

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 7, 2005 AT 1:30 P.M.**

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

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

MCROY Having been appointed to read the minutes of the City Council proceedings of February 28, 2005, reported having done so, found same correct.

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

PUBLIC HEARING

ANNEXATION 04010 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 24.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET;

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND JANET H. BROER AND ERICH H. BROER OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 24.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET

CHANGE OF ZONE 04070 - APPLICATION OF JOEY HAUSMANN FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET - Mark Hunzeker, Pierson Fitchett Hunzeker Blake & Katt, 1045 Lincoln Mall, Suite 200, came forward representing Joey Hausmann, Hausmann Construction, asking for approval. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 05003 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY ADDING A SECTION TO CHAPTER 27.71, ADDITIONAL HEIGHT AND AREA REGULATIONS, TO REQUIRE THAT ALL OUTDOOR LIGHTING BE DESIGNED, INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE LIGHTING DESIGN STANDARDS ADOPTED BY THE CITY COUNCIL;

MISCELLANEOUS 05001 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS BY ADDING A NEW CHAPTER UNDER TITLE 3 ENTITLED OUTDOOR LIGHTING RELATING TO LIGHT TRESPASS FROM NON-RESIDENTIAL USES UPON RESIDENTIAL USES - Mike DeKalb, Planning Dept., stated that this was initiated by the neighborhoods to control the lighting from trespassing from the commercial properties onto the residential properties. This is for new construction and re-construction. Discussion followed.

Cathy Beecham, 2540 C Street, came forward as President of the Near South Neighborhood Association in favor of. Discussion followed.

Erik Hubl, 624 S. 5th Street, came forward representing the Hyde Observatory in favor of. Discussion followed.

Russell Miller, 311 S. 52nd Street, came forward representing the Lincoln Neighborhood Alliance in favor of. Discussion followed.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$25,000.00 FROM CONTINGENCY, MISCELLANEOUS OTHER SERVICES AND CHARGES, ACCOUNT 18001.5989 TO GENERAL EXPENSE, MISCELLANEOUS OTHER SERVICES AND CHARGES, ACCOUNT 18002.5989 FOR THE PAYMENT OF ONE-HALF OF THE AMOUNT DUE TO THE STATE FAIR BY APRIL 1, 2005 - Don Herz, Finance Director, stated that the other half is to be paid by Lancaster County to the State Fair although no formal action has been taken by the County as of this date. One more payment is due during this fiscal year. Discussion followed.

This matter was taken under advisement.

APPROVING A LEASE AGREEMENT BETWEEN THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE AMERICAN NATIONAL RED CROSS FOR THE LEASE OF SPACE FROM THE RED CROSS FOR STORAGE OF THE HAZMAT VEHICLE FOR A PERIOD FROM JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 - Nancy Clark, 3140 N St., Lincoln-Lancaster County Health Department, stated this vehicle needs to be stored in a facility where there is an energy source. (The vehicle must be plugged in.) This vehicle has been stored in this location for three years. Discussion followed.
This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF FEBRUARY 1 - 15, 2005 - Jon Camp, Council Member, questions why there were so many denials of claims for damages caused by the snow plows.
Dana Roper, City Attorney, stated that the City is not responsible for any damages from snow removal on the public right-of-way. Discussion followed.
This matter was taken under advisement.

WAIVER 05001 - APPLICATION OF LICOR, INC. TO WAIVE THE REQUIREMENT FOR THE INSTALLATION OF SIDEWALKS ALONG PROGRESSIVE AVENUE AND TO WAIVE THE REQUIREMENT FOR THE INSTALLATION OF STREET TREES ALONG N. 48TH STREET, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF N. 48TH STREET AND SUPERIOR STREET - Jeff Bennett, 2408 S. 15th Street, came forward to request the approval of the waiver.

