

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, OCTOBER 21, 2002 AT 1:30 P.M.**

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

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**

FRIENDT Having been appointed to read the minutes of the City Council proceedings of October 14, 2002, reported having done so, found same correct.

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

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Don Wesely presented to William Hershberger of the Fire Dept., the monthly Award of Excellence, in the category of Customer Relations.

**PUBLIC HEARING**

AMENDING SECTION 4.24.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SPECIFIC POWERS AND DUTIES OF THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD TO SPECIFY THAT THE RATE-MAKING AUTHORITY RESERVED TO THE LINCOLN CITY COUNCIL RELATES TO RETAIL ELECTRIC RATES ONLY. (Request of LES to have 2<sup>nd</sup> & 3<sup>rd</sup> Reading 10/21/02) - Terry Bundy, CEO of Lincoln Electric System, came forward in favor of this item.

This matter was taken under advisement.

VACATING THE NORTH 18' OF GLADE STREET FROM SOUTH 48TH STREET EAST 124.2 FT. - Ben & Stacy Hollingsworth, 2250 S. 48th St, came forward requesting this vacation. Councilman Friendt asked them if they knew the boundaries when purchasing this property. Mr. Hollingsworth indicated they did. They are requesting this to be able to build a fence for their children to be able to play safely in the back yard. Councilman Camp explained that this was an unusual request to change the Right-of-Way.

Nicole Fleck-Tooze, Public Works Dept., came forward to explain that their department has concerns regarding the site distance at this intersection due to having a fence erected.

Dana Roper, City Attorney, came forward and stated that this is not a favorable situation for the City.

This matter was taken under advisement.

CHANGE OF ZONE 76HP - APPLICATION OF THE SIGMA PHI EPSILON FOUNDATION OF NEBRASKA TO DESIGNATE THE SIGMA PHI EPSILON HOUSE AT 601 NORTH 16TH STREET, AS A LANDMARK - Ed Zimmer, Planning Dept. came forward to explain the background regarding this house.

This matter was taken under advisement.

CHANGE OF ZONE 3378 - APPLICATION OF THE NEAR SOUTH NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-5 RESIDENTIAL AND R-6 RESIDENTIAL TO R-2 RESIDENTIAL ON PROPERTY LOCATED IN THE "MOUNT EMERALD" AREA OF THE NEAR SOUTH NEIGHBORHOOD GENERALLY LOCATED AT SOUTH 18TH STREET TO SOUTH 21ST AND 22ND STREETS, FROM A TO F STREETS - Ed Zimmer, Planning Dept., came forward to explain the background regarding this neighborhood and the need for changing the zone. Councilman Camp asked if the City would have any liability if the zone was changed. Mr. Zimmer replied they would not, as it is done all the time and it is in conflict with the Comprehensive Plan.

Dana Roper, City Attorney, confirmed that Mr. Zimmer had informed the Council correctly.

Dallas Jones, 1900 S. 25th Street, came forward in favor.

Bob Kuzelka, 1935 "A" Street, came forward in support.

David Witters, 1908 "C" Street, came forward in favor.

Bob Poggenpohl, 1975 "B" Street, came forward in favor.

Ken Winston, 5520 S. 169th Street, Omaha, and formerly of 1915 "D" Street, came forward in favor of this Change of Zone.

Cathie Bailey, 1921 "C" Street, came forward in favor.  
Coralee Carver, 2202 Washington street, came forward in support.  
Roger Lott, 1944 "B" Street, came forward in favor.  
Greg McCown, 1812 "D" Street, came forward in favor.  
Marc Wullschleger, Director of Urban Development, came forward in support.

Mike Morosin, 2055 "S" St., came forward to ask what will happen to the historic homes in Malone neighborhood.

This matter was taken under advisement.

ADOPTING THE CHANGES IN THE ACCESS RULES THAT HAVE BEEN PROPOSED BY THE CABLE TELEVISION ADVISORY BOARD.(10/14/02 - Delay Public Hearing & Action to 10/21/02) - Bob Valentine, 2660 Park Ave., came forward to ask if similar programs which Fire Chief Spadt had taped would be allowed in the future.

Dana Roper, City Attorney, explained that the rules are consistent with the political accountability and disclosure regulations. These regulations would not allow a program with strictly one point of view regarding a topic. Councilman Friendt asked Mr. Roper if the new rules are more restrictive. Mr. Roper agreed that indeed they are.

Diane Gonzolas, Manager of Citizen Information Center, came forward to explain that the programs that are taped are being reviewed by the Law Dept. as to content. She reported that the Law Dept. had determined that the programs could be fixed with editing and in the future they will be pursuing a neutral narrator and writing script ahead.

This matter was taken under advisement.

ADOPTING THE LES "RATE SCHEDULES, SERVICE REGULATIONS AND COST ANALYSIS SUMMARY FOR RATES EFFECTIVE APRIL 1, 2003." - Terry Bundy, CEO of Lincoln Electric System, came forward to explain the increase in rates.

Bob Valentine, 2660 Park Ave., came forward in opposition.

Craig Groat, 4935 Huntington St., came forward and requested Council to delay action on this item until a financial report is set and the impact fees are done.

Councilman Camp asked what the increases would be for commercial accounts.

Todd Hall, Lincoln Electric System, came forward to explain what the commercial increase on service charges would be.

This matter was taken under advisement.

AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR RECREATIONAL TRAILS PROGRAM FUNDING TO ASSIST WITH CONSTRUCTION OF THE 56TH AND HIGHWAY 2 CONNECTOR TRAIL, AND TWO CONNECTIONS TO THE EDGEWOOD/K-MART SHOPPING AREA AND BUSINESS PARK - Lynn Johnson, Director of Parks & Recreation, came forward to explain the grants for the recreational trail systems.

This matter was taken under advisement.

WAIVING DESIGN STANDARDS FOR SIDEWALKS AND STREET LIGHTS ON THE EAST SIDE OF S.W. 27TH STREET, AND WAIVING THE PAVING OF S.W. 27TH STREET WITHIN ASPIN RIDGE 1ST ADDITION GENERALLY LOCATED AT S.W. 27TH STREET AND WEST "A" STREET - August Ponstingl, Sr. Land Planner for Ross Engineering, came forward in support of this item.

Craig Groat, 4935 Huntington St., came forward in opposition.

Councilman Cook asked for the Planning Dept. to explain why they are recommending deferral.

Ray Hill, Planning Dept., came forward to explain that they are recommending the sidewalks be put in when West Garfield and Washington streets are complete.

This matter was taken under advisement.

ACCEPTING AND APPROVING THE ACQUISITION OF A CONSERVATION EASEMENT OVER APPROXIMATELY 4.09 ACRES OF DELINEATED WETLANDS, GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF I-80 AND OAK CREEK - Reed Schwartzkopf, 3632 Hartley Cr., came forward in favor.

This matter was taken under advisement.

APPROVING A MULTI-YEAR LEASE BETWEEN THE CITY OF LINCOLN PARKS AND RECREATION DEPARTMENT AND NEBRASKA WESLEYAN UNIVERSITY FOR THE IMPROVEMENT OF AND USE OF THE BASEBALL FIELD LOCATED IN WOODS PARK. (9/9/02 - To have 2nd Reading on 9/30/02)(Public Hearing con't with action on10/14/02)

10/14/02)(Request of Parks Dept. to delay P.H. & Action to 10/21/02) - Lynn Johnson, Director of Parks & Recreation Dept., came forward to explain the revisions that had been made to the lease agreement between the City and Wesleyan. The lease now will be for ten years. He answered additional questions posed by Council members.

Mike Morosin, 2055 "S" St., came forward to ask if other organizations would be allowed to use the field when not in use by Wesleyan. Council Chair Cook replied it would be allowed.

Craig Groat, 4935 Huntington St., came forward to comment about the bleachers and what would be needed to be in conformance with the current standards.

Kent Seacrest, Representing Wesleyan's Board of Trustees, came forward to make comments regarding how this whole process has come together. He stated he believed it to be initially flawed, but as a result things have worked out well and Wesleyan wants to renew its pledge to be good neighbors to all of Lincoln.

Peggy Hart, 1930 D Street, came forward in favor of the lease agreement.

Mr. Johnson returned for rebuttal stating that the new bleachers are being updated. He stated anyone can call Parks and Rec to schedule playing time on this field and there will be fees charged accordingly for use.

This matter was taken under advisement.

3:55 P.M. COUNCIL BREAK

4:10 P.M. RECONVENED

Councilman Werner commented he believed Councilman Camp should resign his position from the Public Building Commission due to the fact that decisions made by that group influence Mr. Camp's leases with the City.

Dana Roper, City Attorney, came forward to explain that the Public Accountability Law is filed with the City Clerk when Mr. Camp has a conflict of interest and he can recuse himself from being involved in the vote.

Councilwoman Seng stated that perhaps he could declare a conflict while on the Public Building Commission. Mr. Roper stated that has not been an authority transferred to that Commission.

This matter was taken under advisement.

#### MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Street, came forward to speak about the doubled expense of moving Aging Department out of the Old Fed Bldg. He commented on the bleachers presently on Nebraska Wesleyan's campus not being up to standards. He believes Wesleyan has not been a good neighbor, due to the fact that property has not been cared for in his own personal neighborhood. He also addressed the danger of not having sidewalks along 70th Street and Antler Drive.

Randy Meek, 801 W. Helen Cr., representing the Brotherhood of Engineers, came forward to speak about the remote control operators who are now running trains, that are not unionized. He is concerned about the safety operations of the Burlington Northern Santa Fe Railroad. Council members discussed what legal authority they would have concerning this. City Attorney, Dana Roper, stated the State Legislature, the Railroad Transportation Safety Boards and the Interstate Commerce Commission would have authority over these matters.

Peter Katt, 1045 Lincoln Mall, Suite 200, came forward to ask Council to delay the public hearing on the Impact Fees that is scheduled for November 4, 2002. He represents the Home Builders and Realtor Associations and suggested that preparing for this hearing is an almost impossible time frame, due to the fact that the minutes from the Planning Commission will not be published until November 1, 2002.

