

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 29, 2004 AT 5:30 P.M.**

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

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

READING OF THE MINUTES

SVOBODA Having been appointed to read the minutes of the City Council proceedings of November 15, 2004, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF GATEAU ENTERPRISES LLC, DBA GREEN GATEAU CAFÉ, TO EXPAND THEIR PRESENTLY LICENSED PREMISES BY THE ADDITION OF AN OUTDOOR AREA MEASURING APPROXIMATELY 33 FEET BY 10 FEET TO THE WEST OF THE PROPERTY LOCATED AT 330 S. 10TH STREET - Kelli Kurns, 12500 S. 25th Street, Roca, NE, took oak and came forward for approval.

This matter was taken under advisement.

MANAGER APPLICATION OF RENAE STROUGHTER FOR ERNIE'S FB, LLC, DBA ERNIE'S FAST BREAK, AT 7000 O STREET - Renae Stroughter, 6519 Havelock Avenue, took oath and came forward for approval.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH BETWEEN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE SANITARY SEWER CONSTRUCTION FUND, WATER CONSTRUCTION FUND, LANDFILL REVENUE FUND, AND STREET CONSTRUCTION/VEHICLE TAX FUNDS, WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT - Margaret Remmenga, Public Works & Utilities, came forward for approval.

This matter was taken under advisement.

VACATION 04011 - VACATING THE SOUTH 6.5 FEET OF THE P STREET RIGHT-OF-WAY ADJACENT TO THE FORMER SALVATION ARMY BUILDING AT 8TH AND P STREET AND THE WEST 15.5 FEET OF N. 8TH STREET ADJACENT TO THE SAME BUILDING COMPLEX - Kent Seacrest, Attorney, 1111 Lincoln Mall, Suite 350, came forward representing B & J Partnership for approval. Further discussion followed.

Craig Smith, with B & J Partnership, came forward for approval. Further discussion followed.

Larry Small, 6520 Rexford Drive, came forward and stated that he is on the Haymarket Development Board and has been involved with the Haymarket for many years. He stated he is in support of this vacation and is happy to see people invest into the Haymarket.

Ed Patterson, 2108 "Q" Street, came forward and stated that he is neither for nor against the vacation, but feels that the Haymarket needs more people living in the area.

Linda Hubka, 3169 Puritan Avenue, came forward on behalf of the Haymarket Farmers Market to express her concerns on the vendors point of view. They are concerned that if this passes they will be more limited on street space during their Farmers Market. Further discussion followed.

Mike Morosin, 2055 "S" Street, came forward and expressed his concerns. He stated that there will probably be problems if the Haymarket Farmers Market is expanded up in front of the Post Office.

Barbara Woodruif-Felker, 3015 Sewell Street, came forward and expressed her concerns. She stated that if this vacation passes then the streets would be so narrow that it would cause traffic to back up and it would make it difficult for deliveries to be made to the Haymarket area.

Dana Roper, City Attorney, came forward to answer questions of the Council. Further discussion followed.

Dallas McGee, Urban Development, came forward to answer questions of the Council. Further discussion followed.

Mr. Seacrest and Mr. Smith came forward for rebuttal. Further discussion followed.

This matter was taken under advisement.

HEARING ON D&A PROPERTIES, LLC'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF ARTERIAL STREET IMPACT FEES FOR A CHILD CARE FACILITY AT 8310 WENDALL WAY AND REQUESTING A WAIVER OF SAID FEES - Michaela Hansen, Public Works & Utilities, came forward to respond to the concerns that Mrs. Robinson had on this matter.

This matter was taken under advisement.

HEARING ON BRUBAKER RENTALS' NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF ARTERIAL STREET IMPACT FEES IMPOSED FOR THE MULTI-FAMILY DWELLING LOCATED AT 2300 B STREET AND REQUESTING A WAIVER OF SAID FEES - Jane Brubaker, 2829 N. 52nd Street, came forward for approval.

This matter was taken under advisement.

ASSESSING THE DEMOLITION AND UTILITY ABANDONMENT EXPENSE INCURRED BY THE CITY AGAINST THE PROPERTY COMMONLY KNOWN AS 1819 WASHINGTON STREET - Charles David Heffelbower, 1431 "D" Street, Apt. 4, came forward in opposition of the expenses that were assessed. Further discussion followed.

Mike Morosin, 2055 "S" Street, came forward and stated that he was offered the property of 1819 Washington Avenue to move his house onto. He stated that JAVA must have communication problems because they can not offer this property to him because Mr. Heffelbower still owns the property.

Dana Roper, City Attorney, came forward to answer questions of the Council. Further discussion followed.

Mr. Heffelbower came forward for rebuttal. Further discussion followed.

This matter was taken under advisement.

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2005 - Terry Bundy, with Lincoln Electric System, came forward for approval of the budget and discussed some relating items. Further discussion followed.

Keith Brown, Chief Financial Officer with LES, came forward for approval of their budget. Further discussion followed.

Craig Groat, 4935 Huntington Avenue, came forward and stated that the capital costs of a single family unit to install electricity run at \$7,021. Further discussion followed.

Ed Patterson, 2103 "Q" Street, came forward and asked the questions regarding the budget.

Mr. Bundy came forward for rebuttal and to address the concerns of Mr. Patterson. Further discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 04008 - APPROVING AND ADOPTING THE ANTELOPE VALLEY REDEVELOPMENT PLAN IN TWO ADJACENT AREAS BEING (1) NORTH OF DOWNTOWN, CONSISTING OF THE NORTH BOTTOMS NEIGHBORHOOD, GENERALLY BOUNDED BY SALT CREEK ON THE NORTH, BY THE BNSF RAILROAD TRACKS ON THE SOUTH, BY ANTELOPE CREEK ON THE EAST AND BY INTERSTATE I-180 ON THE WEST; AND (2) EAST OF DOWNTOWN, INCLUDING ALL OR PORTIONS OF THE CLINTON, MALONE/HAWLEY, DOWNTOWN, NEAR SOUTH AND WOODS PARK NEIGHBORHOODS, GENERALLY BOUNDED BY 17TH STREET ON THE WEST, 27TH STREET ON THE EAST, THE BNSF RAILROAD TRACKS ON THE NORTH, AND D AND E STREETS ON THE SOUTH - Kent Seacrest, Attorney, 1111 Lincoln Mall, Suite 350, and Wynn Hjermsstad, with Urban Development Department, came forward and spoke of the key elements of the neighborhood enhancement redevelopment project and of the strategies. Further discussion followed.

Delores Lintel, 5600 Cloudburst Lane, came forward in support.

Beth Thacker, 5300 Lowell Avenue, came forward in support.

Terry Uland, 4210 S. 37th Street, came forward in support.

Fernando Pages, owner of Brighton Construction Company, came forward in support.

Tim Thietje, 5420 S. 61st Street Court, came forward in support.

Betsy Kosier, 3401 Grimsby Lane, representing the East Downtown Subcommittee of the Antelope Valley Project and speaking on behalf of that group, came forward in support.

Bob Campbell, 3085 Stratford Avenue, came forward in support.

Tom Huston, Attorney, 233 S. 13th Street, came forward on behalf of a group from a private sector in support.

Bruce Bohrer, 1135 M Street, Suite 300, with Lincoln Chamber of Commerce, came forward in support.

Barbara Morley, 2108 "Q" Street, came forward and stated that she is neither for nor against this matter, but she does support revitalization. She also stated that she too was offered the property at 1819 Washington Avenue from the Antelope Valley Association to move her house to.

Ed Patterson, 2108 "Q" Street, came forward in opposition. Further discussion followed.

Mike Morosin, 2055 "S" Street, came forward in opposition.

Kevin Gilbert, 17707 S. 3rd Street, Martell, NE, came forward in opposition. Further discussion followed.

Wynn Hjermstad and Dallas McGee, both of the Urban Development Department, came forward to answer questions of the Council. Further discussion followed.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Avenue, came forward and stated that the sidewalks in his neighborhood need to be replaced. He feels that the quality is poor.

This matter was taken under advisement.

Mike Morosin, 2055 "S" Street, came forward and gave the Council a copy of a manuscript.

This matter was taken under advisement.

