

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JANUARY 28, 2002 AT 5:30 P.M.**

The Meeting was called to order at 5:30 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

CAMP Having been appointed to read the minutes of the City Council proceedings of January 28, 2002, 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.

City Clerk acknowledged Boy Scout Troop #63 from Southminister Methodist Church & Troop #44 from Blessed Sacrament who are working on their Communication badges and Cub Scout Pack 25, Den 7 who are working on their citizenship badges.

PUBLIC HEARING

APPLICATION OF RT OMAHA FRANCHISE, LLC DBA "RUBY TUESDAY" FOR A CLASS "I" LIQUOR LICENSE AT 2700 NORTH HILL ROAD;
MANAGER APPLICATION OF DOUGLAS BRYAN DAIZE FOR RT OMAHA FRANCHISE, LLC DBA "RUBY TUESDAY" AT 2700 NORTH HILL ROAD - Douglas Daize, 2011 Boston Dr., Lincoln, NE, took oath & came forward to answer any questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF MAKING MOVES ENTERTAINMENT INC. DBA "STIFFLERS" FOR A CLASS "C" LIQUOR LICENSE AT 1339 O STREET;
MANAGER APPLICATION OF JEFFREY D. MCCANDLESS FOR MAKING MOVES ENTERTAINMENT INC. DBA "STIFFLERS" AT 1339 O STREET - Pat O'Brien, Attorney, 811 S. 13th St. representing applicant Jeffrey D. McCandless, took oath & came forward to answer any questions. Discussion followed.

Jeffrey McCandless, 3202 Prairie View Dr. took oath & came forward to answer any questions. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF BARBARA J. FELKER FOR NEBRASKA ENTERTAINMENT LLC DBA "FOX & HOUND" AT 201 NORTH 8TH STREET - Barbara Felker, 3015 Sewell St., took oath & came forward to answer any questions. Discussion followed.

This matter was taken under advisement.

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

MISCELLANEOUS BUSINESS PUBLIC HEARING

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., came forward to request information reference money to be received through Congressman Bereuter's office for the Clinton, Hartley & Malone neighborhoods to be for exterior use. He also asked that a historical tree in Trago Park not be removed during the Antelope Valley Project.

This matter was taken under advisement.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF RT OMAHA FRANCHISE, LLC 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 for
approval:

A-81320 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 RT Omaha Franchise L.L.C. dba "Ruby Tuesday" for a Class
"I" liquor license at 2700 North Hill Road, 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 Svoboda & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda; NAYS: Werner.

MANAGER APPLICATION OF DOUGLAS BRYAN DAIZE FOR RT OMAHA FRANCHISE, LLC DBA
"RUBY TUESDAY" AT 2700 NORTH HILL ROAD - CLERK read the following
resolution, introduced by Jon Camp, who moved its adoption for
approval:

A-81321 WHEREAS, RT Omaha Franchise L.L.C. dba "Ruby Tuesday" located at
2700 North Hill Road, Lincoln, Nebraska has been approved for a Retail
Class "I" liquor license, and now requests that Douglas Bryan Daize be
named manager;

WHEREAS, Douglas Bryan Daize 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 Douglas
Bryan Daize 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 MAKING MOVES ENTERTAINMENT INC. DBA "STIFFLERS" FOR A CLASS "C"
LIQUOR LICENSE AT 1339 O STREET - PRIOR to reading:

38-4386

CAMP Moved its adoption for approval.

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

CLERK Read the following resolution, introduced by Coleen Seng, who
moved its adoption for disapproval:

A-81322 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 Making Moves Entertainment Inc. dba "Stiffers" for a
Class "C" liquor license for the license period ending October 31, 2002,
at 1339 O Street, Lincoln, Nebraska, be refused for the following
reasons:

1. The City Council has determined that the existing population
of the City of Lincoln and the projected population growth of the City
of Lincoln and within the area to be served are inadequate to support
the proposed license.

2. The City Council has determined that the existing licenses
are adequately serving the area.

3. The City Council has determined that issuance of the license
would not be compatible with the nature of the neighborhood.

4. The applicant has not demonstrated the propriety of the
issuance of such license.

5. The issuance of the license will not be required by the
present or future public convenience and necessity.

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 Coleen Seng

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

MANAGER APPLICATION OF JEFFREY D. MCCANDLESS FOR MAKING MOVES ENTERTAINMENT INC. DBA "STIFFLERS" AT 1339 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for disapproval:

A-81323 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 Jeffrey D. McCandless as manager of Making Moves Entertainment Inc. dba "Stiffers" located at 1339 O Street, Lincoln, Nebraska, be denied. 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; NAYS: Werner.

MANAGER APPLICATION OF BARBARA J. FELKER FOR NEBRASKA ENTERTAINMENT LLC DBA "FOX & HOUND" AT 201 NORTH 8TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81324 WHEREAS, Nebraska Entertainment L.L.C. dba "Fox & Hound" located at 201 North 8th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Barbara J. Felker be named manager;

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

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 - PRIOR to reading:

38-4390

CAMP Moved adoption for approval.

