

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, FEBRUARY 12, 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

SVOBODA Having been appointed to read the minutes of the City Council proceedings of February 5, 2007, reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Coleen Seng presented the Mayor's Award of Excellence to Clifton Carpenter, Bus Operator with StarTran, in the category of Safety for the month of January, 2007.

Larry Worth, Transit Manager for StarTran, came forward to congratulate Cliff and stated this was the 3rd StarTran bus operator to receive the Mayor's Award of Excellence in the past 13 months.

PRESENTATION

Jonathan Cook presented a painting as a thank you for saving his mother's life to Firefighter/Paramedics from Station 8 and Medic Unit from Station 6. They responded to an emergency call of Jonathan's mother who had a sudden cardiac arrest. He stated Station 8 arrived within 3 ½ minutes with the Medic Unit following shortly after. The Firefighter/Paramedics honored were Capt. Guy Pinkman, Firefighter/Paramedic, Fire Apparatus Operator Roger Dondlinger, Firefighter Dan Krause, Firefighter/Medic Unit Dave Luedtke and Jay Weyers.

This matter was taken under advisement.

PUBLIC HEARING

MANAGER APPLICATION OF BARNEY COSNER FOR THE NEBRASKA STATE FAIR BOARD DBA NEBRASKA STATE FAIR PARK AT 1800 STATE FAIR PARK DRIVE - Barney Cosner, 1800 State Fair Park Dr., took the oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF ROBIN INC. DBAROC'S STOP & SHOP FOR A CLASS D LIQUOR LICENSE AT 5757 S. 85TH STREET;

MANAGER APPLICATION OF LARRY E. SEMIN FOR ROBIN INC. DBA ROC'S STOP & SHOP AT 5757 S. 85TH STREET - Larry Semin, President of Robin, Inc., took the oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF GRATA LLC DBA GRATA FOR A CLASS C LIQUOR LICENSE AT 2755 JAMIE LANE, SUITE 1516;

MANAGER APPLICATION OF ANGELA ROSE ROE FOR GRATA LLC DBA GRATA AT 2755 JAMIE LANE, SUITE 1516 - Angela Roe, 2755 Jamie Lane, took the oath and came forward to answer questions.

This matter was taken under advisement.

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SMALL ISSUE TAX ALLOCATION BONDS - Don Herz, Finance Director, came forward to present information and to answer questions. Discussion followed.

Lauren Wismer, Bond Counsel with Gilmore & