

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 20, 2006 AT 5:30 P.M.**

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

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

READING OF THE MINUTES

ESCHLIMAN Having been appointed to read the minutes of the City Council proceedings of November 13, 2006, reported having done so, found same correct.

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

PUBLIC HEARING

MANAGER APPLICATION OF CLARK D. DAWSON FOR SUMMIT PROPERTIES, LLC DBA SIDELINES DELI AT 1000 SAUNDERS AVE - Clark D. Dawson, 638 Marshall Ave., came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF JAMES HARMAN DBA CHEAPEST DAMN CIGARETTES FOR A CLASS B LIQUOR LICENSE AT 4821 CORNHUSKER HIGHWAY - Mike Rierden, 645 "M" Street, Suite 200, came forward to take oath and answer questions.

James Harman, 4821 Cornhusker Highway, came forward to take oath and answer questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF CENTER STAGE & SALON, SPA & TANNING, INC. FOR A CLASS C LIQUOR LICENSE AT 4001 PIONEER WOODS DRIVE;
MANAGER APPLICATION OF PERCY L. UPTON FOR CENTER STAGE & SALON, SPA & TANNING, INC. AT 4001 PIONEER WOODS DRIVE - Percy L. Upton, 2726 St. Patrick, Grand Island, NE, came forward to take oath and answer questions. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 06066 - APPLICATION OF WOODS PARK NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED BETWEEN 27TH AND 33RD STREETS, FROM N TO A STREETS; FROM R-5 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED BETWEEN 27TH AND 31ST STREETS, FROM N TO O STREETS; AND FROM R-6 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED FROM H TO N STREETS ON BOTH SIDES OF 27TH STREET AND THE EAST SIDE OF 26TH STREET - Becky Martin, 338 S. 29th St., came forward in support stating the change of zone will strengthen a stable area of Lincoln. Discussion followed.

Sandra Johnson, 639 S. 30th St., came forward in support stating the down zoning will preserve and protect their neighborhood.

Matt Spilker, 519 S. 27th St., came forward in support stating it will keep a lid on population density.

Jean Chicoine, 629 S. 27th St., came forward in support stating it will retain the mix of affordable housing.

Randy Smith, 705 S. 32nd St., came forward in support stating the change will guide the trend to owner occupancy.

Deb Kuwamoto, 339 S. 29th, came forward in support stating the neighborhood is in transition and with responsible development & planning, it will be an attractive asset in Antelope Valley.

Vernon Forbes, 602 S. 32nd St., came forward in support stating he doesn't want the density increased.

Jacob Widhalm, 146 S. 28th St., came forward in support expressing concerns of crime and safety issues.

This matter was taken under advisement.

CHANGE OF ZONE 06067 - APPLICATION OF OUTFIELD PARK LLC FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT WEST CHARLESTON STREET AND N. 1ST STREET, AND SUN VALLEY BLVD. AND LINE DRIVE - Mike Rierden, 645 "M" Street, Suite 200, came forward representing the applicant and to explain the development. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 9.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFENSES AGAINST PUBLIC DECENCY BY ADDING NEW SECTIONS TO DEFINE MARIJUANA, TO DEFINE PARAPHERNALIA, TO MAKE IT AN INFRACTION TO POSSESS PARAPHERNALIA FOR THE PURPOSE OF MANUFACTURING, INHALING, OR INGESTING MARIJUANA OR TOXIC COMPOUNDS, AND TO MAKE IT UNLAWFUL TO POSSESS ONE OUNCE OR LESS OF MARIJUANA AND TO PRESCRIBE PENALTIES FOR VIOLATIONS;

