

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, MAY 9, 2005 AT 1:30 P.M.**

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

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

**MAYORS AWARD OF EXCELLENCE**

Mayor Seng came forward to present the Mayor's Award of Excellence for the month of April. The award was presented to Officer Mark Fluitt with the Lincoln Police Department in the category of Productivity.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of May 2, 2005, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPROVING A CONTRACT BETWEEN THE CITY AND DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A MID-WEEK PUBLIC MARKET IN THE AREA LOCATED AT 12TH STREET FROM Q TO R STREET AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 7, 2005 THROUGH JUNE 28, 2005 - Ron Cane, Urban Development Department, came forward to help answer any questions of the Council. This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND BURLINGTON NORTHERN SANTA FE RAILWAY FOR FUNDING OF AN OVERPASS IN SOUTHWEST 40TH STREET OVER THE EXISTING BNSF RAILROAD TRACKS;

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR FUNDING CONSTRUCTION OF A VIADUCT IN SOUTHWEST 40TH STREET OVER THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS - Bill Peters, with BNSF Railway, no address given, came forward to help answer questions of the Council.

Danny Walker, 427 "E" Street, came forward to express his concerns regarding this matter and regarding the Salt Creek Levee Connector for the bike trails at 1<sup>st</sup> and "J" Street and the access road west of 1<sup>st</sup> Street. He also asked the Council if an environmental impact study would be done on that area.

Roger Figard, Public Works & Utilities, came forward to help answer questions of the Council and of Mr. Walker. Further discussion followed.

This matter was taken under advisement.

APPROVING A LABOR AGREEMENT BETWEEN THE CITY AND NAGE, LOCAL R9-38, FOR THE PERIOD OF AUGUST 11, 2005 THROUGH AUGUST 31, 2008 - Jeff Stump, President of Nage, came forward for approval.

This matter was taken under advisement.

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

**MISCELLANEOUS BUSINESS**

Danny Walker, 427 "E" Street, came forward and expressed his concerns regarding Hobbyist Permits. He stated that he submitted some information to the City Council regarding this matter a couple of months ago and would like to know what is being done. Further discussion followed.

This matter was taken under advisement.

Glenn Cekal, 1420 "C" Street, came forward and expressed his concerns regarding several issues such as the following: hobbyist permits, neighborhoods, patrolled areas, yards, and the open mike session.

This matter was taken under advisement.

## COUNCIL ACTION

### LIQUOR RESOLUTIONS

APPLICATION OF KEN'S LIQUOR INC. FOR A SPECIAL DESIGNATED LICENSE FOR AN OUTSIDE AREA MEASURING APPROXIMATELY 100 FEET BY 100 FEET IN THE PARKING LOT OF BBQ4U AT 1145 NORTH 47TH STREET ON MAY 21, 2005 FROM 11:00 A.M. TO 10:00 P.M. WITH A RAIN DATE OF JUNE 11, 2005 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-83313 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 Ken's Liquor, Inc. for a Special Designated License to cover an area measuring approximately 100 feet by 100 feet in the parking lot of BBQ4U at 1145 North 47th Street, Lincoln, Nebraska, on the 21st day of May, 2005, between the hours of 11:00 a.m. and 10:00 p.m., with a rain date of July 11, 2005, be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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

Introduced by Glenn Friendt

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

### ORDINANCES - 2<sup>ND</sup> READING

AMENDING ORDINANCE NO. 18493 PASSED BY THE CITY COUNCIL ON JANUARY 31, 2005 TO CORRECT THE LEGAL DESCRIPTION FOR THE VACATION OF NORTH 44TH STREET AND TO PROVIDE A BETTER LEGAL DESCRIPTION FOR THE VACATION OF LEIGHTON AVENUE NORTH 43RD STREET AND NORTH 44TH STREET AND BLOCKS 40 AND 41, PITCHER & BALDWIN'S 2ND ADDITION TO UNIVERSITY PLACE, AND BLOCK 116, UNIVERSITY PLACE - CLERK read an ordinance, introduced by Jon Camp, amending Ordinance 18493 passed by the City Council of the city of City of Lincoln, Nebraska on January 31, 2005, vacating a portion G.M. Barnes Subdivision, Pitcher and Baldwin's Second Addition to University Place, and University Place Addition located within the UNL East Campus and vacating portions of Leighton Avenue, North 40<sup>th</sup> Street, North 41<sup>st</sup> Street, North 42<sup>nd</sup> Street, North 43<sup>rd</sup> Street, North 44<sup>th</sup> Street, and Walker Avenue, generally located between North 33<sup>rd</sup> Street and North 45<sup>th</sup> Street and between Leighton Avenue and Huntington Avenue, Lincoln, Lancaster County, Nebraska, and retaining title thereto in the City of Lincoln, Nebraska, the second time.