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

****TOOK BREAK 9:15 P.M.**

RECONVENED 9:25 P.M.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF GATEAU ENTERPRISES LLC, DBA GREEN GATEAU CAFÉ, TO EXPAND THEIR PRESENTLY LICENSED PREMISES BY THE ADDITION OF AN OUTDOOR AREA MEASURING APPROXIMATELY 33 FEET BY 10 FEET TO THE WEST OF THE PROPERTY LOCATED AT 330 S. 10TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83089 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Gateau Enterprises LLC dba Green Gateau Cafe to expand its licensed premises by the addition of an area measuring approximately 33 feet by 10 feet to the west of the presently licensed premises located at 330 S. 10th Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF RENAE STROUGHTER FOR ERNIE'S FB, LLC, DBA ERNIE'S FAST BREAK, AT 7000 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83090 WHEREAS, Ernie's FB, LLC, dba Ernie's Fast Break, located at 7000 "O" Street, Lincoln, Nebraska has been approved for a Retail Class "B" liquor license, and now requests that Renae Stroughter be named manager; WHEREAS, Renae Stroughter 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 Renae Stroughter be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

ORDINANCES - 2ND READING

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH BETWEEN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE SANITARY SEWER CONSTRUCTION FUND, WATER CONSTRUCTION FUND, LANDFILL REVENUE FUND, AND STREET CONSTRUCTION/VEHICLE TAX FUNDS, WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT - CLERK read an ordinance, introduced by Ken Svoboda, vacating the south 6.5 feet of P Street right-of-way adjacent to the former Salvation Army building at 8th and P Streets and the west 15.5 feet of N. 8th Street adjacent to the same building complex, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATION 04011 - VACATING THE SOUTH 6.5 FEET OF THE P STREET RIGHT-OF-WAY ADJACENT TO THE FORMER SALVATION ARMY BUILDING AT 8TH AND P STREET AND THE WEST 15.5 FEET OF N. 8TH STREET ADJACENT TO THE SAME BUILDING COMPLEX - CLERK read an ordinance, introduced by Ken Svoboda, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Sanitary Sewer Construction Fund, Water Construction Fund, Landfill Revenue Fund, and Street Construction/Vehicle Tax Funds, within the Public Works & Utilities Department, the second time.

RESOLUTIONS

HEARING ON D&A PROPERTIES, LLC'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF ARTERIAL STREET IMPACT FEES FOR A CHILD CARE FACILITY AT 8310 WENDALL WAY AND REQUESTING A WAIVER OF SAID FEES - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption for denial:

A-83091 WHEREAS, D&A Properties, LLC, hereinafter Appellant, is constructing a child daycare building located at 8310 Wendall Way; and WHEREAS, said building contains 8,800 sq. ft. of gross floor area as defined in Lincoln Municipal Code § 27.82.040; and WHEREAS, the Impact Fee Administrator calculated the arterial street impact fees for this use based upon the gross floor area using the arterial street impact fee schedule beginning January 1, 2004 for daycare center (\$2,702 per 1,000 sq. ft.); and WHEREAS, the Appellant filed its notice of appeal appealing the impact fee determination and requesting that the arterial street impact fees be waived or reduced as Appellant's use will be a valuable economic development for the City which will be lost as the cost of paying the impact fees will over-extend the financial abilities of the Appellant and that strict application of the impact fee ordinance's calculations under these circumstances work an unjust and undue burden on the Appellant; and WHEREAS, the City Council finds that the impact fee was correctly calculated and that there are no unusual circumstances of the development which demonstrate that the application of the fee to the development would be unfair or unjust as the requested waiver or reduction based upon economic hardship does not meet any of the stipulations or conditions required for reduction in or exemption from arterial street impact fees.

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

That the impact fee notice of appeal filed by D&A Properties, LLC on September 30, 2004 is hereby denied for the following reasons:

1. The impact fee ordinance requires the arterial street impact fee to be calculated based upon the gross floor area of the building.
2. Appellant's argument is no different than other users could make.
3. The arterial street impact fee schedule is based upon the ITE traffic generation manual. In the manual the most common characterization for uses is based upon gross floor area. The daycare center trip rate has been calculated based upon 61 traffic count studies nationwide for daycare center uses and accurately reflects the impact of the Appellant's proposed use.
4. The requested exemption does not meet any of the stipulations or conditions required for reduction or exemption from arterial street impact fees.

