

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 25, 2002 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, 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

FRIENDT Having been appointed to read the minutes of the City Council proceedings of November 18, 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.

PUBLIC HEARING

MANAGER APPLICATION OF JAMES P. MADSEN FOR MADSEN BOWLING & BILLIARD CENTER CO. DBA MADSEN'S BOWLING & BILLIARD CENTER AT 1316 N. 47TH STREET. - James P. Madsen, came forward, took the oath to answer potential questions posed by Council.

This matter was taken under advisement.

MANAGER APPLICATION OF JOHN A. LOSITO FOR BOWLING ASSOCIATES LIMITED PARTNERSHIP DBA SUN VALLEY LANES AT 321 VICTORY LANE. - John A. Losita, came forward, took the oath to answer potential questions posed by Council.

This matter was taken under advisement.

CREATING WATER DISTRICT NO. 1189 IN N.W. 23RD STREET, WEST Q TO WEST O, AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY;
CREATING SEWER DISTRICT NO. 1173 IN N.W. 23RD STREET, WEST Q TO WEST O, AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - Noel Chadd, 3335 North 13th Street, came forward in favor of these two districts.

This matter was taken under advisement.

AUTHORIZING THE TRANSFER OF FUNDS AND APPROPRIATIONS WITHIN THE CAPITAL IMPROVEMENT PROGRAM AND APPROPRIATE UNPROGRAMMED KENO FUNDS FOR VARIOUS PARKS & RECREATIONS DEPT. PROJECTS, AND DECLARING AN EMERGENCY. - Lynn Johnson, Director of Parks & Recreation, came forward to explain to Council the three projects that are entailed in these fund transfers.

Councilman Friendt asked how close this property was to Pioneer Park. Mr. Johnson indicated that it is across the street from the park. He also explained this property allowed the Parks & Rec Dept. to build lighted ball fields, which are not allowed in Pioneers Park.

Gail Breed, Great Plains Trails Network, came forward in favor of this item. He stated their organization is committed to raise \$150,000 toward this project.

Bob Van Valkenburg, 7921 Reno Rd., came forward in opposition.

Bob Valentine, 2660 Park Ave., came forward to ask Council questions regarding the emergency clause and whether the new Wesleyan project has stayed within budget. Mr. Johnson explained that the emergency clause was due to timing relative to negotiations with the Railroad.

This matter was taken under advisement.

CHANGE OF ZONE 77HP - APPLICATION OF THE DIRECTOR OF URBAN DEVELOPMENT TO DESIGNATE THE FORMER U.S. POST OFFICE AND COURTHOUSE (OLD FEDERAL BUILDING) AS A LANDMARK, GENERALLY LOCATED AT 129 N. 10TH STREET. (In connection w/02-179, 02-184);

CHANGE OF ZONE 3377 - APPLICATION OF THE DIRECTOR OF URBAN DEVELOPMENT FOR A CHANGE OF ZONE FROM P PUBLIC USE TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 9TH AND O STREETS. (In connection w/02-178, 02-184);

DECLARING THE "COMFORT STATION AT OLD FEDERAL PLACE" AS SURPLUS PROPERTY ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 9TH AND O

STREETS.(In connection w/02-178, 02-179) - Dallas McGee, Urban Development Dept, came forward to explain that the Old Federal Building was now going to be designated as a landmark for both the interior and exterior.

Ed Zimmer, Historic Preservation, came forward to give a slide show of the special features of the building. He stated that the National Register Nomination is in progress. He said that the city will take easements in the interior and exterior of the building to protect the historic features.

Bob Van Valkenburg, 7921 Reno Rd., came forward in opposition.

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

Bob Valentine, 2660 Park Avenue, came forward to ask questions regarding the taxes on this building. Mr. McGee stated that it would actually be the year 2015 before taxes would be paid by NuStyle.

Councilman Werner asked if this was voted down, would it jeopardize the agreement with NuStyle. Mr. McGee reported this was a public bid process and the Comfort Station was included in this bid.

Discussion among Council members ensued.

This matter was taken under advisement.

CHANGE OF ZONE 3379 - APPLICATION OF MARVIN AND BARBARA ARMSTRONG FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT N. 58TH STREET AND 120' NORTH OF BALLARD AVENUE - Bill Olson, Attorney, 134 So. 13th Street, representing Mr. and Mrs. Armstrong, came forward to explain the application.

Councilman Werner asked if this were zoned I - Industrial, what kinds of uses would be available. Mr. Olsson suggested there would be a broader scope with that zone.

Councilwoman Seng asked Mr. Olsson if he had met with the owners of the group home in the neighborhood. Mr. Olsson indicated he did not contact them.

Councilman Cook suggested that this has been a commercial use for a long time. Mr. Olsson replied that Mel Goddard requested that this property be re-zoned.