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

CLERK read the following resolution, introduced by Terry Werner, who moved its adoption for disapproval:

A-81328 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 Rebecca P. Haskins as manager of Gas N Shop Inc. dba "Gas N Shop" located at 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, and 951 West O Street, Lincoln, Nebraska, be denied. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Terry Werner

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

ORDINANCES - 2ND READING - NONE

RESOLUTIONS

SETTING HEARING DATE OF FEB. 11, 2002 AT 1:30 P.M. FOR THE APP. OF BRACKHAN DANCE DIRECTIVES LLC DBA "THE DELRAY BALLROOM" FOR A CLASS "I" LIQUOR LICENSE AT 817 R STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81325 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., February 11, 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 Brackhan Dance Directive LLC dba "The Delray Ballroom" for a Class "I" Liquor License at 817 R Street.

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

Introduced by Glenn Friendt

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

SETTING HEARING DATE OF FEBRUARY 11, 2002 AT 1:30 P.M. FOR APP. OF ALFREDO BARRERA DBA AY CHIHUAHUA FOR A CLASS I LIQUOR LICENSE LOCATED AT 2050 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81326 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., February 11, 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 Alfredo Barrera dba "AY Chihuahua" for a Class "I" Liquor License at 2050 Cornhusker Highway.

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

Introduced by Glenn Friendt

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

SPECIAL PERMIT 1237A - APPLICATION OF U.S. BANK TO CONSTRUCT A 40 SQUARE FOOT GROUND SIGN IN THE FRONT YARD ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND WOODS BLVD. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

38-4389 WHEREAS, US Bank has submitted an application designated as Special Permit No. 1237A for authority to construct a 40 square foot ground sign in the front yard on property located at South 27th Street and Woods Blvd., and legally described to wit:

Lots 36, 37, and 38, Block 1, Bishop Heights, located in the Southwest Quarter of Section 6, Township 9 North, Range 7 East, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this ground sign will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of US Bank, hereinafter referred to as "Permittee", to construct a 40 square foot ground sign in the front yard, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that construction and operation of said ground sign be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a 40 square foot, 7 foot high ground sign in the front yard as shown on the approved site plan. This is in lieu of any other pole or ground sign on the premise.

2. Before receiving building permits:

a. The Permittee must complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

i. Revise the site plan to include all of the

- property covered by Special Permit 1237 as amended by this approval.
- ii. Five copies of the approved site plan.
 - b. The City Council must have approved Change of Zone No. 3347.
 - c. The construction plans must conform to the approved plans.
3. Before constructing this sign all development and construction must conform to the approved plans.
4. All privately-owned improvements, including landscaping must be permanently maintained by the Permittee.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Jonathan Cook

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF DECEMBER 1 - 31, 2001 - (CLAIM OF RICHARD HEDRICK) - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:
A-81329 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 January 2, 2002, 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, shown by the attached report, are hereby approved:

DENIED

ALLOWED

Richard Hedrick 50.00

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 Glenn Friendt

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

PETITIONS & COMMUNICATIONS

INFORMAL PETITION TO CONSTRUCT A SANITARY SEWER DISTRICT AT OLD CHENEY STREET, 62ND STREET EAST APPROXIMATELY 1800 FEET +/- SUBMITTED BY GARY KORT, JERRY & KIT DIMON, & ROBERT & HOLLY BECK - CLERK presented said petition which was referred to the Public Works Dept.

INFORMAL PETITION TO CREATE A PAVING DISTRICT FOR THE SAUNDERS STREET AREA FROM SPRINGFIELD DR. TO 12TH STREET SUBMITTED BY JAMES A. MASTERA OF CORNHUSKER BANK - CLERK presented said petition which was referred to the Public Works Dept.

FORMAL PETITION TO VACATE THE NORTH-SOUTH ALLEY FROM THE SOUTH LINE OF VACATED M STREET TO THE NORTH LINE OF THE EAST-WEST ALLEY IN BLOCK 83 ORIGINAL LINCOLN SUBMITTED BY JOHN WOOLLAM PRESIDENT OF COTSWALD MANAGEMENT L.L.C. - CLERK presented said petition which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON Jan. 14, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR JANUARY 7 - JANUARY 11, 2002 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81327 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 January 7 - January 11, 2002.)

Introduced by Glenn Friendt

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 Jan., 2001 - Dec., 2001: Premiere Comm.; Oct., 2001: Incomnet Comm.; Oct. - Dec., 2001: OneStar Long Distance, Netifice Comm., Opex, Matrix, IDT Corp.; Dec., 2001; Nextel West, VarTec, Big Planet, Long Distance of Mich., WorldXchange, Association Adm., I-Link, Zone Telecomm., Affinity Network, WWC License dba Cellular One, NPCR dba Nextel, XO Long Distance, NOSVA, Working Assets Funding, Tracfone Wireless, Tri-M, Gobalcom, Glyphics, RSL COM USA, Touch 1 Comm., Lightyear, NOS, COMDATA, GTC, Singk Billing dba Asian American Assoc., Quest, Touch America, Trans National, Atlas, LCI Int'l., Operator Comm., One Call Comm., Primus Tele., AT&T, Business Telecom., ACN Comm; Jan., 2001 thru Dec., 2001: Talk Com. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

Report of Utilicorp United for Franchise Tax for the month of December, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, FEBRUARY 25, 2002 AT 5:30 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:
02-9 TO PROVIDE AUTHORITY TO CONSTRUCT A 6-INCH WATER MAIN, MARLBOROUGH ROAD FROM THE EXISTING HYDRANT SOUTH APPROXIMATELY 700 FEET MORE OR LESS, AND ASSESS THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES.

