

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, SEPTEMBER 10, 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, Friendt, Seng, Svoboda, Werner; Joan Ross, City Clerk.

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 August 27, 2001, reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Don Wesely presented the Mayor's Award of Excellence to Dorothy Skorupa of Parks & Recreation for Customer Relations.

PUBLIC HEARING

Chief Casady came forward to make a presentation on the "2001 Local Law Enforcement Block Grant". The grant is for \$294,461.00 with the Lancaster County Sheriff's Office sharing the funds which will be used for drug enforcement.

This matter was taken under advisement.

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORPORATION FOR A SPECIAL DESIGNATED LICENSE IN AN AREA MEASURING APPROXIMATELY 62' X 382' IN 7TH STREET FROM Q TO P STREETS, AN AREA MEASURING APPROXIMATELY 60' X 270' IN P STREET FROM 7TH TO 8TH STREETS, AND A BEER GARDEN AREA MEASURING 30' X 40' NEAR THE INTERSECTION OF 7TH AND P STREET, ON SEPTEMBER 21, 2001 FROM 5:00 P.M. TO 1:00 A.M. AND ON SEPTEMBER 22, 2001 FROM 11:00 A.M. TO 1:00 A.M. - Scott Miller, Lincoln Haymarket Development Corp & owner of Lazlo & Jabrisco's came forward to answer any questions. Discussion followed.

This matter was taken under advisement.

APP. OF DESTINY PRODUCTIONS INC. DBA STAR CITY DINNER THEATRE FOR A LIQUOR CATERING LICENSE AT 803 Q STREET - Russ Bayer, 633 S 112th St. came forward to state that since the theatre is closed this license will be used for private tailgate parties on the dock.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,000,000 CITY OF LINCOLN, NEBRASKA PARKING REVENUE BONDS, SERIES 2001 - Margaret Remmenga, Business Manager for Public Works & Utilities Dept. stated this money would cover the cost of construction for a parking garage on the west side of 9th St., between Q & R St. The construction is to start Oct. 1, 2001 & will take approximately 12 months.

This matter was taken under advisement.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY MDS PHARMA SERVICES FOR THE INSTALLATION OF A BURIED LIQUID NITROGEN LINE UNDER PEACH STREET BETWEEN S. 6TH AND S. 7TH STREETS - Annette McRoy, Council Member, asked if the nitrogen line would be metal.

Nicole Fleck-Tooze stated it would be stainless steel.

Ms. McRoy asked if there was any danger to the public if bored into.

Ms. Fleck-Tooze stated that dry gas would escape.

This matter was taken under advisement.

APPROVING MARY'S PLACE AT 1930 WEST O STREET AS A KENO SATELLITE SITE - John Hewitt, Big Red Keno, came forward to state this is a renewal of a previous location, but with a change in ownership.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORPORATION FOR A SPECIAL DESIGNATED LICENSE IN AN AREA MEASURING APPROXIMATELY 62' X 382' IN 7TH STREET FROM Q TO P STREETS, AN AREA MEASURING APPROXIMATELY 60' X 270' IN P STREET FROM 7TH TO 8TH STREETS, AND A BEER GARDEN AREA MEASURING 30' X 40' NEAR THE INTERSECTION OF 7TH AND P STREET, ON SEPTEMBER 21, 2001 FROM 5:00 P.M. TO 1:00 A.M. AND ON SEPTEMBER 22, 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-81078 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 Haymarket Development Corporation for a Special Designated License to cover an area measuring approximately 61 feet by 382 feet in 7th Street from Q to P Street, an area measuring approximately 60 feet by 270 feet in P Street from 7th to 8th Streets, and a beer garden area measuring 30 feet by 40 feet near the intersection of 7th and P Streets, Lincoln, Nebraska, on September 21, 2001 between the hours of 5:00 p.m. and 1:00 a.m., and on September 22, 2001 between the hours of 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 and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APP. OF DESTINY PRODUCTIONS INC. DBA STAR CITY DINNER THEATRE FOR A LIQUOR CATERING LICENSE AT 803 Q STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81079 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinance, the City Council recommends that the application of Destiny Productions Inc. dba "Star City Dinner Theatre" for the issuance of a Catering Permit to the existing liquor license, located at 803 Q Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all city and state regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF MICHAEL D. OLDERBAK FOR NEBRASKA RETAIL VENTURES L.L.C. DBA AMPRIDE 101 AT 4135 S. 48TH STREET, AMPRIDE 102 AT 4002 ADAMS STREET, AMPRIDE 103 AT 600 W. A STREET, AMPRIDE 105 AT 3291 HOLDREGE STREET, AMPRIDE 106 AT 4401 N. 70TH STREET, AND AMPRIDE 107 AT 5501 SUPERIOR STREET - PRIOR to reading:

CAMP Moved to delay action on Olderbak application for one week to 9/17/01.