Councilwoman Seng asked Ray Hill if the Havelock Neighborhood Association had been contacted. Ray Hill, Planning Dept. came forward to answer questions and reported they had been contacted. Mr. Hill informed Council that this property hasn't always been commercial. The City Directory from the 1950's indicate that it had been residential. According to the present Comp Plan this should front on Ballard street and the size of the water line in the area is sufficient only for residential use.

Councilwoman McRoy stated that if this property was not rezoned, they would not be in conformance and would have to abandon the open storage that is property is presently using.

Mr. Olson returned for rebuttal.

Council Chair Cook asked if some industrial user wanted this property, could we deny them a curb cut.

Bill Nass, Public Works & Utilities Dept., came forward and stated it would be very difficult to get access for an industrial business since this is a residential road and it would not hold up to industrial use.

Dana Roper, City Attorney, came forward to state that legally they may be entitled to access to their property coming off of a public street. Council Chair Cook requested the Law Dept. to check into options available before the next Council meeting.

This matter was taken under advisement.

CHANGE OF ZONE 3383 - APPLICATION OF CAPITOL SPORTS FOUNDATION FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. 70TH STREET AND SALT CREEK, SOUTH OF ARBOR ROAD - Mark Hunzeker, Attorney at Law, 530 So. 13th St., Suite B, representing Capitol Sports Foundation came forward to speak to the application for a Change of Zone. Mr. Hunzeker explained that it was the Planning Director's desire to re-zone the area so that it would help the Foundation meet requirements.

This matter was taken under advisement.

SPECIAL PERMIT 1976 - APPLICATION OF WILLARD GIEBENRATH TO DEVELOP VIEW POINTE NORTH COMMUNITY UNIT PLAN FOR 14 SINGLE FAMILY ACREAGE LOTS ON PROPERTY GENERALLY LOCATED AT N. 70TH STREET AND WAVERLY ROAD. (IN CONNECTION W/02R-245);

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF VIEW POINTE NORTH FOR 14 LOTS AND 5 OUTLOTS WITH WAIVERS OF THE REQUIRED STREET TREES, STREET LIGHTING, LANDSCAPE SCREENS, SIDEWALKS, CUL-DE-SAC LENGTH, STORM WATER DETENTION AND BLOCK LENGTH, ON PROPERTY GENERALLY LOCATED AT N. 70TH STREET AND WAVERLY ROAD. (IN CONNECTION W/02R-244) - Tom Huston, Attorney, 233 So. 13th Street, Suite 1906, representing Willard Gibenrath, came forward to address these two matters. He explained that additional water testing had been completed and that there is an adequate supply of potable water.

Julie Burns, 12902 N. 70th Street, came forward in opposition. She stated that the Lincoln-Lancaster Health Dept. only looks at the nitrate levels, but in her opinion it was the salt levels that are very high. She suggested that additional testing should be conducted to see if there is enough quantity for all the proposed lots and for quality of water.

Bob VanValkenburg, 7921 Reno Rd., came forward and stated a neutral position. He did report that while he was a Chemist at Goodyear, he authorized barrels of hazardous chemicals to be taken there. At some point in time when those barrels rupture, there could be some potential liabilities and it could effect the quality of the water.

Tom Huston, returned for rebuttal.

Ray Hill, Planning Dept., came forward and stated their department recommended approval of this Special Permit

John Chess, Environmental Health Specialist, Lincoln-Lancaster Health Dept. came forward and said their department did not normally comment on the overall water quality. Councilman Werner asked the Health Dept. to give us a recommendation. Mr. Chess indicated he had contacted Olsson's and there is nothing further to consider.

Discussion ensued among Council members. Councilman Werner questioned if the City should be contacting the EPA and be concerned about potential liability regarding the water that flows near the landfill.

Dana Roper, City Attorney, reported that the landfill was closed according to EPA regulations and the City had met its obligations regarding this matter.

Steve Masters, Public Works and Utilities, stated that the City has spent thousands of dollars testing the water around the landfill and the State Dept. of Environmental Quality has monitored the situation as well. He responded to Council Chair Cook's question about the dumping of additional chemicals in the County by saying that the Health Dept. and the Natural Resource District do have standards in place to deal with matters such as this.

This matter was taken under advisement.

