

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JANUARY 22, 2007 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chair Newman; Council Members: Camp, Marvin, McRoy, Svoboda; City Clerk, Joan E. Ross; Absent: Eschliman. Cook arrived at 2:44 p.m.

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

COOK Having been appointed to read the minutes of the City Council proceedings of January 8, 2006, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF DJ SALIA INVESTMENT PROPERTIES, LLC DBA DJ'S FOR A CLASS IK LIQUOR LICENSE AT 901 OAK STREET;

MANAGER APPLICATION OF DAN LESOING FOR DJ SALIA INVESTMENT PROPERTIES, LLC DBA DJ'S AT 901 OAK STREET - Dan Lesoing, 6001 Knolls, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #642 FOR A CLASS D LIQUOR LICENSE AT 3939 A STREET;

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #642 AT 3939 A STREET;

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #641 FOR A CLASS D LIQUOR LICENSE AT 2811 N. 48TH STREET;

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #641 AT 2811 N. 48TH STREET;

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #681 FOR A CLASS D LIQUOR LICENSE AT 4400 O STREET;

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #681 AT 4400 O STREET - Mary Elizabeth Hoage, 11120 NW 136th Place, Waverly, NE, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF NEBRASKA DINING LLC DBA NOODLES & COMPANY #7102 FOR A CLASS I LIQUOR LICENSE AT 2801 PINE LAKE ROAD;

MANAGER APPLICATION OF EDWARD LYNCH FOR NEBRASKA DINING HOLDING LLC DBA NOODLES & COMPANY #7102 AT 2801 PINE LAKE ROAD - Edward Lynch, 1342 Shalene Circle, Omaha, NE, took oath and came forward to answer questions.

This matter was taken under advisement.

APPROVING AN AGREEMENT FOR TOWER SPACE AND APPURTENANCES AND A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND NEW CINGULAR WIRELESS PCS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES UPON CITY PROPERTY AT 5500 W. SUPERIOR STREET - Sam Mandoyo, 2611 S. 117th St., Omaha, NE, came forward representing New Cingular Wireless to discuss the placement of a tower.

This matter was taken under advisement.

VACATION NO. 03021 - VACATING A PORTION OF SOUTH 87TH STREET AND RE-DEDICATING IT AS A PRIVATE ROADWAY GENERALLY LOCATED BETWEEN ANDERMATT DRIVE AND HIGHWAY 2 AT PRAIRIE LAKES SHOPPING CENTER - DaNay Kalkowski, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing Eiger Corporation to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 06081 - APPLICATION OF B&J PARTNERSHIP FOR A CHANGE OF ZONE FROM R-6 AND R-7 RESIDENTIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH 18TH STREET AND L STREET - City Clerk stated a request was received from Attorney Mark Hunzeker to withdraw the application. Council Person Annette McRoy moved to withdraw Bill No. 07-4. Seconded by Dan Marvin and carried by the following vote: AYES: Camp, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Cook, Eschliman. This matter was taken under advisement.

DECLARING APPROXIMATELY 25 ACRES GENERALLY LOCATED WEST OF N.W. 48TH STREET AND SOUTH OF THE FUTURE WEST CUMING STREET AS SURPLUS PROPERTY - Steve Henrichsen, Planning Dept., came forward to explain the agreement will spell out specifics for the next agenda which will answer more questions. Discussion followed. This matter was taken under advisement.

APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE S.W. 40TH STREET/BNSF OVERPASS;
APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE HARRIS OVERPASS ON O STREET, 3RD THROUGH 9TH STREETS;
APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE ANTELOPE VALLEY PROJECT - PHASE 1, THE "AMENDED DRAFT SINGLE PACKAGE" - Council Person Dan Marvin asked about the leverage money for the Harris Overpass. Roger Figard, Public Works & Utilities, answered that a larger percentage of money will come from Federal money to pay for Harris Overpass. Discussion followed. This matter was taken under advisement.

APPROVING AMENDMENT NO. 1 TO THE THUNDERSTONE REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND THUNDERSTONE LLC FOR DEVELOPMENT OF A 31,782 SQUARE FOOT COMMERCIAL SPACE IN THE WEST O STREET REDEVELOPMENT AREA GENERALLY LOCATED AT N.W. 32ND AND WEST O STREETS TO PROVIDE FOR A GRANT TO REDEVELOPER TO REPLACE THE LOSS OF ELIGIBILITY FOR REIMBURSEMENT OF IMPACT FEES - Councilman Camp asked a staff person to come forward. Ernie Castillo, Urban Development, stated the grant is to provide \$55,000 to replace eligibility of impact fee agreed to last year. He stated this brings the grant total back to \$245,368. This matter was taken under advisement.

SPECIAL PERMIT NO. 06065 - APPLICATION OF ALLTEL COMMUNICATIONS OF NEBRASKA TO CONSTRUCT A 118 FOOT TALL MONOPOLE WIRELESS FACILITY CAPABLE OF ACCOMMODATING UP TO THREE CARRIERS IN THE I-1 INDUSTRIAL DISTRICT, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 3RD STREET AND GARFIELD STREET - Ralph Wyngarden, 2680 Horizon Dr., SE, Ste. E, Grand Rapids, Michigan, came forward to answer the questions why Alltel was not locating in Cooper Park and why locating in the same area as Verizon. He explained their process of locating to the best area. Discussion followed. Marvin Krout, Director of Planning Dept., came forward to answer questions. Lynn Johnson, Director of Planning Dept., to state that Sawyer Snell Park would be acceptable to accommodate a tower and would not be obtrusive to the neighbors. Discussion followed. Danny Walker, 427 "E" Street, came forward to express his thoughts on the location of this tower in the park and to ask questions. Discussion followed. Terri Dolezal, Alltel Real Estate Office, came forward to answer a question about the cost of locating a tower. Discussion followed. This matter was taken under advisement.

