

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 4, 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, Seng, Svoboda, Werner; Joan Ross, City Clerk. Absent: Friendt.

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 February 25, 2002, reported having done so, found same correct.

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

MAYOR'S ANNUAL AWARD OF EXCELLENCE

Mayor Don Wesely presented Dorothy Skorupa of the Parks & Recreation Department with the Annual Mayor's Award of Excellence in the category of Customer Relations. Honorable Mention was awarded to Sgt. Donald Scheinost, Sgt. Thomas Hamm, Officers, Matthew Franker, Christopher Champoux, Michael Barry, Shane Alesch, Matthew Brodd of the Lincoln Police Department in the category of Valor.

PUBLIC HEARING

VACATING THE NORTH 12 FEET OF WEST "E" STREET FROM THE EAST LINE OF FOLSOM STREET TO THE WEST LINE OF SW 6TH STREET, GENERALLY LOCATED AT SOUTH FOLSOM AND WEST "E" STREET. (IN CONNECTION W/ 02R-28);

SPECIAL PERMIT NO. 1943 - APPLICATION OF KENT SEACREST ON BEHALF OF LINCOLN PLATING COMPANY TO BUILD A PARKING LOT IN THE R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SO. FOLSOM AND WEST "E" STREET. (IN CONNECTION W/02-25) - Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Lincoln Plating Company, stated they are shifting the road 12 feet to make it possible to put in a road & to maintain a 25 foot front yard setback. There will be an outlot between the neighbors and Lincoln Plating Company's parking lot.

This matter was taken under advisement.

SPECIAL PERMIT 1953 - APPLICATION OF BILL HARRISON FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT HO-CHUNK LOCATED AT 3301 O STREET - Leo Neilan, 3310 N Street, came forward in opposition.

Bruce Sandhorst, 3320 N Street, came forward in opposition.

Dick Patterson 230 S. 29th Street, Woods Park Neighborhood Assn. President, came forward in opposition.

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., came forward in opposition.

Lois Newman, 601 S. 18th Street, came forward in opposition.

Bob VanValkenburg, 7921 Reno Road, came forward neither for or against. He mentioned that this business is owned by the Winnebago Tribe & questioned whether they should be allowed to sell alcohol on our reservation since they objected to liquor being sold close to their reservations.

This matter was taken under advisement.

APPROVING A MULTI-YEAR AGREEMENT WITH LEXIS PUBLISHING FOR COMPUTERIZED LEGAL RESEARCH - Dana Roper, City Attorney, stated that the current computer legal research contract with West Law charges hourly/minute usage. The new company, Lexis Publishing will charge a flat fee with the contract being over a four year period. This program is shared by the Public Defender & County Attorney with 18.2% being the City's share.

Terri Storer, City Attorney's Office, stated that the City will be billed monthly with the 1st month being a free month and no cancellation penalty.

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., came forward in favor of this agreement.

Bob VanValkenburg, 7921 Reno Road, suggested that the City & County Law Departments use the State Law Library instead of legal

websites.

Mr. Roper, stated that the service provides more than what the State Law Library provides.

Terry Werner, Council Member, asked how many volumes was the Law Dept. unable to purchase because of the budget.

Mr. Roper, answered over the past three years approximately 12 volumes have not been purchased because of the budget.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Bob VanValkenburg, 7921 Reno Rd., came forward to comment on the subject of City's money in State Title, disagreeing with the fact that Mayor Wesely contacted Goodyear in Akron, Ohio, commenting on the Mayor & Directors two day retreat at Mahoney Park being a paid vacation, and instead of Mayor Wesely going to Omaha to negotiate with Mayor Fahey, some of the City Council, County Officials & business people should be involved in this meeting.

Glen Cekal, 1420 C Street, expressed his opinion that if a situation doesn't affect the Council Members in some way they disregard it.

These matters were taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2001 AND DECEMBER 2001 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Terry Werner, adopting the supplements to the Lincoln Municipal Code dated June 2001 and December 2001 as part of the official Lincoln Municipal Code, the second time.

ACCEPTING STONEBRIDGE CREEK L.L.C.'S OFFER TO DEDICATE THE RIGHT-OF-WAY FOR ALVO ROAD LOCATED BETWEEN N. 14TH STREET AND ARBOR ROAD - CLERK read an ordinance, introduced by Terry Werner, accepting Stonebridge Creek L.L.C.'s offer to dedicate the right-of-way for Alvo Road located between N. 14th Street and Arbor Road, the second time.

VACATING THE NORTH 12 FEET OF WEST "E" STREET FROM THE EAST LINE OF FOLSOM STREET TO THE WEST LINE OF SW 6TH STREET, GENERALLY LOCATED AT SOUTH FOLSOM AND WEST "E" STREET - CLERK read an ordinance, introduced by Terry Werner, vacating the north 12 feet of West "E" Street from the east line of Folsom Street to the west line of SW 6th Street, generally located at South Folsom and West "E" Street, the second time.

RESOLUTIONS

APPOINTING MICHAEL D. DONNELLY TO THE FIRE AND POLICE PENSION ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81362 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Michael Donnelly to the Fire and Police Pension Advisory Committee to fill an unexpired term expiring October 1, 2002, is hereby approved.

Introduced by Jon Camp

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

AUTHORIZING THE FILING OF APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FINANCIAL ASSISTANCE DURING FISCAL YEAR 2002-2003 (SEPTEMBER 1, 2002 - AUGUST 31, 2003) - CLERK read the following

resolution, introduced by Jon Camp, who moved its adoption:

A-81363 A resolution authorizing the filing of applications with the United States Department of Transportation for financial assistance during Fiscal Year 2002-2003 (September 1, 2002 - August 31, 2003) under the Urban Mass Transportation Act of 1964, as amended.

RECITALS

I

The Secretary of Transportation is authorized to make grants for mass transportation projects.

II

A contract between the City of Lincoln and the United States Department of Transportation for financial assistance will impose certain obligations upon the City of Lincoln as an applicant for funding, including the provision by it of the local share of project costs.

III

It is required by the United States Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder.

IV

It is the goal of the City of Lincoln, Nebraska, as an applicant, that minority business enterprises be utilized to the fullest extent possible in connection with these projects, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the Mayor is authorized to execute and file applications on behalf of the City of Lincoln with the United States Department of Transportation for financial assistance to aid in the financing of planning and technical studies, research, capital or operating assistance projects, or both, pursuant to Sections 3, 3(a) (1) (c), 4(1), 6, 8 and 9 of the Urban Mass Transportation Act of 1964, as amended.

2. That the Mayor is authorized to execute and file with such applications an assurance or any other document required by the United States Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Mayor is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

4. That the City's Director of Public Works & Utilities is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the financial assistance.

5. That the Mayor is authorized to execute grant agreements, and amendments and addendums thereto, on behalf of the City of Lincoln with the United States Department of Transportation, and such other documents as may be necessary, for aid in the financing of the planning, capital, and operating assistance program of projects.

Introduced by Jon Camp

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

REAPPOINTING MICHAEL ECKERT TO THE URBAN DESIGN COMMITTEE FOR A THREE-YEAR TERM EXPIRING FEBRUARY 1, 2005 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81364 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Michael Eckert to the Urban Design Committee for a three-year term expiring February 1, 2005 is hereby approved.

Introduced by Jon Camp

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

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

REAPPOINTING KIM TODD TO THE URBAN DESIGN COMMITTEE FOR A THREE-YEAR TERM EXPIRING FEBRUARY 1, 2005 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81365 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Kim Todd to the Urban Design Committee for a three-year term expiring February 1, 2005 is hereby approved.

Introduced by Jon Camp

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

REAPPOINTING SCOTT SULLIVAN TO THE URBAN DESIGN COMMITTEE FOR A THREE-YEAR TERM EXPIRING FEBRUARY 1, 2005 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81366 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Scott Sullivan to the Urban Design Committee for a three-year term expiring February 1, 2005 is hereby approved.

Introduced by Jon Camp

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF FEBRUARY 1 - 15, 2002 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81367 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 February 20, 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, as shown by the attached report, are hereby approved:

	<u>DENIED</u>	<u>ALLOWED</u>
Russell & Gladys Snyder	\$388.73	Randall W. Ralston \$ 750.00
Nicholas M. Froeschl	45.00	Barb Tyler 34.96
Michael B. Green	70.00	Donna Robinson 20.00
Josh Rosenberger	70.00	Daniel Cheney 1,363.78
Frederick Britton	127.25	
Anne Marie Terrell	170.00	
Ryan A. Drucker	45.00	
Angelita Fewtails	NAS*	

* No Amount Specified.