Discussion ensued among Council members about changing the date of this hearing and a vote was taken. **(See other Miscellaneous Business Section)**

These matters were taken under advisement.

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

## COUNCIL ACTION

### LIQUOR RESOLUTIONS - NONE

### ORDINANCES - 2ND READING

APPROVING AN EXCHANGE OF LAND BETWEEN THE CITY DBA LINCOLN ELECTRIC SYSTEM AND B&J PARTNERS IN CONJUNCTION WITH THE PUBLIC BUILDING COMMISSION PARKING GARAGE.(REQUEST OF LAW DEPT. TO CONTINUE P.H. W/2ND & 3<sup>RD</sup> READINGS ON 10/21/02) (10/14/02 - VOTED TO HAVE 3<sup>RD</sup> READING & ACTION 10/21/02) - CLERK read the following ordinance, introduced by Coleen Seng, approving an exchange of land between the City dba Lincoln Electric System and B&J Partners in conjunction with the Public Building Commission Parking Garage, the second time. **(See Ordinances 3rd Reading)**

AMENDING SECTION 4.24.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SPECIFIC POWERS AND DUTIES OF THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD TO SPECIFY THAT THE RATE-MAKING AUTHORITY RESERVED TO THE LINCOLN CITY COUNCIL RELATES TO RETAIL ELECTRIC RATES ONLY.(REQUEST OF LES TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READING 10/21/02) - PRIOR to reading:

WERNER Moved to waive Council rules to have 2nd & 3rd reading on this date.

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

CLERK Read the following ordinance, introduced by Ken Svoboda, amending Section 4.24.070 of the Lincoln Municipal Code relating to the specific powers and duties of the Lincoln Electric System Administrative Board to specify that the rate-making authority reserved to the Lincoln City Council relates to retail electric rates only, the second time.

VACATING THE NORTH 18' OF GLADE STREET FROM SOUTH 48TH STREET EAST 124.2 FT. -

CLERK read the following ordinance, introduced by Ken Svoboda, vacating the north 18' of Glade Street from South 48th Street east 124.2 ft., the second time.

CHANGE OF ZONE 71HP - APPLICATION OF THE HISTORIC PRESERVATION COMMISSION TO DESIGNATE THE SOPHY TEETERS NURSES' HOME LOCATED AT BRYAN LGH WEST AT 1650 LAKE STREET, AS A LANDMARK. (10/14/02 - REQUEST TO CONTINUE P.H. TO 10/28/02 AND ACTION ON 11/4/02) - PRIOR to reading:

WERNER Moved to continued P.H. to 10/28/02 and action on 11/4/02.

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

CLERK Read the following ordinance, introduced by Ken Svoboda, for a Change of Zone 71HP, the application of the Historic Preservation Commission to designate the Sophy Teeters Nurses' Home located at Bryan LGH West at 1650 Lake Street, as a landmark, the second time.

CHANGE OF ZONE 76HP - APPLICATION OF THE SIGMA PHI EPSILON FOUNDATION OF NEBRASKA TO DESIGNATE THE SIGMA PHI EPSILON HOUSE AT 601 NORTH 16TH STREET, AS A LANDMARK - CLERK read the following resolution, introduced by Ken Svoboda, for a Change of Zone 76HP, the application of the Sigma Phi Epsilon Foundation of Nebraska to designate the Sigma Phi Epsilon House at 601 North 16th Street, as a landmark, the second time.

CHANGE OF ZONE 3378 - APPLICATION OF THE NEAR SOUTH NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-5 RESIDENTIAL AND R-6 RESIDENTIAL TO R-2 RESIDENTIAL ON PROPERTY LOCATED IN THE "MOUNT EMERALD" AREA OF THE NEAR SOUTH NEIGHBORHOOD GENERALLY LOCATED AT SOUTH 18TH STREET TO SOUTH 21ST AND 22ND STREETS, FROM A TO F STREETS - CLERK read the following ordinance, introduced by Ken Svoboda, for a Change of Zone 3378, the

application of the Near South Neighborhood Association for a Change of Zone from R-5 Residential and R-6 Residential to R-2 Residential on property located in the "Mount Emerald" area of the Near South Neighborhood generally located at South 18th Street to South 21st and 22nd Streets, from A to F Streets, the second time.

RESOLUTIONS

APPLICATION OF PARISH OF THE NORTH AMERICAN MARTYRS AT 931 WEST HARVEST DRIVE TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN FROM OCTOBER 21 THROUGH NOVEMBER 23, 2002 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81768 WHEREAS, Parish of North American Martyrs has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

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

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

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

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

Introduced by Terry Werner

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

ADOPTING THE CHANGES IN THE ACCESS RULES THAT HAVE BEEN PROPOSED BY THE CABLE TELEVISION ADVISORY BOARD. (10/14/02 - DELAY PUBLIC HEARING & ACTION TO 10/21/02) - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81769 WHEREAS, the City Council has indicated through its franchise with Cablevision that access rules shall be promulgated by the Cable Advisory Board; and

WHEREAS, Lincoln Municipal Code § 5.16.510 provides that the Cable Advisory Board shall review and assist in the drafting of such access rules; and

WHEREAS, the Cable Advisory Board has previously drafted and enacted access rules which have been approved by the City Council, has reviewed such rules and has recommended the amendments contained in the attached set of access rules for the Lincoln community.

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

That the Rules Governing the Access Channels, recommended by the Lincoln Cable Advisory Board, a copy of which is attached hereto, are approved and that the Cable Advisory Board is directed to implement such rules.

BE IT FURTHER RESOLVED, that Resolution A-77709 and the rules promulgated thereunder are hereby superseded.

Introduced by Terry Werner

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

ADOPTING THE LES "RATE SCHEDULES, SERVICE REGULATIONS AND COST ANALYSIS SUMMARY FOR RATES EFFECTIVE APRIL 1, 2003." - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81770 WHEREAS, rate schedules and service regulations for the use and services of Lincoln Electric System of the City of Lincoln, including the electric energy sold, furnished or supplied by said City of Lincoln,

Nebraska, have been established by resolution from time to time, the last one being Resolution No. A-78588, adopted by the City Council on February 9, 1998 and approved by the Mayor on February 18, 1998; and

WHEREAS, the Administrative Board of the Lincoln Electric System has recommended to the City Council of the City of Lincoln, Nebraska, that the document entitled, "Rate Schedules, Service Regulations and Cost Analysis Summary for Rates Effective April 1, 2003," which is attached hereto and fully incorporated herein, be adopted for the use of Lincoln Electric System and the provision of services to ratepayers in

the service area of Lincoln Electric System; and

WHEREAS, the rate recommendation demonstrating the justification for a system average increase of 5.0% in revenues has been approved by the Lincoln Electric System Administrative Board at its regular Board meeting of September 20, 2002, and is consistent with the City of Lincoln's Bond Ordinance for Lincoln Electric System regarding rates; and

WHEREAS, it is evident to the City Council of the City of Lincoln, Nebraska, that the justification for said rates and charges has been demonstrated and therefore said rates should be adopted.

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

That effective April 1, 2003, the attached "Rate Schedules, Service Regulations and Cost Analysis Summary for Rates Effective April 1, 2003," for the use of Lincoln Electric System and the provision of services to ratepayers in the service area of Lincoln Electric System is hereby established and adopted; and

BE IT FURTHER RESOLVED that Resolution No. A-78588, adopted on February 9, 1998, is hereby superseded by this Resolution effective April 1, 2003.

Introduced by Terry Werner

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

AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR RECREATIONAL TRAILS PROGRAM FUNDING TO ASSIST WITH CONSTRUCTION OF THE 56TH AND HIGHWAY 2 CONNECTOR TRAIL, AND TWO CONNECTIONS TO THE EDGEWOOD/K-MART SHOPPING AREA AND BUSINESS PARK - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81771 WHEREAS, the Parks and Recreation Department of the City of Lincoln proposes to apply for assistance from the Nebraska Game and Parks Commission for Recreation Trails Program (RTP) for the construction of the .23 mile Highway 2 Connector Trail from 56th Street to Old Cheney Road and two separate connectors to the Edgewood/K-Mart shopping area; and

WHEREAS, the City of Lincoln wishes to express its support for the project and its willingness to commit to the cost of maintenance of the completed improvements in a safe and attractive manner for the public.

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

That the City of Lincoln hereby expresses its support for the application being made by its Parks and Recreation Department to the Nebraska Game and Parks Commission for financial assistance from the Recreational Trails Program for the construction of the .23 mile Highway 2 Connector Trail from 56th Street to Old Cheney Road and two separate connectors to the Edgewood/K-Mart shopping area.

The City of Lincoln will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in the use of the proposed project acquired or developed pursuant to the application for financial assistance. The City of Lincoln certifies that it has the financial capabilities to maintain the completed improvements in a safe and attractive manner for public use and further certifies that it will comply, where applicable, with the Americans with Disabilities Act by making the facilities accessible to the handicapped.

The City Clerk is directed to transmit a certified copy of this resolution to the Parks and Recreation Department for inclusion with the application to the Nebraska Game and Parks Commission.

Introduced by Terry Werner

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

WAIVING DESIGN STANDARDS FOR SIDEWALKS AND STREET LIGHTS ON THE EAST SIDE OF S.W. 27TH STREET, AND WAIVING THE PAVING OF S.W. 27TH STREET WITHIN ASPIN RIDGE 1ST ADDITION GENERALLY LOCATED AT S.W. 27TH STREET AND WEST "A" STREET - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81772 WHEREAS, the Final Plat of Aspen Ridge 1st Addition was previously approved by the City of Lincoln; and

WHEREAS, the conditions of approval of said Final Plat pursuant to Lincoln Municipal Code Sections 26.23.095, 26.27.070, and 26.27.010 included the requirements for the installation of sidewalks and street lights on the east side of S.W. 27th Street, and the paving of S.W. 27th

Street within said Plat; and

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

WHEREAS, the Planning Commission has reviewed said request and has recommended that the installation of said improvements be deferred until such time as West Washington Street is connected to S.W. 27th Street rather than waived in their entirety; and

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

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

That the requirements of Sections 26.23.095, 26.27.070, and 26.27.010 of the Lincoln Municipal Code requiring the installation of sidewalks and street lights on the east side of S.W. 27th Street and street paving in S.W. 27th Street within the Final Plat of Aspen Ridge 1st Addition are hereby deferred until such time as West Washington Street is connected to S.W. 27th Street at which time said improvements will be installed.