Introduced by Patte Newman

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

HEARING ON BRUBAKER RENTALS' NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF ARTERIAL STREET IMPACT FEES IMPOSED FOR THE MULTI-FAMILY DWELLING LOCATED AT 2300 B STREET AND REQUESTING A WAIVER OF SAID FEES - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption for denial:

A-83092 WHEREAS, Charles Brubaker dba Brubaker Rentals, hereinafter Appellant, is converting a building located at 2300 B Street from an apartment house with three dwellings into an apartment house with four dwellings; and

WHEREAS, when said building was purchased by Appellant in 1960 it contained four dwellings but was downsized in 1963 into three dwelling and has remained as an apartment house with three dwellings since 1963; and

WHEREAS, the Impact Fee Administrator calculated the arterial street impact fees for this use based upon the net increase in dwellings from three dwellings to four dwellings using the Arterial Street Impact Fee Schedule beginning January 1, 2004 for multi-family (\$903.00 per dwelling); and

WHEREAS, the Appellant filed its Notice of Appeal appealing the impact fee determination and requesting that the arterial street impact fees be waived or reduced as Appellant previously used the building as an apartment house with four dwelling units and received no reimbursement for downsizing the apartment house into three dwelling units in 1963 and that strict application of the impact fee ordinance's calculations under these circumstances work an unjust and undue burden on the Appellant; and

WHEREAS, the City Council finds that the impact fee was correctly calculated and that there are no unusual circumstances of the development which demonstrate that the application of the fee to the development would be unfair or unjust as the requested waiver or reduction based upon the prior use of the property from 1960 through 1963 as a multi-family dwelling with four dwellings does not meet any of the stipulations or conditions required for reduction in or exemption from arterial street impact fees.

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

That the impact fee notice of appeal filed by Charles Brubaker dba Brubaker Rentals on October 8, 2004 is hereby denied for the following reasons:

1. The impact fee ordinance requires the arterial street impact fee for this building to be calculated based upon the net increase in the number of dwellings from three dwellings to four dwellings.

2. The requested exemption does not meet any of the stipulations or conditions required for reduction or exemption from arterial street impact fees.

Introduced by Patte Newman

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

ASSESSING THE DEMOLITION AND UTILITY ABANDONMENT EXPENSE INCURRED BY THE CITY AGAINST THE PROPERTY COMMONLY KNOWN AS 1819 WASHINGTON STREET - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

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

The resolution, having **LOST**, was assigned the File #38-4492 & was placed on file in the Office of the City Clerk.

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2005 - PRIOR to reading: Confirmed Action Date of 12/13/04.

COMP. PLAN CONFORMANCE 04008 - APPROVING AND ADOPTING THE ANTELOPE VALLEY REDEVELOPMENT PLAN IN TWO ADJACENT AREAS BEING (1) NORTH OF DOWNTOWN, CONSISTING OF THE NORTH BOTTOMS NEIGHBORHOOD, GENERALLY BOUNDED BY SALT CREEK ON THE NORTH, BY THE BNSF RAILROAD TRACKS ON THE SOUTH, BY ANTELOPE CREEK ON THE EAST AND BY INTERSTATE I-180 ON THE WEST; AND (2) EAST OF DOWNTOWN, INCLUDING ALL OR PORTIONS OF THE CLINTON, MALONE/HAWLEY, DOWNTOWN, NEAR SOUTH AND WOODS PARK NEIGHBORHOODS, GENERALLY BOUNDED BY 17TH STREET ON THE WEST, 27TH STREET ON THE EAST, THE BNSF RAILROAD TRACKS ON THE NORTH, AND D AND E STREETS ON THE SOUTH - PRIOR to reading:

COOK Moved MTA#1, Paragraph 1 in the following manner: On page 6, line 8, after the word "Lincoln" insert the following language: , with the following modifications:

1. The boundaries of the East Downtown area of the Antelope Valley Area are modified to exclude the block from O to P Streets, 16th to 17th Streets, from the Plan.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, McRoy, Newman, Svoboda; NAYS: Werner; ABSENT: Friendt.
CAMP Moved MTA#2, Paragraph 2 in the following manner: On page 6, line 8, after the new inserted paragraph 1, the following language as paragraph 2:

2. All references in the Plan to changing P Street or Q Street to two-way streets are revised to retain P Street and Q Street as one-way streets.