AMENDING SECTION 1.24.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO GENERAL PENALTIES FOR VIOLATIONS OF THE LMC BY ADDING PENALTIES FOR INFRACTION VIOLATIONS AND SPECIFYING SUBSECTIONS FOR MISDEMEANOR PENALTIES AND INFRACTION PENALTIES - John C. McQuinn, Chief City Prosecutor, came forward to explain that the current Code creates a duplication of effort and the amendments will help relieve the case load in Lancaster County Court. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 06059 - AMENDING CHAPTER 27.69 OF THE LINCOLN MUNICIPAL CODE RELATING TO SIGNS BY AMENDING SECTION 27.69.020 TO ADD DEFINITIONS FOR THE TERMS ANIMATION, DISSOLVE, FADE, NIT AND SCROLL AND TO REVISE THE DEFINITIONS OF THE TERMS CHANGEABLE COPY SIGN, ELECTRIC CHANGEABLE COPY SIGN, FLASHING/BLINKING/PULSATING SIGN, AND ILLUMINATED SIGN; AMENDING SECTION 27.69.030 TO PROVIDE STANDARDS FOR ILLUMINATION, TO PROHIBIT SIGNS WHICH DISPLAY AN ANIMATED MESSAGE OR SIMULATES ANIMATION AND TO PROVIDE REGULATIONS FOR ELECTRONIC CHANGEABLE COPY SIGNS; BY AMENDING SECTION 27.69.035 TO MODIFY PROVISIONS REGARDING ADMINISTRATIVE PERMITS FOR OFF-PREMISES SIGNS, TO REQUIRE THAT ANY TWO OFF-PREMISES ELECTRONIC CHANGEABLE COPY SIGNS BE 5,000 FEET APART MEASURED IN ALL DIRECTIONS, TO ALLOW EXISTING OFF-PREMISES SIGNS TO BE CONVERTED TO ELECTRONIC CHANGEABLE COPY SIGNS PROVIDED THE SIGN IS LOCATED AT LEAST 150 FEET FROM AND DOES NOT FACE A RESIDENTIAL DISTRICT, CEMETERY OR PARK, TO ALLOW ILLUMINATION OF OFF-PREMISES SIGNS BETWEEN MIDNIGHT AND 5:00 A.M. FOR GOVERNMENT INITIATED EMERGENCY INFORMATION ANNOUNCEMENTS, TO REVISE PROVISIONS REGARDING REMOVAL OF EXISTING NONCONFORMING OFF-PREMISES SIGNS IN ORDER TO INSTALL A NEW OFF-PREMISES SIGN; BY AMENDING SECTION 27.69.070 TO ALLOW ON-PREMISES SIGNS IN THE B-4 DISTRICT TO BE ANIMATED OR TO SIMULATE ANIMATION; BY REPEALING SECTION 27.69.270 RELATING TO PUBLIC SERVICE INFORMATION SIGNS IN NONRESIDENTIAL DISTRICTS; AND AMENDING SECTION 27.69.330 TO ALLOW LED OR SIMILAR TECHNOLOGIES TO HAVE EXPOSED ILLUMINATION - Lynn Darling, no address given, came forward in opposition to digital billboards.

Mike Anderson, 2500 Wildcat Drive, came forward to request Council's help in resolving his sign issue to make it in compliance. Discussion followed.

Marvin Krout, Director of Planning, came forward to answer questions. Discussion followed.

Don Wesely, 5300 Leighton Ave., came forward on behalf of Mr. Anderson to answer questions.

Bob Norris, 1140 N. 21st St., Nebraska Neon Sign Company, came forward in support of Option II and in opposition to Option I, contained in the Planning Director's memo of November 16, 2006. Discussion followed.

This matter was taken under advisement.

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2007 - Terry Bundy, CEO of LES came forward to present the Operating and Capital budget for 2007. Discussion followed.

Bob Caldwell, 6100 Luann Lane, Chairman of Lincoln Employers Coalition, came forward to request that additional funding be made to the Lincoln Action Program in assisting qualifying families, for a reduction in advertising expenses, and a reduction in electrical rates for businesses and homeowners. Discussion followed.

Mr. Bundy came forward for rebuttal stating LES increased funding to LAP by \$15,000. Discussion followed.