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

MISCELLANEOUS BUSINESS - NONE

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING & ASSOCIATED RESOLUTIONS

ANNEXATION 04010 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 24.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET (IN CONNECTION W/ 05R-50, 05-25) - CLERK read an ordinance, introduced by Annette McRoy, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporation limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND JANET H. BROER AND ERICH H. BROER OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 24.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET. (IN CONNECTION W/05-24, 05-25)

CHANGE OF ZONE 04070 - APPLICATION OF JOEY HAUSMANN FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHEAST OF S.W. 40TH STREET AND WEST A STREET (IN CONNECTION W/ 05-24, 05R-50) - CLERK read an ordinance, introduced by Annette McRoy, 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 fo the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 05003 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY ADDING A SECTION TO CHAPTER 27.71, ADDITIONAL HEIGHT AND AREA REGULATIONS, TO REQUIRE THAT ALL OUTDOOR LIGHTING BE DESIGNED, INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE LIGHTING DESIGN STANDARDS ADOPTED BY THE CITY COUNCIL (IN CONNECTION W/05R-51) - CLERK read an ordinance, introduced by Annette McRoy, amending Chapter 27.71 of the Lincoln 27.71.165 to require that all outdoor lighting be designed, installed and maintained in accordance with all applicable lighting design standards adopted by the City Council, the second time.

MISCELLANEOUS 05001 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS BY ADDING A NEW CHAPTER UNDER TITLE 3 ENTITLED OUTDOOR LIGHTING RELATING TO LIGHT TRESPASS FROM NON-RESIDENTIAL USES UPON RESIDENTIAL USES. (IN CONNECTION W/05-26)

RESOLUTIONS

REAPPOINTING BARBARA A. RAMSEY AND JERI L. BRANDT TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION FOR TWO-YEAR TERMS EXPIRING JANUARY 1, 2007 AND MARCH 1, 2007, RESPECTIVELY - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83229 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Barbara A. Ramsey and Jeri L. Brandt to the Lincoln-Lancaster Women's Commission for two-year terms expiring January 1, 2007 and March 1, 2007, respectively, is hereby approved.

Introduced by Annette McRoy

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

APPOINTING MARCIA LOUISE MALONE, LORI VIDLAK, AND LESLIE K. DOYLE TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION FOR TERMS EXPIRING MARCH 1, 2006, MARCH 1, 2006, AND JANUARY 1, 2007, RESPECTIVELY - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83230 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Marcia Louise Malone, Lori Vidlak, and Leslie K. Doyle to the Lincoln-Lancaster Women's Commission for a two-year terms expiring March 1, 2006, March 1, 2006, and January 1, 2007, respectively, is hereby approved.

Introduced by Annette McRoy

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

REAPPOINTING ROBERT RIPLEY AND BRUCE HELWIG TO THE HISTORIC PRESERVATION COMMISSION FOR A THREE-YEAR TERM EXPIRING APRIL 15, 2008 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83231 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Robert Ripley and Bruce Helwig to the Historic Preservation Commission for a three-year term expiring April 15, 2008 is hereby approved.

Introduced Annette McRoy

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

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$25,000.00 FROM CONTINGENCY, MISCELLANEOUS OTHER SERVICES AND CHARGES, ACCOUNT 18001.5989 TO GENERAL EXPENSE, MISCELLANEOUS OTHER SERVICES AND CHARGES, ACCOUNT 18002.5989 FOR THE PAYMENT OF ONE-HALF OF THE AMOUNT DUE TO THE STATE FAIR BY APRIL 1, 2005 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83232 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That a transfer of appropriations in the amount of \$25,000.00 from Contingency, Miscellaneous Other Services and Charges, Account 18001.5989 to General Expense, Miscellaneous Other Services and Charges, Account 18002.5989, for the payment of one-half of the amount due to the State Fair by April 1, 2005, is hereby approved and the Finance Director is authorized to make such transfer upon passage of this resolution.

Introduced by Annette McRoy

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

APPROVING A LEASE AGREEMENT BETWEEN THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE AMERICAN NATIONAL RED CROSS FOR THE LEASE OF SPACE FROM THE RED CROSS FOR STORAGE OF THE HAZMAT VEHICLE FOR A PERIOD FROM JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83233 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Lease Agreement between the City and the American Red Cross, Lancaster County Chapter, for the lease of space for a one-year term located at 220 Oakcreek Drive for storage of the Hazmat Vehicle, 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 an original Agreement to the Health Department for transmittal to the American Red Cross.

Introduced by Annette McRoy

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, 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 FEBRUARY 1 - 15, 2005 - PRIOR to reading:

SVOBODA Moved to amend Bill No. 05R-47 on lines 20 and 21, the claim of MNB Insurance (Adam Dueland, Insured) in the amount of \$517.08 should be removed from the list of "Denied" claims. The claim of MNB Insurance (Adam Dueland, Insured) should be added to the list of "Allowed or Settled" claims in the amount of \$387.81.