APPROVING A CONTRACT BETWEEN THE CITY AND DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A MID-WEEK PUBLIC MARKET IN THE AREA LOCATED AT 12TH STREET FROM Q TO R STREET AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 7, 2005 THROUGH JUNE 28, 2005 - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Contract between the City of Lincoln, Nebraska and Downtown Lincoln Association for establishment and regulation of a Tuesday public market in the Marketplace area, 12<sup>th</sup> Street from Q to R Streets and R Street from 12<sup>th</sup> to 13<sup>th</sup> Streets, from June 7, 2005 through June 28, 2005, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

RESOLUTIONS

APPROVING AN AGREEMENT BETWEEN THE CITY AND BURLINGTON NORTHERN SANTA FE RAILWAY FOR FUNDING OF AN OVERPASS IN SOUTHWEST 40TH STREET OVER THE EXISTING BNSF RAILROAD TRACKS - CLERK read the following resolution, introduced by Jon Camp, due to his absence, Glenn Friendt moved its adoption:

A-83314 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the Burlington Northern Santa Fe Railway for funding the construction of an overpass in S.W. 40th Street over the Burlington Northern Santa Fe railroad tracks, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Department of Public Works, for transmittal to the Burlington Northern Santa Fe Railroad.

Introduced by Jon Camp

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR FUNDING CONSTRUCTION OF A VIADUCT IN SOUTHWEST 40TH STREET OVER THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS - CLERK read the following resolution, introduced by Jon Camp, due to his absence, Annette McRoy moved its adoption:

A-83315 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Interlocal Agreement between the City of Lincoln and the Lincoln-Lancaster County Railroad Transportation Safety District for funding the construction of a viaduct in S.W. 40th Street over the Burlington Northern Santa Fe railroad tracks, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Department of Public Works, for transmittal to the Railroad Transportation Safety District.

Introduced by Jon Camp

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND LANCASTER COUNTY FOR THE HOUSING OF CITY OFFENDERS IN THE COUNTY CORRECTIONAL FACILITIES FOR A ONE-YEAR PERIOD EXPIRING JUNE 30, 2006 - CLERK read the following resolution, introduced by Jon Camp, due to his absence, Glenn Friendt moved its approval:

A-83316 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City of Lincoln and the County of Lancaster relating to the transport and housing of City offenders in County correctional facilities, a copy of which is attached hereto, marked as Attachment "A" and made a part hereof by reference, is hereby approved and the Mayor is authorized to execute said revised Interlocal Agreement on behalf of the City.

The City Clerk is directed to transmit the executed copies of said revised Interlocal Agreement to Trish Owen, Lancaster County Clerk's Office, for execution by the County.

Introduced by Jon Camp

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

APPROVING A LABOR AGREEMENT BETWEEN THE CITY AND NAGE, LOCAL R9-38, FOR THE PERIOD OF AUGUST 11, 2005 THROUGH AUGUST 31, 2008 - CLERK read the following resolution, introduced by Jon Camp, due to his absence, Annette McRoy moved its approval:

A-83317 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached labor agreement between the City of Lincoln and the National Association of Government Employees (NAGE), for the period of August 11, 2005 through August 31, 2008, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jon Camp

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

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SETTING THE HEARING DATE OF MONDAY, MAY 23, 2005 AT 1:30 P.M. ON THE MANAGER APPLICATION OF TYLER VANDERZEE FOR MICKEY'S IRISH PUB AND GRILL LOCATED AT 1550 S. CODDINGTON AVENUE - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-83318 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 23, 2005, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, NE, for the Manager Application of Tyler Vanderzee for Mickey's Irish Pub and Grill located at 1550 S. Coddington Avenue.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, MAY 23, 2005 AT 1:30 P.M. ON THE APPLICATION OF THE NOODLE SHOP CO - COLORADO INC DBA NOODLES & COMPANY FOR A CLASS J LIQUOR LICENSE LOCATED AT 2801 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-83319 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 23, 2005, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, NE, for the Application of The Noodle Shop Co - Colorado Inc dba Noodles & Company for a Class I Liquor License located at 2801 Pine Lake Road.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MAY 23, 2005 AT 5:30 P.M. FOR A MANAGER APPLICATION OF RYAN K. HAUNSCHILD FOR CEC ENTERTAINMENT INC DBA CHUCK E. CHEESE'S LOCATED AT 221 N. 66<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-83320 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is set for Monday, May 23, 2005, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, NE, for the Manager Application of Ryan K. Haunschuld for CEC Entertainment Inc dba Chuck E. Cheese's located at 221 N. 66<sup>th</sup> Street.

