

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, FEBRUARY 5, 2007 AT 1:30 P.M.**

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

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

MCROY Having been appointed to read the minutes of the City Council proceedings of January 29, 2007, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF SHUBH HOTELS LINCOLN, LLC DBA MARRIOTT CORNHUSKER FOR A CLASS CK LIQUOR LICENSE AT 333 S. 13TH STREET;

MANAGER APPLICATION OF JAMIE ERICKSON FOR SHUBH HOTELS LINCOLN, LLC DBA MARRIOTT CORNHUSKER AT 333 S. 13TH STREET - Jamie Erickson, 333 S. 13th St., came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF LONE STAR STEAKHOUSE & SALOON OF NEBRASKA, INC. DBA LONE STAR STEAKHOUSE & SALOON FOR A CLASS I LIQUOR LICENSE AT 200 N. 70TH STREET;

MANAGER APPLICATION OF KIMBERLY BAHM FOR LONE STAR STEAKHOUSE & SALOON OF NEBRASKA, INC. DBA LONE STAR STEAKHOUSE & SALOON AT 200 N. 70TH STREET - Chris Batterman, 3410 Everett, came forward to take oath and answer questions.

R. Christian Hansen, 8712 W. Dodge Rd. #400, Omaha, Nebraska, came forward to take oath and answer questions.

This matter was taken under advisement.

MANAGER APPLICATION OF PAMELA GREGORIOS-WOLL FOR DHABS, LLC DBA ROCOCO THEATRE AT 140 N. 13TH STREET - Pamela Gregorios-Woll, 140 N. 13th St., came forward to take oath and answer questions.

This matter was taken under advisement.

AMENDING CHAPTER 24.12 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LINCOLN PLUMBING CODE BY ADDING A NEW SECTION 24.12.062 TO AMEND SECTION 220.0 OF THE UNIFORM PLUMBING CODE TO ADD A DEFINITION FOR RAIN SENSOR; AMENDING SECTION 24.12.160 TO AMEND SECTION 603.4.6 OF THE UNIFORM PLUMBING CODE, PROTECTION FROM LAWN SPRINKLER AND IRRIGATION SYSTEMS, TO REQUIRE THE PLANS ACCOMPANYING AN APPLICATION FOR A PERMIT FOR THE INSTALLATION OF ANY UNDERGROUND IRRIGATION SYSTEM SHOW THE INCLUSION OF A RAIN SENSOR - Karen Burchard, 2118 Sewell St., Chair of the Mayor's Water Conservation Task Force, came forward in support stating this amendment will reduce landscape water use by 5 to 10% each year. Discussion followed.

This matter was taken under advisement.

APPROVING A TEMPORARY EARLY RETIREMENT INCENTIVE PROGRAM AND ESTABLISHING ELIGIBILITY REQUIREMENTS, ENROLLMENT PERIOD, REQUIRED RETIREMENT DATE AND INCENTIVE AMOUNTS - Don Taute, City/County Personnel, came forward to explain the program. Discussion followed.

This matter was taken under advisement.

ESTABLISHING A UNIFORM POLICY FOR THE NAMING AND RENAMING OF STREETS TO IDENTIFY THE RELEVANCY OF SAID STREET NAMES TO LINCOLN, PRIORITIZE NAMES AND ESTABLISH A REIMBURSEMENT POLICY FOR THE CITY - Allan Abbott, 4516 Fir Hollow Lane, came forward in opposition stating that this issue does not have a high enough priority to justify a task force.

This matter was taken under advisement.

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;

ANNEXATION 03007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 415 ACRES OF PROPERTY GENERALLY LOCATED AT N. 56TH STREET AND I-80;

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;

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 - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing Developments Unlimited to explain the redevelopment. Discussion followed.

Peter Katt, 1045 Lincoln Mall, Suite 200, came forward on behalf of Hartland Homes and Roger & Eldonna Schwisow to discuss the agreement and answer questions.

Teresa Tambke, 6001 Arbor Rd., came forward in opposition stating she wants to protect her home, retain the same quality of life and to be cut out of the annexation.

Don Bowman, 1045 Lincoln Mall #100, came forward representing Tom & Wanda Stewart, business owners, who are opposed to the annexation but not the development. Discussion followed.

Joan Maxson, 5200 Arbor Rd., came forward in opposition to the annexation of her property. Discussion followed.

Mr. Hunzeker came forward in rebuttal. Discussion followed.

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;

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;

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;

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;

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 - Kent Seacrest of Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward on behalf of his clients who own 80 acres in the southwest edge of Lincoln and to answer any questions.

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

Robert Priel, Route 2, Box 361, Hickman, NE, came forward with questions about traffic use and environmental safeguards.

Mr. Seacrest came forward in rebuttal stating turn lanes on Saltillo are temporary for now, that the City will add them later; and there will be no mining, fill dirt will be trucked in. He said he does not know of any current safety concerns at the present site. Discussion followed.

This matter was taken under advisement.

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

TOOK BREAK 3:05 P.M.

RECONVENED 3:20 P.M.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF SHUBH HOTELS LINCOLN, LLC DBA MARRIOTT CORNHUSKER FOR A CLASS CK LIQUOR LICENSE AT 333 S. 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-84223 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 Shubh Hotels Lincoln, LLC dba Marriott Cornhusker for a Class "CK" liquor license at 333 S. 13th Street, 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 Jon Camp

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

MANAGER APPLICATION OF JAMIE ERICKSON FOR SHUBH HOTELS LINCOLN, LLC DBA MARRIOTT CORNHUSKER AT 333 S. 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-84224 WHEREAS, Shubh Hotels Lincoln, LLC dba Marriott Cornhusker located at 333 S. 13th Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Jamie Erickson be named manager;

WHEREAS, Jamie Erickson 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 Jamie Erickson 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 Jon Camp

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

APPLICATION OF LONE STAR STEAKHOUSE & SALOON OF NEBRASKA, INC. DBA LONE STAR STEAKHOUSE & SALOON FOR A CLASS I LIQUOR LICENSE AT 200 N. 70TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84225 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 Lone Star Steakhouse & Saloon of Nebraska, Inc. dba Lone Star Steakhouse & Saloon for a Class "I" liquor license at 200 N. 70th 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 Jon Camp

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

MANAGER APPLICATION OF KIMBERLY BAHM FOR LONE STAR STEAKHOUSE & SALOON OF NEBRASKA, INC. DBA LONE STAR STEAKHOUSE & SALOON AT 200 N. 70TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84226 WHEREAS, Lone Star Steakhouse & Saloon of Nebraska, Inc. dba Lone Star Steakhouse & Saloon located at 200 N. 70th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Kimberly Bahm be named manager;

WHEREAS, Kimberly Bahm 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 Kimberly Bahm 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 Jon Camp

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

MANAGER APPLICATION OF PAMELA GREGORIOS-WOLL FOR DHABS, LLC DBA ROCOCO THEATRE AT 140 N. 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84227 WHEREAS, DHABS, LLC dba Rococo Theatre located at 140 N. 13th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Pamela Gregorios-Woll be named manager;

WHEREAS, Pamela Gregorios-Woll 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 Pamela Gregorios-Woll 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 Jon Camp

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

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

AMENDING THE PAY SCHEDULE FOR CERTAIN EMPLOYEE GROUPS BY CHANGING THE TITLE OF POLICE PROPERTY AND EVIDENCE SUPERVISOR TO POLICE PROPERTY AND EVIDENCE MANAGER - CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18780 passed August 14, 2006, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "C" by amending the job classification title of "Police Property and Evidence Supervisor" to "Police Property and Evidence Manager", the second time.

AMENDING CHAPTER 24.12 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LINCOLN PLUMBING CODE BY ADDING A NEW SECTION 24.12.062 TO AMEND SECTION 220.0 OF THE UNIFORM PLUMBING CODE TO ADD A DEFINITION FOR RAIN SENSOR; AMENDING SECTION 24.12.160 TO AMEND SECTION 603.4.6 OF THE UNIFORM PLUMBING CODE, PROTECTION FROM LAWN SPRINKLER AND IRRIGATION SYSTEMS, TO REQUIRE THE PLANS ACCOMPANYING AN APPLICATION FOR A PERMIT FOR THE INSTALLATION OF ANY UNDERGROUND IRRIGATION SYSTEM SHOW THE INCLUSION OF A RAIN SENSOR - CLERK read an ordinance, introduced by Annette McRoy, amending Chapter 24.12 of the Lincoln Municipal Code relating to the Lincoln Plumbing Code, by adding a new section numbered 24.12.062 to amend Section 220.0 of the Uniform Plumbing Code to add a definition for rain sensor; amending Section 24.12.160 of the Lincoln Municipal Code to amend Section 603.4.6 of the Uniform Plumbing Code, Protection from Law Sprinkler and Irrigation Systems, to require the plans accompanying an application for a permit for the installation of any underground irrigation system show the inclusion of a rain sensor; and repealing Section 24.12.160 of the Lincoln Municipal Code as hitherto existing, the second time.