APPOINTING CARMELIA ANTHONY TO THE LINCOLN COMMISSION ON HUMAN RIGHTS FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2005;

APPOINTING LORI LOPEZ URDIALES TO THE LINCOLN COMMISSION ON HUMAN RIGHTS TO FILL AN UNEXPIRED TERM EXPIRING DECEMBER 31, 2003;

REAPPOINTING ERNESTO CASTILLO, JR. AND OSCAR HARRIOTT TO THE LINCOLN COMMISSION ON HUMAN RIGHTS FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2005 - Bob Valentine, 2660 Park Ave., came forward to follow up on statements he had made at last week's Council meeting. After having read last year's report on Human Rights issues, he suggested that the money budgeted for the Human Rights Commission would be better spent on hiring additional police officers.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Street, came forward to again discuss the condition of the bleachers that the city owns in the various parks.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF JAMES P. MADSEN FOR MADSEN BOWLING & BILLIARD CENTER CO. DBA MADSEN'S BOWLING & BILLIARD CENTER AT 1316 N. 47TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81826 WHEREAS, Madsen Bowling & Billiard Center Co. dba "Madsen's Bowling & Billiard Center" located at 1316 N. 47th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that James P. Madsen be named manager;

WHEREAS, James P. Madsen 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 James P. Madsen 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 Ken Svoboda

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

MANAGER APPLICATION OF JOHN A. LOSITO FOR BOWLING ASSOCIATES LIMITED PARTNERSHIP DBA SUN VALLEY LANES AT 321 VICTORY LANE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81827 WHEREAS, Bowling Associates Limited Partnership dba "Sun Valley Lanes" located at 321 Victory Lane, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that John A. Losito be named manager;

WHEREAS, John A. Losito 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 John A. Losito 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 Ken Svoboda

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

ORDINANCES - 2ND READING

CREATING WATER DISTRICT NO. 1189 IN N.W. 23RD STREET, WEST Q TO WEST O, AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Annette McRoy, creating Water District No. 1189 in N.W. 23rd Street, West Q to West O, and assessing the cost thereof against the benefitted property, the second time.

CREATING SEWER DISTRICT NO. 1178 IN N.W. 23RD STREET, WEST Q TO WEST O, AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Annette McRoy, creating Sewer District No. 1178 in N.W. 23rd Street, West Q to West O, and assessing the cost thereof against the benefitted property, the second time.

CREATING ALLEY PAVING DISTRICT NO. 363 FROM 26TH STREET TO 27TH STREET BETWEEN Q AND R STREETS, AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Annette McRoy, creating Alley Paving District No. 363 from 26th Street to 27th Street between Q and R Streets, and assessing the cost thereof against the benefitted property, the second time.

CREATING PAVING DISTRICT NO. 2624 IN FRONTAGE ROAD WHICH PARALLELS N. HIGHWAY 77 FROM HOLLAND ROAD SOUTH APPROXIMATELY 1,375 FEET AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Annette McRoy, creating Paving District No. 2624 in Frontage Road which parallels N. Highway 77 from Holland Road south

approximately 1,375 feet and assessing the cost thereof against the benefitted property, the second time.

ACCEPTING AND APPROVING THE LEASE AGREEMENTS BETWEEN THE CITY AND NEBRASKA MACHINERY COMPANY FOR THE LEASE OF FOUR ARTICULATED FRAME FOUR-WHEEL DRIVE MOTOR GRADERS FOR THE SNOW REMOVAL SEASON NOVEMBER 2002 THROUGH FEBRUARY 2003 WITH AN OPTION TO RENEW FOR TWO ADDITIONAL SNOW REMOVAL SEASONS, AND DECLARING AN EMERGENCY. (REQUEST 2ND & 3RD READINGS W/EMERGENCY CLAUSE)- PRIOR to reading:

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

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

CLERK Read an ordinance, introduced by Annette McRoy, accepting and approving the lease agreements between the City and Nebraska Machinery Company for the lease of four articulated frame four-wheel drive motor graders for the snow removal season November 2002 through February 2003 with an option to renew for two additional snow removal seasons, and declaring an emergency, the second time. (**See ORDINANCES - 3rd Reading**)

AUTHORIZING THE TRANSFER OF FUNDS AND APPROPRIATIONS WITHIN THE CAPITAL IMPROVEMENT PROGRAM AND APPROPRIATE UNPROGRAMMED KENO FUNDS FOR VARIOUS PARKS & RECREATIONS DEPT. PROJECTS - CLERK read an ordinance, introduced by Annette McRoy, authorizing the transfer of funds and appropriations within the Capital Improvement Program and appropriate unprogrammed Keno funds for various Parks & Recreations Dept. projects, the second time.

ACCEPTING THE OFFER OF PINE LAKE DEVELOPMENT, L.L.C. TO DEDICATE 98TH STREET RIGHT-OF-WAY GENERALLY LOCATED NORTH OF PINE LAKE ROAD, ABUTTING 98TH STREET TO THE WEST - CLERK read an ordinance, introduced by Annette McRoy, accepting the offer of Pine Lake Development, L.L.C. to dedicate 98th Street Right-of-Way generally located north of Pine Lake Road, abutting 98th Street to the west, the second time.