That all other conditions for approval of the Final Plat of Aspen Ridge 1st Addition shall remain in full force and effect.

Introduced by Terry Werner

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

ACCEPTING AND APPROVING THE ACQUISITION OF A CONSERVATION EASEMENT OVER APPROXIMATELY 4.09 ACRES OF DELINEATED WETLANDS, GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF I-80 AND OAK CREEK - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81773 WHEREAS, Interstate Land L.L.C., a Nebraska limited liability company, has offered to grant a conservation easement over an area generally located northeast of the intersection of I-80 and Oak Creek to protect the existing wetlands and floodplain; and

WHEREAS, acquisition of this conservation easement by the City would further the goals of the Comprehensive Plan relating to floodplains.

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

That, on behalf of the City of Lincoln, Nebraska, the offer of a conservation easement by Interstate Land L.L.C. over a tract of land as legally described in the Revised Conservation Easement Agreement, attached hereto and marked as Attachment "A", is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Revised Conservation Easement Agreement on behalf of the City of Lincoln, Nebraska.

Introduced by Terry Werner

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

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 4, 2002 AT 1:30 P.M. FOR THE MAN. APP. OF MITCHELL A. PHELPS FOR LEVY PREMIUM FOODSERVICE LTD DBA LEVY RESTAURANTS AT HAYMARKET PARK LOCATED AT 403 LINE DRIVE CIRCLE - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81774 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., November 4, 2002 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers,

County-City Building, 555 So. 10th St., Lincoln, NE, for the purpose of considering the Manager Application of Mitchell A. Phelps for Levy Premium Foodservice LTD dba Levy Restaurants at Haymarket Park located at 403 Line Drive Circle.

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

Introduced by Terry Werner

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF SEPTEMBER 16 - 30, 2002.(CLAIM of Bonnie Newill held over to 10/21/02 for Action)

A-81776 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 October 1, 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>
Bonnie Newill	\$361.96

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 Terry Werner

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

#### PETITIONS & COMMUNICATIONS - NONE

#### REPORTS OF CITY OFFICERS

INVESTMENT OF FUNDS FROM OCTOBER 7 THRU OCTOBER 11, 2002 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-81775 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 Terry Werner

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

AFFIDAVIT OF MAILING FOR BOARD OF EQUALIZATION MEETING FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY & DOWNTOWN MAINTENANCE DISTRICT TO BE HELD ON MONDAY, NOVEMBER 4, 2002, 1:30 P.M. - CLERK presented said report which was placed on file in the Office of the City Clerk.

#### ORDINANCES - 1ST READING

AMENDING TITLE 6 OF THE LINCOLN MUNICIPAL CODE RELATING TO ANIMALS BY ADDING A NEW CHAPTER 6.02 RELATING TO ANIMAL CONTROL DEFINITIONS WHICH CONSOLIDATES THE DEFINITIONS PREVIOUSLY FOUND IN CHAPTERS 6.04, 6.08, 6.10 AND 6.12 AND REVISES THE DEFINITION OF REVISED DEFINITIONS FOR "HOBBY KENNEL" OR "CATTERIES," "KENNEL," AND "FOWLS," AND ADDS NEW DEFINITIONS FOR "ANIMAL RESCUE ORGANIZATION," "ANIMAL SHELTER," "FOSTER HOMES," "ROOSTER," "COMMERCIAL BOARDING KENNEL," "COMMERCIAL BREEDING KENNEL," "DOG KENNEL," "INDOOR HOUSING FACILITY," "MULTI-DOG HOUSEHOLD," "MULTI-CAT HOUSEHOLD," "OUTDOOR HOUSING FACILITY," AND "WRITTEN CONSENT"; AND; BY AMENDING CHAPTER 6.04 RELATING TO ANIMAL CONTROL REGULATIONS IN GENERAL TO PROHIBIT ROOSTERS WITHIN THE CITY OF LINCOLN, TO REGULATE ANIMAL RESCUE ORGANIZATIONS, AND TO MODIFY PERMIT FEE PROVISIONS; BY AMENDING CHAPTER 6.08 RELATING TO DOGS TO SET MINIMUM PENALTY AMOUNTS FOR REPETITIVE VIOLATIONS OF LICENSING REQUIREMENTS, TO INCREASE LICENSING FEES FOR DOGS, TO REQUIRE DISPOSAL OF DOG FECES OR MANURE IN A SANITARY MANNER, TO PERMIT AND REGULATE MULTI-DOG HOUSEHOLDS, TO PERMIT AND REGULATE COMMERCIAL BREEDING KENNELS, AND TO EXEMPT COMMERCIAL BREEDING KENNELS AND MULTI-DOG HOUSEHOLDS FROM THE PROHIBITION OF MAINTAINING A DOG KENNEL; BY AMENDING CHAPTER 6.10 RELATING TO DANGEROUS DOGS TO ALLOW THE USE OF MICROCHIPS FOR MARKING SUCH DOGS AND TO SET MINIMUM PENALTIES; BY AMENDING 6.12 RELATING TO CATS TO SET MINIMUM PENALTIES FOR REPETITIVE VIOLATIONS OF LICENSING REQUIREMENTS, TO PLACE A LIMIT ON THE NUMBER OF CATS A PERSON MAY OWN WITHOUT A MULTI-CAT HOUSEHOLD, CATTERY OR HOBBY KENNEL PERMIT, TO INCREASE LICENSE FEES FOR CATS, TO INCREASE LICENSE FEES FOR CATTERIES AND HOBBY KENNELS, TO PERMIT AND REGULATE MULTI-CAT HOUSEHOLDS, TO ALLOW CURRENT CAT OWNERS OR THOSE WHO ARE SUBSEQUENTLY ANNEXED INTO THE CITY WHO OWN MORE THAN 15 CATS TO RETAIN ALL THEIR CATS UNTIL DEATH OR TRANSFER OF OWNERSHIP OF THE CAT; IN ORDER TO IMPLEMENT THE