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Newman, Svoboda; NAYS: McRoy, Werner; ABSENT: Friendt.
SVOBODA Moved to adopt the resolution as amended.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
CLERK Read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-83093 WHEREAS, the City's Urban Development Department has prepared the Antelope Valley Redevelopment Plan and the area identified in the plan for community redevelopment in general is depicted on the attached map "Antelope Valley Area" and includes: First, the area generally bounded by 17th Street on the west to 22nd Street on the east, and from "K" Street on the south to "S" Street on the north, sometimes referred to in the plan as the East Downtown and "O" Street Corridor area, which also includes the east entryway into Downtown Lincoln along the "O" Street Corridor from 17th Street to 27th Street; and Second, the balance of the area depicted in the map generally bounded in the segment north of the BNSF Railroad corridor by Interstate I-180 on the west and the new waterway on the east, and the BNSF Railroad on the south to Salt Creek on the north; generally bounded in the segment south of the BNSF Railroad corridor by 17th Street and the University of Nebraska n Lincoln on the west to 26th Street from the BNSF Railroad to N Street and then to 28th Street from N Street to Capitol Parkway on the east, and the BNSF Railroad on the north to E Street from 17th Street to 23rd Street and then to D Street between 23rd Street to Capitol Parkway on the south. This balance of the area depicted in the map is sometimes referred to in the plan as the "Neighborhoods" and includes all or parts of seven residential neighborhoods: North Bottoms, Clinton, Malone/Hawley, Woods Park, Near South and Downtown; and

WHEREAS, the City Council after consideration of the Antelope Valley Redevelopment Area Blight and Substandard Determination Study, determined that the area was blighted and substandard, declaring the same as both substandard and blighted on July 21, 2003 and directing the City's Department of Urban Development to proceed with the preparation of a redevelopment plan and associated projects; and

WHEREAS, the City Council adopted the 2025 Lincoln-Lancaster County Comprehensive Plan which incorporated the components of the Antelope Valley Major Investment Study: Amended Draft Single Package, City of Lincoln; May 1998, Updated November 1998 as a subarea plan of the Comprehensive Plan on May 28, 2002. Subarea plans offer greater details about the intended future of an area of the community including land uses, infrastructure requirements, and development policies and standards; and

WHEREAS, the Antelope Valley Redevelopment Plan identifies the following objectives which are consistent with the subarea plan of the 2025 Comprehensive Plan:

1. Support the development and conservation of livable neighborhoods;
2. Strengthen Downtown Lincoln and the University of Nebraska;
3. Provide direction for shaping infill development in East Downtown and the surrounding residential Neighborhoods; and
4. Leverage the public's large investment in the flood control and transportation improvements of the Antelope Valley Projects; and

WHEREAS, the Director of Urban Development has filed with the City Clerk the Antelope Valley Redevelopment Plan providing for undertakings in furtherance of the Plan as specified therein and authorized by the Nebraska Community Development Law, said plan is attached hereto and marked Attachment "A" and made a part hereof by reference. The Director of Urban Development has reviewed said plan and has found that the plan meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 1997 as amended); and

WHEREAS, on October 15, 2004 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the

public hearing to be held on October 27, 2004 before the Lincoln City - Lancaster County Planning Commission regarding the Antelope Valley Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, said proposed Antelope Valley Redevelopment Plan has been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendation, and said Planning Commission on October 27, 2004 found the plan to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on November 12, 2004 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on November 29, 2004 regarding the proposed Antelope Valley Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on November 5, 2004 and November 12, 2004 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on November 29, 2004 regarding the proposed Antelope Valley Redevelopment Plan, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on November 29, 2004 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed Antelope Valley Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed Antelope Valley Redevelopment Plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Antelope Valley Redevelopment Plan is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City which will promote general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the reoccurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That the Antelope Valley Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said plan is in conformity with the legislative declarations, and the determinations set forth in the Community Development Law.

3. That such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing. The elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

4. That the acquisitions by the City of real property, if any, as set forth in the Plan are necessary for implementation of said Projects and their purposes under the provisions of the Community Development Law. In addition, in connection with the Vine Street Redevelopment Project (Redevelopment Project A): 23rd to 24th Streets, "U" to Vine Streets--New Affordable Housing/First Time Homebuyer Project, the following property is hereby authorized for acquisition, including by condemnation, if necessary: Lots A, B, and C, Kelley's Subdivision, Lincoln, Lancaster County Nebraska; and Lots 4, 5, and 6, Block 3, Hawley's Addition, Lincoln, Lancaster County Nebraska.

5. That for projects utilizing funds authorized in Section 18-2147 of the Community Development Law, (a) the redevelopment activities provided for in the plan would not be economically feasible without the use of tax-increment financing, (b) the redevelopment activities would not occur in the community redevelopment area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the redevelopment activities all as more specifically set forth in the Plan as Redevelopment Activities and Estimated Expenditures.

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

That pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the Antelope Valley Redevelopment Plan attached hereto as Attachment "A" is hereby accepted and approved by the City Council as the governing body for the City of Lincoln, with the following modifications:

1. The boundaries of the East Downtown area of the Antelope Valley Area are modified to exclude the block from O to P Streets, 16th to 17th Streets, from the Plan.

