

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JANUARY 7, 2002 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Friendt, Seng, Svoboda, Werner; Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

SENG Having been appointed to read the minutes of the City Council proceedings of December 17, 2001, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF MARBLZ CORP. DBA "ROAD HOUSE BAR & GRILL" TO DELETE THE BANQUET HALL, SUITE 200, FROM THE LICENSED PREMISES AT 1501 CENTERPARK ROAD - Mary Gaines, 6411 White Dove Circle, took oath and came forward and stated that the banquet hall is not used anymore so is requesting it be deleted from the liquor license.

This matter was taken under advisement.

APPLICATION OF 48 BOWL INC. DBA "PARKWAY LANES & PUB" FOR A CLASS "C" AND "K" LIQUOR LICENSE AT 2555 S. 48TH STREET;

MANAGER APPLICATION OF WILLIAM L. HOPPE FOR 48 BOWL INC. DBA "PARKWAY LANES & PUB" AT 2555 S. 48TH STREET;

APPLICATION OF 48 BOWL INC. DBA "HOLLYWOOD BOWL" FOR A CLASS "C" LIQUOR LICENSE AT 920 N. 48TH STREET;

MANAGER APPLICATION OF WILLIAM L. HOPPE FOR 48 BOWL INC. DBA "HOLLYWOOD BOWL" AT 920 N. 48TH STREET - William L. Hoppe, 6620 Tanglewood Lane, took oath and came forward and stated that he has been the manager at both locations for 20 years and due to new ownership it was necessary to reapply. He supervises both locations evenly.

This matter was taken under advisement.

APPLICATION OF HANNAH W. HOCH DBA "SILVER SPUR ROADHOUSE" FOR A CLASS "C" LIQUOR LICENSE AT 5100 N. 48TH STREET - Hannah Hoch, 5100 N. 48th Street, took oath and came forward to answer any questions.

Terry Werner, Council Member, asked if she has considered joining the Havelock Business Association.

Ms. Hoch, stated she belongs to the Restaurant Association, but would look into joining the Havelock Business Association as well.

Ms. McRoy asked if she had signed up for the Responsible Hospitality class.

Ms. Hoch stated that she has tried, but the classes have been very full.

This matter was taken under advisement.

MANAGER APPLICATION OF ANTHONY L. OLDERBAK FOR NEBRASKA RETAIL VENTURES DBA "AMPRIDE NO. 107" AT 5501 SUPERIOR STREET, "AMPRIDE NO. 106" AT 4401 N. 70TH STREET, "AMPRIDE NO. 102" AT 4002 ADAMS STREET, AND "AMPRIDE NO. 105" AT 3291 HOLDREGE STREET - Don Bowman, Attorney, 1045 Lincoln Mall, and Anthony L. Olderbak, 3291 Randolph, took oath and came forward and stated that Mr. Olderbak oversees four locations and spends at least 3 hours a day at each store. There is a store manager on each of the two shifts as well. Discussion followed.

Mr. Werner, stated that the Chief of Police has asked that there be one person at each location as the manager of record that they can deal with if needed.

Mr. Olderbak stated that this would give limited supervision to the night shift where with him as manager he is able to physically come in at night as well as during the day and give direct supervision with more effectiveness.

Russ Fosler, Police Officer, came forward to state that the value for an official designation of a supervisor on site is for legal reasons and he feels that if that person's name is on the license they tend to take more responsibility for it. Further discussion followed.

Ken Svoboda, Council Member, asked if someone from Kabredlo's would

be willing to be a part of a small committee of the Internal Liquor Committee that is putting together a policy pertaining to one manager for multiple locations.

Mr. Olderbak answered yes.

This matter was taken under advisement.

CHANGE OF ZONE 3330 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. FOR A CHANGE OF ZONE AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. **(IN CONNECTION W/01R-333 & 01R-334);**

SPECIAL PERMIT 1946 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. TO DEVELOP STONE RIDGE ESTATES COMMUNITY UNIT PLAN CONSISTING OF 10 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. **(IN CONNECTION W/01R-334; 01-185);**

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF STONE RIDGE ESTATES CONSISTING OF 352 LOTS AND FIVE OUTLOTS WITH A WAIVER OF THE CURB AND GUTTER REQUIREMENT ALONG SOUTH 27TH STREET ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. **(IN CONNECTION W/01R-333; 01-185)** - Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing Ridge Development Corp. and Southview Inc. Discussion followed.

