

THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JULY 25, 2005 AT 5:30 P.M.

The Meeting was called to order at 5:30 p.m. Present: Council Chair Svoboda; Council Members: Camp, Cook, Eschliman, McRoy, Newman; City Clerk, Joan E. Ross; Absent: Marvin.

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

READING OF THE MINUTES

Camp Having been appointed to read the minutes of the City Council proceedings of July 18, 2005, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF ALLEN ENTERPRISES INC. DBA EARLS TAVERN FOR AN ADDITION OF AN OUTSIDE BEER GARDEN MEASURING APPROXIMATELY 20' BY 24' ON THE SOUTH SIDE OF THE BUILDING AT 5555 SUPERIOR STREET - Earl Allen, 5725 Aylesworth, took oath and came forward to answer questions.

This matter was taken under advisement.

ANNEXATION 04001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 77 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET;

APPROVING THE STONE BRIDGE CREEK 1ST CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND STONE BRIDGE CREEK, LLC, RELATING TO THE ANNEXATION OF APPROXIMATELY 77 ACRES, GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET;

CHANGE OF ZONE 04007 - APPLICATION OF STONE BRIDGE CREEK LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND R-5 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET - Bob Lewis, representing Stone Bridge Creek, LLC, came forward to answer questions. Discussion followed.

Ray Hill, Planning Dept. came forward to answer questions. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 05044 - APPLICATION OF URBAN DEVELOPMENT DEPARTMENT FOR A CHANGE OF ZONE FROM B-3 COMMERCIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT, ON PROPERTY APPROXIMATELY TWO BLOCKS WITHIN THE UNIVERSITY PLACE NEIGHBORHOOD GENERALLY LOCATED BETWEEN CLEVELAND AND BALDWIN AVENUES, ON THE WEST SIDE OF 47TH STREET - Wynn Hjerstad, Urban Development, came forward to explain the process followed for this application.

Larry Zink, 4926 Leighton, came forward in support. Discussion followed.

Ray Hill, Planning Dept., came forward to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 05046 - APPLICATION OF PIERSON, FITCHETT, HUNZEKER, BLAKE AND KATT TO AMEND LINCOLN MUNICIPAL CODE § 27.71.080 TO ALLOW FENCES TO A MAXIMUM HEIGHT OF 102 INCHES UNDER CERTAIN CONDITIONS - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing Hampton Development Services, to present an amendment to allow for a fence not to exceed 102 inches and is located in a required front yard of a lot in a residentially zoned district which has more than one required front yard. Discussion followed.

Glen Cekal, 1420 "C" Street, came forward in support.

Ray Hill, Planning Dept., came forward to answer questions. Discussion followed.

This matter was taken under advisement.

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CHANGE OF ZONE 05047 - APPLICATION OF THE PLANNING DIRECTOR TO AMEND LINCOLN MUNICIPAL CODE § 27.45.070 TO CHANGE THE MAXIMUM HEIGHT IN THE H-4 GENERAL COMMERCIAL DISTRICT FROM 35 FEET TO 45 FEET - Jonathan Cook, Council Member, asked what prompted this application?

Ray Hill, Planning Dept., came forward to answer that an individual wanted to build a unique design of a building in the H-4 zoning & the height was a concern. Discussion followed.

This matter was taken under advisement.

ESTABLISHING THE NAME OF THE PEDESTRIAN/BICYCLE BRIDGE BETWEEN THE HAYMARKET DISTRICT AND HAYMARKET PARK AS THE "BEREUTER PEDESTRIAN BRIDGE" - Lynn Johnson, Director of Parks and Recreation Department, stated that Representative Bereuter made it possible to build this bridge; therefore, two bronze plaques will be placed at each end of the bridge noting it as the "Bereuter Pedestrian Bridge".

This matter was taken under advisement.

HEARING ON BRETT JOSEPH'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF IMPACT FEES IMPOSED FOR THE SINGLE-FAMILY DWELLING LOCATED AT 1445 N. 22ND STREET AND REQUESTING A WAIVER OR REDUCTION OF SAID FEES - Michaela Hansen, Public Works & Utilities Dept., came forward to explain the impact fee determination. Discussion followed.

This matter was taken under advisement.