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

CLERK Read the following resolution, introduced by Annette McRoy, who moved its adoption as amended:

A-83234 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated February 16, 2005, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED OR SETTLED</u>
Donald H. Frank		NAS*	Homes by Hart \$3,328.78
Gary Chunka	\$ 186.55		Sheryl Theriault 7,782.84
Vernon Scharton	159.43		Angela Wilborn 3,467.00
Mike Schneider	200.00		Jon Davis 2,322.32
Larry Warner	1,753.45		Larry Starr 1,874.29
Lyle Gruntorad		NAS*	Eric Hoffman 40.00
Jackson Quality Bilt Homes		NAS*	Kenneth Walton/Walton Construction 3,575.96
Norma E. Kamtz	520.61		Donald E. Brown 278.00
Kay Krivolavek		NAS*	Autumn Simpson 2,614.08
Bruce Tomey		NAS*	Martin Neary & Mary Kunes-Neary 344.69
MNB Insurance			MNB Insurance
(Adam Dueland, Insured)	517.08		(Adam Dueland, Insured) 387.81
Allied Insurance			
(Claim No. 26E42052)	4,277.30		
Farmers Insurance Group			
(Claim No. 099SUB1005955509-1)	5,231.68		
Underground Systems Construction	10,119.98		
*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.

WAIVER 05001 - APPLICATION OF LICOR, INC. TO WAIVE THE REQUIREMENT FOR THE INSTALLATION OF SIDEWALKS ALONG PROGRESSIVE AVENUE AND TO WAIVE THE REQUIREMENT FOR THE INSTALLATION OF STREET TREES ALONG N. 48TH STREET, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF N. 48TH STREET AND SUPERIOR STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83235 WHEREAS, Pierce Rentfro Industrial Plaza 1st Addition, generally located at the southwest corner of N. 48th Street and Superior Street, was previously approved by the City of Lincoln on December 3, 1993; and

WHEREAS, the conditions of approval of said Final Plat were the Subdivision Ordinance requirements that a sidewalk be constructed along Progressive Avenue and street trees be planted along N. 48th Street within four years of final plat approval (i.e. December 3, 1997); and

WHEREAS, LICOR, Inc. (Applicant) has failed to timely construct said

improvements and is requesting a waiver of the requirements for the installation of a sidewalk on Progressive Ave. abutting Lot 1, Pierce Rentfro Industrial Plaza 1st Addition, and planting of street trees on N. 48th Street, abutting Lots 2, 3, and 4, Pierce Rentfro Industrial Plaza 1st Addition, pursuant to § 26.31.010 of the Lincoln Municipal Code; and

WHEREAS, the Planning Commission has reviewed said request and has recommended that the waiver of the sidewalk installation be allowed and the waiver of the street trees be denied.

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

That the Applicant's request to waive the condition of approval of the Pierce Rentfro Industrial Plaza 1st Addition requiring the installation of a sidewalk on Progressive Ave., abutting Lot 1, Pierce Rentfro Industrial Plaza 1st Addition, is hereby approved.

BE IT FURTHER RESOLVED that the Applicant's request to waive the condition of approval of the Pierce Rentfro Industrial Plaza 1st Addition requiring the planting of street trees along N. 48th Street, abutting Lots 2, 3, and 4, Pierce Rentfro Industrial Plaza 1st Addition is hereby denied.

All other conditions for approval of the Pierce Rentfro Industrial Plaza 1st Addition shall remain in full force and effect.

Introduced by Annette McRoy

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MARCH 21, 2005 AT 1:30 P.M. FOR APP. OF DOUGHBOYZ INC. DBA DOUGHBOYZ BISTRO/SCRUMPY JACKS FOR A CLASS I LIQUOR LICENSE AT 5400 S. 56TH STREET, #185 & #195 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-83236 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 21, 2005 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 App. of DoughBoyz, Inc. Dba DoughBoyz Bistro/Scrumpy Jacks for a Class I liquor license at 5400 S. 56th Street, #185 & #195.