APPROVING AN AMENDED REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND HYVEE, INC. PREVIOUSLY ADOPTED BY THE CITY COUNCIL WITH RESOLUTION NO. A-83893 ON JUNE 26, 2006, TO PROVIDE FOR CONSTRUCTION OF N. 50TH STREET - Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing HyVee, Inc. to ask the City to pay the cost of 50th Street. Discussion followed. Dennis Ossenburg, HyVee, Inc., came forward to answer questions about other HyVee stores closing. Discussion followed.

Richard Keith, 115 Cherry Hill Blvd., BHK Enterprises, LLC, came forward representing Skate World in favor of the HyVee development and was agreeable to paying the proposed assessment. Discussion followed.

Danny Walker, 427 "E" Street, came forward to express his opinion.

Don Linscott, property owner along 50th Street, stated the businesses along 50th Street originally paid for the building of 50th Street then turned it over to the City. He stated that flooding is an issue in this area and feels money should be spent to fix the detention problem. He also stated a stoplight was requested at 50th & O Street, but the City denied the request. Discussion followed.

Richard Esquivel, 733 W. Cummings Street, came forward to ask why the City is using tax dollars to support a private business?

Richard Halvorsen, 6311 Inverness Road, expressed that he was concerned that future property owners will hold out to have the City pay more of the costs.

Councilman Ken Svoboda asked about the storm water cost.

Nicole Fleck-Tooze, Public Works & Utilities, stated the detention problem and drainage problem are separate. The street has to accommodate the drainage and drainage dollars are not part of the storm water dollars. Discussion followed.

Roger Figard, Public Works & Utilities, came forward to answer questions on the storm water issue. Discussion followed.

Kent Seacrest came forward for rebuttal. Discussion followed.

This matter was taken under advisement.

TOOK BREAK 4:24 P.M.

RECONVENED 4:40 P.M.

APPLICATION OF THE UNIVERSITY OF NEBRASKA LINCOLN TO USE THE PUBLIC RIGHT-OF-WAY FOR THE CONSTRUCTION OF A PLAZA ON THE WEST SIDE OF ANDERSEN HALL LOCATED AT 200 CENTENNIAL MALL - Eileen Bergt, 1340 N. 17th St., came forward as an architect for the University of Nebraska Lincoln in reference to the construction of the proposed plaza. Discussion followed.

Lynn Johnson, Director of Parks & Recreation Dept., came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY FOR THE N.W. 56TH STREET ROADWAY RECONSTRUCTION FROM 600 FEET NORTH OF WEST HOLDREGE TO WEST ADAMS STREETS - Council Person, Annette McRoy, stated there were a couple of neighborhood residents in favor of this construction who were in attendance, but left due to the length of the meeting.

This matter was taken under advisement.

WAIVER 06009 - APPLICATION OF GEICO DEVELOPMENT TO WAIVE THE DESIGN STANDARDS AND SUBDIVISION ORDINANCE REQUIREMENTS FOR STORMWATER ASSOCIATED WITH USE PERMIT NO. 04008 ON PROPERTY GENERALLY LOCATED AT S.W. 17TH STREET AND WEST A STREET. (REQUEST TO PLACE ON PENDING)- William Hergott, 1710 W. Washington, past president of the West A Neighborhood Assn., came forward in opposition.

Bill Vocasek, 1903 W. Mulberry Ct., president of the West A Neighborhood Assn., encouraged the developer to talk to the neighbors. They would have been opposed to the zone change had they known more about it.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF DJ SALIA INVESTMENT PROPERTIES, LLC DBA DJ'S FOR A CLASS IK LIQUOR LICENSE AT 901 OAK STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84183 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 DJ Salia Investment Properties LLC dba DJ's for a Class

"IK" liquor license at 901 Oak Street, Nebraska, for the license period ending April 30, 2007, be approved with the conditions that the applicant obtains a valid special permit, and that the premise complies in every respect with the conditions of its special permit and 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF DAN LESOING FOR DJ SALIA INVESTMENT PROPERTIES, LLC DBA DJ'S AT 901 OAK STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84184 WHEREAS, DJ Salia Investment Properties LLC dba DJ's located at 901 Oak Street, Lincoln, Nebraska has been approved for a Retail Class "IK" liquor license, and now requests that Dan Lesoing be named manager; WHEREAS, Dan Lesoing 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 Dan Lesoing 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #642 FOR A CLASS D LIQUOR LICENSE AT 3939 A STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84185 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 Kwik Shop, Inc. dba Kwik Shop #642 for a Class "D" liquor license at 3939 A Street, 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #642 AT 3939 A STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84186 WHEREAS, Kwik Shop, Inc. dba Kwik Shop #642 located at 3939 A Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Mary Elizabeth Hoage be named manager;

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

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #641 FOR A CLASS D LIQUOR LICENSE AT 2811 N. 48TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84187 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 Kwik Shop, Inc. dba Kwik Shop #641 for a Class "D" liquor license at 2811 N. 48th Street, 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #641 AT 2811 N. 48TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84188 WHEREAS, Kwik Shop, Inc. dba Kwik Shop #641 located at 2811 N. 48th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Mary Elizabeth Hoage be named manager;