RECOMMENDATIONS OF THE ANIMAL CONTROL BOARD - CLERK read the following ordinance, introduced by Terry Werner, amending title 6 of the Lincoln Municipal Code relating to animals by adding a new chapter 6.02 relating to animal control definitions which consolidates the definitions previously found in Chapters 6.04, 6.08, 6.10 and 6.12 and revises the definition of revised definitions for "hobby kennel" or "catteries," "kennel," and "fowls," and adds new definitions for "animal rescue organization," "animal shelter," "foster homes," "rooster," "commercial boarding kennel," "commercial breeding kennel," "dog kennel," "indoor housing facility," "multi-dog household," "multi-cat household," "outdoor housing facility," and "written consent"; and; by amending chapter 6.04 relating to animal control regulations in general to prohibit roosters within the City of Lincoln, to regulate animal rescue organizations, and to modify permit fee provisions; by amending Chapter 6.08 relating to dogs to set minimum penalty amounts for repetitive violations of licensing requirements, to increase licensing fees for dogs, to require disposal of dog feces or manure in a sanitary manner, to permit and regulate multi-dog households, to permit and regulate commercial breeding kennels, and to exempt commercial breeding kennels and multi-dog households from the prohibition of maintaining a dog kennel; by amending chapter 6.10 relating to dangerous dogs to allow the use of microchips for marking such dogs and to set minimum penalties; by amending 6.12 relating to cats to set minimum penalties for repetitive violations of licensing requirements, to place a limit on the number of cats a person may own without a multi-cat household, cattery or hobby kennel permit, to increase license fees for cats, to increase license fees for catteries and hobby kennels, to permit and regulate multi-cat households, to allow current cat owners or those who are subsequently annexed into the city who own more than 15 cats to retain all their cats until death or transfer of ownership of the cat; in order to implement the recommendations of the animal control board, the first time.

**ORDINANCES - 3RD READING**

APPROVING AN EXCHANGE OF LAND BETWEEN THE CITY DBA LINCOLN ELECTRIC SYSTEM AND B&J PARTNERS IN CONJUNCTION WITH THE PUBLIC BUILDING COMMISSION PARKING GARAGE. (Request of Law Dept. to continue p.h. w/2nd & 3rd readings on 10/21/02) (10/14/02 - Voted to have 3rd reading & Action on 10/21/02) - CLERK read an ordinance, introduced by Coleen Seng, approving an exchange of land between the City dba Lincoln Electric System and B&J Partners in conjunction with the Public Building Commission Parking Garage, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18072** is recorded in Ordinance Book No. 25, Page

APPROVING A MULTI-YEAR LEASE BETWEEN THE CITY OF LINCOLN PARKS AND RECREATION DEPARTMENT AND NEBRASKA WESLEYAN UNIVERSITY FOR THE IMPROVEMENT OF AND USE OF THE BASEBALL FIELD LOCATED IN WOODS PARK. (9/9/02 - To have 2nd Reading on 9/30/02) (Public Hearing con't with action on 10/14/02) (Request of Parks Dept. to delay P.H. & Action to 10/21/02) - PRIOR to hearing:

SENG Moved to accept the substitute lease agreement.

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

CLERK Read an ordinance, introduced by Coleen Seng, approving a multi-year lease between the City of Lincoln Parks and Recreation Department and Nebraska Wesleyan University for the improvement of and use of the baseball field located in Woods Park, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18073** is recorded in Ordinance Book No. 25, Page

RENAMING PRESERVE LANE EAST OF THE INTERSECTION OF FIREBUSH LANE AND PRESERVE LANE AS "PRESERVE COURT." - CLERK read an ordinance, introduced by Coleen Seng, renaming Preserve Lane East of the intersection of Firebush Lane and Preserve Lane as "Preserve Court", the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18074** is recorded in Ordinance Book No. 25, Page

AMENDING THE PAY SCHEDULES FOR A CERTAIN EMPLOYEE GROUP ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "M" BY DELETING THE JOB CLASSIFICATIONS OF DEPUTY FIRE CHIEF OF EMS AND DEPUTY FIRE CHIEF OF ADMINISTRATION - CLERK read an ordinance, introduced by Coleen Seng, amending the pay schedules for a certain employee group assigned to the pay range which is prefixed by the letter "M" by deleting the job classifications of Deputy Fire Chief of EMS and Deputy Fire Chief of Administration, the third time.