Shelley Sahling-Zart came forward to explain that the advertising costs are less than 1% of the overall budget. Discussion followed.

This matter was taken under advisement.

Council Chair Newman recognized and welcomed Boy Scout Troop #7

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF CLARK D. DAWSON FOR SUMMIT PROPERTIES, LLC DBA SIDELINES DELI AT 1000 SAUNDERS AVE. - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84117 WHEREAS, Summit Properties, LLC dba Sidelines Deli located at 1000 Saunders Ave., Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Clark D. Dawson be named manager;

WHEREAS, Clark D. Dawson appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Clark D. Dawson be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Dan Marvin

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

APPLICATION OF JAMES HARMAN DBA CHEAPEST DAMN CIGARETTES FOR A CLASS B LIQUOR LICENSE AT 4821 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84118 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 James Harman dba Cheapest Damn Cigarettes for a Class "B" liquor license at 4821 Cornhusker Highway, Lincoln, Nebraska, for the license period ending April 30, 2007, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Dan Marvin

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

APPLICATION OF CENTER STAGE & SALON, SPA & TANNING, INC. FOR A CLASS C LIQUOR LICENSE AT 4001 PIONEER WOODS DRIVE - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-84119 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 Center Stage & Salon, Spa & Tanning, Inc. for a Class "C" liquor license at 4001 Pioneer Woods Drive, Lincoln, Nebraska, for the license period ending October 31, 2007, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Annette McRoy

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

MANAGER APPLICATION OF PERCY L. UPTON FOR CENTER STAGE & SALON, SPA & TANNING, INC. AT 4001 PIONEER WOODS DRIVE - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-84120 WHEREAS, Center Stage & Salon, Spa & Tanning, Inc. located at 4001 Pioneer Woods Drive, Lincoln, Nebraska has been approved for a Retail Class "B" liquor license, and now requests that Percy L. Upton be named manager;

WHEREAS, Percy L. Upton appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Percy L. Upton be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

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

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

VACATION NO. 06003 - VACATING THE EAST 14 FEET OF 1ST STREET BETWEEN THE NORTH AND SOUTH LINES OF R STREET, VACATING R STREET BETWEEN 1ST STREET AND 2ND STREET, AND VACATING THE WEST 25 FEET OF 2ND STREET BETWEEN THE SOUTH LINE OF THE NORTH 14 FEET OF VACATED Q STREET AND THE NORTH LINE OF R STREET. (RELATED ITEMS: 06-199, 06R-223) - CLERK read an ordinance, introduced by Robin Eschliman, vacating the east 14 feet of 1st Street between the north and south lines of R Street, vacating R Street between 1st and 2nd Streets, and vacating the west 25 feet of 2nd Street between the south line of the north 14th feet of vacated Q Street and the north line of R Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN THE CITY AND THE PEOPLES CITY MISSION HOME, INC. TO ACCEPT A PERMANENT CONSERVATION EASEMENT TO PRESERVE THE FLOOD STORAGE CAPACITY ON PROPERTY GENERALLY LOCATED AT 1ST AND Q STREETS. (RELATED ITEMS: 06-199, 06R-223) (ACTION DATE: 12/4/06)

CHANGE OF ZONE 06066 - APPLICATION OF WOODS PARK NEIGHBORHOOD ASSOCIATION FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED BETWEEN 27TH AND 33RD STREETS, FROM N TO A STREETS; FROM R-5 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED BETWEEN 27TH AND 31ST STREETS, FROM N TO O STREETS; AND FROM R-6 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED FROM H TO N STREETS ON BOTH SIDES OF 27TH STREET AND THE EAST SIDE OF 26TH STREET - CLERK read an ordinance, introduced by Robin Eschliman, 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 06067 - APPLICATION OF OUTFIELD PARK LLC FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT WEST CHARLESTON STREET AND N. 1ST STREET, AND SUN VALLEY BLVD. AND LINE DRIVE - CLERK read an ordinance, introduced by Robin Eschliman, 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.