CHANGE OF ZONE 77HP - APPLICATION OF THE DIRECTOR OF URBAN DEVELOPMENT TO DESIGNATE THE FORMER U.S. POST OFFICE AND COURTHOUSE (OLD FEDERAL BUILDING) AS A LANDMARK, GENERALLY LOCATED AT 129 N. 10TH STREET.(IN CONNECTION W/02-179 & 02-184) - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 77HP - application of the Director of Urban Development to designate the former U.S. Post Office and Courthouse (Old Federal Building) as a landmark, generally located at 129 N. 10th Street, the second time.

CHANGE OF ZONE 3377 - APPLICATION OF THE DIRECTOR OF URBAN DEVELOPMENT FOR A CHANGE OF ZONE FROM P PUBLIC USE TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 9TH AND O STREETS.(IN CONNECTION W/02-178 & 02-184) - CLERK read an ordinance, introduce by Annette McRoy, for a Change of Zone 3377, application of the Director of Urban Development for a Change of Zone from P Public use to B-4 Lincoln Center Business District on property generally located at 9th and O Streets, the second time.

DECLARING THE "COMFORT STATION AT OLD FEDERAL PLACE" AS SURPLUS PROPERTY ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 9TH AND O STREETS. (In connection with 02-178 & 02-179) - CLERK read an ordinance, introduced by Annette McRoy, declaring the "Comfort Station at Old Federal Place" as surplus property on property generally located at the Southwest corner of 9th and O Streets, the second time.

CHANGE OF ZONE 3379 - APPLICATION OF MARVIN AND BARBARA ARMSTRONG FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT N. 58TH STREET AND 120' NORTH OF BALLARD AVENUE - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3379, application of Marvin and Barbara Armstrong for a Change of Zone from R-4 residential to I-1 Industrial on property generally located at N. 58th Street and 120' north of Ballard Avenue, the second time.

CHANGE OF ZONE 3383 - APPLICATION OF CAPITOL SPORTS FOUNDATION FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. 70TH STREET AND SALT CREEK, SOUTH OF ARBOR ROAD - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3383, application of Capitol Sports Foundation for a Change of Zone from AG Agricultural to I-1 Industrial on property

generally located at the Northeast corner of N. 70th Street and Salt Creek, south of Arbor Road, the second time.

CHANGE OF ZONE 3384 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO O-2 SUBURBAN OFFICE ON PROPERTY GENERALLY LOCATED AT 201 CAPITOL BEACH BLVD - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3384, application of the Planning Director for a Change of Zone from R-2 Residential to O-2 Suburban Office on property generally located at 201 Capitol Beach Blvd., the second time.

ACCEPTING THE OFFER OF STONE BRIDGE CREEK, L.L.C. TO DEDICATE ALVO ROAD RIGHT-OF-WAY GENERALLY LOCATED WEST OF NORTH 14TH STREET - CLERK read an ordinance, introduced by Annette McRoy, accepting the offer of Stone Bridge Creek, L.L.C. to dedicate Alvo Road right-of-way generally located west of north 14th Street, the second time.

RESOLUTIONS

SPECIAL PERMIT 1976 - APPLICATION OF WILLARD GIEBENRATH TO DEVELOP VIEW POINTE NORTH COMMUNITY UNIT PLAN FOR 14 SINGLE FAMILY ACREAGE LOTS ON PROPERTY GENERALLY LOCATED AT N. 70TH STREET AND WAVERLY ROAD. (In connection w/02R-245) - PRIOR to reading:

WERNER Moved to adopt Substitute Resolution.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SVOBODA Moved to continue public hearing and delay action for one week to 12/2/02.
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda; NAYS: McRoy, Werner.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF VIEW POINTE NORTH FOR 14 LOTS AND 5 OUTLOTS WITH WAIVERS OF THE REQUIRED STREET TREES, STREET LIGHTING, LANDSCAPE SCREENS, SIDEWALKS, CUL-DE-SAC LENGTH, STORM WATER DETENTION AND BLOCK LENGTH, ON PROPERTY GENERALLY LOCATED AT N. 70TH STREET AND WAVERLY ROAD. (In connection w/02R-244) - PRIOR to reading:

WERNER Moved to adopt Substitute Resolution.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SVOBODA Moved to continue public hearing and delay action for one week to 12/2/02.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda; NAYS: McRoy, Werner.

APPOINTING CARMELIA ANTHONY TO THE LINCOLN COMMISSION ON HUMAN RIGHTS FOR A THREE-YEAR TERM EXPIRING DECEMBER 31, 2005 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81828 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Carmelia Anthony to the Lincoln Commission on Human Rights for a three-year term expiring December 31, 2005 is hereby approved.

Introduced by Coleen Seng

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

APPOINTING LORI LOPEZ URDIALES TO THE LINCOLN COMMISSION ON HUMAN RIGHTS TO FILL AN UNEXPIRED TERM EXPIRING DECEMBER 31, 2003 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81829 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Lori Lopez Urdiales to the Lincoln Commission on Human Rights for a three-year term expiring December 31, 2005 is hereby approved.