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

APPLICATION OF KWIK SHOP, INC. DBA KWIK SHOP #681 FOR A CLASS D LIQUOR LICENSE AT 4400 O STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84189 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 Kwik Shop, Inc. dba Kwik Shop #681 for a Class "D" liquor license at 4400 O Street, 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF MARY ELIZABETH HOAGE FOR KWIK SHOP, INC. DBA KWIK SHOP #681 AT 4400 O STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84190 WHEREAS, Kwik Shop, Inc. dba Kwik Shop #681 located at 4400 O Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Mary Elizabeth Hoage be named manager;

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

APPLICATION OF NEBRASKA DINING LLC DBA NOODLES & COMPANY #7102 FOR A CLASS I LIQUOR LICENSE AT 2801 PINE LAKE ROAD - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84191 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 Nebraska Dining Holding LLC dba Noodles & Company for a Class "I" liquor license at 2801 Pine Lake Road, 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 Camp & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF EDWARD LYNCH FOR NEBRASKA DINING HOLDING LLC DBA NOODLES & COMPANY #7102 AT 2801 PINE LAKE ROAD - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84192 WHEREAS, Nebraska Dining Holding LLC dba Noodles & Company located at 2801 Pine Lake Road, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Edward Lynch be named manager;

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

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

APPROVING AN AGREEMENT FOR TOWER SPACE AND APPURTENANCES AND A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND NEW CINGULAR WIRELESS PCS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES UPON CITY PROPERTY AT 5500 W. SUPERIOR STREET - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving the License Agreement between the City of Lincoln, Nebraska, a municipal corporation, and New Cingular Wireless PCS, LLC dba Cingular for the placement of telecommunications facilities upon City property located in 5500 W. Superior Street and authorizing the Mayor to sign such license Agreement on behalf of the City, the second time.

VACATION NO. 03021 - VACATING A PORTION OF SOUTH 87TH STREET AND RE-DEDICATING IT AS A PRIVATE ROADWAY GENERALLY LOCATED BETWEEN ANDERMATT DRIVE AND HIGHWAY 2 AT PRAIRIE LAKES SHOPPING CENTER - CLERK read an ordinance, introduced by Jonathan Cook, vacating a portion of S. 87th Street and re-dedicating it as a private roadway, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATION NO. 06008 - VACATING RUDOLPH STREET FROM THE EAST RIGHT-OF-WAY OF N. 15TH STREET TO THE WEST RIGHT-OF-WAY OF N. 16TH STREET. (RELATED ITEMS: 07-3, 07R-19) - CLERK read an ordinance, introduced by Jonathan Cook, vacating Rudolph Street from the east right-of-way line of North 15th Street to the west right-of-way line of North 16th Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN THE JOINT ANTELOPE VALLEY AUTHORITY AND THE CITY OF LINCOLN OVER APPROXIMATELY .14 ACRES IN RUDOLPH STREET FROM N. 15TH STREET TO N. 16TH STREET, TO PRESERVE THE FLOOD STORAGE CAPACITY ON THE PROPERTY. (RELATED ITEMS: 07-3, 07R-19) (ACTION DATE: 1/29/07)

CHANGE OF ZONE 06081 - APPLICATION OF B&J PARTNERSHIP FOR A CHANGE OF ZONE FROM R-6 AND R-7 RESIDENTIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH 18TH STREET AND L STREET - PRIOR to reading:

MCROY Moved to Withdraw Bill No. 07-4.

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

The ordinance, having been **WITHDRAWN**, was assigned the File #38-4546 & was placed on file in the Office of the City Clerk.

DECLARING APPROXIMATELY 25 ACRES GENERALLY LOCATED WEST OF N.W. 48TH STREET AND SOUTH OF THE FUTURE WEST CUMING STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Jonathan Cook, declaring the City-owned property generally located at west of N.W. 48th Street and south of the future West Cuming Street as surplus and authorizing the sale thereof, the second time.

RESOLUTIONS

APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE S.W. 40TH STREET/BNSF OVERPASS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84193 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska (City) and the Lincoln/Lancaster County Railroad Transportation Safety District (District) desire to cooperate together in the design, right-of-way acquisition and construction activities for the SW 40th Street/BNSF Overpass Project; and

WHEREAS, the District has allotted \$5,340,000 in its 2006-2007 budget for participation in the project.

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

That the Agreement between the City and the District attached hereto as Exhibit "A" in connection with the final design, right-of-way acquisition and construction activities for the SW 40th Street/BNSF Overpass Project in Lincoln, Lancaster County, Nebraska, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jonathan Cook

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

APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE HARRIS OVERPASS ON O STREET, 3RD THROUGH 9TH STREETS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84194 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such

units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska (City) and the Lincoln/Lancaster County Railroad Transportation Safety District (District) desire to cooperate together in the design, right-of-way acquisition and construction activities for the Harris Overpass Project, 3rd Street to 9th Street; and

WHEREAS, the District has allotted \$1,050,000 in its 2006-2007 budget for participation in the project.

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

That the Agreement between the City and the District attached hereto as Exhibit "A" in connection with the final design, right-of-way acquisition and construction activities for the Harris Overpass Project in Lincoln, Lancaster County, Nebraska, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jonathan Cook

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

APPROVING THE TRANSFER OF RAILROAD TRANSPORTATION SAFETY DISTRICT FUNDING IN ITS 2006-07 BUDGET YEAR, FOR THE ANTELOPE VALLEY PROJECT - PHASE 1, THE "AMENDED DRAFT SINGLE PACKAGE."- CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84195 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska (City) and the Lincoln/Lancaster County Railroad Transportation Safety District (District) desire to cooperate together in the design, right-of-way acquisition and construction activities for the Antelope Valley Project - Phase 1; and

WHEREAS, the District has allotted \$1,300,000 in its 2006-2007 budget for participation in the project.