HEARING ON DAN HOFFMAN'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF IMPACT FEES IMPOSED FOR THE SINGLE-FAMILY DWELLING LOCATED AT 2464 WOODSCREST AVE. AND REQUESTING A WAIVER OR REDUCTION OF SAID FEES - Dan Hoffman, 2464 Woodscrest Avenue, came forward to explain the situation involving the reason for the impact fee and to request approval of his appeal. Discussion followed.

Steve Masters, Public Works & Utilities Dept., came forward to answer questions. Discussion followed.

Mr. Hoffman came forward for rebuttal.

This matter was taken under advisement.

APPEAL OF GARY DETWEILER FROM THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT NO. 05028 FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AT THE BRISTO BALLROOM AT 2102 ADAMS STREET - Gary Detweiler, 3441 N.W. 84th St., came forward to state that his concern is with the public cutting across his property to get to The Bristo Ballroom. Discussion followed.

Kendra Brock, 2102 Adams, came forward as an owner of The Bristo Ballroom stating they are willing to do whatever the City requires. They have paved the parking lot and will put a sign at their entrance off from Cornhusker Highway. Discussion followed.

Ray Hill, Planning Dept., stated there are different ways to prevent people from crossing property such as a fence, guard rail fence or cable. Discussion followed.

Dana Roper, City Attorney, stated this is a private matter between two property owners. He answered legal questions. Discussion followed.

Mr. Detweiler came forward for rebuttal. Discussion followed.

This matter was taken under advisement.

APPEAL OF CINDY J. SWANSON FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT NO. 05032 FOR AUTHORITY TO EXPAND A NON-CONFORMING USE TO ALLOW AN OUTDOOR BEER GARDEN AT THE LIBRARY LOUNGE AT 6891 A STREET, SUITE 200 - Joan Ross, City Clerk, stated Cindy J. Swanson requested the Public Hearing be continued to August 15, 2005. Discussion followed.

Jim Otto, 6903 Rexford Dr., stated the neighbors want the beer garden to be placed on the east side of the Library Lounge to keep the noise away from the neighborhood. Discussion followed.

Norman Otto, 1500 Kingston Rd., came forward to agree with the beer garden being on the east side.

Glen Cekal, 1420 "C" Street, came forward to express his ideas on this subject. Discussion followed.

Dana Roper, City Attorney, came forward to answer legal questions. Discussion followed.

This matter was taken under advisement.

WAIVER 05007 - APPLICATION OF AUSTIN REALTY COMPANY TO WAIVE THE SIDEWALK REQUIREMENTS IN THE CROSSBRIDGE 1ST ADDITION PRELIMINARY PLAT ON PROPERTY GENERALLY LOCATED AT N. 27TH STREET AND FLETCHER AVE. - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing Austin Realty Company stating the grade makes it impossible to put in the sidewalk proposed. Discussion followed.

This matter was taken under advisement.

MISC. 05012 - APPLICATION OF DEVELOPMENTAL SERVICES OF NEBRASKA, INC. TO ALLOW A GROUP HOME IN THE R-1 RESIDENTIAL DISTRICT TO LOCATE WITHIN THE REQUIRED ½ MILE SEPARATION FROM ANOTHER GROUP HOME, ON PROPERTY GENERALLY LOCATED AT 4000 LINDSEY CIRCLE - Scott Moore, Woodman Tower, Omaha, Nebraska, came forward on behalf of Developmental Services of Nebraska to request a group home be allowed in this area. He stated they would like to increase the residents by one which would require the residence to be a group home.

Scott LeFevre, 2150 Ridgeline Dr., came forward representing Developmental Services of Nebraska. He stated as a group home the amount of money received per client would increase from \$506 per month to \$579 per month which would better meet the therapeutic needs of the clients. Discussion followed.

Jonathan Cook, Council Member, stated "we may want to consider experts, besides yourselves, in determining the therapeutic need by talking to State officials or others to get their feedback on this."

Patte Newman, Council Member, stated "I would think if this home has been operating with three clients for a couple of years it would not be difficult to get those financial reports and see how it's operating with all revenues of the State of Nebraska, SSI and SSA."

Mike Morosin, 2055 "S" Street, came forward to comment on a group home in his neighborhood.

Glen Cekal, 1420 "C" Street, came forward to make a statement.

Rick Peo, Assistant City Attorney, came forward to remind the City Council they need to remember the focal point is on reasonable accommodations, the need and necessity. Discussion followed.

APPROVING A REVISED SCHEDULE FOR WATER FEES AND SERVICE CHARGES FOR THE LINCOLN WATER SYSTEM;

APPROVING A REVISED SCHEDULE FOR WASTEWATER FEES AND SERVICE CHARGES FOR THE LINCOLN WASTEWATER SYSTEM -

Karl Fredrickson, Director of Public Works & Utilities, came forward to make a power point presentation on the rate increase. Discussion followed.

Mike Morosin, 2055 "S" Street, asked if the Wastewater Dept. had an assistance program for low income residents.

Margaret Remmenga, Public Works Business Manager, stated the Wastewater Dept. does not have an assistance programs in place. Those in need are referred to other agencies for assistance.

This matter was taken under advisement.

TOOK BREAK 8:10 P.M.

RECONVENED 8:20 P.M.

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

MISCELLANEOUS BUSINESS

Mike Morosin, 2055 "S" Street, came forward to ask where the money will come from to pump storm water out of Antelope Creek.

This matter was taken under advisement.

Richard Esquivel, 733 W. Cumings, came forward to express displeasure of the budgeted item of \$300,000 to relocate houses due to the Antelope Valley Project. He, also, stated that private businesses should pay for the downtown revitalization instead of the citizens of Lincoln contributing tax dollars to pay for one area. He asked why do businesses need tax incentives and why prime businesses are removed from the tax roles to develop a green area.

This matter was taken under advisement.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF ALLEN ENTERPRISES INC. DBA EARLS TAVERN FOR AN ADDITION OF AN OUTSIDE BEER GARDEN MEASURING APPROXIMATELY 20' BY 24 ' ON THE SOUTH SIDE OF THE BUILDING AT 5555 SUPERIOR STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83437 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 Allen Enterprises, Inc. dba Earls Tavern to expand its licensed premises by the addition of an area measuring approximately 20 feet by 24 feet to the south of the presently licensed premises located at 5555 Superior 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 Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.

ORDINANCES - 2ND READING

ANNEXATION 04001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 77 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET (IN CONNECTION W/05R-157, 05-92) - 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 corporate limits boundary fo the City of Lincoln, Nebraska established and shown thereon, the second time.

APPROVING THE STONE BRIDGE CREEK 1ST CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND STONE BRIDGE CREEK, LLC, RELATING TO THE ANNEXATION OF APPROXIMATELY 77 ACRES, GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET. (IN CONNECTION W/ 05-91, 05-92) (ACTION DATE: 8/1/05)

CHANGE OF ZONE 04007 - APPLICATION OF STONE BRIDGE CREEK LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND R-5 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF HUMPHREY AVENUE AND EAST OF NORTH 14TH STREET (IN CONNECTION W/05-91, 05R-157) - 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 second time.

CHANGE OF ZONE 05044 - APPLICATION OF URBAN DEVELOPMENT DEPARTMENT FOR A CHANGE OF ZONE FROM B-3 COMMERCIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT, ON PROPERTY APPROXIMATELY TWO BLOCKS WITHIN THE UNIVERSITY PLACE NEIGHBORHOOD GENERALLY LOCATED BETWEEN CLEVELAND AND BALDWIN AVENUES, ON THE WEST SIDE OF 47TH STREET - 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 second time.

CHANGE OF ZONE 05046 - APPLICATION OF PIERSON, FITCHETT, HUNZEKER, BLAKE AND KATT TO AMEND LINCOLN MUNICIPAL CODE 27.71.080 TO ALLOW FENCES TO A MAXIMUM HEIGHT OF 102 INCHES UNDER CERTAIN CONDITIONS - amending Section 27.71.080 of the Lincoln Municipal Code relating to fences to provide additional circumstances under which fences may be erected to a height in excess of seventy-six inches; and repealing Section 27.71.080 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 05047 - APPLICATION OF THE PLANNING DIRECTOR TO AMEND LINCOLN MUNICIPAL CODE SECTION 27.45.070 TO CHANGE THE MAXIMUM HEIGHT IN THE H-4 GENERAL COMMERCIAL DISTRICT FROM 35 FEET TO 45 FEET - amending Section 27.45.070 of the Lincoln Municipal Code relating to the height and area regulations in the H-4 Highway General Commercial District by amending Table 27.45.070(a) to increase the maximum building height from 35 feet to 45 feet; and repealing Section 27.45.070 of the Lincoln Municipal Code as hitherto existing, the second time.

RESOLUTIONS

ESTABLISHING THE NAME OF THE PEDESTRIAN/BICYCLE BRIDGE BETWEEN THE HAYMARKET DISTRICT AND HAYMARKET PARK AS THE "BEREUTER PEDESTRIAN BRIDGE" - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83438 WHEREAS, Doug Bereuter is a fifth generation Nebraskan and has served in the United States House of Representatives longer than any citizen of this State; and

WHEREAS, he has served the public as a distinguished State Legislator, Businessman, Army Veteran, College Educator, Urban Planner, and State Agency Administrator; and

WHEREAS, as a Congressman, he served on such committees as Financial Services, International Relations (Vice-Chairman), Transportation and Infrastructure, Intelligence (Vice-Chairman), and was also President of the NATO Parliamentary Assembly; and

WHEREAS, he is recognized for his deliberative manner and bipartisanship and has been instrumental in furthering the interests of the City in a number of important manners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that Doug Bereuter's 26 years of public service as a member of United States House of Representatives from the First Congressional District of the State of Nebraska, be recognized by naming the pedestrian/bicycle bridge between the Haymarket District and Haymarket Park as the "Bereuter Pedestrian Bridge."

Introduced by Jon Camp

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

HEARING ON BRETT JOSEPH'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF IMPACT FEES IMPOSED FOR THE SINGLE-FAMILY DWELLING LOCATED AT 1445 N. 22ND STREET AND REQUESTING A WAIVER OR REDUCTION OF SAID FEES - PRIOR to reading:

CAMP Moved to delay Bill No. 05R-160 for one week w/Public Hearing & Action on August 1, 2005.

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

HEARING ON DAN HOFFMAN'S NOTICE OF APPEAL APPEALING FROM THE IMPACT FEE DETERMINATION OF IMPACT FEES IMPOSED FOR THE SINGLE-FAMILY DWELLING LOCATED AT 2464 WOODSCREST AVE. AND REQUESTING A WAIVER OR REDUCTION OF SAID FEES - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83439 WHEREAS, during a repair of a water main break in front of 2464 Woodscrest Drive, the Lincoln Water System determined that Dan Hoffman, hereinafter Appellant, had a 1 ½" water service line connecting to a 1" water meter; and

WHEREAS, Appellant was required by the Lincoln Water System to replace the existing 1" water meter with a 1½ " water meter to properly accommodate the 1 ½" service line to his residence; and

WHEREAS, the Impact Fee Administrator calculated the Water/Wastewater Utility Impact Fees for this use based upon the net increase in the water meter size from 1" to 1 ½" using the Impact Fee Schedules beginning January 1, 2005; and

WHEREAS, the Appellant timely filed his Notice of Appeal appealing the impact fee determination and requesting that the Water/Wastewater Utility Impact Fees be waived as Appellant was not requesting a 1 ½" meter and was not upgrading water and wastewater service to his home as no lawn sprinklers, fire sprinklers, or any additional fixtures were being added to the home 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 under these circumstances the impact fee was incorrectly calculated and that there are unusual circumstances of the development which demonstrate that the application of the fees to the development would be unfair or unjust.

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

That the impact fee Appeal filed by Dan Hoffman on July 6, 2005 is hereby granted

Introduced by Annette McRoy

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

APPEAL OF GARY DETWEILER FROM THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT NO. 05028 FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AT THE BRISTO BALLROOM AT 2102 ADAMS STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83440 WHEREAS, Kendra Brock and Jeff Frederick have submitted an application designated as Special Permit No. 05028 for authority to sell alcoholic beverages for consumption on the premises generally located at The Bristo Ballroom, 2102 Adams Street, legally described as:

Lot 56, Irregular Tract, located in the Southeast Quarter of Section 12, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on June 22, 2005 and approved Special Permit No. 05028 under the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcohol for consumption on the premises as designated on the site plan.
2. Before receiving building permits:
 - a. The Permittee must submit the six copies of a revised site plan that includes a parking and access plan and a drainage plan approved by the Public Works & Utilities Department to the Planning Department for review and approval.
 - b. The Permittee must submit an ownership certificate prepared and signed by an attorney, title company, or abstractor. It must include the legal description of the subject property.
 - c. The construction plans must comply with the approved plans.
3. Before the sale of alcohol for consumption on the premises, all development and construction must conform to the approved plans.
4. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

WHEREAS, Gary Detweiler has appealed the action of the Lincoln City-Lancaster County Planning Commission's approval of Special Permit 05028; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions set forth above are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare; and

WHEREAS, the final action of the Lincoln City-Lancaster County Planning Commission approving Special Permit No. 05028 should be affirmed.