2. All references in the Plan to changing P Street or Q Street to two-way streets are revised to retain P Street and Q Street as one-way streets.

BE IT FURTHER RESOLVED that the Urban Development Director or his authorized representative is hereby authorized and directed to take all steps necessary to implement the provisions of said Antelope Valley Redevelopment Plan.

Introduced by Ken Svoboda

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

SPECIAL PERMIT 1384E - APPLICATION OF MICHAEL AND CHRISENDA SMITH TO AMEND MARINA BAY COMMUNITY UNIT PLAN TO REDUCE THE REAR YARD SETBACK FROM 22.5 FEET TO 19 FEET TO ALLOW AN ENCLOSED PATIO AT 633 MARINA BAY PLACE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-83094 WHEREAS, Michael and Chrisenda Smith have submitted an application designated as Special Permit No. 1384E for authority to amend Marina Bay Community Unit Plan to reduce the rear yard setback from 22.5 feet to 19 feet to allow an enclosed patio at 633 Marina Bay Place, and legally described to wit:

Lot 1, Block 1, Marina Bay Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this reduction to the rear yard 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 Michael and Chrisenda Smith, hereinafter referred to as "Permittee", to amend Marina Bay Community Unit Plan to reduce the rear yard setback from 22.5 feet to 19 feet, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said enclosed patio within the community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a reduction in the rear yard setback for an enclosed patio as shown on the approved site plan.

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF MONDAY, DECEMBER 13, 2004 AT 1:30 PM FOR APPLICATION OF ALLEY INC DBA THE ALLEY FOR A CLASS C LIQUOR LICENSE LOCATED AT 1031 "M" STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83097 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 13, 2004, 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 Application of Alley Inc dba The Alley for a Class C Liquor License located at 1031 "M" Street.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MONDAY, DECEMBER 13, 2004 AT 1:30 PM FOR A MANAGER APPLICATION FOR PAUL R. TUTTLE OF BSWITCHED TWO INC DBA BISON WITCHES BAR & DELI LOCATED AT 1320 P STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83098 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 13, 2004, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for the Application of Paul R. Tuttle for Bswitched Two Inc dba Bison Witches Bar & Deli located at 1320 "P" Street.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MONDAY, DECEMBER 13, 2004 AT 1:30 PM FOR APPLICATION OF A & R FOOD COMPANY DBA EL SITIO FOR A CLASS I LIQUOR LICENSE LOCATED AT 2785 S 17TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83099 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 13, 2004, at 1:30 p.m. or as soon thereafter a possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for the Application of A & G Food Company dba El Sitio for a Class I Liquor License located at 2785 S. 17th Street.

Introduced by Jon Camp

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

REQUEST OF PUBLIC WORKS TO SET A PUBLIC HEARING DATE OF MONDAY, DECEMBER 20, 2004, AT 1:30 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

04-211 TO PROVIDE AUTHORITY TO CREATE A 6-INCH WATER MAIN IN SOUTH 14TH STREET, GARFIELD TO SUMNER AND ASSESS THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES.

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 04070 - Application submitted by Joe Hausmann, from AG Agricultural District to R-3 Residential District, on property located at SW 40th Street and West A Street.

Change of Zone 04076 - Application submitted by Pages LLC, for a landmark designation, on property located at 1941 K Street.

Change of Zone 04078 - Application submitted by the Rape/Spouse Abuse Crisis Center, for a landmark designation, on property located at 2541 N Street.

Special Permit 04061 - Application submitted by Sandstone Construction LLC, for an early childhood care facility, on property located at 2605 Fairfield Street.

Special Permit 04062 - Application submitted by Rape/Spouse Abuse Crisis Center, for non-profit office use, on property located at 2541 N Street.

Special Permit 04063 - Application submitted by Pages LLC, for office and residential use, on property located at 1941 K Street.

Special Permit 04064 - Application submitted by Chipotle Mexican Grill, for the authority to sell alcoholic beverages for consumption on the premises, on property located at S. 29th Street and Pine Lake Road.

Special Permit 04065 - Application submitted by Roger Patton, for the authority to sell alcoholic beverages for consumption on the premises, on property located at 4680 Leighton Avenue.