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

That the Agreement between the City and the District attached hereto as Exhibit "A" in connection with the final design, right-of-way acquisition and construction activities for the Antelope Valley Project - Phase 1 Project in Lincoln, Lancaster County, Nebraska, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jonathan Cook

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

APPROVING AMENDMENT NO. 1 TO THE THUNDERSTONE REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND THUNDERSTONE LLC FOR DEVELOPMENT OF A 31,782 SQUARE FOOT COMMERCIAL SPACE IN THE WEST O STREET REDEVELOPMENT AREA GENERALLY LOCATED AT N.W. 32ND AND WEST O STREETS TO PROVIDE FOR A GRANT TO REDEVELOPER TO REPLACE THE LOSS OF ELIGIBILITY FOR REIMBURSEMENT OF IMPACT FEES - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84196 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. The attached Amendment No. 1 to the Thunderstone Redevelopment Agreement between the City of Lincoln and Thunderstone LLC, for redevelopment of property within the West O Street Redevelopment Plan, as private development including new construction and improvements for commercial/retail use, parking and related uses, 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.

2. The City Clerk is directed to return one fully executed copy of Amendment No. 1 to the Agreement to the Urban Development Department, for transmittal to Thunderstone, LLC.

Introduced by Jonathan Cook

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

APPROVING A LEASE AGREEMENT BETWEEN THE CITY-COUNTY HEALTH DEPARTMENT AND CORNHUSKER CENTER, ENTERPRISE CO., INC. FOR THE LEASE OF SPACE AT 2662 CORNHUSKER HIGHWAY FOR A ONE-YEAR TERM FOR THE HEALTH DEPARTMENT'S ACCESS MEDICAID PROGRAM - PRIOR to reading:

MARVIN Moved to amend Bill No. 07R-6 by accepting the substitute Fifth Amendment to Lease Agreement and Addendum between Cornhusker Center and the City County Health Department which is attached hereto as Attachment "A".

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

A-84197 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Fifth Amendment to Lease Agreement and Addendum between Cornhusker Center, Property of Enterprise Co., Inc. and the City County Health Department, for the lease of space located at 2662 Cornhusker Highway for a one-year term from November 1, 2006 through October 31, 2007 for the Health Department's Access Medicaid Program, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return an original Agreement to the Health Department for transmittal to Cornhusker Shopping Center.

Introduced by Jonathan Cook

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

SPECIAL PERMIT NO. 06065 - APPLICATION OF ALLTEL COMMUNICATIONS OF NEBRASKA TO CONSTRUCT A 118 FOOT TALL MONOPOLE WIRELESS FACILITY CAPABLE OF ACCOMMODATING UP TO THREE CARRIERS IN THE I-1 INDUSTRIAL DISTRICT, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 3RD STREET AND GARFIELD STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84198 WHEREAS, Alltel Communications of Nebraska has submitted an application designated as Special Permit No. 06065 for authority to construct a 118' tall monopole wireless facility capable of accommodating up to three carriers in the I-1 zoning district on property generally located northwest of the intersection of S. 3rd Street and Garfield Street, and described as:

Lots 31-36, Block 3, Hull's South Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission, after public hearing, granted said application; and

WHEREAS, the Director of Planning has filed a notice of appeal appealing the action of the Planning Commission; and

WHEREAS, on appeal the action of the Planning Commission is deemed to be an advisory recommendation of approval; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this wireless facility tower will not be adversely affected by granting such a permit; and

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

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

That the application of Alltel Communications of Nebraska, hereinafter referred to as "Permittee", to construct a 118' tall monopole wireless facility capable of accommodating the antennas of three carriers be and the same is hereby granted under the provisions of Section 27.68.030 the Lincoln Municipal Code upon condition that construction of said tower be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits a 118' tall monopole for wireless facilities capable of accommodating the antennas of three carriers consistent with the site plan.

2. Before receiving building permits:
 - a. The Permittee shall complete the following instructions and submit to the Planning Department for review and approval a revised site plan including five copies showing the following revisions:
 - i. Include a landscape schedule that demonstrates compliance with Design Standards.
 - ii. Show screening for the lease areas for the additional carrier's facilities.
 - iii. State that the heights of the of the antennas on sheet ANT-1 are approximate.
 - iv. Show the correct scale on the site plan.
 - b. The construction plans comply with the approved plans.
 - c. Submit a surety adequate to guarantee removal of the wireless facility subject to approval by the City.
3. Before use of the facility all development and construction shall have been completed in compliance with the approved plans.
4. All privately-owned improvements shall be permanently maintained by the owner.
5. 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.
6. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.
7. The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Introduced by Jonathan Cook

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

APPROVING AN AMENDED REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND HYVEE, INC. PREVIOUSLY ADOPTED BY THE CITY COUNCIL WITH RESOLUTION NO. A-83893 ON JUNE 26, 2006, TO PROVIDE FOR CONSTRUCTION OF N. 50TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

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

The resolution, having **LOST**, was assigned the File #38-4547 & was placed on file in the Office of the City Clerk.

APPLICATION OF THE UNIVERSITY OF NEBRASKA LINCOLN TO USE THE PUBLIC RIGHT-OF-WAY FOR THE CONSTRUCTION OF A PLAZA ON THE WEST SIDE OF ANDERSEN HALL LOCATED AT 200 CENTENNIAL MALL - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84199 WHEREAS, the University of Nebraska - Lincoln has initiated a project to construct a plaza along the west side of Andersen Hall located at 200 Centennial Mall; and

WHEREAS, the applicant has submitted an application pursuant to Chapter 14.54 of the Lincoln Municipal Code to use approximately 1,073 square feet of the Centennial Mall public right-of-way adjacent to Andersen Hall for the construction of a plaza as indicated on the maps attached hereto; and

WHEREAS, said application has been reviewed by the Public Works Department which recommended approval of said application.