This matter was taken under advisement.

APPROVING A TEN-YEAR LEASE TO CRICKET NEBRASKA PROPERTY COMPANY TO BUILD A FOUR-PROVIDER TELECOMMUNICATION TOWER ON PROPERTY OF THE LINCOLN WATER SYSTEM GENERALLY LOCATED AT 84TH AND SOUTH STREETS. **(REQUEST FOR 2ND & 3RD READINGS.)** - Greg Ferris, 144 S. Bay Country Ct., Wichita, KS, came forward representing Cricket Nebraska Property Company, asking to construct a monopole and then give the pole to the City of Lincoln. The City will own this pole and Cricket will then rent it from the City. There will be four antennas on this pole for which the City will collect & deposit the revenue. He stated that they designed the new pole to be exactly where it's at because they planned to take down the Rural Fire Department pole near that location. Cricket is committed to taking down the Rural Fire Department pole and putting them on the new pole. Cricket will hang the Rural Fire Department's antennas & take down the pole at no cost to the City or Rural Fire Department if agreed by the Rural Fire Department. Discussion followed.

This matter was taken under advisement.

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

MISCELLANEOUS BUSINESS PUBLIC HEARING

Glen Cekal, 1420 C Street, came forward to express his opinion referencing convenience shops that there needs to be someone on-site that is accountable, responsible, & legally in charge. He feels that the Gas 'N Shops in older neighborhoods need to be improved to help eliminate blight in these areas.

This matter was taken under advisement.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF MARBLZ CORP. DBA "ROAD HOUSE BAR & GRILL" TO DELETE THE BANQUET HALL, SUITE 200, FROM THE LICENSED PREMISES AT 1501 CENTERPARK ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81288 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 including Neb. Rev. Stat. § 53-132, the pertinent City ordinances, and Resolution No. A-66729, the City Council recommends that the application of Marblz Corp. dba "Road House Bar & Grille" to delete the banquet hall area, Suite 200, from their presently licensed premises located at 1501 Centerpark Road, 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, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF 48 BOWL INC. DBA "PARKWAY LANES & PUB" FOR A CLASS "C" AND "K" LIQUOR LICENSE AT 2555 S. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81289 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 48 Bowl Inc. dba "Parkway Lanes & Pub" for a Class "C" and Catering liquor license at 2555 S. 48th Street, Lincoln, Nebraska, for the license period ending October 31, 2002, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF WILLIAM L. HOPPE FOR 48 BOWL INC. DBA "PARKWAY LANES & PUB" AT 2555 S. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81290 WHEREAS, 48 Bowl Inc. dba "Parkway Lanes & Pub" located at 2555 S. 48th Street, Lincoln, Nebraska has been approved for a Retail Class "C" and catering liquor license, and now requests that William L. Hoppe be named manager;

WHEREAS, William L. Hoppe 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 William L. Hoppe be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF 48 BOWL INC. DBA "HOLLYWOOD BOWL" FOR A CLASS "C" LIQUOR LICENSE AT 920 N. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81291 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 48 Bowl Inc. dba "Hollywood Bowl" for a Class "C" liquor license at 920 N. 48th Street, Lincoln, Nebraska, for the license period ending October 31, 2002, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF WILLIAM L. HOPPE FOR 48 BOWL INC. DBA "HOLLYWOOD BOWL" AT 920 N. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81292 WHEREAS, 48 Bowl Inc. dba "Hollywood Bowl" located at 920 N. 48th Street, Lincoln, Nebraska has been approved for a Retail Class "C" and

catering liquor license, and now requests that William L. Hoppe be named manager;

WHEREAS, William L. Hoppe 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 William L. Hoppe be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF HANNAH W. HOCH DBA "SILVER SPUR ROADHOUSE" FOR A CLASS "C" LIQUOR LICENSE AT 5100 N. 48TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81293 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 Hannah W. Hoch dba "Silver Spur Roadhouse" for a Class "C" liquor license at 5100 N. 48th Street, Lincoln, Nebraska, for the license period ending October 31, 2002, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF ANTHONY L. OLDERBAK FOR NEBRASKA RETAIL VENTURES DBA "AMPRIDE NO. 107" AT 5501 SUPERIOR STREET, "AMPRIDE NO. 106" AT 4401 N. 70TH STREET, "AMPRIDE NO. 102" AT 4002 ADAMS STREET, AND "AMPRIDE NO. 105" AT 3291 HOLDREGE STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81294 WHEREAS, Nebraska Retail Ventures L.L.C. dba Ampride 102 located at 4002 Adams Street, Ampride 105 at 3291 Holdrege Street, Ampride 106 at 4401 N. 70th Street, and Ampride 107 at 5501 Superior Street, Lincoln, Nebraska has been approved for a Retail Class "B" and "K" liquor license, and now requests that Anthony L. Olderbak be named manager;

WHEREAS, Anthony L. Olderbak 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 Anthony L. Olderbak 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, Friendt, McRoy, Seng, Svoboda; NAYS: Cook, Werner.