REPORT OF UNL MICROBIOLOGIST FOR WATER TESTING FOR THE MONTH OF OCTOBER, 2004 - CLERK presented said report which was placed on file in the Office of the City Clerk. (35-01)

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY THE CITY COUNCIL ON NOVEMBER 15, 2004 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS OCTOBER 29, 2004 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

INVESTMENT OF FUNDS FOR THE WEEK OF NOVEMBER 1 THRU NOVEMBER 12, 2004 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83095 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Jon Camp

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

INVESTMENT OF FUNDS FOR THE WEEK OF NOVEMBER 15 THRU NOVEMBER 19, 2004 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83096 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Jon Camp

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

REPORT FROM THE CITY TREASURER OF FRANCHISE TAX FROM AQUILA FOR THE MONTH OF OCTOBER, 2004 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

ORDINANCES - 1ST READING & ASSOCIATED RESOLUTIONS

(Resolutions listed hereunder advance to Public Hearing on 12/6/04)

APPROVING THREE FIVE-YEAR/5,000 HOUR LEASE AGREEMENTS BETWEEN THE CITY AND WASHINGTON COUNTY BANK FOR THREE ARTICULATED FOUR-WHEEL DRIVE WHEEL LOADERS FOR USE BY THE PUBLIC WORKS & UTILITIES STREET MAINTENANCE OPERATIONS IN CONSTRUCTION, MAINTENANCE, AND SNOW REMOVAL PROJECTS - CLERK read an ordinance, introduced by Jon Camp, accepting and approving three five-year/5,000 lease agreements between the City of Lincoln, Nebraska and Washington County Bank for three four-wheel drive articulated wheel loaders for use by the Department of Public Works & Utilities, the first time.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND DYNAMIC EDUCATIONAL SYSTEMS, INC. FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Jon Camp, accepting and approving a Sublease Agreement between the City of Lincoln and Dynamic Educational Systems, Inc. For a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of November 1, 2004 through October 31, 2005 whereby the City of Lincoln is subleasing space to Dynamic Educational Systems, Inc. At the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.

COZ 04071 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE TO REMOVE THE CONDITION THAT THE MAXIMUM LOT COVERAGE FOR CHURCHES SHALL NOT EXCEED 15% OF THE LOT AREA IN THE R-1 THROUGH R-7 RESIDENTIAL DISTRICTS EXCEPT BY SPECIAL PERMIT - CLERK read an ordinance, introduced by Jon Camp, amending Title 27 of the Lincoln Municipal Code by amending Sections 27.11.030, 27.11.040, 27.13.030, 27.13.040, 27.15.030, 27.15.040, 27.17.040, 27.19.030, 27.19.040, 27.21.030, 27.21.040, 27.23.030, and 27.23.040 to remove the condition that maximum lot coverage for churches shall not exceed 15% of the lot area in the R-1 through R-7 Residential Districts except by special permit, repealing Section 27.63.520 which allows a church to increase said maximum lot coverage by special permit; and repealing Sections 27.11.030, 27.11.040, 27.13.030, 27.13.040, 27.15.030, 27.15.040, 27.17.030, 27.17.040, 27.19.030, 27.19.040, 27.21.030, 27.21.040, 27.23.030, and 27.23.040 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 04073 - APPLICATION OF WHITEHEAD OIL COMPANY FOR A CHANGE OF ZONE FROM P PUBLIC USE TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF NORTH 33RD STREET AND SUPERIOR STREET - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