Introduced by Coleen Seng

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

REAPPOINTING ERNESTO CASTILLO, JR. AND OSCAR HARRIOTT TO THE LINCOLN COMMISSION ON HUMAN RIGHTS FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2005 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81830 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Ernesto Castillo, Jr. and Oscar Harriott to the Lincoln Commission on Human Rights for three-year terms expiring December 31, 2005 is hereby approved.

Introduced by Coleen Seng

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

APPROVING A CONTRACT BETWEEN THE CITY AND THE STATE OF NEBRASKA DEPARTMENT OF MOTOR VEHICLES FOR RENEWAL OF THE CITY'S COMMERCIAL MOTOR VEHICLES THIRD PARTY TESTER CERTIFICATE TO ALLOW THE CITY TO CONDUCT EXAMINATION FOR COMMERCIAL DRIVERS LICENSES - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81831 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the contract between the State of Nebraska, Department of Motor Vehicles, and the City of Lincoln for renewal of the City's commercial motor vehicle Third Party Tester Certificate for a two-year term commencing on November 1, 2002, upon the terms and conditions set forth in said contract, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute said contract on behalf of the City.

Introduced by Coleen Seng

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

APPROVING THE JOINT FUNDING AGREEMENT FOR WATER RESOURCES INVESTIGATIONS WITH U.S. GEOLOGICAL SURVEY PROVIDING FOR A BANK FILTRATION RESEARCH PROJECT - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81832 BE IT RESOLVED by the City Council of the city of Lincoln, Nebraska:

That the attached Supplemental Joint Funding Agreement for Water Resources Investigations with United States Geological Survey providing for a Bank Filtration Research Project, to address evaluation of the potential of transport, attenuation, and inhibition of microorganisms of varying sizes through bank filtration into a public water supply at varying flow regimes of the river during different times of the year from the raw river water flowing through the aquifer, 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 Joint Funding Agreement to Jerry Obrist, Chief Engineer, Lincoln Water System.

Introduced by Coleen Seng

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF OCTOBER 16 - 31, 2002 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81833 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 November 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

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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> | |
|--|--------------|---|-----------|
| Harold K. Cosier | 9,750.00 | Lincoln Baptist Church | \$ 173.36 |
| Stanley J. Karel | 587.45 | Linda Schreier | 6,000.00 |
| Damon Saltzman | NAS* | David M. Stading | 816.14 |
| Roma J. Smith | 60.00 | Ron Hinkley (R.D. Hinkley & Associates, Inc.) | 3,070.37 |
| Prudential Insurance Co. (Andrew & Tammy Ingwerson, Insureds) | 699.17 | Abigail Beethe | 150.00 |
| Titus Ganger | 187.24 | Russell Shafer | 361.45 |
| Nancy K. Carpenter | NAS* | State Farm Insurance Co. (Donald & Bernadette Vandewalker, Insureds) | 771.37 |
| Elizabeth Tufts | 1,000,000.00 | State Farm Insurance Co. (Eugene T. Arnold, Insured) | 1,120.60 |
| Kym Pinkerton | 48.15 | State Farm Insurance Co. (Melissa A. Francis, Insured) | 1,880.00 |
| Nathaniel Jordan | NAS* | Erin McGovern | 294.56 |
| Alan More | 75.00 | Roger Downs | 750.00 |
| Capital City Auto Sales | 461.00 | Brian Reinwald | 2,108.70 |
| Sharnick Compton | NAS* | Clinton Brooks | 3,000.00 |

* 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 Coleen Seng

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

SETTING THE HEARING DATE OF MONDAY, DECEMBER 9, 2002 AT 1:30 P.M. FOR THE APPLICATION OF CONNOT ENTERPRISES, INC. DBA JACK POT FOR A CLASS D LIQUOR LICENSE LOCATED AT 501 WEST A STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81837 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon. December 9, 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 purpose of considering the App. of Connot Enterprises, Inc. dba Jack Pot for a Class D liquor license located at 501 West A Street.

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

Introduced by Coleen Seng

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

SPECIAL PERMIT 1692B - APPLICATION OF WILDERNESS RIDGE, L.L.C. FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AT WILDERNESS RIDGE GOLF COURSE GENERALLY LOCATED SOUTHWEST OF S. 27TH STREET AND YANKEE HILL ROAD - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81838 WHEREAS, Wilderness Ridge, L.L.C. has submitted an application designated as Special Permit No. 1692B for authority to sell alcoholic beverages for consumption on the premises generally located at southwest of the intersection South 27th Street and Yankee Hill Road, legally described as:

Lot 1 I.T., Lot 4, I.T., Lot 9 I.T., Lot 14, I.T., Lot 16 I.T., Lot 18 I.T., Lot 21, I.T., Lot 24 I.T., Lot 27 I.T., Lot 28 I.T., Lot 29 I.T., Lot 30 I.T., the Northwest Quarter of the Southeast Quarter, a portion of the North Half of the South Half of the Northwest Quarter, all located in Section 25, and Lot 62 I.T., located in Section 24, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:
Beginning at the northeast corner of Lot 27 I.T., said point being the true point of beginning; thence on an assumed bearing of south 00 degrees 03 minutes 17 seconds east, along the east line of said Lot 27 I.T., and said Lot 28 I.T., a distance of 1274.72 feet to the northeast corner of said Lot 29 I.T.; thence south 00 degrees 38 minutes 43 seconds west, along an east line of said Lot 29 I.T., a distance of 818.58 feet to an east corner of said Lot 29 I.T.; thence south 00 degrees 03 minutes 17 seconds east, along an east line of said Lot 29 I.T., a distance of 506.12 feet to the northeast corner of said Lot 30 I.T.; thence south 00

degrees 00 minutes 42 seconds east, along an east line of said Lot 30 I.T., a distance of 293.88 feet to a point of deflection; thence south 00 degrees 50 minutes 02 seconds east, along an east line of said Lot 30 I.T., a distance of 696.92 feet to a point; thence north 89 degrees 59 minutes 18 seconds east, along a north line of said Lot 30 I.T., a distance of 17.00 feet to a point; thence south 00 degrees 00 minutes 42 seconds east, along an east line of said Lot 30 I.T., a distance of 300.00 feet to a point; thence south 89 degrees 59 minutes 18 seconds west, along a south line of said Lot 30 I.T., a distance of 17.00 feet to a point; thence south 00 degrees 00 minutes 42 seconds east, along an east line of said Lot 30 I.T., a distance of 1353.12 feet to the southeast corner of said Lot 30 I.T.; thence north 89 degrees 38 minutes 49 seconds west, along the south line of said Lots 30 I.T. and 9 I.T., a distance of 2020.16 feet to the southwest corner of said Lot 9 I.T.; thence north 28 degrees 36 minutes 46 seconds west along the west lines of Lots 9 I.T., 16 I.T., 14 I.T., 18 I.T., 24 I.T., 21 I.T., and Lot 62 I.T., a distance of 6604.66 feet to a west corner of said Lot 62 I.T.; thence north 00 degrees 10 minutes 31 seconds west along a west line of said Lot 62 I.T., a distance of 64.78 feet to the northwest corner of said Lot 62 I.T.; thence north 89 degrees 49 minutes 23 seconds east along a north line of said Lot 62 I.T., a distance of 117.27 feet to a point of curvature; thence along a curve to the right having a radius of 350.00 feet, arc length of 274.61 feet, delta angle of 44 degrees 57 minutes 15 seconds, a chord bearing of south 67 degrees 42 minutes 00 seconds east along the north line of said Lot 62 I.T., and a chord length of 267.62 feet to a point of tangency; thence south 45 degrees 13 minutes 22 seconds east along a north line of said Lot 62 I.T., a distance of 348.97 feet to a point of curvature; thence along a curve to the left having a radius of 898.83 feet, arc length of 697.04 feet, delta angle of 44 degrees 25 minutes 57 seconds, a chord bearing of south 67 degrees 26 minutes 02 seconds east along a north line of said Lots 62 I.T. and 21 I.T., and a chord length of 679.70 feet to a point of tangency; thence south 89 degrees 39 minutes 00 seconds east, along a north line of said Lot 21 I.T., a distance of 43.29 feet to the northeast corner of said Lot 21 I.T.; thence north 79 degrees 07 minutes 00 seconds east, along a north line of said Lot 1 I.T., a distance of 87.27 feet to a point of deflection; thence south 89 degrees 39 minutes 00 seconds east, along a north line of said Lot 1 I.T., a distance of 1229.81 feet to the northeast corner of said Lot 1 I.T.; thence north 00 degrees 01 minutes 45 seconds west along the west line of said Lot 28 I.T., a distance of 33.00 feet to the north corner of said Section 25; thence south 89 degrees 38 minutes 45 seconds east along the north line of said Lot 28 I.T., a distance of 1287.04 feet to a northeast corner of said Lot 28 I.T.; thence south 00 degrees 01 minutes 45 seconds east along the east line of said Lot 28 I.T., a distance of 33.00 feet to the northwest corner of said Lot 27 I.T.; thence south 89 degrees 38 minutes 45 seconds east along the north line of said Lot 27 I.T., a distance of 1144.28 feet to a northeast corner of said Lot 27 I.T.; thence south 00 degrees 21 minutes 15 seconds west along an east line of said Lot 27 I.T., a distance of 17.00 feet to a north corner of said Lot 27 I.T.; thence south 89 degrees 38 minutes 45 seconds east, along a north line of said Lot 27 I.T., a distance of 150.00 feet to a northeast corner of said Lot 27 I.T., said point being the true point of beginning; said tract contains a calculated area of 18,383,764.39 square feet or 422.04 acres, more or less; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises 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 Wilderness Ridge, L.L.C., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption on the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for consumption on the premises only as an accessory use to the Wilderness Ridge Golf Course.