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

Introduced by Patte Newman

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

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPT.:

Change of Zone 05014 - App. of Near South Neighborhood Assn. from R-7, R-6, R-5 & R-4 Residential Dist. and B-3 Commercial Dist. to R-2 Residential Dist. and P Public Use District generally located from F Street to South Street, S. 13th Street to S. 27th Street.

Change of Zone 05011 - App. of The Schemmer Associates from R-3 Residential Dist. to B-2 Planned Neighborhood Business Dist. on property located at S. 84th St. and Old Cheney Road.

Change of Zone 05012 - App. of Brian Carstens for Christian Church in Nebraska, Wood Bridge Planned Unit Development for a church, 12,000 sq. ft. of office/medical office floor area & 58,200 sq. ft. of mini-storage floor area with requests to waive the preliminary plat process & allow lots without frontage onto a public street or private roadway on property located at Pine Lake Road & Helen Witt Drive.

Change of Zone 05013 - App. of Nebraska Dept. of Labor from O-1 Office Dist. to P Public Use Dist. on property located at the S.E. corner of S. 16th Street and K Street.

Change of Zone 05017 - App. of Robert & Victoria Rokeby, Larry Schmieding, Fieldstone Owners Assoc. and Lincoln Lodging, LLC from I-1 Industrial Dist. to R-4 Residential Dist. and from I-1 Industrial Dist. to H-3 Highway Commercial Dist. on property at N. 26th Street and Old Dairy Road.

Special Permit 1006F- App. of Brown Architecture and Design Co. to adjust the front yard setback for an extension of an attached garage on property at S. 70th Street and Forest Lake Blvd.

Special Permit 04069 - App. of Brian Carstens on behalf of Full House, LLC, Whitetail Run Community Unit Plan, for approximately 9 dwelling units with requests to waive sidewalks, street trees, street lighting, landscape screening, & block length on property at S.W. 14th Street and W. Bennet Road.

Special Permit 05002 - App. of Brian Carstens and Associates, Foreman Ridge Addition Community Unit Plan, for approximately 29 single family acreage dwelling units, with requests to waive the preliminary plat process,

sidewalks, street trees, street lighting, landscape screening, block length, storm water detention, sanitary sewer running opposite of street grade, lot to width ratios, and front and side yard setbacks on property at S.W. 12th Street and W. Denton Road.

Special Permit 05007 - App. of Hyangsoo Kim, for the authority to sell alcoholic beverages for consumption on the premises on property located at 700 S. 9th Street.

Special Permit 05008 - App. of Layne, LLC, West Van Dorn Acres Community Unit Plan, for approximately 9 single family lots with requests to waive sidewalks, street trees, street lighting, landscape screening, block length, and the preliminary plat process, on property located at S.W. 70th Street and W. Van Dorn Street.

Special Permit 05009 - App. of Boyce Construction, Inc., Fieldstone Center Community Unit Plan, for approximately 70 dwelling units on property located at N. 26th Street and Old Dairy Road.

Use Permit 05003 - App. of The Schemmer Assoc. for 6 lots, with requests to waive the preliminary plat process, front yard setback for parking, and required front yard for double frontage lots, on property located at S. 84th Street and Old Cheney Road.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON FEBRUARY 28, 2005 - CLERK presented said report which was placed on file in the Office of the City Clerk.

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR FEBRUARY 2005 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

THE CITY OF LINCOLN'S AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2003/2004 - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

INVESTMENT OF FUNDS FROM FEBRUARY 7 THRU FEBRUARY 18, 2005 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:
A-83237 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 Patte Newman