SENG Moved to pass ordinance as read.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
The ordinance being numbered **#18075** is recorded in Ordinance Book No. 25, Page

AMENDING SECTIONS 2.76.015, POSITIONS COVERED BY RULES, TO CLARIFY LANGUAGE; 2.76.150, COMPENSATION PLAN, MERIT PAY PLAN, PAY INCREASES FOR EXCEPTIONAL SERVICE, TO REFLECT CHANGES RESULTING FROM THE NEW PAY PLAN FOR PAY RANGES PRECEDED BY THE LETTER "N" OR "X"; AND 2.76.200, COMPENSATION PLAN, TEMPORARY ASSIGNMENT IN A HIGHER CLASSIFICATION, TO REFLECT CHANGES TO BETTER ADDRESS APPOINTMENT TO "CREW LEADER" STATUS. - CLERK read an ordinance, introduced by Coleen Seng, amending Sections 2.76.015, positions covered by rules, to clarify language; 2.76.150, compensation plan, merit pay plan, pay increases for exceptional service, to reflect changes resulting from the new pay plan for pay ranges preceded by the letter "N" or "X"; and 2.76.200, compensation plan, temporary assignment in a higher classification, to reflect changes to better address appointment to "crew leader" status, the third time.

SENG Moved to pass ordinance as read.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
The ordinance being numbered **#18076** is recorded in Ordinance Book No. 25, Page

AMENDING THE PAY SCHEDULES FOR A CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "X" BY CREATING THE CLASSIFICATIONS OF PROSECUTION ASSISTANT, EMPLOYMENT CLERK, OFFICE ASSISTANT, SENIOR OFFICE ASSISTANT, AND OFFICE SPECIALIST - CLERK read an ordinance, introduced by Coleen Seng, amending the pay schedules for a certain employee groups assigned to the pay range which is prefixed by the letter "X" by creating the classifications of prosecution assistant, employment clerk, office assistant, senior office assistant, and office specialist, the third time.

SENG Moved to pass ordinance as read.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
The ordinance being numbered **#18077** is recorded in Ordinance Book No. 25, Page

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "A" AND "C" BY CREATING THE JOB CLASSIFICATION OF TRANSPORTATION PLANNER; CHANGING THE TITLE OF CRIME ANALYSIS TECHNICIAN TO CRIME ANALYST; AND DELETING THE JOB CLASSIFICATIONS OF ENGINEERING TECHNICIAN AND LANDSCAPE ARCHITECT - CLERK read an ordinance, introduced by Coleen Seng, amending the pay schedules for certain employee groups assigned to the pay range which is prefixed by the letter "A" and "C" by creating the job classification of Transportation Planner; changing the title of Crime Analysis Technician to Crime Analyst; and deleting the job classifications of Engineering Technician and Landscape Architect, the third time.

SENG Moved to pass ordinance as read.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
The ordinance being numbered **#18078** is recorded in Ordinance Book No. 25, Page

AMENDING THE PAY SCHEDULES FOR CERTAIN EMPLOYEE GROUPS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "N" BY CREATING THE JOB CLASSIFICATIONS OF OFFICE ASSISTANT, SENIOR OFFICE ASSISTANT, OFFICE SPECIALIST, OFFICE MANAGER, PUBLICATIONS SPECIALIST, POLICE SERVICES SPECIALIST, POLICE RECORDS TECHNICIAN, CRIME ANALYSIS TECHNICIAN, PERMIT ASSISTANT, AND ANIMAL CONTROL DISPATCHER - CLERK read an ordinance, introduced by Coleen Seng, Amending the pay schedules for certain employee groups assigned to the pay range which is prefixed by the letter "N" by creating the job classifications of Office Assistant, Senior Office Assistant, Office Specialist, Office Manager, Publications