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

That the application of the University of Nebraska - Lincoln, hereinafter referred to as Permittee, for a permit to use the Centennial Mall public right-of-way adjacent to the west side of Andersen Hall at 200 Centennial Mall for the construction a plaza is approved pursuant to Chapter 14.54 of the Lincoln Municipal Code subject to the following conditions:

- a. That the permission herein granted is granted as a privilege only, and is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code.
- b. That such space shall only be used for a plaza as specified on the permit in accordance with the requirements of Chapter 14.54.

c. Permittee agrees that the maintenance of the uses obtained by this permit shall solely and only be the responsibility of the Permittee and shall be performed at Permittee's cost and expense. The material authorized by this permit shall at all times be maintained in good repair and in a form approved by the permit.

d. As a condition for the granting of this permit, the City of Lincoln is released from any and all liability and responsibility for any damage to the permitted use which might occur during maintenance or repair work performed by the City of Lincoln, its departments or utilities, or another quasi-public utility, or franchisee of the City of Lincoln, including, but not limited to, such things as street maintenance and repair, snow removal, street cleaning, sign replacement, maintenance or repair, or any other maintenance, construction, or repair function of the City of Lincoln, its departments, utilities, or quasi-public utilities or its franchisees or its successors or assigns.

e. That the user requires no right, title, or interest in the space permitted to be used.

f. That the space granted hereunder shall be vacated upon demand by the City Council and its use discontinued by the Permittee, with no recourse against the City for any loss or damage occasioned by any such requirement.

g. That if any such space not be vacated and such use not be discontinued by the time specified, the City may remove from such space any work left thereon at the risk and expense of the Permittee.

h. That the permit issued pursuant to this Section is a personal privilege and may not be transferred or alienated voluntarily or involuntarily.

i. The Permittee shall be responsible for all construction and maintenance of this trail.

j. The Permittee must contact Diggers Hotline prior to initiating any work.

k. All permitted improvements must conform to all applicable City codes and ordinances and shall be subject to the inspection and approval of the Director of Public Works of the City of Lincoln or his designated representative.

l. The Permittee shall sign and return the City's letter of acceptance to the City Clerk prior to construction of the plaza in the public right-of-way.

Introduced by Jonathan Cook

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF DECEMBER 1 - 31, 2006 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84200 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated January 2, 2007, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED OR SETTLED</u>	
Conrad Enterprises LLC	\$332.81	State Farm Insurance	
Steve Cummings	NAS*	(Claim No. 27-7736-421)	\$995.00
		Theresa Scherer, P.R. of the	
		Estate of Barbara Rhodes	Property
		Returned	
		Richard Grace	757.98
		Stan Lukow	200.00
		Ricky Lester	53.00
		Elias Sadat	525.39
		Dennis Lyman	254.33

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jonathan Cook

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY FOR THE N.W. 56TH STREET ROADWAY RECONSTRUCTION FROM 600 FEET NORTH OF WEST HOLDREGE TO WEST ADAMS STREETS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84201 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Interlocal Agreement between the City of Lincoln and Lancaster County, for roadway reconstruction in N.W. 56th Street from 600 feet north of West Holdrege Street to West Adams Street, upon the terms and conditions set forth in said Agreement, which is attached hereto marked as Attachment "A", 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 transmit one fully executed original of said Agreement to Trish Owen for filing with Lancaster County.

Introduced by Jonathan Cook

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

WAIVER 06009 - APPLICATION OF GEICO DEVELOPMENT TO WAIVE THE DESIGN STANDARDS AND SUBDIVISION ORDINANCE REQUIREMENTS FOR STORMWATER ASSOCIATED WITH USE PERMIT NO. 04008 ON PROPERTY GENERALLY LOCATED AT S.W. 17TH STREET AND WEST A STREET. (REQUEST TO PLACE ON PENDING)- PRIOR to reading:

COOK Moved to place Bill No. 07R-18 on Pending with no date certain.

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

PETITIONS & COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPT.:

Change of Zone 07001 - App. of the Director of Public Works and Utilities and Lower Platte South Natural Resources District, to amend Chapter 27.52 of the Lincoln Municipal Code relating to Flood Regulations for Existing Urban Area, by amending Section 27.52.020 to add definitions for 100-Year Flood Elevation, Development Area, Fill, Flood Storage Area or Salt Creek Flood Storage Area, Percentage of Allowable Fill, and Single-Family Residential Building; and by adding a new section numbered 27.52.035 to adopt standards for development within the Salt Creek Flood Storage Areas.

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 5, 2007 AT 1:30 PM. FOR THE APPLICATION OF SHUBH HOTELS, LLC DBA MARRIOTT CORNHUSKER FOR A CLASS CK LIQUOR LICENSE LOCATED AT 333 S. 13TH STREET - CLERK read the following resolution, introduced by Jon Camp for Robin Eschliman, who moved its adoption:

A-84202 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 5, 2007 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 application of Shubh Hotels, LLC dba Marriott Cornhusker for a Class CK liquor license located at 333 S. 13th Street.