ORDINANCES - 2ND READING

CHANGE OF ZONE 3330 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. FOR A CHANGE OF ZONE AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD (In connection w/01R-333 & 01R-334) - CLERK read an ordinance, introduced by Terry Werner, for the application of Ridge

Development Company and Southview, Inc. for a Change of Zone AG Agricultural to R-3 Residential on property generally located northwest of the intersection of South 27th Street and Yankee Hill Road, the second time.

APPROVING A TEN-YEAR LEASE TO CRICKET NEBRASKA PROPERTY COMPANY TO BUILD A FOUR-PROVIDER TELECOMMUNICATION TOWER ON PROPERTY OF THE LINCOLN WATER SYSTEM GENERALLY LOCATED AT 84TH AND SOUTH STREETS -

SVOBODA Moved to waive the rules to have 2nd & 3rd Reading this day.

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

CLERK Read an ordinance, introduced by Terry Werner, approving a ten-year lease to Cricket Nebraska Property Company to build a four-provider telecommunication tower on property of the Lincoln Water System generally located at 84th and South Streets, the second time.

RESOLUTIONS

SPECIAL PERMIT 1946 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. TO DEVELOP STONE RIDGE ESTATES COMMUNITY UNIT PLAN CONSISTING OF 10 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. (IN CONNECTION W/01R-334; 01-185) - PRIOR TO READING:

COOK Moved to delay action on Bill No. 01R-333 for one week to 1/14/02.

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

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF STONE RIDGE ESTATES CONSISTING OF 352 LOTS AND FIVE OUTLOTS WITH A WAIVER OF THE CURB AND GUTTER REQUIREMENT ALONG SOUTH 27TH STREET ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. (IN CONNECTION W/01R-333; 01-185) - PRIOR TO READING:

COOK Moved to delay action on Bill No. 01R-334 for one week to 1/14/02.

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

ORDERING WATER DISTRICT NO. 1184 CONSTRUCTED IN PARK AVENUE FROM 10TH TO 11TH STREETS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81295 WHEREAS, the City Council of Lincoln, Nebraska, acting under Article VI, Section 2 of the Home Rule Charter for said City, has created Water District No. 1184 through passage of Ordinance No. 17941 which water district is located in Park Avenue from 10th to 11th Streets.

WHEREAS, it is deemed necessary for the general health, welfare and safety of the City of Lincoln, and more so for the health, welfare and safety of the benefitted property included within Water District No. 1184 that said district be constructed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that Water District No. 1184 is hereby ordered constructed.

Introduced by Jon Camp

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

ORDERING SANITARY SEWER DISTRICT NO. 1175 CONSTRUCTED IN MARLBOROUGH AND OAKS HOLLOW DRIVE, STEVENS RIDGE ESTATES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81296 WHEREAS, the City Council of Lincoln, Nebraska, acting under Article VIII, Section 7 of the Home Rule Charter for said City, has created Sanitary Sewer District No. 1175 through passage of Ordinance No. 17943 which sanitary sewer district is located in Marlborough and Oaks Hollow Drive, Steven Ridge Estates.

WHEREAS, it is deemed necessary for the general health, welfare and safety of the City of Lincoln, and more so for the health, welfare and safety of the benefitted property included within Sanitary Sewer District No. 1175 that said district be constructed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that Sanitary Sewer District No. 1175 is hereby ordered constructed.

Introduced by Jon Camp

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

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

ORDERING WATER DISTRICT NO. 1185 CONSTRUCTED IN MARLBOROUGH AND OAKS HOLLOW DRIVE, STEVENS RIDGE ESTATES - PRIOR TO READING:

COOK Moved to place Bill No. 01R-337 on Pending indefinitely.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING HEARING DATE OF MONDAY, JANUARY 28, 2002 AT 5:30 P.M. FOR APP. OF RT OMAHA FRANCHISE DBA "RUBY TUESDAY" FOR A CLASS "I" LIQUOR LICENSE AT 2700 NORTH HILL ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81297 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 28, 2002, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for App. of RT Omaha Franchise dba Ruby Tuesday for a Class "I" Liquor License at 2700 North Hill Road.

