the Lincoln Municipal Code to adopt the revised flood insurance rates maps and flood insurance study, and to clarify language relating to the minimum standards required by the national flood insurance program and the State of Nebraska for Floodplain Management by amending the Lincoln Zoning Ordinance, the second time.

AMENDING TITLE 26, THE LAND SUBDIVISION ORDINANCE, OF THE LINCOLN MUNICIPAL CODE TO ADD SECTION 26.07.115 AND TO AMEND SECTIONS 26.07.120 AND 26.15.040 TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE

OF NEBRASKA FOR FLOODPLAIN MANAGEMENT - Clerk read an ordinance, introduced by Jon Camp, Amending Title 26, the Land Subdivision Ordinance, of the Lincoln Municipal Code to add Section 26.07.115 and to amend Sections 26.07.120 and 26.15.040 to adopt the Revised Flood Insurance rate maps and Flood Insurance Study and to clarify language relating to the minimum standards required by the National Flood Insurance Program and the State of Nebraska for Floodplain Management, the second time.

RESOLUTIONS

APPROVING CHEERLEADER'S AT 5560 S. 48TH STREET AS A KENO SATELLITE SITE -
CLERK Read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81020 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purposes of providing for joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of keno type lottery with Lincoln's Big Red Keno, Ltd., a Nebraska limited partnership; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of BBQ, Inc. dba Cheerleader's Bar & Grill, 5560 S. 48th Street, Lincoln, NE 68516.

The City Clerk is directed to return an executed copy of this Resolution to Cheerleaders, and a copy to Lincoln's Big Red Keno, Ltd.

Introduced by Jonathan Cook

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

APPROVING THE PIT CREW AT 3223 CORNHUSKER HIGHWAY AS A KENO SATELLITE SITE -
CLERK Read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81021 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purposes of providing for joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of keno type lottery with Lincoln's Big Red Keno, Ltd., a Nebraska limited partnership; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of the Pit Crew, 3223 Cornhusker Highway, Lincoln, NE 68504.

The City Clerk is directed to return an executed copy of this Resolution to The Spigot Lounge, and a copy to Lincoln's Big Red Keno, Ltd.

Introduced by Jonathan Cook

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

SPECIAL PERMIT 1909 - APPLICATION OF LEONARD STOLZER TO ALLOW THE TEMPORARY STORAGE OF CONSTRUCTION EQUIPMENT ON PROPERTY GENERALLY LOCATED AT 5400 S. FOLSOM STREET - PRIOR to reading:

COOK Moved to amend Bill No. 01R-210 in the following manner:

1. On Page 2, line 1, insert a new paragraph 2 to read as follows:

2. This permit approves a reduction of the required lot area from 20 acres to seven acres.

2. Renumber the subsequent paragraphs accordingly.

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

COOK Moved to delay action on Bill No. 01R-210 for one week to 8/20/01.

Seconded by Seng & carried by the following vote: AYES: Camp,

Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

APPROVING AN AMENDMENT TO THE NORTH 27TH STREET REDEVELOPMENT PLAN TO ADD A PROJECT THAT INCLUDES THE PURCHASE AND DEMOLITION OF THE OLD MIDAS MUFFLER BUILDING GENERALLY LOCATED AT 601 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81022 WHEREAS, the City Council on March 16, 1998 adopted Resolution No. A-78640 adopting the North 27th Street Redevelopment Plan as an amendment to the Northeast Radial Reuse Area Redevelopment Plan; and

WHEREAS, the Director of Urban Development has filed with the City Clerk amendments to the North 27th Street Redevelopment Plan to add a project for the purchase and demolition of the building at 601 North 27th Street to provide more landscaping, green space, and parking. Said plan amendments are attached hereto, and indicated by the underlined material as marked in Attachment "A", and made a part hereof by reference. The Director of Urban Development has reviewed said plan amendments and has found that they meet the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 1997); and

WHEREAS, on June 29, 2001 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be held on July 11, 2001 before the Lincoln City - Lancaster County Planning Commission regarding the amendments to the North 27th Street Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, said proposed amendments to the North 27th Street Redevelopment Plan have been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendation, and said Planning Commission on July 11, 2001 found said request to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on August 3, 2001 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on August 13, 2001 regarding the proposed amendments to the North 27th Street Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on July 27, 2001 and August 3, 2001 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on August 13, 2001 regarding the proposed amendments to the North 27th Street Redevelopment Plan, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on August 13, 2001 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed amendments to the North 27th Street Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