Specialist, Police Services Specialist, Police Records Technician, Crime Analysis Technician, Permit Assistant, and Animal Control Dispatcher, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18079** is recorded in Ordinance Book No. 25, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY URBAN DEVELOPMENT DEPARTMENT AND HAYMARKET SQUARE FOR THE LEASE OF OFFICE SPACE LOCATED AT 808 P STREET, SUITE 400, FOR A THREE YEAR TERM COMMENCING MARCH 1, 2003. (COUNCILMAN Camp has declared a Conflict of Interest) - CLERK read an ordinance, introduced by Coleen Seng, approving a Lease Agreement between the City Urban Development Department and Haymarket Square for the lease of office space located at 808 P Street, Suite 400, for a three year term commencing March 1, 2003, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18080** is recorded in Ordinance Book No. 25, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY URBAN DEVELOPMENT DEPARTMENT AND LANCASTER COUNTY FOR THE LEASE OF OFFICE SPACE LOCATED AT TRABERT HALL, 2202 SOUTH 11TH STREET FOR A THREE YEAR TERM COMMENCING MARCH 1, 2003 - CLERK read an ordinance, introduced by Coleen Seng, approving a Lease Agreement between the City Urban Development Department and Lancaster County for the lease of office space located at Trabert Hall, 2202 South 11th Street for a three year term commencing March 1, 2003, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4416** & was placed on file in the Office of the City Clerk.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AGING SERVICES DEPARTMENT AND LINCOLN INVESTMENT GROUP, L.L.C. FOR THE LEASE OF OFFICE SPACE LOCATED AT 1001 O STREET FOR A TEN YEAR TERM COMMENCING MARCH 1, 2003 - CLERK read an ordinance, Approving a Lease Agreement between the City Aging Services Department and Lincoln Investment Group, L.L.C. for the lease of office space located at 1001 O Street for a ten year term commencing March 1, 2003, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance being numbered **#18081** is recorded in Ordinance Book No. 25, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AGING SERVICES DEPARTMENT AND COMMERCE COURT FOR THE LEASE OF OFFICE SPACE LOCATED AT 1230 O STREET, SUITE 400, FOR A TEN YEAR TERM COMMENCING MARCH 1, 2003 - CLERK read an ordinance, introduced by Coleen Seng, approving a Lease Agreement between the City Aging Services Department and Commerce Court for the lease of office space located at 1230 O Street, Suite 400, for a ten year term commencing March 1, 2003, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4417** & was placed on file in the Office of the City Clerk.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AGING SERVICES DEPARTMENT AND LANCASTER COUNTY FOR THE LEASE OF OFFICE SPACE LOCATED AT TRABERT HALL, 2202 SOUTH 11TH STREET FOR A FIVE YEAR TERM COMMENCING MARCH 1, 2003 - CLERK read an ordinance, introduced by Coleen Seng, approving a Lease Agreement between the City Aging Services Department and Lancaster County for the lease of office space located at Trabert Hall, 2202 South 11th Street for a five year term commencing March 1, 2003, the third time.

SENG Moved to pass ordinance as read.  
Seconded by Svoboda & **LOST** by the following vote: AYES: None;  
NAYS: Camp, Cook, Friendt, Seng, Svoboda, Werner; ABSENT: McRoy.  
The ordinance, having **LOST**, was assigned File #38-4418 & was placed on file in  
the Office of the City Clerk.

**RECONSIDERATION**

APPROVING WAIVERS OF DESIGN STANDARDS FOR SIDEWALKS ON THE WEST SIDE OF SOUTH  
70<sup>TH</sup> STREET ADJACENT TO LOTS 1 AND 2, HICKORY CREST 4<sup>TH</sup> ADDITION AND THE  
SIDEWALK WITHIN THE PEDESTRIAN EASEMENT BETWEEN LOTS 1 AND 2, HICKORY  
CREST 4<sup>TH</sup> ADDITION FROM KING'S COURT TO SOUTH 70<sup>TH</sup> STREET - PRIOR to  
reading:  
FRIENDT Moved to waive Council rules so this item could be voted on first.  
Seconded by Svoboda & carried by the following votes: AYES: Camp,  
Cook, Friendt, Seng, Svoboda; NAYS: Werner; ABSENT: McRoy.  
FRIENDT Moved to postpone the action to 10/28/02.  
Seconded by Seng & carried by the following vote: AYES: Camp,  
Friendt, Seng, Svoboda; NAYS: Cook, Werner; ABSENT: McRoy.

**MISCELLANEOUS BUSINESS**

APPLICATION OF BJT, L.L.C. DBA "THE OFFICE" FOR A CLASS I LIQUOR LICENSE AT  
1211 O STREET.  
CAMP Moved to reconsider the Application of BJT, L.L.C. (Resolution  
A-81751).  
Seconded by Werner & carried by the following vote: AYES: Camp,  
Cook, Friendt, Svoboda, Werner; NAYS: Seng; ABSENT: McRoy.  
IMPACT FEES HEARING SCHEDULED FOR NOVEMBER 4, 2002.  
FRIENDT Moved to move the hearing date for the Impact Fees to November 25,  
2002.  
Seconded by Svoboda & LOST by the following vote: AYES: Camp,  
Friendt, Svoboda; NAYS: Cook, Seng, Werner; ABSENT: McRoy.

**PENDING LIST -**

CAMP Moved to extend the Pending List to October 21, 2002.  
Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Friendt, Seng, Svoboda, Werner; NAYS; None; ABSENT: McRoy.  
CAMP Moved to approve the resolutions to have Public Hearing on October  
28, 2002.  
Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Friendt, Seng, Svoboda, Werner; NAYS; None; ABSENT: McRoy.

**ADJOURNMENT**

**6:45 P.M.**

CAMP Moved to adjourn the City Council meeting of October 21, 2002.  
Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
So ordered.

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Joan E. Ross, City Clerk

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Glenna Graupmann, Office Assistant III