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

That the action of the Lincoln City - Lancaster County Planning Commission conditionally approving Special Permit No. 05028 be and the same is hereby affirmed.

Introduced by Annette McRoy

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

APPEAL OF CINDY J. SWANSON FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT NO. 05032 FOR AUTHORITY TO EXPAND A NON-CONFORMING USE TO ALLOW AN OUTDOOR BEER GARDEN AT THE LIBRARY LOUNGE AT 6891 A STREET, SUITE 200 - PRIOR to reading:

CAMP Moved to delay Bill No. 05R-163 for three weeks w/Public Hearing & Action on August 15, 2005.

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

WAIVER 05007 - APPLICATION OF AUSTIN REALTY COMPANY TO WAIVE THE SIDEWALK REQUIREMENTS IN THE CROSSBRIDGE 1ST ADDITION PRELIMINARY PLAT ON PROPERTY GENERALLY LOCATED AT N. 27TH STREET AND FLETCHER AVE. - PRIOR to reading:

MCROY Moved to amend Bill NO. 05R-164 on page 1, line 13, after the word "approved" insert the following words: , provided that a five-foot wide pedestrian easement leading from the interior sidewalk system northeast to the limits of the preliminary plat is dedicated to the City in a final plat of the property at a location mutually acceptable to the City and the Applicant.

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

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83441 WHEREAS, the preliminary plat of Crossbridge 1st Addition, generally located at North 27th Street and Fletcher Avenue, was previously approved by the Lancaster County Planning Commission in June 2005; and

WHEREAS, one of the conditions of approval of said Preliminary Plat was that a sidewalk be constructed along Crossbridge Road; and

WHEREAS, Applicant is requesting a waiver of said sidewalk requirement; and

WHEREAS, the Planning Commission has reviewed said request and has recommended that the waiver of the sidewalk installation be approved

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 Preliminary Plat of Crossbridge 1st Addition requiring the installation of a sidewalk on Crossbridge Road, is hereby approved, provided that a five-foot wide pedestrian easement leading from the interior sidewalk system northeast to the limits of the preliminary plat is dedicated to the City in a final plat of the property at a location mutually acceptable to the City and the Applicant.

All other conditions for approval of the Preliminary Plat of Crossbridge 1st Addition shall remain in full force and effect.

Introduced by Jon Camp

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

MISC. 05012 - APPLICATION OF DEVELOPMENTAL SERVICES OF NEBRASKA, INC. TO ALLOW A GROUP HOME IN THE R-1 RESIDENTIAL DISTRICT TO LOCATE WITHIN THE REQUIRED ½ MILE SEPARATION FROM ANOTHER GROUP HOME, ON PROPERTY GENERALLY LOCATED AT 4000 LINDSEY CIRCLE - PRIOR to reading:

COOK Moved to delay Bill No. 05R-165 for three weeks w/Public Hearing and Action on August 15, 2005.

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

AMENDING THE STANDARDS FROM THE STATE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS TO ALLOW THE USE OF ELEVEN FOOT WIDE LANES IN CITY PROJECT 701780, O STREET, 42ND TO 52ND STREET; ANTELOPE VALLEY PROJECT CM-55(142), NORTH-SOUTH ROADWAY K TO Q STREETS; AND ANTELOPE VALLEY PROJECT STPC-34-6(135), O STREET BRIDGE AND ROADWAY, TO MINIMIZE IMPACT OF ROADWAY IMPROVEMENT ON ADJACENT PROPERTIES FOR THE THREE PROJECTS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-83442 WHEREAS, the State of Nebraska, Board of Public Roads Classifications and Standards has established a minimum lane width of 11.81 feet for New and Reconstructed Municipal State Highways; and WHEREAS, the eleven foot wide lanes proposed for "O" Street from 17th Street to 23rd Street as part of the Antelope Valley Project, and from 42nd Street to 52nd Street as part of City Project 701780 does not meet such minimum design standard for lane widths on Municipal State Highways; and WHEREAS, the City of Lincoln desires to request a modification of the Standards by the Board of Public Roads Classification and Standards so as to not substantially affect adjacent properties through the proposed reconstruction of these projects; and WHEREAS, the City of Lincoln believes that the granting of such an exception will not impair the safety of traffic within the limits of these projects;

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

Pursuant to Neb. Rev. Stat. § 39-2113(5) (Reissue 1998), the City of Lincoln does hereby request that the Board of Public Roads Classifications and Standards grant an exception to the above described minimum design lane width for City Project 701780, "O" Street, 42nd to 52nd Street; Project CM-55(142), Antelope Valley North-South Roadway K to Q (which includes "O" Street from 17th to 21st Street); and Project STPC-34-6(135), Antelope Valley "O" Street Bridge and Roadway 21st to 23rd Street.