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

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,000,000 CITY OF LINCOLN, NEBRASKA PARKING REVENUE BONDS, SERIES 2001 - CLERK read an ordinance, introduced by Coleen Seng, authorizing the issuance of not to exceed \$7,000,000 City of Lincoln, Nebraska parking revenue bonds, series 2001, the second time.

RESOLUTIONS

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY MDS PHARMA SERVICES FOR THE INSTALLATION OF A BURIED LIQUID NITROGEN LINE UNDER PEACH STREET BETWEEN S. 6TH AND S. 7TH STREETS - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81080 WHEREAS, MDS Pharma Services has submitted an application for a permit to use the public right-of-way in Peach Street between South 6th Street and South 7th Street for the installation of a nitrogen line to connect a nitrogen tank at 621 Peach Street to the MDS Pharma Services main building; and

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

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

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

That the application aforesaid of MDS Pharma Services, hereinafter referred to as "Permittee" to use the public right-of-way in Peach Street between South 6th Street and South 7th Street, at 621 Peach Street, is granted as a privilege only by virtue of and subject to strict compliance with the site plan, the letter of application, and the following terms and conditions, to wit:

1. That the permission herein granted is granted as a privilege only, and is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code including those provisions relating to the posting of a continuing bond in the amount of \$5,000, and the filing of a certificate of insurance with a minimum combined single limit of \$500,000 aggregate for any one occurrence.

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

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

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

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

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

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

Said rental payments shall be made to the City Treasurer and shall be due and payable on the 1st day of October of each year;

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

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

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

Introduced by Ken Svoboda

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

APPROVING MARY'S PLACE AT 1930 WEST O STREET AS A KENO SATELLITE SITE.

REAPPOINTING MICHELLE PETERSEN, MOLVINA CARTER, AND MICHAEL TAVLIN TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR THREE-YEAR TERMS EXPIRING SEPTEMBER 1, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81081 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 Mary's Place, 1930 West O Street, Lincoln, NE 68528.

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

Introduced by Ken Svoboda

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

REAPPOINTING MICHELLE PETERSEN, MOLVINA CARTER, AND MICHAEL TAVLIN TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR THREE-YEAR TERMS EXPIRING SEPTEMBER 1, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81082 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Michelle Petersen, Molvina Carter, and Michael Tavlin to the Community Health Endowment Board of Trustees for three-year terms expiring September 1, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING CAROL OTT SCHACHT TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A THREE-YEAR TERM EXPIRING SEPTEMBER 1, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81083 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Carol Ott Schacht to the Community Health Endowment Board of Trustees for a three-year term expiring September 1, 2004 is hereby approved.

Introduced by Ken Svoboda

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

SETTING HEARING DATE OF MON., SEPT. 24, 2001 AT 5:30 P.M. ON THE APPLICATION OF BUGGY BATH WEST, LLC DBA "BUGGY BATH CAR WASH - WEST" FOR A RETAIL CLASS "B" LIQUOR LICENSE & CLASS "K" LIQUOR CATERING LICENSE AT 1502 WEST O STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81084 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., September 24, 2001, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of Buggy Bath West, LLC dba "Buggy Bath Car Wash - West" for a Retail Class "B" Liquor License & Class "K" Liquor Catering License at 1502 West O Street.

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

SETTING HEARING DATE OF MON., SEPT. 24, 2001 AT 5:30 P.M. ON THE APPLICATION OF BRINKERS RESTAURANT CORP. DBA "CHILI'S SOUTHWEST BAR & GRILL" FOR A RETAIL CLASS "I" LIQUOR LICENSE AT 6730 S. 27TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81085 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., September 24, 2001, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of Brinkers Restaurant Corp. dba "Chili's Southwest Bar & Grill" for a retail Class "I" Liquor License at 6730 S. 27th Street.

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

SETTING HEARING DATE OF MON., SEPT. 24, 2001 AT 5:30 P.M. ON THE APPLICATION OF BWITCHED TWO INC DBA "BISON WITCHES BAR & DELI" FOR A RETAIL CLASS "C" LIQUOR LICENSE AT 1320 P STREET, STE. 100 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81086 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., September 24, 2001, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of Bwitched Two Inc. dba "Bison Witches Bar & Deli" for a Retail Class "C" Liquor License at 1320 P Street, Ste. 100.

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

SETTING THE HEARING DATE OF MON., SEPT. 24, 2001 AT 5:30 P.M. FOR AN ADDITION TO PREMISES FOR LANCASTER COUNTY AGRICULTURAL SOCIETY INC. DBA "LANCASTER EVENT CENTER" CONSISTING OF A COURTYARD AREA & COVERED WALKWAY APPROX. 325' X 175', PASSAGEWAY APPROX. 200' X 100' & SMALL ANIMAL BLDG. 240' X 90' - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81087 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., September 24, 2001, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Ap. of Lancaster County Agricultural Society Inc. dba "Lancaster Event Center" for an addition

to premises consisting of a courtyard area & covered walkway approx. 325' x 175', passageway approx. 200' x 100' & small animal bldg. 240' x 90'.

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

SETTING HEARING DATE OF MON., SEPT. 24, 2001 AT 5:30 P.M. FOR THAI GARDEN , LLC DBA THAI GARDEN RESTAURANT FOR A CLASS "I" LIQUOR LICENSE AT 1245 Q STREET, STE. 100 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81088 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., September 24, 2001, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of Thai Garden, LLC dba "Thai Garden Restaurant" for a Class "I" Liquor License at 1245 Q Street, Ste. 100.

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

PETITIONS AND COMMUNICATIONS

PETITION TO VACATE PUBLIC WAY THE EASTERN HALF OF NORTH-SOUTH ALLEY FROM THE NORTH LINE OF LEXINGTON AVENUE TO THE SOUTH LINE OF EAST-WEST ALLEY FROM 70TH STREET TO 73RD STREET SUBMITTED BY JUSTIN & SHERYL STINE - CLERK presented said petition which was referred to the Law Dept.

APP. OF PIUS X HIGH SCHOOL BOOSTER CLUB - B.O.L.T. TO CONDUCT A LOTTERY WITHIN THE CITY OF LINCOLN. (NEED A MOTION TO SET HEARING DATE FOR MON., SEPT. 17, 2001 AT 1:30 P.M.) - CLERK requested a hearing date be set for Mon., Sept. 17, 2001 at 1:30 p.m.:

SVOBODA So moved.

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

THE FOLLOWING APPS. WERE REFERRED TO PLANNING DEPT.:

Special Permit No. 1929 - App. of Red Star Auto Plaza, L.L.C. for storage of vehicles for sale & resale in the front yard in the H-3 District.

Change of Zone No. 3285 - App. of Andermatt, L.L.C. to change from AG to B-5 & AG to O-3 at 84th & Highway 2.

Change of Zone No. 3320 - App. of Heritage Lakes L.L.C. for a change from AG to R-3 at S. 98th Street & Pine Lake Road.

Use Permit No. 140 - App. of Eiger Corp. for commercial use of 803,400 sq. ft. to be used for shopping center, Appian Way.

APPLICATION OF HUSKER ATHLETICS FUND, 117 S. STADIUM, TO CONDUCT A RAFFLE WITHIN THE CITY LIMITS. (NEED MOTION TO SET HEARING DATE OF MON., SEPT. 17, 2001 AT 1:30 P.M..) - CLERK requested a hearing date be set for Mon., Sept. 17, 2001 at 1:30 p.m.:

SVOBODA So moved.

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

APPLICATION OF ST. TERESA'S CATHOLIC CHURCH, 735 S. 36TH ST., TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN. (NEED MOTION TO SET HEARING DATE OF MON. SEPT. 17, 2001 AT 1:30 P.M.) - CLERK requested a hearing date be set for Mon., Sept. 17, 2001 at 1:30 p.m.:

SVOBODA So moved.

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

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON AUGUST 20, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER & MAYOR'S APPROVAL OF RESOLUTIONS PASSED ON AUGUST 22, 2001. (BELTWAY) - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

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

INVESTMENT OF FUNDS FOR AUGUST 13 THROUGH AUGUST 17, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, moved its adoption:
A-81089 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 August 20 - August 24, 2001.)

Introduced by Ken Svoboda

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

APPROVING DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS FOR MONTH ENDED JULY 31, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:
A-81090 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended July 31, 2001, \$218,500.84 was earned from short-term investments of "IDLE FUNDS". The same is hereby distributed tot he various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio tht such balance bears to the total of all fund balances.