WHEREAS, the City, after public invitation (Specification No. 00-060) entered into a redevelopment agreement to redevelop the west side of 27th Street between S and T Streets; and

WHEREAS, said redevelopment agreement requires the City to obtain access to and from the Project site at "T" Street; and

WHEREAS, the owner of the adjacent property is willing to sell the property to the City for purposes of such access and other uses consistent with the plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed amendments.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the North 27th Street Redevelopment Plan as modified by the proposed amendments is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated,

adjusted, and harmonious development of the City which will promote general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the reoccurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That the North 27th Street Redevelopment Plan as modified by the proposed amendments is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said plan as modified by the proposed amendment is in conformity

with the legislative declarations, and the determinations set forth in the Community Development Law.

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

That pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the amendments to the North 27th Street Redevelopment Plan attached hereto as Attachment "A" are hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

BE IT FURTHER RESOLVED that the Urban Development Director or her authorized representative is hereby authorized and directed to take all steps necessary to implement the provisions of said amendments to the North 27th Street Redevelopment Plan.

BE IT STILL FURTHER RESOLVED that it is intended that this resolution and the modifications adopted herein are supplemental hereto to the findings, approvals, and authorizations set forth in Resolution No. A-68614, Resolution No. A-69540, Resolution No. A-72716, Resolution No. A-77342, Resolution No. A-78640, Resolution No. A-78927, Resolution No. A-80067, and Resolution No. A-80494.

Introduced by Jonathan Cook

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

SPECIAL PERMIT 1873 - APPEAL OF SPRINT SPECTRUM, L.P., FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT 1873 FOR AUTHORITY TO CONSTRUCT A 90' TALL WIRELESS COMMUNICATIONS FACILITY AND WAIVER OF THE FALL ZONE, ON PROPERTY GENERALLY LOCATED AT 4700 ANTELOPE CREEK ROAD - PRIOR to reading:

CAMP Moved to place Bill No. 01R-212 on Pending for 30 days, while applicant looks at the Total site and the Roose Park area for location.

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

APPROVING A WAIVER OF DESIGN STANDARDS FOR STREET LIGHTS IN THE TALLOW WOOD ADDITION, ON PROPERTY GENERALLY LOCATED AT HICKORY CREST ROAD AND JACK PINE COURT - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81023 WHEREAS, the Final Plat of Tallow Wood Addition was previously approved by the City of Lincoln; and

WHEREAS, one of the conditions of approval of said Final Plat pursuant to Lincoln Municipal Code Section 26.27.070 was the requirement for the installation of private street lights along Tallowood Circle within said Plat; and

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

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

WHEREAS, the City Council finds that the strict application of all requirements would result in actual difficulties or substantial hardship or injustice to the property owner.

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

That the requirement of Section 26.27.070 of the Lincoln Municipal Code requiring the installation of street lights along both sides of the streets within the Final Plat of Tallow Wood is hereby waived.

That all other conditions for approval of the Final Plat of Tallow Wood Addition shall remain in full force and effect.

Introduced by Jonathan Cook

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

APPROVING A WAIVER OF DESIGN STANDARDS TO EXTEND THE TIME FOR INSTALLATION OF A SANITARY SEWER IN LOT 9, CORNHUSKER BUSINESS PARK, ON PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND HIGHWAY 6 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81024 WHEREAS, Trillium Corporation previously submitted and received approval of an Administrative Final Plat designated as Cornhusker Business Center by the Lincoln-Lancaster County Planning Commission; and

WHEREAS, the conditions of approval for said Administrative Final Plat included installation of a sanitary sewer in Lot 9, Cornhusker Business Park to be completed by April 11, 1996; and

WHEREAS, FDH 2, L.L.C., successor in interest to Trillium Corporation, hereinafter referred to as "Subdivider" is requesting an extension of the completion date for installation of sanitary sewers in Lot 9 from 2 years to 20 years or until the land is developed, whichever occurs first; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has

reviewed said request for the waiver of design standards and recommends approval of a four-year extension of the time for installation of said sanitary sewer with a recalculation of the bond amount and the posting of a new bond.