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jon Camp

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

SPECIAL PERMIT 1953 - APPLICATION OF BILL HARRISON FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT HO-CHUNK LOCATED AT 3301 O STREET - PRIOR to reading:

CAMP Moved to delay Bill No. 02R-27 for two weeks w/Public Hearing to 3/18/02.

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

SPECIAL PERMIT NO. 1943 - APPLICATION OF KENT SEACREST ON BEHALF OF LINCOLN PLATING COMPANY TO BUILDING A PARKING LOT IN THE R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SO. FOLSOM AND WEST "E" STREET. (IN CONNECTION W/02-25) - PRIOR to reading:

SENG Moved to delay Bill No. 02R-28 for one week to 3/11/02.

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

APPROVING A MULTI-YEAR AGREEMENT WITH LEXIS PUBLISHING FOR COMPUTERIZED LEGAL RESEARCH - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81368 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached four-year Agreement between LEXIS Publishing and the City of Lincoln, Nebraska for computerized legal research, in accordance with the terms and conditions contained in said agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to Joel Pedersen, City Law Department for transmittal to LEXIS Publishing.

Introduced by Jon Camp

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

SETTING HEARING DATE OF MARCH 18, 2002 AT 1:30 P.M. FOR THE APP. OF B & B-Q INC. DBA CHEERLEADERS BAR & GRILL FOR A CLASS "I" CATERING LIQUOR LICENSE AT 5560 S. 48TH ST., STE.4 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81369 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., March 18, 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 B & B-Q Inc. dba "Cheerleaders" for a Class "I" Liquor Catering License at 5560 S. 48th Street, Ste. 4.

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

PETITIONS & COMMUNICATIONS

INFORMAL PETITION FOR A WATER MAIN DISTRICT IN NORTH MOCKINGBIRD LANE SUBMITTED BY E-S-P ENGINEERING - CLERK presented said petition which was referred to the Public Works Dept.

INFORMAL PETITION FOR A SANITARY SEWER DISTRICT LOCATED SOUTHEAST OF THE INTERSECTION OF FRONTIER ROAD & OLD CHENEY ROAD SUBMITTED BY SCHMIDT-GEBBIE ENTERPRISE LLC - CLERK presented said petition which was referred to the Public Works Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCE NO. 17969 PASSED ON FEBRUARY 25, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF RESOLUTIONS & ORDINANCES PASSED ON FEBRUARY 25, 2002 WITH THE EXCEPTION OF ORDINANCE NO. 17969 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR FEBRUARY 19 - FEBRUARY 22, 2002 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81370 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 February 19 - February 22, 2002.)

Introduced by Jon Camp

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

APPROVING DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS FOR MONTH ENDED 1/31/02 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

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A-81371 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended January 31, 2002, \$199,037.44 was earned from short-term investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Jon Camp

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

REPORT FROM CITY TREASURER OF FRANCHISE TAX FROM UTILICORP UNITED FOR THE MONTH OF JANUARY 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF OCTOBER - DECEMBER, 2001: CRICKET COMM., CRICKET COMM., PNG, PNG (AMENDED RETURN) JANUARY, 2002: TRACFONE WIRELESS, GLYPHICS, BIG PLANET INC., I-LINK, ZONE TELECOMM., LONG DISTANCE OF MICHIGAN, ASSOC. ADM. INC., CELLULAR ONE, GUARANTEED PHONE, RSL COM USA, XO LONG DISTANCE, NOSVA, GTC, COMDATA, NEXTEL, SINGK BILLING SERVICE, NOS, AFFINITY NETWORK, ATT WIRELESS, LIGHTYEAR, GOBALCOM, USA PAGING, TELCO DEV., WESTERN UNION, ALLTEL #365, ALLTEL #522, ALLTEL #150, SPRINT SPECTRUM, SHAFFER COMM., SPRINT COMM., ATS MOBILE TELEPHONE CO. - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20)**

QUARTERLY FINANCIAL REPORT OF LINCOLN ELECTRIC SYSTEM FOR THE PERIOD OCTOBER THROUGH DECEMBER, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(40)**

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, MARCH 25, 2002 AT 5:30 P.M. & PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:
02-29 TO PROVIDE AUTHORITY TO CREATE AN ORNAMENTAL LIGHTING DISTRICT TO CONSTRUCT LIGHTING ON LAKESIDE DRIVE FROM APPROXIMATELY SURFSIDE TO WEST S STREET AND ASSESS THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY.
02-30 TO PROVIDE AUTHORITY TO CONSTRUCT A SEWER MAIN ALONG OLD CHENEY ROAD FROM APPROXIMATELY 62ND STREET EAST AND ASSESS THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK requested a motion to set hearing date of Monday, March 25, 2002 at 5:30 p.m. & place on the formal agenda.