Introduced by Ken Svoboda

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

REPORTS FROM CITY TREASURER OF TELECOMM OCC. TAX FOR THE QUARTER ENDING SEPT. 1999: GLOBAL CROSSING; MONTH OF JUNE, 2001: ALLTEL SYSTEMS OF THE MIDWEST; JULY, 2001: USA PAGING, MCLEODUSA, OPERATOR COMM., SPRINT, EXCEL, AT&T, GUARANTEED PHONE SERVICES, LONG DISTANCE OF MICHIGAN, I-LINK, BIG PLANET, ASSOC. ADM., ZONE TELECOM, ATS MOBILE, SPRINT SPECTRUM, TELCO DEV. JULY, 2001: NEXTEL WEST, COAST INT'L., INTELICALL, BELL ATLANTIC, WORLDCOM., LINCOLN CELTECO, ALLTEL COMM., ALLTEL NEBRASKA INC. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

ORDINANCES - 1ST READING

AMENDING SECTION 2.62.020 OF THE LINCOLN MUNICIPAL CODE TO INCLUDE BI-WEEKLY POST EMPLOYMENT HEALTH PLAN CONTRIBUTIONS FOR PURPOSES OF CALCULATING PENSION BENEFITS FOR PARTICIPANTS IN POLICE AND FIRE PENSION PLAN "A" - CLERK read an ordinance, introduced by Ken Svoboda, amending Section 2.62.020 of the Lincoln Municipal Code to amend the definition of regular pay to include bi-weekly Post Employment Health Plan (PEHP) contributions for purposes of calculating pension benefits for participants in Police and Fire Pension Plan "A"; and repealing Section 2.62.020 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 2.65.020 OF THE LINCOLN MUNICIPAL CODE TO AMEND THE DEFINITION OF REGULAR PAY TO INCLUDE BI-WEEKLY POST EMPLOYMENT HEALTH PLAN CONTRIBUTIONS FOR PURPOSES OF CALCULATING PENSION BENEFITS FOR PARTICIPANTS IN POLICE AND FIRE PENSION PLAN "B"- CLERK read an ordinance, introduced by Ken Svoboda, amending Section 2.62.020 of the Lincoln Municipal Code to amend the definition of regular pay to include bi-weekly Post Employment Health Plan (PEHP) contributions for purposes of calculating pension benefits for participants in Police and Fire Pension Plan "B"; and repealing Section 2.65.020 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 2.66.020 OF THE LINCOLN MUNICIPAL CODE TO AMEND THE DEFINITION OF REGULAR PAY TO INCLUDE BI-WEEKLY POST EMPLOYMENT HEALTH PLAN CONTRIBUTIONS FOR PURPOSES OF CALCULATING PENSION BENEFITS FOR PARTICIPANTS IN POLICE AND FIRE PENSION PLAN "C" - CLERK read an ordinance, introduced by Ken Svoboda, amending Section 2.66.020 of the Lincoln Municipal Code to amend the definition of regular pay to include bi-weekly Post Employment Health Plan (PEHP) contributions for purposes of calculating pension benefits for participants in Police & Fire Pension Plan "C"; and repealing Section 2.66.020 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 3336 - APPLICATION OF REX ANDERSON FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL TO R-7 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT 19TH AND DUDLEY STREETS - CLERK read an ordinance introduced by Ken Svoboda, 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

CHANGE OF ZONE 3333 - APPLICATION OF UNION BANK & TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 12TH STREET AND WEST DENTON ROAD - CLERK read an ordinance, introduced by Glenn Friendt, 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.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17910**, is recorded in Ordinance Book 24, Page

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 third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17911**, is recorded in Ordinance Book 24, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

CREATING ALLEY PAVING DIST. 360 IN THE NORTH/SOUTH ALLEY BETWEEN WORTHINGTON AVE. & 20TH ST., FROM SOUTH ST. NORTH APPROX. 300'. (3/5/01 - PLACED ON PENDING) - CLERK requested Bill No. 01-20 be Withdrawn from Pending.

COOK So moved.

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

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

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on
September 17, 2001.
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADJOURNMENT

2:19 p.m.

CAMP Moved to adjourn the City Council Meeting of September 10, 2001.
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Svoboda, Werner; NAYS: None; ABSENT: Seng.
So ordered.

Joan E. Ross, Deputy City Clerk

Judy Roscoe, Office Assistant III