Introduced by Robin Eschliman

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

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 5, 2007 AT 1:30 P.M. FOR THE APPLICATION OF LONE STAR STEAKHOUSE & SALOON OF NEBRASKA, INC. DBA LONE STAR STEAKHOUSE & SALOON FOR A CLASS I LIQUOR LICENSE LOCATED AT 200 N. 70TH STREET - CLERK read the following resolution, introduced by Jon Camp for Robin Eschliman, who moved its adoption:

A-84203 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 5, 2007 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 Application of Lone Star Steakhouse & Saloon of Nebraska, Inc. dba Lone Star Steakhouse & Saloon for a Class I liquor license located at 200 N. 70th Street.

Introduced by Robin Eschliman

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

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 5, 2007 AT 1:30 P.M. FOR THE MANAGER APPLICATION OF PAMELA GREGORIOS-WOLL FOR DHABS, LLC DBA ROCOCO THEATRE LOCATED AT 13TH AND P STREET - CLERK read the following resolution, introduced by Jon Camp for Robin Eschliman, who moved its adoption:

A-84204 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 5, 2007 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 Manager Application of Pamela Gregorios-Woll for DHABS, LLC dba Rococo Theatre located at 13th & P Street.

Introduced by Robin Eschliman

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

MISCELLANEOUS REFERRALS - NONE

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY COUNCIL ON JANUARY 8, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REAPPOINTING SITARAM JASWAL AND KEVIN HORNE TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING OCTOBER 1, 2009 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84205 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Sitaram Jaswal and Kevin Horne to the Air Pollution Control Advisory Board for three-year terms expiring October 1, 2009, is hereby approved.

Introduced by Jonathan Cook

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

APPOINTING JESSIE SMITH TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A THREE-YEAR TERM EXPIRING NOVEMBER 1, 2009 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84206 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jessie Smith to the Veterans Memorial Garden Advisory Council for a three-year term expiring November 1, 2009 is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING ROBERT BALDWIN, BEECH DALE AND ROGER B. DRUCKER TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR THREE-YEAR TERMS EXPIRING NOVEMBER 1, 2009 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84207 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Robert Baldwin, Beech Dale, and Roger B. Drucker to the Veterans Memorial Garden Advisory Council for three-year terms expiring November 1, 2009 is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING MICHELLE ZUHLKE FOR A ONE-YEAR TERM AND JAMES LAMPHERE FOR A TWO-EAR TERM TO THE GOVERNMENT ACCESS AND INFORMATION COMMITTEE FOR TERMS EXPIRING JANUARY 1, 2008 AND JANUARY 1, 2009, RESPECTIVELY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84208 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Michelle Zuhlke and James Lamphere to the Government Access and Information Committee for terms expiring January 1, 2008 and January 1, 2009, respectively, is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING TOM LAGING TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A THREE-YEAR TERM EXPIRING JANUARY 9, 2010 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84209 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Tom Laging to the Nebraska Capitol Environs Commission for a three-year term expiring January 9, 2010, is hereby approved.

Introduced by Jonathan Cook

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

STREET NAME CHANGE 03002 - RENAMING 15TH STREET BETWEEN A AND H STREETS AS GOODHUE BOULEVARD - CLERK read an ordinance, introduced by Robin Eschliman, changing the name of South 15th Street to Goodhue Boulevard located from A Street to H Street, as recommended by the Street Name Committee, the first time.

APPROVING AN AGREEMENT FOR TOWER SPACE AND APPURTENANCES AND A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND VERIZON WIRELESS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES UPON CITY PROPERTY AT COOPER PARK GENERALLY LOCATED AT 8TH AND D STREETS - CLERK read an ordinance, introduced by Robin Eschliman, accepting and approving the Agreement for Tower Space and Appurtenances between the City of Lincoln, Nebraska, a municipal corporation, and Verizon Wireless (VAW) LLC, dba Verizon Wireless for the placement of telecommunications facilities upon City property located in Cooper Park generally located at 8th and D Streets and authorizing the Mayor to sign such Agreement on behalf of the City, the first time.

AMENDING CHAPTER 2.38 OF THE LINCOLN MUNICIPAL CODE RELATING TO STARTRAN BY ADDING A NEW SECTION NUMBERED 2.38.130 TO MAKE IT UNLAWFUL TO POSSESS FIREARMS OR DANGEROUS WEAPONS WHILE IN OR UPON ANY STARTRAN VEHICLE - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 2.38 of the Lincoln Municipal Code relating to StarTran by adding a new section numbered 2.38.130, making it unlawful to possess firearms or dangerous weapons while in or upon any StarTran vehicle, the first time.

APPROVING THE CITY OF LINCOLN NORTH 56TH STREET & I-80 REDEVELOPMENT AGREEMENT BETWEEN HARTLAND HOMES INC., NORTH BLUFF EMPLOYMENT CENTER LLP, ROGER H. SCHWISOW, TRUSTEE, AND ELDONNA SCHWISOW, TRUSTEE, AND THE CITY OF LINCOLN, RELATING TO THE ANNEXATION OF APPROXIMATELY 400 ACRES OF PROPERTY GENERALLY LOCATED AT N. 56TH STREET AND I-80. (RELATED ITEMS: 07R-24, 07-7, 07R-26, 07R-27) (ACTION DATE: 2/5/07)

ANNEXATION 03007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 415 ACRES OF PROPERTY GENERALLY LOCATED AT N. 56TH STREET AND I-80. (RELATED ITEMS: 07R-24, 07-7, 07R-26, 07R-27)- CLERK read an ordinance, introduced by Robin Eschliman, 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 of the City of Lincoln, Nebraska established and shown thereon, the first time.