CAMP So moved.

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

ORDINANCES - 1ST READING

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS BY CREATING THE CLASSIFICATION OF EMERGENCY SERVICE DISPATCHER II/CAD ADMINISTRATOR IN CLASS CODE 3102; CHANGING THE CLASSIFICATION OF ASSISTANT SUPERINTENDENT OF MAINTENANCE - WATER PRODUCTION & TREATMENT TO ASSISTANT SUPERINTENDENT - WATER PRODUCTION & TREATMENT IN CLASS CODE 5349; AND DELETING THE CLASSIFICATION OF ASSISTANT SUPERINTENDENT - WATER PRODUCTION & TREATMENT IN CLASS CODE 5347 - CLERK read an ordinance, introduced by Jon Camp, amending Section 3 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 "C" by creating the job classification of "Emergency Service Dispatcher II/CAD Administrator"; and 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 changing the current job classification No. 5349 "Assistant Superintendent of Maintenance - Water Production & Treatment" to "Assistant Superintendent - Water Production & Treatment" and deleting the current job classification No. 5347 "Assistant Superintendent - Water Production & Treatment", the first time.

AMENDING THE PAY SCHEDULES FOR A CERTAIN EMPLOYEE GROUP TO DECREASE THE PAY RANGE OF PUBLIC HEALTH EDUCATION MANAGER AS THE RESULT OF THE REALIGNMENT OF DUTIES WITHIN THE HEALTH DEPARTMENT - 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

amending the pay range of the job classification "Public Health Education Manager", the first time.

ORDINANCES - 3RD READING

CREATING WATER DISTRICT NO. 1186 IN MARLBOROUGH ROAD WITHIN STEVENS RIDGE ESTATES - CLERK read an ordinance, introduced by Ken Svoboda, creating Water District No. 1186 in Marlborough Road within Stevens Ridge Estates, the third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17970**, is recorded in Ordinance Book 25, Page

CREATING WATER DISTRICT NO. 1187 IN OAKS HOLLOW WITHIN STEVENS RIDGE ESTATES - CLERK read an ordinance, introduced by Ken Svoboda, creating a Water District No. 1187 in Oaks Hollow within Stevens Ridge Estates, the third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4393**, & was placed on file in the Office of the City Clerk.

CREATING WATER DISTRICT NO. 1185 IN MARLBOROUGH AND OAKS HOLLOW DRIVE, STEVENS RIDGE ESTATES - CLERK read an ordinance, introduced by Ken Svoboda, creating Water District No. 1185 in Marlborough and Oaks Hollow Drive, Stevens Ridge Estates, the third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4394**, & was placed on file in the Office of the City Clerk.

MISCELLANEOUS BUSINESS

ORDERING THE PAVING OF PAVING UNIT NO. 135 IN ORCHARD STREET FROM 40TH STREET TO 41ST STREET - COLEEN SENG, COUNCIL MEMBER, stated that constituents of hers have requested the reconsideration of Bill No. 02R-3, but the Mayor has already signed this Resolution for GAP paving. It was signed with a CDBG amendment.

PENDING LIST -

ORDERING WATER DISTRICT NO. 1185 CONSTRUCTED IN MARLBOROUGH AND OAKS HOLLOW DRIVE, STEVENS RIDGE ESTATES. (1/7/02 - PLACED ON PENDING INDEFINITELY) - CLERK requested to indefinitely postpone Bill No. 01R-337.

CAMP So moved.

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

The ordinance, having been **Indefinitely Postponed**, was assigned File **#38-4395**, & was placed on file in the Office of the City Clerk.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JANUARY 16 - 31, 2002. (2/25/02 - CLAIM OF CHRIS HOLLERS HELD OVER TO 3/11/02) - CLERK requested to remove Bill No. 02R-19 from Pending for Public Hearing & action on 3/11/02.

SENG So moved.

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

CAMP Moved to extend the Pending List to March 11, 2002.

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

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CAMP Moved to approve the resolutions to have Public Hearing on
March 11, 2002.
 Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

ADJOURNMENT

2:54 p.m.

CAMP Moved to adjourn the City Council meeting of March 4, 2002.
 Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
 So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Office Assistant III