2. 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.

3. 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.

4. 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.

5. 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 Annette McRoy

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, DECEMBER 2, 2002 AT 1:30 P.M. FOR THE APPLICATION OF ST. PATRICK'S CHURCH TO CONDUCT A LOTTERY IN THE CITY OF LINCOLN FOR THE PERIOD OF JANUARY 15, 2003 TO MARCH 25, 2003 - CLERK requested a motion for approval:

CAMP Moved to approve the hearing date.

So moved.

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

REPORTS OF CITY OFFICERS

INVESTMENT OF FUNDS FOR NOVEMBER 12 THROUGH NOVEMBER 15, 2002 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81834 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 Coleen Seng

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

APPROVING DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNING ON SHORT TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED OCTOBER, 2002 - CLERK read the following resolution, introduced by Coleen Seng, who moved its

adoption:

A-81835 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

The during the month ended October 31, 2002, \$152,583.17 was earned from the 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 Coleen Seng

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

SETTING THE HEARING DATE OF MONDAY, DECEMBER 16, 2002, 10:00 A.M. ON THE BOARD OF EQUALIZATION SPECIAL ASSESSMENT GROUP I - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81836 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the City Clerk be and she is hereby instructed to give ten days notice by publication according to law that the City Council will, at a regular meeting to be held on the 9th day of December, 2002, at 1:30 P.M., assess the improvements in the following special assessment districts:

Water District No. 1181

Paving District No. 2621

Alley Paving District No. 359

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, December 16, 2002, at 10:00 a.m. with adjournment from day to day until said work of equalizing said assessments are completed.

Introduced by Coleen Seng

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

REPORT FROM CITY TREASURER OF TELECOMMUNICATION TAX FOR THE MONTH OF October, 2002: Global Crossing Telecommunications, Inc. AT&T Comm. Of Midwest, Tracfone Wireless, Inc., Qwest Communication Corp., Virgin Mobile USA, Onstar Corporation, Cricket Communications, Inc., Primus Telecommunications, Inc., Broadwing Telecommunications, ACN Communications Services, Inc., Touch America, Inc., Working Assets Funding Service, Inc., NPCR, Inc., D & D Communications, ATS Mobile Telephone Co., Inc. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

ORDINANCES - 1ST READING

DECLARING APPROXIMATELY 3,225 SQUARE FEET OF CITY OWNED PROPERTY GENERALLY LOCATED AT 9TH AND Q STREETS AS SURPLUS AND AUTHORIZING THE SALE THEREOF TO B & J PARTNERSHIP - CLERK read the following ordinance, introduced by Coleen Seng, declaring approximately 3,225 square feet of city owned property generally located at 9th and Q Streets as surplus and authorizing the sale thereof to B & J Partnership, the first time.

AMENDING SECTION 9.36.080 OF THE LINCOLN MUNICIPAL CODE TO ALLOW THE LINCOLN AIRPORT AUTHORITY TO DESIGNATE FLIGHT PATTERNS THAT ARE IN NEED OF CONTROL OF THE BIRD POPULATION FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE; AND TO ALLOW CITY RECOGNIZED HOMEOWNER ASSOCIATIONS TO USE NONLETHAL MEANS TO HELP REDUCE THE BIRD POPULATIONS WITHIN THE FLIGHT PATTERNS - CLERK read the following ordinance, introduced by Coleen Seng, amending Section 9.36.080 of the Lincoln Municipal Code to allow the Lincoln Airport Authority to designate flight patterns that are in need of control of the bird population for the protection of the public health, safety, and welfare; and to allow city recognized homeowner associations to use nonlethal means to help reduce the bird populations within the flight patterns, the first time.

ORDINANCES - 3RD READING

ACCEPTING AND APPROVING THE LEASE AGREEMENTS BETWEEN THE CITY AND NEBRASKA MACHINERY COMPANY FOR THE LEASE OF FOUR ARTICULATED FRAME FOUR-WHEEL

DRIVE MOTOR GRADERS FOR THE SNOW REMOVAL SEASON NOVEMBER 2002 THROUGH FEBRUARY 2003 WITH AN OPTION TO RENEW FOR TWO ADDITIONAL SNOW REMOVAL SEASONS, AND DECLARING AN EMERGENCY - CLERK read an ordinance, introduced by Annette McRoy, accepting and approving the lease agreements between the City and Nebraska Machinery Company for the lease of four articulated frame four-wheel drive motor graders for the snow removal season November 2002 through February 2003 with an option to renew for two additional snow removal seasons, and declaring an emergency, the third time.