APPROVING THE AGREEMENT BETWEEN ROGER SCHWISOW, TRUSTEE, ELDONNA SCHWISOW, TRUSTEE, HARTLAND HOMES, DETWEILER PROPERTIES I, AND THE CITY OF LINCOLN, RELATING TO THE REDEVELOPMENT PROJECT GENERALLY LOCATED AT N. 56TH STREET AND ALVO ROAD. (RELATED ITEMS: 07R-24, 07-7, 07R-26, 07R-27) (ACTION DATE: 2/5/07).

APPROVING THE LANDOWNER AGREEMENT NOT TO PROTEST TAX ASSESSMENTS AND TO PAY TAXES BETWEEN VARIOUS PROPERTY OWNERS AND THE CITY OF LINCOLN, RELATING TO THE COMMUNITY REDEVELOPMENT GENERALLY LOCATED AT N. 56TH STREET AND ARBOR ROAD. (RELATED ITEMS: 07R-24, 07-7, 07R-26, 07R-27) (ACTION DATE: 2/5/07).

APPROVING THE 14TH STREET AND SALTILLO ROAD CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN NEBCO, INC., WESTERN HEMISPHERE HOLDING COMPANY LLC, AND THE CITY OF LINCOLN RELATING TO THE ANNEXATION OF APPROXIMATELY 81.83 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF SALTILLO ROAD BETWEEN SOUTH 14TH STREET AND SOUTH 25TH STREET. (RELATED ITEMS: 07R-29, 07R-30, 07-8, 07-9, 07-10) (ACTION DATE: 2/5/07).

APPROVING THE 25TH STREET AND SALTILLO ROAD CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN GARY TEMPLETON AND ROSE TEMPLETON, CLARK E. DEVRIES AND LISA J. DEVRIES, AND THE CITY OF LINCOLN RELATING TO THE ANNEXATION OF APPROXIMATELY 7.06 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF SALTILLO ROAD BETWEEN SOUTH 25TH STREET AND THE FORMER MISSOURI PACIFIC RAILROAD RIGHT-OF-WAY. (RELATED ITEMS: 07R-29, 07R-30, 07-8, 07-9, 07-10) (ACTION DATE: 2/5/07).

ANNEXATION 06012 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 340.45 ACRES OF PROPERTY GENERALLY LOCATED SOUTHEAST OF S. 14TH STREET AND SALTILLO ROAD AND NORTHWEST OF S. 27TH STREET AND SALTILLO ROAD. (RELATED ITEMS: 07R-29, 07R-30, 07-8, 07-9, 07-10) - CLERK read an ordinance, introduced by Robin Eschliman, 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 of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 06042 - APPLICATION OF WESTERN HEMISPHERE HOLDING COMPANY LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 25TH STREET AND SALTILLO ROAD. (RELATED ITEMS: 07R-29, 07R-30, 07-8, 07-9, 07-10) - 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 first time.

CHANGE OF ZONE 06043 - APPLICATION OF NEBCO, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 14TH STREET AND SALTILLO ROAD. (RELATED ITEMS: 07R-29, 07R-30, 07-8, 07-9, 07-10) - 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 first time.

APPROVING THE PRAIRIE VILLAGE NORTH CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN DUBOIS LAND LLC, PRAIRIE VILLAGE NORTH, LLC, PRAIRIE HOME BUILDERS, INC., RYLAND GROUP, LLC, AND NORTH 47 GROUP, LLC AND THE CITY OF LINCOLN, RELATING TO THE ANNEXATION OF APPROXIMATELY 23.34 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF N. 84TH STREET AND ADAMS STREET. (RELATED ITEMS: 07R-21, 07-15, 07-16) (ACTION DATE: 2/5/07).

ANNEXATION 06021 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 23.34 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF NORTH 84TH STREET, NORTH OF ADAMS STREET. (RELATED ITEMS: 07R-21, 07-15, 07-16) - CLERK read an ordinance, introduced by Robin Eschliman, 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 of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 05054A - APPLICATION OF PRAIRIE HOME BUILDERS INC. TO AMEND PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 AND R-5 RESIDENTIAL DISTRICTS, FROM R-3 AND R-5 RESIDENTIAL DISTRICTS AND O-3 OFFICE PARK DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT, AND FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO O-3 OFFICE PARK DISTRICT, ON PROPERTY LEGALLY DESCRIBED AS LOTS 28, 29, 35, 36, AND 41 I.T. AND A PORTION OF LOTS 23, 42, AND 43 I.T. ALL LOCATED IN SECTION 11-10-7, AND OUTLOT C, PRAIRIE VILLAGE ADDITION, ALL OF LOTS 106 AND 107 I.T., AND A PORTION OF LOT 96 I.T., ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 14-10-7, LANCASTER COUNTY, NEBRASKA, 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 A MAXIMUM OF 1,063 DWELLING UNITS AND 600,000 SQUARE FEET OF COMMERCIAL FLOOR AREA NORTH OF ADAMS STREET AND 285,000 SQUARE FEET OF COMMERCIAL FLOOR AREA SOUTH OF ADAMS STREET. (RELATED ITEMS: 07R-21, 07-15, 07-16) - CLERK read an ordinance, introduced by Robin Eschliman, amending the City of Lincoln Zoning District Maps attached to and made a part of Title 27 or the Lincoln Municipal Code, changing the boundaries of the districts established and shown on said City of Lincoln Zoning District Maps as provided in Section 27.05.020 of the Lincoln Municipal Code and approving the designation of the area hereinafter described as a planned unit development, the first time.