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

Introduced by Jon Camp

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

SETTING HEARING DATE OF MONDAY, JANUARY 14, 2002 AT 1:30 P.M. FOR MAN. APP. OF THERESA A. LICHTENBERG FOR WHITEHEAD INC. DBA "U-STOP CONVENIENCE SHOP" AT 8231 EAST O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81298 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 14, 2002, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for Man. App. of Theresa A. Lichtenberg for Whitehead Inc. dba "U-Stop Convenience Shop" at 8231 East "O" Street.

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

Introduced by Jon Camp

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

SETTING HEARING DATE OF MONDAY, JANUARY 14, 2002 AT 1:30 P.M. FOR THE APPLICATION OF WHITEHEAD OIL COMPANY DBA U-STOP CONVENIENCE SHOP FOR A CLASS "D" LIQUOR LICENSE AT 2700 PORTER RIDGE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81299 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 14, 2002, 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 App. of Whitehead Oil Company dba U-Stop Convenience Shop for a Class "D" Liquor License at 2700 Porter Ridge Road.

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

Introduced by Jon Camp

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

PETITIONS & COMMUNICATIONS

TWO FORMAL PETITIONS TO VACATE PUBLIC WAY A PORTION OF ASHBROOK DRIVE SUBMITTED BY JOHN F. & ANDREA SCHLEICH AND PARKER GROUND PARTNERSHIP - CLERK presented said petition which was referred to the Law Dept.

INFORMAL PETITION FOR CREATION OF A RE-PAVING DISTRICT FOR CHARLESTON STREET BEGINNING AT THE END OF THE EXISTING CONCRETE PAVEMENT WEST OF NORTH 1ST STREET TO & INCLUDING THE PROPOSED CUL-DE-SAC FOR OAK CREEK APARTMENTS - CLERK presented said petition which was referred to the Public Works Dept.

FORMAL PETITION TO VACATE PUBLIC WAY THE 16' NORTH-SOUTH ALLEY FROM NORTH LINE OF VACATED HATCH STREET RUNNING NORTH-WEST BETWEEN LOT 18, BLOCK 22, WRINGTON ADDITION & LOT 146 IT IN THE S ½ OF 35-10-6, LLCN SUBMITTED BY MIDWEST PUMP & EQUIPMENT & DANIEL L. & REBECCA L. DALLMAN, TRUSTEES -

CLERK presented said petition which was referred to the Law Dept.

THE FOLLOWING WERE REFERRED TO PLANNING DEPT.:

Special Permit No. 692L - App. of Southview Inc. to develop 17 duplex structures, 1 single family structures and one outlot at North 27th & Enterprise Drive.

Special Permit No. 1629D - App. of South Ridge Village LLC to develop an H-4 Planned Service Commercial project containing 215,000 sq. ft. of building area at 27th Street & Pine Lake Road.

Special Permit No. 1948 - App. of Lincoln Memorial Park Cemetery Assoc. to construct, operate & maintain a wireless PCS Communications facility at 6800 South 14th Street.

Change of Zone 3348 - App. of Planning Director to amend Section 27.65.070 of the Lincoln Municipal Code to change references from community sewage system & individual sewage disposal system to community wastewater works & on-site wastewater treatment system.

Change of Zone 3349 - App. of Planning Director from P to R-4 at Arlington Avenue & Jefferson Street.

Change of Zone 3297 - App. of Ridge Development Co. to change from R-4 to R-3 at South 27th Street & Yankee Hill Road.

Change of Zone 3298 - App. of Ridge Development Co. to change from R-3, R-4 to B-2 at S. 27th Street & Yankee Hill Road.

Use Permit No. 134 - App of Ridge Development Co. to allow 316,450 sq. ft. of office and commercial space at South 27th Street & Yankee Hill Road.

APPLICATION OF ST. PATRICK'S CHURCH AT 61ST & MORRILL TO CONDUCT A LOTTERY WITHIN THE CITY OF LINCOLN. (NEED MOTION TO SET HEARING DATE FOR MONDAY, JANUARY 14, 2002 AT 1:30 P.M.)- CLERK requested a motion to have hearing on Monday, January 14, 2002 at 1:30 p.m.