AMENDING CHAPTER 2.78 OF THE LINCOLN MUNICIPAL CODE TO AMEND MANAGEMENT COMPENSATION PLAN ESTABLISHED, MANAGEMENT COMPENSATION PLAN ANNUAL LEAVE, COMPENSATION PLAN VARIABLE MERIT PAY PLAN DSS & "M" PAY RANGES, AND MANAGEMENT COMPENSATION PLAN SICK LEAVE IN CONJUNCTION WITH THE PAY PLAN FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "M" - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 2.78 of the Lincoln Municipal Code relating to the Management Compensation Plan by amending Section 2.78.010 to add employees with a pay range prefixed by the letter "M" to be compensated under such plan; amending Section 2.78.020 to establish annual leave under the management compensation plan for employees with a pay range prefixed by the letter "M" and providing for vacation payout upon separation from city service; adding a new section numbered 2.78.025 to establish a variable merit pay plan for employees in classifications prefixed by the letters "DSS" and "M"; amending Section 2.78.030 to establish sick leave under the management compensation plan for employees with a pay range prefixed by the letter "M"; and repealing Sections 2.78.010, 2.78.020, and 2.78.030 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE TO DELETE REFERENCES AND PROVISIONS RELATING TO PAY RANGES PREFIXED BY THE LETTER "M" AND TO ADD LEAVE OF ABSENCE WITHOUT PAY PROVISIONS RELATING TO A REGULAR, CLASSIFIED EMPLOYEE WHO LEAVES HIS OR HER POSITION TO ACCEPT APPOINTMENT TO A POSITION WITH A PAY RANGE PREFIXED BY "DSS" AND THE STATUS OF THAT EMPLOYEE SHOULD HE OR SHE RETURN TO THE CLASSIFIED SERVICE - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 2.76 of the Lincoln Municipal Code relating to the City's Personnel System by amending Sections 2.76.155, 2.76.160, and 2.76.395 to delete references and provisions relating to pay ranges prefixed by the letter "M"; amending Section 2.76.400 to add leave of absence without pay provisions relating to a regular, classified employee who leaves his or her position to accept appointment to a position with a pay range prefixed by "DSS" and the status of the employee should he or she return to the classified service; and repealing Sections 2.76.155, 2.76.160, 2.76.395, and 2.76.400 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jon Camp, adopting pay schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "M"; and repealing Ordinance No. 18418, passed by the City Council on August 9, 2004, the first time.

ORDINANCES - 3RD READING

VACATION NO. 03023 - VACATING THE NORTH 10 FEET OF Q STREET RIGHT-OF-WAY ADJACENT TO LOTS 7, 8, AND 9, BLOCK 30, ORIGINAL PLAT OF LINCOLN, GENERALLY LOCATED AT 8TH AND Q STREETS - PRIOR to reading:

MCROY Moved to place the item on pending for 1 week.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

AMENDING ORDINANCE 18287 TO CORRECT THE LEGAL DESCRIPTION FOR CHANGE OF ZONE 3425 FROM P PUBLIC USE TO O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED ADJACENT TO THE HIGHLANDS GOLF COURSE AT N.W. 12TH STREET, NORTH OF W. HIGHLANDS BLVD.(IN CONNECTION W/04-206) - CLERK Read an ordinance, introduced by Patte Newman, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

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NEWMAN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
The ordinance, being numbered #18470, is recorded in Ordinance Book #25.

AMENDING ORDINANCE 18286 TO CORRECT THE LEGAL DESCRIPTION OF THE PROPERTY
DECLARED AS SURPLUS ON PROPERTY GENERALLY LOCATED ADJACENT TO THE
HIGHLANDS GOLF COURSE AT N.W. 12TH STREET, NORTH OF W. HIGHLANDS BLVD.
(IN CONNECTION W/04-204)- CLERK read an ordinance, introduced by Patte
Newman, amending Section 1 of Ordinance No. 18286, passed by the City
Council on January 5,2004, to correct the legal description of the
approximately five acres of City-owned property generally located
adjacent to the Highlands Golf Course at N.W. 12th Street, north of W.
Highlands Boulevard declared as surplus and authorized to be sold, the
third time.

NEWMAN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
The ordinance, being numbered #18471, is recorded in Ordinance Book #25.

AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE TO INCORPORATE THE TERM
SPECIAL WASTE INTO THE DEFINITION OF REFUSE, UPDATE DEFINITIONS, AND
CLARIFY WHO MUST BE LICENSED TO HAUL CERTAIN WASTE TO BETTER REFLECT
THE INTENT OF THE CODE - CLERK read an ordinance, introduced by Patte
Newman, amending Chapter 8.32 of the Lincoln Municipal Code to
incorporate the term special waste into the definition of refuse, update
definitions, and clarify who must be licensed to haul certain waste to
better reflect the intent of the code, the third time.

NEWMAN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
The ordinance, being numbered #18472, is recorded in Ordinance Book #25.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to remove Bill No. 04-186, 04-187, and 04R-269 from Pending
to have Public Hearing on 12/13/04.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

CAMP Moved to extend the Pending List to December 6, 2004.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman. Svoboda, Werner; NAYS: None; ABSENT: Friendt.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on
December 6, 2004.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

ADJOURNMENT 10:08 P.M.

CAMP Moved to adjourn the City Council meeting of November 29, 2004.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Friendt.
So ordered.

Joan E. Ross, CMC, City Clerk

Jamie Phillips, Senior Office Assistant