02-10 MAIN, OAKS HOLLOW FROM THE EXISTING HYDRANT SOUTH APPROXIMATELY 700 FEET MORE OR LESS, AND ASSESS THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK requested to have hearing date on Mon., February 25, 2002 at 5:30 p.m.

SENG

So moved.

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

2001 ANNUAL REPORT OF THE LINCOLN COMMISSION ON HUMAN RIGHTS - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

MONTHLY REPORT OF CITY TREASURER FOR CASH ON HAND AT THE CLOSE OF BUSINESS DECEMBER 31, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

ORDINANCES - 1ST READING

CHANGE OF ZONE 3348 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE TO CHANGE REFERENCES FROM "COMMUNITY SEWAGE SYSTEM" AND "INDIVIDUAL SEWAGE

DISPOSAL SYSTEM" TO "COMMUNITY WASTEWATER WORKS" AND "ON-SITE WASTEWATER TREATMENT SYSTEM" TO BE CONSISTENT WITH RECENT AMENDMENTS TO TITLE 24 - CLERK read an ordinance, introduced by Glenn Friendt, amending Section 27.65.070 of the Lincoln Municipal Code to change references from community sewage system and individual sewage disposal system to community wastewater works and on-site wastewater treatment system, respectively; and repealing Section 27.65.070 of the Lincoln Municipal Code as hitherto existing, the first time.

VACATING THE EAST 18 FEET OF NORTH 8TH STREET ABUTTING LOT 6, BLOCK 30, ORIGINAL PLAT OF LINCOLN AND THE SOUTH 6 FEET OF R STREET ABUTTING LOTS 5 AND 6, BLOCK 30, ORIGINAL PLAT OF LINCOLN AND THE SOUTH 6 FEET OF R STREET ABUTTING THE EAST 18 FEET OF NORTH 8TH STREET, LINCOLN, LANCASTER COUNTY, NEBRASKA - CLERK read an ordinance, introduced by Glenn Friendt, vacating a portion of North 8th and R Streets, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 44.58 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET MIDWAY BETWEEN PINE LAKE ROAD AND OLD CHENEY ROAD - CLERK read an ordinance, introduced by Glenn Friendt, amending Section 10 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17927, passed November 5, 2001, prescribing and defining the corporate limits of the City of Lincoln, Nebraska; and repealing Section 10 of Ordinance No. 8730 passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17927, passed November 5, 2001, as hitherto existing, the first time.

ORDINANCES - 3RD 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 third time.

CAMP Moved to pass an 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 **#17957**, is recorded in Ordinance Book 25, Page

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 third time.

CAMP Moved to pass an 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 **#17958**, is recorded in Ordinance Book 25, Page

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 third time.

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

The ordinance, having **LOST**, was assigned File **#38-4387**, & was placed on file in the Office of the City Clerk.

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 third time.

CAMP Moved to pass an ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Svoboda; NAYS: Cook, Friendt, McRoy, Seng, Werner.
The ordinance, having **LOST**, was assigned File #38-4388, & was placed on file in the Office of the City Clerk.

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 outlet; 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 third time.

CAMP Moved to pass an ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance, being numbered #17959, is recorded in Ordinance Book 25, Page

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 third time.

CAMP Moved to pass an 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 #17960, is recorded in Ordinance Book 25, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

CAMP Moved to extend the Pending List to February 4, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

APPROVING THE PINE LAKE HEIGHTS SOUTH AGREEMENT FOR THE INSTALLATION OF OFF-SITE TRANSPORTATION IMPROVEMENTS BETWEEN THE CITY AND RIDGE DEVELOPMENT AND SOUTHVIEW INC. FOR THE DESIGN, CONSTRUCTION, AND ALLOCATION OF COSTS RELATING TO THE STREET IMPROVEMENTS OF USE PERMIT NO. 134 AND PRELIMINARY PLAT NO. 00029 GENERALLY LOCATED AT 27TH STREET, SOUTH 40TH STREET, AND YANKEE HILL ROAD - CLERK requested to delay Bill No. 02R-12 until accompanying documents come forward.

SENG So moved.
Seconded by Friendt & 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

February 4, 2002.

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

ADJOURNMENT

6:45 p.m.

CAMP Moved to adjourn the City Council meeting of January 28, 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

REGULAR MEETING
JANUARY 28, 2002
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