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MAY 23, 2005 AT 5:30 P.M. FOR A MANGER APPLICATION OF JEFFREY D. DODGE FOR RAMOS PIZZA INC DBA RAMOS PIZZA PUB & BUSTER'S BBQ LOCATED AT 2435 S. 48<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-83321 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 23, 2005, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, NE, for the Manager Application of Jeffrey D. Dodge for Ramos Pizza Inc. dba Ramos Pizza Pub & Buster's BBQ located at 2435 S. 48<sup>th</sup> Street.

Introduced by Jonathan Cook

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

**PETITIONS & COMMUNICATIONS**

REQUEST OF WILL PROUT, PRESIDENT OF BIG JOHN'S BILLIARDS INC, TO CLOSE FOR 3 MONTHS UNDER A "HARDSHIP STATUS" GRANTED BY THE NEBRASKA LIQUOR CONTROL COMMISSION - CLERK presented said report which was placed on file in the Office of the City Clerk.

**REPORTS OF CITY OFFICERS**

ASSESSING SPECIAL TAXES FOR THE COSTS OF THE IMPROVEMENTS IN THE NORTH 27<sup>TH</sup> STREET IMPROVEMENT MAINTENANCE DISTRICT - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:  
A-83322 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

That special taxes assessed April 25, 2005, to pay the costs of the improvements in the North 27<sup>th</sup> Street Maintenance Business Improvement District are hereby levied and shall bear interest at 6.25% and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Jonathan Cook

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY THE CITY COUNCIL ON MAY 2, 2005 - CLERK presented the said report which was placed on file in the Office of the City Clerk.

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

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

REPORT FROM CITY TREASURER TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF JANUARY THRU MARCH, 2005: TRINSIC COMM INC, AMERIVISION COMM INC, SHAFFER COMM INC; FEBRUARY, 2005: NEW CINGULAR WIRELESS, CRICKET COMM, NE TECHNOLOGY & TELCOMM, AT&T COMM, USCOC OF GREATER IOWA, ALLTEL COMM, ALLTEL SYSTEMS OF THE MIDWEST, WORKING ASSETS FUNDING SERVICE, NORSTAR NETWORK SERVICES, CIII COMM OPERATIONS, INTELLICALL OPERATOR SERVICES, UCN INC, VIRGIN MOBILE USA, TELECORP COMM, VERIZON SELECT SERVICES, TRANS NATIONAL COMM INTERNATIONAL INC, MCLEODUSA TELECOMM SERVICES, XO COMM SERVICES, PRIMUS TELECOMM, ONE CALL COMM, USA INC, BELL-ATLANTIC COMM, ONSTAR CORPORATION, ACN COMM SERVICES, VOICECOM TELECOMM, GLOBAL CROSSING TELECOMM, LIBERTY WIRELESS, TRACFONE WIRELESS, CINCINNATI BELL ANY DISTANCE, QWEST COMM CORPORATION, QUANTUM SHIFT COMM, IBM GLOBAL SERVICES, T-NETIX TELECOM SERVICES, KDDI AMERICAN INC; AND MARCH, 2005: CELLULAR ONE, MCI WORLDCOM NETWORK SERVICES, SPRINT COMM, SPRINT SPECTRUM, NEXTEL PARTNERS, ALLTEL COMM, SOUTHWESTERN BELL COMM SERVICES, TRI-M COMM, WHO'S CALLING INC, TOUCH 1 COMM, LDMI TELECOMM, GTC TELECOM, NOS COMM, GLOBALCOM INC, ASSOCIATION ADMINISTRATORS, ZONE TELECOM INC, ACCERIS COMM CORP, LIGHTYEAR NETWORK SOLUTIONS, AFFINITY NETWORK INC, VARTEC TELECOM INC, EXCEL TELECOMM, NOSVA LIMITED PARTNERSHIP, ATS MOBILE TELEPHONE CO - CLERK presented the said report which was placed on file in the Office of the City Clerk.

**ORDINANCES - 1<sup>ST</sup> READING**

APPROVING A ONE YEAR/200 HOUR LEASE WITH OPTION TO RENEW FOR THREE ONE-YEAR PERIODS BETWEEN THE CITY AND PLATTE VALLEY EQUIPMENT COMPANY TO PROVIDE A MECHANICAL FRONT WHEEL DRIVE TRACTOR TO MOW LARGE OPEN AREAS AND DISK NON-VEGETATED AREA AT BLUFF ROAD AND N. 48TH STREET LANDFILLS - CLERK read the ordinance, introduced by Jonathan Cook, accepting and approving a one-year/200 hour lease agreement between the City of Lincoln, Nebraska and Platte Valley Equipment Company for a 115 PTO Horsepower Class, Mechanical Front-wheel Tractor for use by the Department of Public Works & Utilities, the first time.