BE IT FURTHER RESOLVED that the Director of Public Works and Utilities is hereby authorized and directed to forward a copy of this resolution to the Board of Public Roads Classifications and Standards as a part of the City of Lincoln's request for the design exception.

Introduced by Jon Camp

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

APPROVING A REVISED SCHEDULE FOR WATER FEES AND SERVICE CHARGES FOR THE LINCOLN WATER SYSTEM. (ACTION DATE: 8/1/05)

APPROVING A REVISED SCHEDULE FOR WASTEWATER FEES AND SERVICE CHARGES FOR THE LINCOLN WASTEWATER SYSTEM. (ACTION DATE: 8/1/05)

PETITIONS AND COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPT.:

- Change of Zone 05049 - App. of Aspen, a Nebraska General Partnership, from O-3 Office Park District to B-2 Planned Neighborhood Business District on property located at S. 56th Street and Pine Lake Road.
- Use Permit 97A - App. of Aspen, a Nebraska General Partnership, for an amendment to adjust land use table and setbacks on property located at S. 56th Street and Pine Lake Road.
- Change of Zone 05051 - App. of Stone Bridge Creek, LLC from AG Agricultural District to R-3 Residential District and AG Agricultural District to R-5 Residential District on property located at N. 15th Street and Humphrey Avenue.
- Change of Zone 05022 - App. of Prairie Homes from AG Agricultural District to R-3 Residential District on property located at NW 12th Street and Alvo Road.
- Use Permit 04008 - App. of Geico Development, Inc. for two office/medical buildings w/waiver requests to allow lots without frontage and access to a public street on property located at SW 17th Street and West A Street
- Change of Zone 04085 - App. of Geico Development, Inc. from R-2 Residential District to R-T Residential Transition District on property located at SW 17th Street and West A Street.
- Change of Zone 05050 - App of Lincoln Sports Foundation from AG Agricultural District to H-2 Highway Business District on property located at N. 70th Street and Arbor Road.

- Pre-Existing Special Permit 28B - App. of Union College for an amendment to expand the area by adding property located at S. 48th Street and Stockwell Street.
- Change of Zone 05052 - App. of Universal Companies, LLC, Universal Addition Planned Unit Development District designation of said property and for approval of a development plan which proposes modifications to the Zoning Ordinance and Land Subdivision Ordinance to allow 370,000 square feet of floor area in the underlying I-2 zoned area located at S. 14th Street and Pioneers Boulevard.
- Special Permit 05035 - App. of SRS, Inc. dba Arnold's Tavern for an expansion of a non-conforming use for the consumption of alcohol on the premises located at N. 61st Street and Havelock Avenue.
- Use Permit 154A - App. of Lincoln Federal Bancorp, Inc., for an amendment to the Wilderness Hills Commercial Center for waivers to adjust the setbacks and to allow parking in the required side yard in the B-2 located at S. 27th Street and Yankee Hill Road,.
- Special Permit 277I - App. of Pine Lake Golf and Tennis Club for an amendment to adjust the front setback to allow a sign located at S. 84th Street and Pine Lake Road.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY THE CITY COUNCIL ON JULY 18, 2005 - CLERK presented said report which was placed on file in the Office of the City Clerk.