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

That Cornhusker Business Center is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and therefore the requirements of Section 26.27.040 providing sanitary sewers be installed within 2 years following approval of the Administrative Final Plat is waived to allow said improvement within Lot 9 to be installed within four years from the date of approval of this waiver, provided that:

a. Subdivider furnish a bond, escrow, or security agreement approved by the City Law Department in an amount the Department of Public Works deems sufficient to guarantee the current cost for installation of said improvement.

b. All other conditions for approval of the Administrative Final Plat of Cornhusker Business Center shall remain in full force and effect.

Introduced by Jonathan Cook

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

APPROVING A WAIVER OF DESIGN STANDARDS TO EXTEND THE TIME FOR INSTALLATION OF SIDEWALKS, STREET TREES, AND LANDSCAPE SCREENING IN LENOX VILLAGE SUBDIVISION, AND TO REVISE THE BONDING AMOUNTS, ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND PIONEERS BLVD. - PRIOR to reading:

COOK Moved to amend Bill No. 01R-215 in the following manner:

On Page 1, line 12, delete the words "future development of the lots within Lenox Village would most likely" and insert in lieu thereof the following: street widening projects on Pioneers and 70th Streets would.

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

CLERK Read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81025 WHEREAS, Slosburg Company, hereinafter referred to as "Subdivider", previously submitted and received approval of a Final Plat designated as Lenox Village 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 within Lenox Village Subdivision to be completed by September 29, 2001 for sidewalks and street trees and September 29, 1999 for the landscape screen; and

WHEREAS, Subdivider is requesting an extension of the completion date for installation of sidewalks, street trees and landscape screen to September 29, 2003 or at the time of the development in the lot in accordance with the use permit, whichever first occurs; and

WHEREAS, ~~future development of the lots within Lenox Village would most likely~~ street widening projects on Pioneers and 70th Streets would cause damage to improvements if installed now.

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

That Lenox Village 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 on or adjacent to Lots 1 and 3, Block 1, Lenox Village to allow said improvements to be installed by September 29, 2003.

b. The requirement of Section 26.27.080 providing a landscape screen be installed within 2 years following approval of the final plat is waived for Lot 2, Block 1, Lenox Village Addition to allow said improvements to be installed at such time as the property is developed or by September 29, 2003 whichever first occurs.

BE IT FURTHER RESOLVED that the Subdivider shall furnish a bond, escrow or security agreement approved by the City Law Department in the amount of \$95,175 to guarantee the installation of off-site improvements (\$65,000 - sidewalks; \$23,250 - street trees; and \$6,925 - landscape screening) within Lenox Village Addition.

That all other conditions for approval of the Final Plat of Lenox

Village Addition shall remain in full force and effect.

Introduced by Jonathan Cook

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

APPROVING A WAIVER OF DESIGN STANDARDS FOR STREET TREES ALONG INTERSTATE 80 IN THE NORTH CREEK COMMERCIAL CENTER, ON PROPERTY GENERALLY LOCATED AT FLETCHER AVE. AND TELLURIDE DRIVE - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81026 WHEREAS, the Preliminary Plat of North Creek Commercial Center was previously approved by the City of Lincoln on July 30, 2001; and

WHEREAS, one of the conditions of approval of said Plat is the requirement under Section 26.27.090 of the Lincoln Municipal Code that the Subdivider install street trees along both sides of the streets within said Plat; and

WHEREAS, applicant has requested a modification to waive said requirement along Interstate 80 pursuant to § 26.31.010 of the Lincoln Municipal Code; and

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

WHEREAS, the City Council finds that the strict application of all requirements would result in actual difficulties or substantial hardship or injustice to the property owner.

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

That the requirement of Section 26.27.090 of the Lincoln Municipal Code requiring the installation of street trees along both sides of the streets within the Preliminary Plat of North Creek Commercial Center is hereby waived along Interstate 80.

That all other conditions for approval of the Administrative Final Plat of Farmer's Bank Addition shall remain in full force and effect.

Introduced by Jonathan Cook

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JULY 16 - 31, 2001 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81027 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 August 1, 2001, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED</u>
Nancy L. Luginbill	\$165.00	Jake Kramer	\$ 283.85
		Odilio Linares	169.40
		Sandra Stodola	3,500.00

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 Jonathan Cook

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

SPECIAL PERMIT 1423C - APP-. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84TH ST. & OLD CHENEY RD. - PRIOR to reading:

COOK Moved to delay action on Bill No. 00R-64 for one week and have Public Hearing on 8/20/01.