CAMP 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 Dec. 10, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON Dec. 17, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR DECEMBER 10 - DECEMBER 14, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81300 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 December 10 - December 14, 2001.)

Introduced by Jon Camp

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

INVESTMENT OF FUNDS FOR DECEMBER 17 - DECEMBER 21, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81301 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 December 17 - December 21, 2001.)

Introduced by Jon Camp

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

INVESTMENT OF FUNDS FOR DECEMBER 24 - DECEMBER 28, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81302 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 December 24 - December 28, 2001.)

Introduced by Jon Camp

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

REPORT FROM CITY TREASURER OF INVESTMENT EARNED FROM "IDLE FUNDS" DURING THE MONTH ENDED NOVEMBER 30, 2001 FOR \$265,541.25 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81303 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.

Introduced by Jon Camp

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

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCC. TAX FOR THE MONTH OF July & August: AmeriVision; September: AmeriVision; Trim-M Comm.; October, 2001: Tri-M Comm. November: Hertz Tech., USA Paging, Nebraska Tech. & Telecomm., Sprint Spectrum, Long Distance of Michigan, Zone Telecom, Association Administrators, Big Planet, WorldXchange, I-Link, Sprint Comm., Trans Nat'l; November, 2001: Incomnet, XO Long Distance Services, NOS Comm., COMDATA Telecomm., Light Year Comm., GTC Telecom., Tri-M Comm., NOSVA, RSL COM USA, ATT Wireless PCS, LLC, ATT Wireless Service, Affinity Network, Singk Billing Service dba Asian American Assoc., Alltel Nebraska, Alltel Comm., Alltel Systems of the Midwest, McLeod USA, Glyphics Comm., WWC License LLC dba Cellular One., Touch America, Primus Telecomm., AT&T, TracFone Wireless, Guaranteed Phone Service, Working Assets Funding Service, Qwest Comm., Telco Dev. LCI Int'l., ACN Comm., ATS Mobile, Excel, Teligent, VARTEC, Nextel West, Network Billing Systems, Western Union, Hertz Tech., USA Paging, Nebraska Tech. & Telecomm., Sprint Spectrum, Long Distance of Michigan, Zone Telecom, Association Administrators, Big Planet, WorldXchange, I-Link, Sprint Comm., Trans Nat'l. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

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

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

REPORT FROM THE CITY TREASURER OF CASH ON HAND AT THE CLOSE OF BUSINESS NOVEMBER 30, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

ORDINANCES - 1ST READING

ACCEPTING THE OFFER OF EIGER CORP. TO DEDICATE THE RIGHT-OF-WAY FOR SOUTH 91ST STREET LOCATED BETWEEN PINE LAKE ROAD AND NEBRASKA HIGHWAY 2 - CLERK read an ordinance, introduced by Jon Camp, accepting Eiger Corp.'s offer to dedicate the right-of-way for South 91st Street located between Pine Lake Road and Nebraska Highway No. 2, the first time.

CHANGE OF ZONE 3345 - APPLICATION OF WHITEHEAD OIL COMPANY FOR A CHANGE OF ZONE FROM H-1 INTERSTATE COMMERCIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF NORTH 56TH STREET AND INTERSTATE 80 - CLERK read an ordinance, introduced by Jon Camp, 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.