ORDINANCES - 1ST READING

- AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT WITH UNION BANK & TRUST COMPANY, LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR THE ACQUISITION BY THE CITY OF STREET LIGHTING EQUIPMENT - CLERK read an ordinance, introduced by Jonathan Cook, authorizing and approving a lease-purchase agreement among the City, Union Bank & Trust Company, as Lessor, and Union Bank & Trust Company, as Registrar and Paying Agent, with respect to the purchase and installation of street light poles and related equipment; approving the issuance, sale and delivery by the Lessor of not to exceed \$2,000,000 aggregate principal amount of certificates of participation in said lease; fixing in part and providing for the fixing in part of certain provision of the lease; and related matters, the first time.
- AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF ELECTRIC SYSTEM REVENUE NOTES IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000,000 FROM TIME TO TIME OUTSTANDING - CLERK read an ordinance, introduced by Jonathan Cook, authorizing and providing for the issuance of Electric System Revenue notes of the City of Lincoln, Nebraska; in an aggregate principal amount of not to exceed \$150,000,000 from time to time outstanding; prescribing the form and details of such notes; covenanting as to the establishment, maintenance, revision and collection of charges and rates for the use and services of said electric system and the application, collection and disbursement of the revenues derived therefrom; limiting the payment of the principal and interest on such notes issued hereunder solely to the sources specified herein; setting forth the conditions for the issuance of such notes hereunder; setting forth events of default and the rights and remedies of the holders of the notes issued hereunder; making various other covenants, agreements, and provisions in connection with the foregoing; and providing for severability, the first time.
- APPROVING A FIVE-YEAR/3,500 HOUR LEASE/PURCHASE AGREEMENT BETWEEN THE CITY AND DEERE CREDIT INC. TO PROVIDE A 90-HORSE POWER CLASS BACKHOE LOADER FOR USE BY THE PUBLIC WORKS & UTILITIES WATER DIVISION IN CONSTRUCTION AND MAINTENANCE PROJECTS - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a five-year/3,500 hour lease agreement between the City of Lincoln, Nebraska and Deere Credit, Inc. for a 90 horse power class backhoe loader for use by the Public Works & Utilities Water Division, the first time.
- APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND LINCOLN PUBLIC SCHOOLS TO SHARE SPACE FOR JOINT PROGRAMMING (FOR THE OPERATION OF A TEEN CENTER) AT PARK MIDDLE SCHOOL - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving an Interlocal Agreement between the City of Lincoln and Lincoln Public Schools to share space and joint programming in the operation of a Teen Center at Park Middle School for a 25-year term in effect until September 1, 2030, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER N TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "N"; and repealing Ordinance No. 18414, passed by the City Council on August 9, 2004, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER X TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X" and repealing Ordinance No. 18422, passed by the City Council on August 9, 2004, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER E TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E"; and repealing Ordinance No. 18419, passed by the City Council on August 9, 2004, 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 Jonathan Cook, adopting pay schedules and 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. 18479, passed by the City Council on December 13, 2004, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER F TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "F" and repealing Ordinance No. 18222, passed by the City Council on August 11, 2003, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER B TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "B"; and repealing Ordinance No. 18413, passed by the City Council on August 9, 2004, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER P TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "P"; and repealing Ordinance No. 18415, passed by the City Council on August 9, 2004, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTERS A AND C TO ADJUST THE SCHEDULES OF ANNUAL, MONTHLY, BIWEEKLY AND HOURLY PAY RANGE EQUIVALENTS - CLERK read an ordinance, introduced by Jonathan Cook, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "A" and "C"; and repealing Ordinance No. 18412, passed by the City Council on August 9, 2004, the first time.

AMENDING LINCOLN MUNICIPAL CODE § 2.76.040 UPDATING DEFINITIONS;
§ 2.76.135 TO ESTABLISH STEP PAY PLANS FOR A AND C CLASSIFICATIONS;
§§ 2.76.145 & 2.76.150 TO PROVIDE CONSISTENCY WITH OTHER STEP PLANS;
§ 2.76.153 TO INCREASE SHIFT DIFFERENTIAL; § 2.76.155 TO INCREASE
LONGEVITY PAY; § 2.76.160 TO DELETE REFERENCE TO CLASSIFICATIONS
BEGINNING WITH THE LETTERS A AND C; § 2.76.200 TO AMEND OUT OF CLASS PAY
TO COORDINATE WITH THE STEP PLAN; § 2.76.380 TO AMEND PROVISIONS RELATED
TO SICK LEAVE PAYOUT; AND § 2.76.395 TO AMEND PROVISIONS RELATING TO
VACATION LEAVE - CLERK read an ordinance, introduced by Jonathan Cook,
amending Chapter 2.76 of the Lincoln Municipal Code relating to the
Personnel System by amending Section 2.76.040 to provide that fire
trainees shall be eligible to participate in the group health and dental
plans; amending 2.76.135 to establish step pay plans for pay ranges
prefixed by "A" and "C"; amending Sections 2.76.145 and 2.76.150 to
provide consistency with other step plans; amending Section 2.76.153 to
increase shift differential; amending Section 2.76.155 to increase
longevity pay; amending Section 2.76.160 to delete references to pay
ranges prefixed by the letters "A" and "C"; amending 2.76.200 to amend
out-of-class pay to coordinate with the step plan; amending Section
2.76.380 to amend provisions related to sick leave payout; amending
Section 2.76.395 to revise provisions relating to vacation leave; and
repealing Sections 2.76.040, 2.76.135, 2.76.145, 2.76.150, 2.76.153,
2.76.155, 2.76.160, 2.76.200, 2.76.380 and 2.76.395 of the Lincoln
Municipal Code as hitherto existing, the first time.