RESOLUTIONS

APPROVING A TEMPORARY EARLY RETIREMENT INCENTIVE PROGRAM AND ESTABLISHING ELIGIBILITY REQUIREMENTS, ENROLLMENT PERIOD, REQUIRED RETIREMENT DATE AND INCENTIVE AMOUNTS. (1/29/07 - Con't P.H. w/ Action 2/5/07) - PRIOR to reading:

MARVIN Moved to amend Bill No. 07R-28 in the following manner:

1. On page 2, line 3, delete the date "April 30th, 2007" and insert in lieu thereof the date May 7th, 2007.

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

CLERK Read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84228 WHEREAS, the City Council passed resolution No. A-84080 on October 23, 2006 directing the Personnel and Law Departments to draft and bring forward for consideration a temporary early retirement incentive program; and

WHEREAS, the Personnel and Law Departments have now drafted a temporary early retirement incentive program pursuant to the City Council's direction;

NOW, THEREFORE, be it resolved by the City Council of the City of Lincoln, Nebraska:

There is hereby established a temporary early retirement incentive program consisting of the following terms and conditions, and those specified in the attached "Application and Agreement", attached hereto as Attachment A and made a part hereof by reference.

1. **Eligibility.** Employees eligible to participate shall be any regular employee in pay ranges prefixed with the letters A, B, C, E, M, N, and X who has attained the age of 55 and has completed 20 or more years of service with the City and any regular employee in the above pay ranges age 62 or older at the time of adoption of this program or any employee in the above pay ranges who will meet these eligibility requirements during the period in which to apply;

2. **Participation.** Employee participation in the temporary early retirement incentive program is strictly voluntary on the part of eligible employees;

3. **Application to Participate.** Any eligible employee wishing to participate in the temporary early retirement incentive program shall complete an Application and Agreement in the form of Attachment A to this resolution during the time the temporary early retirement incentive program is in effect.

4. **Enrollment Period.** Eligible employees are required to enroll in the temporary early retirement incentive program by completing an Application and Agreement at any time between February 1st, 2007, and ~~April 30th, 2007~~ May 7th, 2007;

5. **Retirement Date.** Any eligible employee who enrolls in the temporary early retirement incentive program shall be required to retire from City employment between September 1st, 2007, and November 30th, 2007.

6. **Early Retirement Incentive.** Any eligible employee who enrolls in the temporary early retirement incentive program shall receive an incentive payment of \$15,000 payable to the employee's Post Employment Health Plan (PEHP) premium account and in addition to such cash payment, shall receive an additional sick leave payout of 15% above the employee's normal sick leave payout amount upon retirement as set forth in the applicable collective bargaining agreement or Lincoln Municipal Code provisions which amount shall also be paid to the employee's PEHP premium account; and

7. **Compliance with Law.** The temporary early retirement incentive program is intended to fully comply with all applicable provisions of the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C.A. Sections 621-634.

Introduced by Robin Eschliman

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

ESTABLISHING A UNIFORM POLICY FOR THE NAMING AND RENAMING OF STREETS TO IDENTIFY THE RELEVANCY OF SAID STREET NAMES TO LINCOLN, PRIORITIZE NAMES AND ESTABLISH A REIMBURSEMENT POLICY FOR THE CITY - PRIOR to reading:

MARVIN Moved Amendment #1 to Bill No. 07R-32 in the following manner:

1. On page 1, delete line 8 (being item 3a).
2. Re-letter the subsequent lines accordingly.

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

MARVIN Moved Amendment #2 to Bill No. 07R-32 in the following manner:

1. On page 1, delete lines 4, 5, and 6 (being paragraph 2).
2. Re-number the subsequent paragraph accordingly.

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

CAMP Moved Amendment #3 to Bill No. 07R-32 to re-instate paragraph 3.(a) on line 7, page 1.

Seconded by Svoboda & **LOST** by the following vote: AYES: Camp,

Eschliman, Svoboda; NAYS: Cook, Marvin, McRoy, Newman.
CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption.

Seconded by Svoboda & **LOST** by the following vote: AYES: Camp, Eschliman, Svoboda; NAYS: Cook, Marvin, McRoy, Newman.
The resolution, having **LOST**, was assigned the File #38-4548 & was placed on file in the Office of the City Clerk.

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

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) - PRIOR to reading:

SVOBODA Moved to delay action on Bill No. 07R-24 one week to 2/12/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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) - PRIOR to reading:

SVOBODA Moved to delay action on Bill No. 07-7 one week to 2/12/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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 third 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) - PRIOR to reading:

SVOBODA Moved to delay action on Bill No. 07R-26 one week to 2/12/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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) - PRIOR to reading:

SVOBODA Moved to delay action on Bill No. 07R-27 one week to 2/12/07.
Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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) - PRIOR to reading:

MARVIN Moved to delay action on Bill No. 07R-29 one week to 2/12/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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) - PRIOR to reading:

MARVIN Moved to delay action on Bill No. 07R-30 one week to 2/12/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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) - PRIOR to reading:

MARVIN Moved to delay action on Bill No. 07-8 one week to 2/12/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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 third 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) - PRIOR to reading:

MARVIN Moved to delay action on Bill No. 07-9 one week to 2/12/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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 third 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) - PRIOR to reading:

MARVIN Moved to delay action on Bill No. 07R-10 one week to 2/12/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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 third time.

PETITIONS & COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 07002 - App. of Olsson Associates from AG Agricultural District to B-1 Local Business District, B-2 Planned Neighborhood Business District, R-3 and R-4 Residential Districts, on property generally located at 98th and O Streets.

Change of Zone No. 07003 - Req. of the Director of Planning, from AG Agricultural District to H-4 General Commercial District, on property generally located at N. 84th Street and Havelock Avenue.

Change of Zone No. 07004 - Req. of the Director of Planning, amending Section 27.69.220 of the Lincoln Municipal Code relating to area signs for complexes or subdivision areas to revise regulations for complex or subdivision area identification signs.

Special Permit No. 07001 - App. of Olsson Associates, Waterford Estates 1st Addition Community Unit Plan, for approx. 51 townhomes, with requests to waive setbacks, block length and sidewalks, on property generally located at 98th & O Streets.

Special Permit No. 07002 - App. of T.C.W., LLC to allow a rock crushing recycling plant on property generally located at N. 3rd Street and Q Street.

MISCELLANEOUS REFERRALS - NONE

REPORTS OF CITY OFFICERS

Clerk's Letter and Mayor's Approval of Resolutions and Ordinances passed by the City Council on January 22, 2007 - CLERK presented said report which

was placed on file in the Office of the City Clerk. (27-1)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SMALL ISSUE TAX ALLOCATION BONDS - CLERK read an ordinance, introduced by Ken Svoboda, Authorizing the issuance of Small Issue Tax Allocation Bonds in one or more series for the purpose of paying the costs of constructing, reconstructing, improving, extending, equipping or furnishing improvements within one or more of the City's Present and Future Community Development Law Improvement Projects and the acquisition of parcels of real estate and/or interests in real estate in connection therewith; prescribing the form and certain details of the Bonds; pledging certain Tax Allocation Revenues to the payment of the principal of and interest on the Bonds as the same become due and making certain covenants and agreements in connection therewith; limiting payment of the Bonds to said Tax Allocation Revenues; authorizing the creation and establishment of Funds and Accounts; authorizing the purchase of such Bonds from City fund balances as determined by the Finance Director or City Controller; delegating, authorizing and directing the Finance Director or City Controller to exercise his or her own independent discretion and judgment to determine and finalize the issuance of any series of Bonds and the terms and provisions thereof not specified herein; providing for the application of the proceeds of the Bonds; providing for the payment of the principal of and interest on the Bonds; taking other action and making other covenants and agreements in connection with the foregoing, the first time.

AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT WITH UNION BANK & TRUST COMPANY, LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$6,000,000 FOR THE ACQUISITION BY THE CITY OF STREET LIGHTING EQUIPMENT - CLERK read an ordinance, introduced by Ken Svoboda, authorizing and approving a Lease-Purchase Agreement among the City, Union Bank & Trust Company, as Lessor, and Union Bank & Trust Company, as Registrar and Paying Agent, with respect to the purchase and installation of street light poles and related equipment; approving the issuance, sale and delivery by the Lessor of not to exceed \$6,000,000 aggregate principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the first time.