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

APPLICATION OF SPECIAL OLYMPICS NEBRASKA TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN FROM SEPTEMBER 1, 2001 THROUGH NOVEMBER 30, 2001 - CLERK read the

following resolution, introduced by Jonathan Cook, who moved its adoption:
A-81028 WHEREAS, Special Olympics Nebraska has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

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

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

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to Special Olympics Nebraska to conduct a raffle in the City of Lincoln in accordance with the application filed by Brigette Young. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 20, 2001 AT 1:30 P.M. FOR THE APP. OF WILDERNESS RIDGE LLC, DBA WILDERNESS RIDGE GOLF COURSE TO INCLUDE ENTIRE GOLF COURSE LOCATED AT 1800 BOX CANYON CIRCLE - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81029 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., August 20, 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 App. of Wilderness Ridge LLC, dba Wilderness Ridge Golf Course to include the entire golf course located at 1800 Box Canyon Circle.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 27, 2001 AT 1:30 P.M. FOR THE MANAGER APP. OF ROBERT E. MARSHALL FOR CONCORD NEIGHBORHOOD CORPORATION, DBA APPLEBEE'S NEIGHBORHOOD GRILL & BAR AT 3730 VILLAGE DRIVE; 6100 "O" STREET; 3951 NORTH 27TH STREET AND 1133 "Q" STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81030 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., August 27, 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 Man. App. of Robert E. Marshall for Concord Neighborhood Corporation dba Applebee's Neighborhood Grill & Bar located at 3720 Village Drive; 6100 "O" Street; 3951 North 27th Street; and 1133 Q Street.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, AUGUST 27, 2001 AT 1:30 P.M. FOR THE MANAGER APP. OF CHAD R. MEISTER FOR DHABS LLC, DBA BARRYMORE'S LOCATED AT 124 N. 13TH STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81031 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., August 27, 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 Man. App. of Chad R. Meister for DHABS LLC dba Barrymore's located at 124 N. 13th Street.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF AUGUST 27, 2001 AT 1:30 P.M. FOR DESTINY PRODUCTIONS INC. DBA "STAR CITY DINNER THEATRE" FOR A CLASS K, CATERING LICENSE, LOCATED AT 803 "Q" STREET, 2ND FLOOR - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-81032 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., August 27, 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 App. of Destiny Productions Inc, dba "Star City Dinner Theatre" for a Class K Catering license at 830 "Q" St., 2nd Floor.

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

Introduced by Jonathan Cook

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

PETITIONS AND COMMUNICATIONS

The following have been referred to the Law Dept.:

Petition to Vacate Public Way of South 92\1st Street between Pine Lake Road and Highway 2, submitted by Andermatt, L.L.C. and Westcor, L.L.C.

Petition to Vacate Public Way of sidewalk adjacent to 700 P Street on west side of building encompassing area that is 5' by 30'6", submitted by Gale & Louise Shields.

CHANGE OF ZONE 3335 - APP. OF LINCOLN PLATING COMPANY FOR A CHANGE FROM R-2 TO B-1 ON PROPERTY GENERALLY LOCATED AT 660 WEST E STREET - CLERK presented said petition which was referred to the Planning Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JULY 30, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

INVESTMENT OF FUNDS FOR JULY 30 - AUGUST 3, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81033 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 30 - August 3, 2001)

Introduced by Jonathan Cook

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

REPORTS FROM CITY TREASURER OF TELECOMM. OCC TAX FOR THE MONTH OF JUNE, 2001: WorldCom Network Services, Inc.; IBM Global Services-NS Div.; American Farm Bureau, Inc.; GE Capital Communications, Inc.; Coast International, Inc.; Bell Atlantic Communications; Intellicall Operator Services; Verizon Select Services, Inc.; Nebraska Technology & Telecommunications, Inc.; and

Amerivision Communications, Inc.; Alltel Nebraska, Inc.; Global Crossing Telecommunications, Inc.; Access Line Communications Corp.; Bradding Telecommunications; Alltel Communications of Nebraska, Inc.; and for April, May & June: Guaranteed Phone Services - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

ORDINANCES - 1ST READING

AMENDING SECTION 2.62.200 OF THE LINCOLN MUNICIPAL CODE TO ALLOW MEMBERS OF THE POLICE AND FIRE PENSION PLANS "B" AND "C" TO SWITCH TO PLAN "A" WITHIN SIX MONTHS AFTER DEFERRED RETIREMENT OPTION PLAN IMPLEMENTATION - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 2.62.200 of the