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

REPORT FROM CITY TREASURER OF FRANCHISE TAX FROM AQUILA FOR THE MONTH OF JANUARY 2005 - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF OCT. - DEC. 2004: IDT, TELENATIONAL, PNG, VOICE STREAM, FAST PHONES, ENHANCED, BUSINESS TELECOM., AMERICAN FARM BUREAU, GE BUSINESS PROD. SOLUTIONS, ACCESSLINE; NOV.- DEC. 2004: SHAFFER; NOV. 2004: NEBRASKA TECH.; DEC. 2004: MCI WORLDCOM, AT&T COMM. OF MIDWEST, CRICKET, SPRINT, CELLULAR ONE, ALLTEL NEBRASKA, ALLTEL COMM. OF NEBRASKA, ALLTEL SYSTEMS OF MIDWEST, NEBRASKA TECH. & TELECOMM., XO LONG DISTANCE, QWEST, VOICCOM, WINSTAR, CINCINNATI BELL ANY DISTANCE, PCN, NETIFICE, GLOBAL CROSSING, AIRNEX, PRIMUS, VIRGIN MOBILE USA, OPEX, VERIZON SELECT, INTELICAL, UCN, ONSTAR, WORKING ASSETS, TRANS NATIONAL, WHO'S CALLING, TALK AMERICA, MCLEODUSA, BELL ATLANTIC, NETWORK BILLING, GUARANTEED PHONE SERVICE, OCMC, T-NETIX, TRACFONE WIRELESS, USCOC OF GREATER IOWA, CIII, QUANTUM SHIFT, STAR NUMBER, KDDI AMERICA, IBM GLOBAL; JANUARY 2005: SPRINT SPECTRUM, CELLULAR ONE, NEXTEL, ALLTEL COMM. OF NEBRASKA, ALLTEL SYSTEMS OF THE MIDWEST, SPRINT, MCI WORLDCOM, NORSTAN NETWORK, SOUTHWESTERN BELL, NEXTEL WEST, ACCERIS, TRI-M, NOS, GTC, GLOBALCOM, LDMI, ZONE TELECOM., EXCEL, NOSVA LTD., ATS MOBILE, VARTEC, LIGHTYEAR NETWORK, ASSOCIATION ADM., AFFINITY NETWORK - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

ORDINANCES - 1ST READING

AMENDING SECTION 19.04.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LINCOLN FIRE CODE PERMITS AND PERMIT FEES TO REQUIRE PERMITS FOR THE INSTALLATION OF FIRE ALARMS AND DETECTION SYSTEMS AND ESTABLISHING PERMIT FEES FOR SUCH PERMITS - CLERK read an ordinance, introduced by Patte Newman, amending Section 19.03.100 of the Lincoln Municipal Code relating to the Lincoln Fire Code permits and Permit Fees to require permits for the installation of fire alarms systems and establishing permit fees; and repealing Section 19.03.100 of the Lincoln Municipal Code as hitherto existing, the first time.

ORDINANCES - 3RD READING & ASSOCIATED RESOLUTIONS

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION STORM SEWER REFUNDING BONDS IN AN AMOUNT NOT EXCEEDING \$7,000,000.00 - CLERK read an ordinance, introduced by Glenn Friendt, authorizing and providing for the issuance of General Obligation Storm Sewer Refunding Bonds in an amount not exceeding \$7,000,000.00, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered #18508, is recorded in Ordinance Book 202, Page

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE, 2004 AND DECEMBER 2004 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Glenn Friendt, adopting the supplements to the Lincoln Municipal Code dated June, 2004; and December 2004 as part of the official Lincoln Municipal Code, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered #18509, is recorded in Ordinance Book 202, Page

AMENDING CHAPTER 2.24 OF THE LINCOLN MUNICIPAL CODE TO ADD A NEW SECTION NUMBERED 2.24.090 AUTHORIZING THE LAW DEPARTMENT AND RISK MANAGEMENT TO INVESTIGATE ALL CLAIMS FILED AGAINST THE CITY AND TO ADJUST, COMPROMISE AND SETTLE ALL CLAIMS WHEREIN THE PAYMENT TO ANY INDIVIDUAL IS NOT IN EXCESS OF \$25,000.00 - CLERK read an ordinance, introduced by Glenn Friendt, amending Chapter 2.24 of the Lincoln Municipal Code relating to the Law Department to add a new section numbered 2.24.090 authorizing the Law Department and Risk Management to investigate all claims filed against the City and to adjust, compromise and settle all claims wherein the payment to any individual is not in excess of \$25,000.00, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered #18510, is recorded in Ordinance Book 202, Page

CHANGE OF ZONE 05001 - APPLICATION OF GUY LAMMLE FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT LAMMLE CIRCLE AND GLENEAGLE COURT - CLERK read an ordinance, introduced by Glenn Friendt, 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.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered #18511, is recorded in Ordinance Book 202, Page

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to March 14, 2005.

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

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UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on
March 14, 2005.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook,
Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ADJOURNMENT 2:11 P.M.

CAMP Moved to adjourn the City Council meeting of March 7, 2005.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
So ordered.

Joan E. Ross, CMC, City Clerk

Judy Roscoe, Senior Office Assistant