APPROVING THE DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY AND STEVEN HARMS RELATING TO THE CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, GENERALLY LOCATED AT N. 84TH STREET AND CORNHUSKER HIGHWAY. (RELATED ITEMS: 07R-40, 07-20) (ACTION DATE: 2/26/07)

CHANGE OF ZONE 06083 - APPLICATION OF STEVEN HARMS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT N. 84TH STREET AND CORNHUSKER HIGHWAY. (RELATED ITEMS: 07R-40, 07-20) - CLERK read an ordinance, introduced by Ken Svoboda, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE, 2006 AND DECEMBER, 2006 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Ken Svoboda, adopting the supplements to the Lincoln Municipal Code dated June, 2006; and December 2006 as part of the official Lincoln Municipal Code, the first time.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE HICKMAN PRESBYTERIAN CHURCH FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 300 E STREET, HICKMAN, FOR A PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Lease Agreement between the City of Lincoln and Hickman Presbyterian Church for the lease of office space by the Lincoln Area Agency on Aging for its AcitivAge Center program at 300 E. Third Street, Hickman, NE for a term beginning September 1, 2006 through August 31, 2007, the first time.

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

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 third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18875**, is recorded in Ordinance Book #25, Page

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 third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18876**, is recorded in Ordinance Book #25, Page

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 third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18877**, is recorded in Ordinance Book #25, Page

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) - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84229 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled Amended, Restated and Combined Prairie Village North and Prairie Village Center Conditional Annexation and Zoning Agreement and North 40 Plaza Impact Fee Reimbursement Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Dubois Land LLC, Prairie Village North LLC, Prairie Home Builders Inc., Ryland Group LLC, and North 47 Group LLC, outlining certain conditions and understandings relating to the annexation of approximately 23.24 acres of property generally located northeast of the intersection of 84th and Adams Street, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Annexation Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return two fully executed copies of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid by Dubois Land LLC, Prairie Village North LLC, Prairie Home Builders Inc., Ryland Group LLC, and North 47 Group LLC.

Introduced by Robin Eschliman

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

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 third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18878**, is recorded in Ordinance Book #25, Page

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 third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18879**, is recorded in Ordinance Book #25, Page

APPEAL OF JULIE SHIPMAN BURNS FROM THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT 06062 FOR AUTHORITY TO OPERATE SAND, GRAVEL AND SOIL EXCAVATION ON PROPERTY GENERALLY LOCATED ONE-QUARTER MILE EAST OF NORTH 56TH STREET/HIGHWAY 77 BETWEEN WAVERLY ROAD AND MILL ROAD. (12/11/06 - PUBLIC HEARING & ACTION CON'T. TO 1/29/07) (1/29/07 - Action delayed to 2/5/07) - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption.

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

The resolution, having **LOST**, was assigned the File **#38-4549** & was placed on file in the Office of the City Clerk.

RECONSIDERATION

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 OR CONSTRUCTION OF N. 50TH STREET - PRIOR to reading:

COOK Made a motion to amend the legislation to require that both the original agreement and First Amendment to it replace the existing agreement.

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

SVOBODA Moved an amendment to Bill No. 07R-8 to remove the following words: "The City is authorized to utilize any of its potential funding sources for the construction of New 50th Street" and replace with the

words: North 50th Street will be constructed, but no more than \$489,000.00 be used from Street Construction Funds, and to strike the 66 feet of R-O-W.

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

CLERK Read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-84230 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached First Amendment to Hy-Vee Redevelopment Agreement to provide for the construction of N. 50th Street between the City of Lincoln, and Hy-Vee, Inc., with respect to the 48th and O Street Redevelopment Plan, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is hereby directed to transmit a copy of the executed original Agreement to Joe Rupp, Assistant City Attorney, for transmittal Hy-Vee Inc.

Introduced by Dan Marvin

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

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

REPEALING CHAPTER 14.44 OF THE LINCOLN MUNICIPAL CODE RELATING TO OBSTRUCTIONS ON CORNER LOTS AS THE REQUIREMENTS SET FORTH IN CHAPTER 14.44 WOULD BE MORE APPROPRIATELY ADDRESSED IN THE CITY OF LINCOLN DESIGN STANDARDS. (2/27/06 - PLACED ON PENDING FOR 8 WKS TO 4/24/06 (ACTION ONLY)) (4/17/06 - MOVED TO PENDING LIST, NO DATE CERTAIN)

COOK Moved to remove Bill No. 06-16 from the Pending List.

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

The ordinance, having been **WITHDRAWN**, was assigned the File #38-4550 & was placed on file in the Office of the City Clerk.

CAMP Moved to extend the remaining items on the Pending List to February 12, 2007.

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

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on February 12, 2007.

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

ADJOURNMENT 4:54 P.M.

CAMP Moved to adjourn the City Council meeting of February 5, 2007.

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

So ordered.