MCROY Moved to pass 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 **#18093** is recorded in Ordinance Book No. 25, Page

VACATING A PORTION OF O'HANLON DRIVE, REQUESTED BY DON JOHNSON HOMES INC., DAVID AND SYDNEY RICHARDS, RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC., GENERALLY LOCATED ¼ MILE NORTH OF THE INTERSECTION OF S. 27TH STREET AND YANKEE HILL ROAD - CLERK read an ordinance, introduced by Glenn Friendt, vacating a portion of O'Hanlon Drive, requested by Don Johnson Homes Inc., David and Sydney Richards, Ridge Development Company and Southview, Inc., generally located 1/4 mile north of the intersection of S. 27th Street and Yankee Hill Road, the third time.

FRIENDT Moved to pass the 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 **#18094** is recorded in Ordinance Book No. 25, Page

CHANGE OF ZONE 3370 - APPLICATION OF CONNIE HEIER AND PATRICIA SLAUGHTER FOR A CHANGE OF ZONE FROM AG AGRICULTURE TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF S. 112TH STREET AND OLD CHENEY ROAD - CLERK read the following resolution, introduced by Glenn Friendt, Change of Zone 3370 - application of Connie Heier and Patricia Slaughter for a change of Zone from AG Agriculture to AGR Agricultural residential on property generally located at the southeast corner of S. 112th Street and Old Cheney Road, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance being numbered **#18095** is recorded in Ordinance Book No. 25, Page

CHANGE OF ZONE 3376 - APPLICATION OF RON AND ROSE MCMAHAN FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED 330 FEET NORTH OF WEST O STREET AND N.W. 14TH STREET - CLERK read an ordinance, introduced by Glenn Friendt, for Change of Zone 3376 - Application of Ron and Rose McMahan for a change of zone from R-2 Residential to H-3 Highway Commercial on property generally located 330 feet north of West O Street and N.W. 14th Street, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4422** & was placed on file in the Office of the City Clerk.

CHANGE OF ZONE 3380 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S. 79TH STREET AND PIONEERS BLVD. - CLERK read an ordinance, introduced by Glenn Friendt, for Change of Zone 3380 - Application of the Planning Director for a Change of Zone from B-2 Planned Neighborhood Business District to R-3 Residential on property generally located at S. 79th Street and Pioneers Blvd., the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance being numbered **#18096** is recorded in Ordinance Book No. 25, Page

CHANGE OF ZONE 3382 - AMENDING SECTIONS 27.63.130 AND 27.63.680 OF THE LINCOLN MUNICIPAL CODE ZONING ORDINANCE TO ALLOW THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES AT GOLF COURSES AND COUNTRY CLUBS AS AN ALLOWED ACCESSORY USE BY SPECIAL PERMIT - CLERK read an ordinance, introduced by Glenn Friendt, for Change of Zone 3382 - Amending Sections 27.63.130 and 27.63.680 of the Lincoln Municipal Code Zoning Ordinance to allow the sale of alcohol for consumption on the premises at golf courses and country clubs as an allowed accessory use by special permit,

the third time.

FRIENDT Moved to pass the ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance being numbered #18097 is recorded in Ordinance Book No. 25, Page

MISCELLANEOUS BUSINESS

PENDING -

CREATING PAVING DISTRICT 2623 IN N.W. 27TH STREET FROM APPROXIMATELY WEST O
STREET NORTH TO THE INTERSTATE BRIDGE AND ASSESSING THE COST THEREOF
AGAINST THE BENEFITTED PROPERTY:

WERNER Moved to withdraw the ordinance.
Seconded by Friendt & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance, having been **WITHDRAWN**, was assigned File #38-4383 & was placed
on file in the Office of the City Clerk.

CAMP Moved to extend the Pending List to December 2, 2002.
Seconded by Friendt & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

UPCOMING RESOLUTIONS -

ESTABLISHING A COMMITTEE TO DETERMINE THE CRITERIA FOR AN INDEPENDENT
EVALUATION FOR FUTURE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND
TO RECOMMEND A CONSULTANT:

WERNER Moved to place Bill No. 02R-290 on pending to have further
discussion in 2 weeks on 12/9/02.
Seconded by Seng & 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
December 2, 2002.
Seconded by Friendt & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

ADJOURNMENT

8:45 P.M.

CAMP Moved to adjourn the City Council meeting of November 25, 2002.
Seconded by Friendt & carried by the following vote: AYES: Camp,
Cook, Friendt, Seng, Svoboda; NAYS: None; ABSENT: Werner.
So ordered.

Joan E. Ross, City Clerk

Glenna S. Graupmann, Sr. Office Assistant