CHANGE OF ZONE 3347 - AMENDING SECTION 27.69.160 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE FOR INCREASED SQUARE FOOTAGE OF SIGNAGE AND PLACEMENT OF A SIGN IN A REQUIRED YARD IN CONNECTION WITH A SPECIAL PERMIT FOR A PARKING LOT. **(IN CONNECTION W/02-7, 02R-2)** - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.69.160 of the Lincoln Municipal Code to provide for increased square footage of signage and placement of a sign in a required yard in connection with a special permit for a parking lot; and repealing Section 27.69.160 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE TO MODIFY THE DEFINITIONS OF "COMMUNITY WASTEWATER SYSTEM" AND "INDIVIDUAL WASTEWATER SYSTEM" TO BE CONSISTENT WITH RECENT AMENDMENTS TO TITLE 24 TO IMPLEMENT STATE REGULATORY REGULATIONS - CLERK read an ordinance, introduced by Jon Camp, amending Title 26 of the Lincoln Municipal Code relating to the Land Subdivision Ordinance by repealing Section 26.07.060 to repeal the definition of community wastewater system; by repealing Section 26.07.123 to repeal the definition of individual wastewater system; by amending Section 26.07.127 to define on-site wastewater treatment system; by adding a new section 26.07.128 to define outlot; by adding a new section numbered 26.07.240 to define wastewater works; by amending Sections 26.11.015, 26.11.038, 26.11.039, 26.11.040, and 26.27.040 to change references from community wastewater systems and individual wastewater systems to wastewater works and on-site wastewater treatment systems, respectively; and repealing Sections 26.07.127, 26.11.015, 26.11.038, 26.11.039, 26.11.040, and 26.27.040 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" BY CREATING THE POSITIONS OF "ANTELOPE VALLEY PROJECT MANAGER," "ASSISTANT HEALTH DIRECTOR," AND "RESOURCE & PROGRAM DEVELOPMENT COORDINATOR." **(REQUEST 2ND & 3RD READINGS 1/14/01)** - CLERK read an ordinance, introduced by Jon Camp, amending Section 3 of Ordinance No. 17894 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M" by creating the job classifications of "Antelope Valley Project Manager"; "Assistant Health Director"; and "Resource & Program Development Coordinator", the first time.

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "A" BY CREATING THE POSITION OF "PARKS OPERATIONS COORDINATOR" - CLERK read an ordinance, introduced by Jon Camp, amending Section 1 of Ordinance No. 17897 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A" by creating the job classification of "Parks Operations Coordinator", the first time.

CHANGE OF ZONE 3340 - APPLICATION OF U.S. BANK FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL TO B-1 LOCAL BUSINESS ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND WOODS BOULEVARD. **(IN CONNECTION W/02-3, 02R-2)** - CLERK read an ordinance, introduced by Jon Camp, 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.

CHANGE OF ZONE 3337 - APPLICATION OF PATRICK MOOBERRY FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL AND R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET BETWEEN PINE LAKE ROAD AND OLD CHENEY ROAD. **(IN CONNECTION W/02R-4)** - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 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 3346 - APPLICATION OF CHAMELEON & COMPANY, INC. FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NORTH 1ST AND CHARLESTON STREETS - CLERK read an ordinance,

introduced by Ken Svoboda, for the application of Chameleon & Company, Inc. for a change of Zone from I-1 Industrial to H-3 Highway Commercial on property generally located at North 1st and Charleston Streets, the third time.

SVOBODA 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 #17952, is recorded in Ordinance Book 24, Page

APPROVING A FIVE-YEAR LEASE BETWEEN THE CITY AND GOLD'S LIMITED PARTNERSHIP FOR THE ONE-STOP CAREER CENTER LOCATED AT GOLD'S GALLERIA - CLERK read an ordinance, introduced by Ken Svoboda, approving a five-year lease between the City and Gold's Limited Partnership for the One-Stop Career Center located at Gold's Galleria, the third time.

SVOBODA 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 #17953, is recorded in Ordinance Book 24, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

MANAGER APPLICATION OF REBECCA P. HASKINS FOR GAS N SHOP INC. DBA "GAS N SHOP" AT THE FOLLOWING LOCATIONS: 4401 N. 27TH STREET, 5500 SUPERIOR STREET, 3003 N. 70TH STREET, 1140 N. 48TH STREET, 1001 S. 13TH STREET, 5560 S. 48TH STREET SUITE 1, 2142 N. COTNER, 3010 CORNHUSKER HIGHWAY, 400 W. CORNHUSKER HIGHWAY, 1545 CORNHUSKER HIGHWAY, 2801 O STREET, 3201 WEST O STREET, 951 WEST O STREET - CLERK requested to have this Resolution removed from Pending for action on 1/14/02.

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

CAMP Moved to extend the Pending List to January 14, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

AUTHORIZING LINCOLN ELECTRIC SYSTEM (LES) TO ESTABLISH A VOUCHER PROGRAM TO ASSIST LOW-INCOME AND OTHER ELIGIBLE RESIDENTS IN PAYING THEIR ELECTRIC BILLS AND REDUCE LES ADMINISTRATIVE COSTS RELATED TO DISCONNECTIONS FOR NONPAYMENT OF SERVICES - CLERK requested a motion to waive the rules to have introduction and action on 01/14/02.

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

CAMP Moved to approve the resolutions to have Public Hearing on January 14, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADJOURNMENT

3:30 p.m.

CAMP Moved to adjourn the City Council meeting of January 7, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Office Assistant III