AMENDING CHAPTER 9.16 OF THE LINCOLN MUNICIPAL CODE RELATING TO OFFENSES AGAINST PUBLIC DECENCY BY ADDING NEW SECTIONS TO DEFINE MARIJUANA, TO DEFINE PARAPHERNALIA, TO MAKE IT AN INFRACTION TO POSSESS PARAPHERNALIA FOR THE PURPOSE OF MANUFACTURING, INHALING, OR INGESTING MARIJUANA OR TOXIC COMPOUNDS, AND TO MAKE IT UNLAWFUL TO POSSESS ONE OUNCE OR LESS OF MARIJUANA AND TO PRESCRIBE PENALTIES FOR VIOLATIONS - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 9.16 of the Lincoln Municipal Code relating to Offenses Against Public Decency by adding a new section numbered 9.16.025 to define marijuana; adding a new section numbered 9.16.035 to define paraphernalia; adding a new section numbered 9.16.105 to make it an infraction to possess paraphernalia for the purpose of manufacturing, inhaling, or ingesting marijuana or toxic compounds; and adding a new section numbered 9.16.145 to make it unlawful to possess one ounce or less of marijuana and to prescribe penalties for violations, the second time.

AMENDING SECTION 1.24.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO GENERAL PENALTIES FOR VIOLATIONS OF THE LMC BY ADDING PENALTIES FOR INFRACTION VIOLATIONS AND SPECIFYING SUBSECTIONS FOR MISDEMEANOR PENALTIES AND INFRACTION PENALTIES - CLERK read an ordinance, introduced by Robin Eschliman, amending Section 1.24.010 of the Lincoln Municipal Code relating to general penalties for violations of the Lincoln Municipal Code by adding penalties for infraction violations and specifying subsections for misdemeanor penalties and infraction penalties; and repealing Section 1.24.010 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 06059 - AMENDING CHAPTER 27.69 OF THE LINCOLN MUNICIPAL CODE RELATING TO SIGNS BY AMENDING SECTION 27.69.020 TO ADD DEFINITIONS FOR THE TERMS ANIMATION, DISSOLVE, FADE, NIT AND SCROLL AND TO REVISE THE DEFINITIONS OF THE TERMS CHANGEABLE COPY SIGN, ELECTRIC CHANGEABLE COPY SIGN, FLASHING/BLINKING/PULSATING SIGN, AND ILLUMINATED SIGN; AMENDING SECTION 27.69.030 TO PROVIDE STANDARDS FOR ILLUMINATION, TO PROHIBIT SIGNS WHICH DISPLAY AN ANIMATED MESSAGE OR SIMULATES ANIMATION AND TO PROVIDE REGULATIONS FOR ELECTRONIC CHANGEABLE COPY SIGNS; BY AMENDING SECTION 27.69.035 TO MODIFY PROVISIONS REGARDING ADMINISTRATIVE PERMITS FOR OFF-PREMISES SIGNS, TO REQUIRE THAT ANY TWO OFF-PREMISES ELECTRONIC CHANGEABLE COPY SIGNS BE 5,000 FEET APART MEASURED IN ALL DIRECTIONS, TO ALLOW EXISTING OFF-PREMISES SIGNS TO BE CONVERTED TO ELECTRONIC CHANGEABLE COPY SIGNS PROVIDED THE SIGN IS LOCATED AT LEAST 150 FEET FROM AND DOES NOT FACE A RESIDENTIAL DISTRICT, CEMETERY OR PARK, TO ALLOW ILLUMINATION OF OFF-PREMISES SIGNS BETWEEN MIDNIGHT AND 5:00 A.M. FOR GOVERNMENT INITIATED EMERGENCY INFORMATION ANNOUNCEMENTS, TO REVISE PROVISIONS REGARDING REMOVAL OF EXISTING NONCONFORMING OFF-PREMISES SIGNS IN ORDER TO INSTALL A NEW OFF-PREMISES SIGN; BY AMENDING SECTION 27.69.070 TO ALLOW ON-PREMISES SIGNS IN THE B-4 DISTRICT TO BE ANIMATED OR TO SIMULATE ANIMATION; BY REPEALING SECTION 27.69.270 RELATING TO PUBLIC SERVICE INFORMATION SIGNS IN NONRESIDENTIAL DISTRICTS; AND AMENDING SECTION 27.69.330 TO ALLOW LED OR SIMILAR TECHNOLOGIES TO HAVE EXPOSED ILLUMINATION - CLERK read an ordinance, introduced by Ken Svoboda, amending Chapter 27.69 of the Lincoln Municipal Code relating to signs by amending Sections 27.69.020, 27.69.030, 27.69.035, 27.69.070, 27.69.270, and 27.69.330 of the Lincoln Municipal Code as hitherto existing, the second time.