APPROVING THE AGREEMENT REGARDING THE ANNEXATION OF FIRETHORN BETWEEN FIRETHORN INVESTMENT, FIRETHORN GOLF COMPANY LLC, FIRETHORN UTILITY SERVICE CO., AND THE CITY OF LINCOLN, RELATING TO THE ANNEXATION OF APPROXIMATELY 303.66 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF S. 84TH STREET AND PIONEERS BLVD. (RELATED ITEMS: 07R-25, 07-11, 07-12, 07-13, 07R-20) (ACTION DATE: 2/5/07) (PLACED ON PENDING, 6-0; INTRODUCE 2/5/07; PUBLIC HEARING 2/12/07; ACTION DATE 2/26/07)- PRIOR to reading:

COOK Moved to place Bill No. 07R-25 on Pending with Introduction 2/5/07; Public Hearing 2/12/07; Action date 2/26/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

ANNEXATION 06020 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 303.66 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF S. 84TH STREET AND PIONEERS BLVD. (RELATED ITEMS: 07R-25, 07-11, 07-12, 07-13, 07R-20)- PRIOR to reading:

COOK Moved to place Bill No. 07R-25 on Pending with Introduction 2/5/07; Public Hearing 2/12/07; Action date 2/26/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

CHANGE OF ZONE 06077 - APPLICATION OF FIRETHORN INVESTMENT FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-1 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF S. 84TH STREET AND PIONEERS BLVD. (RELATED ITEMS: 07R-25, 07-11, 07-12, 07-13, 07R-20)- PRIOR to reading:

COOK Moved to place Bill No. 07R-25 on Pending with Introduction 2/5/07; Public Hearing 2/12/07; Action date 2/26/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

STREET NAME CHANGE 06010 - RENAMING MONTELLO ROAD GENERALLY LOCATED BETWEEN S. 84TH STREET AND S. 91ST STREET AS FIRETHORN LANE. (RELATED ITEMS: 07R-25, 07-11, 07-12, 07-13, 07R-20)- PRIOR to reading:

COOK Moved to place Bill No. 07R-25 on Pending with Introduction 2/5/07; Public Hearing 2/12/07; Action date 2/26/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

SPECIAL PERMIT 872F - APPLICATION OF FIRETHORN INVESTMENT TO EXPAND THE BOUNDARIES OF THE FIRETHORN COMMUNITY UNIT PLAN TO ADD 95 SINGLE FAMILY LOTS AND TO ALLOW UP TO 545 DWELLING UNITS ON PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF S. 84TH STREET AND PIONEERS BLVD.(RELATED ITEMS: 07R-25, 07-11, 07-12, 07-13, 07R-20) (ACTION DATE: 2/5/07)- PRIOR to reading:

COOK Moved to place Bill No. 07R-25 on Pending with Introduction 2/5/07; Public Hearing 2/12/07; Action date 2/26/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

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

APPROVING A TWO-YEAR LEASE AGREEMENT BETWEEN THE CITY AND FRONTIER HARLEY DAVIDSON INC. FOR SIX POLICE MOTORCYCLES - CLERK read an ordinance, introduced by Jon Camp, accepting and approving a lease agreement between the City of Lincoln, Nebraska and Frontier Harley Davidson Leasing for six Harley Davidson police motorcycles for use by the Police Department, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#18865**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 04086 - APPLICATION OF SCMH, LLC FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND CUMBERLAND DRIVE - CLERK read an ordinance, introduced by amending the Lincoln Zoning District Maps attached to and made a part 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.

CAMP Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#18866**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06079 - AMENDING SECTION 27.65.075 OF THE LINCOLN MUNICIPAL CODE RELATING TO COMMUNITY UNIT PLAN IN THE BTA OVERLAY DISTRICT TO REVISE THE REQUIREMENT FOR THE FUTURE DEVELOPMENT PLAN FOR THE ACREAGE DEVELOPMENT COMPONENT - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.65.075 of the Lincoln Municipal Code relating to Form of Community Unit Plan in the BTA Overlay District to waive the conversion plan (ghost plat) for the Acreage Development Component of the Community Unit Plan if the average lot size is less than one-half acre and the total coverage area of the Acreage Development Component is reduced by 20%; and repealing Section 27.65.075 of the Lincoln Municipal Code as hitherto existing, the third time.

COOK Moved to reconsider Bill No. 06-215.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

MARVIN Moved to amend Bill No. 06-215 on page 2, lines 9 through 13, delete the new language as follows: "If the Acreage Development Component coverage area of the Community Unit Plan is reduced by 20% and the average lot area in the final plot plan for the Acreage Development Component is between one-half acre to one acre, the future final plot plan shall provide at least two times the number of lots included in said final plot plan."
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

CAMP Moved to pass the ordinance as amended.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

The ordinance, being numbered **#18867**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06072 - APPLICATION OF REZAC-PICKERING-WILLIAMS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF S.W. 27TH STREET AND W. DENTON ROAD - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#18868**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06078 - APPLICATION OF ENTERPRISE COMPANY, INC. FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-1 LOCAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT N. 46TH STREET AND Q STREET - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#18869**, is recorded in Ordinance Book #25, Page

VACATING THE FAIRWAY PARK ADDITION PLAT GENERALLY LOCATED AT N. 27TH STREET AND THERESA STREET - CLERK read an ordinance, introduced by Jon Camp, vacating Fairway Park Addition which created three lots and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#18870**, is recorded in Ordinance Book #25, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to January 29, 2007.
Seconded by Svoboda and carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the remaining resolutions to have Public Hearing on January 29, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

ADJOURNMENT 5:18 P.M.

CAMP Moved to adjourn the City Council meeting of January 22 2007.
 Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
 So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

REGULAR MEETING
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