ORDINANCES - 3<sup>RD</sup> READING

CHANGE OF ZONE 04062 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY ADDING A NEW SECTION NUMBERED 27.03.053 TO PROVIDE A DEFINITION FOR "ALTERNATIVE TO IMPRISONMENT FACILITY"; BY ADDING A NEW SECTION NUMBERED 27.03.153 TO PROVIDE A DEFINITION FOR "CHILDREN'S HOME"; BY ADDING A NEW SECTION NUMBERED 27.03.165 TO PROVIDE A DEFINITION FOR DISABILITY OR HANDICAP; AMENDING SECTION 27.03.300 TO REVISE THE DEFINITION OF "GROUP HOME"; BY AMENDING SECTION 27.03.310 TO REVISE THE DEFINITION OF "HEALTH CARE FACILITY"; BY AMENDING SECTIONS 27.09.040, 27.11.040, 27.13.040, 27.15.040, 27.17.040, 27.19.040, 27.21.040, 27.23.040, AND 27.24.040 TO ALLOW ALTERNATIVE TO IMPRISONMENT FACILITIES AND CHILDREN'S HOMES AS PERMITTED SPECIAL USES IN THE AGR AND R-1 THROUGH R-8 RESIDENTIAL DISTRICTS; BY ADDING A NEW SECTION NUMBERED 27.63.750 TO ADD ALTERNATIVE TO IMPRISONMENT FACILITY AS A PERMITTED SPECIAL USE; AND BY ADDING A NEW SECTION NUMBERED 27.63.760 TO ADD CHILDREN'S HOMES AS A PERMITTED SPECIAL USE (IN CONNECTION W/05-48) - CLERK read an ordinance, introduced by Ken Svoboda, amending Title 27 of the Lincoln Municipal Code relating to Zoning by adding a new section numbered 27.03.053 to provide a definition for "alternative to imprisonment facility"; by adding a new section numbered 27.03.153 to provide a definition for "children's home"; by adding a new section numbered 27.03.165 to provide a definition for disability or handicap; amending Section 27.03.300 to revise the definition of "group home"; by amending Section 27.03.310 to revise the definition of "health care facility"; by amending Sections 27.09.040, 27.11.040, 27.13.040, 27.15.040, 27.17.040, 27.19.040, 27.21.040, 27.23.040, and 27.24.040 to allow alternative to imprisonment facility as a permitted special use; by adding a new section numbered 27.63.760 to add children's homes as a permitted special use; and repealing Sections 27.03.300, 27.03.310, 27.09.040, 27.11.040, 27.13.040, 27.15.040, 27.17.040, 27.19.040, 27.21.040, 27.23.040, and 27.24.040 of the Lincoln Municipal Code as hitherto existing, the third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18535**, is recorded in Ordinance Book #25.

MISC. 05008 - AMENDING TITLE 1 OF THE LINCOLN MUNICIPAL CODE TO CREATE A NEW CHAPTER 1.28, REASONABLE ACCOMMODATION, RELATING TO PERSONS WITH DISABILITIES OR HANDICAPS SEEKING EQUAL ACCESS TO HOUSING UNDER THE REHABILITATION ACT, THE AMERICANS WITH DISABILITIES ACT, THE FEDERAL FAIR HOUSING AMENDMENTS ACT AND THE NEBRASKA FAIR HOUSING ACT (IN CONNECTION W/05-47) - CLERK read an ordinance, introduced by Ken Svoboda, amending Title 1 of the Lincoln Municipal Code to create a new Chapter 1.28, Reasonable Accommodation, the third time.

FRIENDT Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18536**, is recorded in Ordinance Book #25.

CHANGE OF ZONE 05023 - APPLICATION OF RICHARD EVANS FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 64TH AND ORCHARD STREETS - CLERK read an ordinance, introduced by Ken Svoboda, 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.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18537**, is recorded in Ordinance Book #25.

MISCELLANEOUS BUSINESS

PENDING -

COOK            Moved to extend the Pending List to May 16, 2005.  
                  Seconded by Friendt & carried by the following vote: AYES: Cook,  
                  Friendt, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp, Werner.

UPCOMING RESOLUTIONS -

COOK            Moved to approve the resolutions to have Public Hearing on  
                  May 16, 2005.  
                  Seconded by Friendt & carried by the following vote: AYES: Cook,  
                  Friendt, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp, Werner.

ADJOURNMENT 2:45 P.M.

COOK            Moved to adjourn the City Council meeting of May 9, 2005.  
                  Seconded by Friendt & carried by the following vote: AYES: Cook,  
                  Friendt, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp, Werner.  
                  So ordered.

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Joan E. Ross, CMC, City Clerk

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Jamie Phillips, Senior Office Assistant