Lincoln Municipal Code to provide members of Police and Fire Pension Plans "B" and "C" the opportunity to elect to participate in Police and Fire Pension Plan "A" subsequent to the implementation of the Deferred Retirement Option Plan, and repealing Section 2.62.200 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 10.16.030 OF THE LINCOLN MUNICIPAL CODE WITH REGARD TO THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL TO BRING THE LEVEL OF ALCOHOL IN BLOOD OR BREATH INTO COMPLIANCE WITH STATE STATUTE - CLERK Read an ordinance, introduced by Jonathan Cook, amending Section 10.16.030 of the Lincoln Municipal Code to bring the level of alcohol in blood or breath into compliance with state statute; and repealing Section 10.16.130 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 251 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 20 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17870, passed June 25, 2001, prescribing and defining the corporate limits of the City of Lincoln, Nebraska; and repealing Section 20 of Ordinance No. 8730 passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17870, passed June 25, 2001, as hitherto existing, the first time.

CHANGE OF ZONE 3325 - AMENDING CHAPTER 27.51 OF THE LINCOLN MUNICIPAL CODE TO ALLOW DEVELOPMENT OF A MINIMUM OF 50 ACRES INSTEAD OF 75 ACRES IN THE I-3 EMPLOYMENT CENTER DISTRICT - CLERK read an ordinance, introduced by Jonathan Cook, amending Sections 27.51.030, 27.51.090, and 27.51.100 of the Lincoln Municipal Code to allow development of a minimum of 50 acres instead of 75 acres in the I-3 Employment Center District; and repealing Sections 27.51.030, 27.51.090, and 27.51.100 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 3265 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO I-3 EMPLOYMENT CENTER AND R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH and NORTH 27TH STREETS, NORTH OF I-80 and SOUTH OF ALVO AND ARBOR 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 27.05.012 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 3323 - APPLICATION OF PARK RIDGE APARTMENTS, L.L.C. FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST C STREETS - 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 first time.

ORDINANCES - 3RD READING - NONE

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17891**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17892**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17893**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17894**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17895**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **17896**, is recorded in Ordinance Book 24, Page

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,

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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 third time.
SVOBODA Moved to pass the ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
The ordinance, being numbered **17897**, is recorded in Ordinance Book 24, Page

CHANGING THE CITY TELECOMMUNICATIONS OCCUPATION TAX RATE FROM 3.8% TO ~~5.75%~~ 5.50% OF GROSS RECEIPTS EFFECTIVE SEPTEMBER 1, 2001 - PRIOR to reading,
COOK Moved to amend Bill No. 01-126 to increase the Occupation Tax to 5.50% on gross receipts.
Seconded by Seng & carried by the following vote: AYES: Cook, McRoy, Seng, Werner; NAYS: Camp, Svoboda; ABSENT: Friendt.

CLERK Read an ordinance, introduced by Coleen Seng, 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%~~ 5.50% 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 third time.
SENG Moved to pass the ordinance as amended.
Seconded by Cook & carried by the following vote: AYES: Cook, McRoy, Seng, Werner; NAYS: Camp, Svoboda; ABSENT: Friendt.
The ordinance, being numbered **17898**, is recorded in Ordinance Book 24, Page

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 third time.

SVOBODA Moved to pass the ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
The ordinance, being numbered **17899**, is recorded in Ordinance Book 24, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

RENAMING CHARLES AVE. AS HANNEMAN DR. BEGINNING AT THE NORTH APPROACH OF THE INTERSECTION OF TRIMBLE DR. & W. "C" ST. & EXTENDING NORTH & EAST THROUGH THE MUFF 2ND ADD. PRELIMINARY PLAT:
CAMP Moved to remove Bill No. 01-96 from pending for Public Hearing on 8/20/01.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

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)** :
CAMP Moved to remove Bill. No. 01-106 from pending for action on 8/20/01.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

CAMP Moved to extend the Pending List for 1 week.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Friendt.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on August 20, 2001.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

ADJOURNMENT

5:48 p.m.

CAMP Moved to adjourn the City Council Meeting of August 13, 2001.
 Seconded by Seng & carried by the following vote: AYES: Camp, Cook,
McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
 So ordered.

Teresa J. Meier-Brock, Deputy City Clerk

Glenna Graupmann, Office Assistant III

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