ORDINANCES - 3RD READING

REPEALING ORDINANCE NO. 18399 CREATING ORNAMENTAL LIGHTING DISTRICT NO. 287 IN
WEST CHARLESTON, N. 1ST STREET WEST APPROXIMATELY 1,100 FEET, DUE TO THE
LACK OF MAJORITY PETITION - CLERK read an ordinance, introduced by
Patte Newman, re-pealing Ordinance No. 18399 which created Ornamental
Lighting District No. 287, which Ornamental Lighting District included
all that portion of West Charleston Avenue, North First Street west
approximately 1,100 feet +/- describing the real estate benefitted, to-
wit: Portions of Irregular Tracts, I.T. Lot 70, I.T. Lot 71, I.T. Lot
91, I.T. Lot 81 all in the Southeast Quarter of Section 15, Township 10,
Range 6 East of the Sixth Principal Meridian in the City of Lincoln,
Lancaster County, Nebraska and providing for the payment of the cost
thereof, the third time.

NEWMAN Moved to pass the ordinance as read.
Seconded by Eschliman & carried by the following vote: AYES: Camp,
Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None: ABSENT: Marvin.
The ordinance, being numbered #18574, is recorded in Ordinance Book #25, Page

DECLARING A TRACT OF LAND CONSISTING OF .54 ACRES, MORE OR LESS, AS SURPLUS
PROPERTY GENERALLY LOCATED AT 601 N. 27TH STREET - CLERK read an
ordinance, introduced by Patte Newman, declaring approximately .54 acres
of City-owned property generally located at 601 N. 27th Street as
surplus and authorizing the sale thereof, the third time.

NEWMAN Moved to pass the ordinance as read.
Seconded by Eschliman & carried by the following vote: AYES: Camp,
Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None: ABSENT: Marvin.
The ordinance, being numbered #18575, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05039 - APPLICATION OF AUSTIN REALTY COMPANY FOR A CHANGE OF
ZONE FROM B-2 PLANNED NEIGHBORHOOD BUSINESS TO H-3 HIGHWAY COMMERCIAL ON
PROPERTY GENERALLY LOCATED AT N. 27TH STREET SOUTH OF FOLKWAYS BLVD -
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.

NEWMAN Moved to pass the ordinance as read.
Seconded by Camp & carried by the following vote: AYES: Camp,
Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None: ABSENT: Marvin.
The ordinance, being numbered #18576, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05043 - APPLICATION OF GREGG AND CINDY TRAUTMAN FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL TO R-T RESIDENTIAL TRANSITION ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF S. 37TH STREET AND "O" STREET - 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.

NEWMAN Moved to pass the ordinance as read.
Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.
The ordinance, being numbered #18577, is recorded in Ordinance Book #25, Page

APPROVING THE THIRD AMENDMENT TO FIRST AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT - BURNHAM YATES CONFERENCE CENTER RELATING TO UPGRADING CONFERENCE CENTER FACILITIES AND PROVIDING FOR THE EXPENDITURE OF EXISTING TIF FUNDS AND PROVIDING FOR FUNDING BY THE REDEVELOPER - CLERK read an ordinance, introduced by Patte Newman, accepting and approving the Third Amendment to First Amended and Restated Lease and Operating Agreement - Burnham Yates Conference Center to amend paragraph 7 of the Lease relating to furnishings to facilitate upgrading conference center facilities and providing for the expenditure of existing T.I.F. funds for the same, the third time.

NEWMAN Moved to pass the ordinance as read.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.
The ordinance, being numbered #18578, is recorded in Ordinance Book #25, Page

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to August 1, 2005.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on August 1, 2005.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.

ADJOURNMENT 8:40 P.M.

CAMP Moved to adjourn the City Council meeting of July 25, 2005.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Marvin.
So ordered.

Joan E. Ross, CMC, City Clerk

Judy Roscoe, Senior Office Assistant