RESOLUTIONS

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2007. (ACTION DATE: 12/4/06)

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM - PRIOR to reading:

COOK Moved to have Public Hearing continued on Bill No. 06R-222 with Action on 12/4/06.

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

PETITIONS AND COMMUNICATIONS

SETTING THE HEARING DATE OF DECEMBER 11, 2006 FOR THE MANAGER APPLICATION OF MARISSA BROWN FOR CEC ENTERTAINMENT, INC. DBA CHUCK E. CHEESE'S LOCATED AT 221 N. 66TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-84121 BE IT RESOLVED by the City of Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 11, 2006, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the Manager Application of Marissa Brown for CEC Entertainment, Inc. dba Chuck E. Cheese's located at 221 N. 66th Street.

Introduced by Dan Marvin

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

SETTING THE HEARING DATE OF DECEMBER 11, 2006 FOR THE MANAGER APPLICATION OF

TAMELA K. SKRDLANT FOR I.I., INC. DBA VILLAGER MOTEL LOCATED AT 5200 O STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-84122 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 11, 2006, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the Manager Application of Tamela K. Skrdlant for I.I., Inc. dba Villager Motel located at 5200 "O" Street.

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

Introduced by Dan Marvin

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

MISCELLANEOUS REFERRALS

SETTING A HEARING DATE OF MONDAY, DECEMBER 11, 2006 AT 10:00 A.M. FOR PUBLIC WORKS' BOARD OF EQUALIZATION FOR SIDEWALK DISTRICT NO. 94 - Clerk requested a motion to approve the setting the hearing date of Monday, December 11, 2006 at 10:00 a.m.

MARVIN So moved.

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY COUNCIL ON NOVEMBER 13, 2006 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORTS OF CITY OFFICERS

REAPPOINTING MARTIN RAMIREZ AND MODESTA PUTLA TO THE MAYOR'S MULTICULTURAL ADVISORY COMMITTEE FOR THREE-YEAR TERMS EXPIRING SEPTEMBER 18, 2009 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84123 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Martin Ramirez and Modesta Putla to the Mayor's Multicultural Advisory Committee for three-year terms expiring September 18, 2009 is hereby approved.

Introduced by Robin Eschliman

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

REAPPOINTING CANDICE BATTON AND GIL TREVIZO TO THE CITIZEN POLICE ADVISORY BOARD FOR THREE-YEAR TERMS TO EXPIRE NOVEMBER 17, 2009 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84124 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Candice Batton and Gil Trevizo to the Citizen Police Advisory Board for three-year terms expiring November 17, 2009 is hereby approved.

Introduced by Robin Eschliman

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

REAPPOINTING GERRY KRIESER TO THE BOARD OF ZONING APPEALS FOR A FIVE-YEAR TERM EXPIRING AUGUST 24, 2011 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84125 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Gerry Krieser to the Board of Zoning Appeals for a five-year term expiring August 24, 2011 is hereby approved.

Introduced by Robin Eschliman

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

REAPPOINTING PETER WOOLMAN AS A STUDENT REPRESENTATIVE TO THE PARKS AND RECREATION ADVISORY BOARD FOR A ONE-YEAR TERM EXPIRING OCTOBER 1, 2007 - CLERK read the following resolution, introduced by Robin Eschliman, who

moved its adoption:
A-84126 BE IT RESOLVED by the City Council of the City of Lincoln,
Nebraska:

That the reappointment of Peter Woolman as a student representative to the Parks and Recreation Advisory Board for a one-year term expiring October 1, 2007 is hereby approved.

Introduced by Robin Eschliman

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

AUTHORIZING THE EXECUTION AND DELIVERY OF A (1) TRUST INDENTURE, (2) A LEASE AGREEMENT, (3) A DEED OF TRUST, CONSTRUCTION SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES, AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF \$3,500,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S INDUSTRIAL DEVELOPMENT REVENUE BOND (NEBRASKA SCHOOL ACTIVITIES ASSOCIATION PROJECT) SERIES 2006 - CLERK read an ordinance, introduced by Dan Marvin, authorizing and approving the issuance of a \$3,500,000 total principal amount Industrial Development Revenue Bond, Series 2006 (Nebraska School Activities Association Project); approving and authorizing the execution and delivery of a Lease Agreement, a Trust Indenture, a Deed of Trust, Construction Security Agreement and Assignment of Leases and Rents and a Tax Compliance Agreement and Closing Documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the first time.

CHANGE OF ZONE 06063 - APPLICATION OF NORTH 47 GROUP, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL AND B-2 PLANNED NEIGHBORHOOD BUSINESS ON PROPERTY GENERALLY LOCATED AT N. 84TH STREET AND ADAMS STREET; FOR A 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 APPROXIMATELY 74 RESIDENTIAL DWELLING UNITS AND 140,000 SQUARE FEET OF COMMERCIAL FLOOR AREA - CLERK read an ordinance, introduced by Dan Marvin, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 06069 - APPLICATION OF HIDDEN VALLEY ESTATES LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF S. 112TH STREET AND PINE LAKE ROAD - CLERK read an ordinance, introduced by Jonathan Cook, 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 Svoboda & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#18849**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06068 - APPLICATION OF MICHAEL RAASCH FOR A CHANGE OF ZONE FROM R-8 RESIDENTIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF S. 18TH STREET AND M STREET - CLERK read an ordinance, introduced by Jonathan Cook, 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 Svoboda & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.

The ordinance, being numbered #18850, is recorded in Ordinance Book #25, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, URBAN DEVELOPMENT DEPARTMENT DBA ONE STOP EMPLOYMENT SOLUTIONS AND SECURITY NATIONAL PROPERTIES FUNDING, LLC FOR LEASE OF OFFICE SPACE LOCATED AT 1010 N STREET, SUITE 150 FOR THE TIME PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2016 - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Lease Agreement between the City of Lincoln and Security National Properties Funding, LLC for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a 10-year term from January 1, 2007 through December 31, 2016, whereby the City of Lincoln is leasing 13,718 square feet space for the One Stop Career Center to unify the employment and training programs into a single system under the Workforce Investment Act, the third time.

COOK Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.
The ordinance, being numbered #18851, is recorded in Ordinance Book #25, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

COOK Moved to extend the Pending List to December 4, 2006.
Seconded by McRoy and carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.

UPCOMING RESOLUTIONS -

COOK Moved to approve the resolutions to have Public Hearing on December 4, 2006.
Seconded by McRoy & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.

ADJOURNMENT 7:41 P.M.

COOK Moved to adjourn the City Council meeting of November 20, 2006.
Seconded by McRoy & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Camp.
So ordered.

Joan E. Ross, CMC, City Clerk

Sandy L. Dubas, Senior Office Assistant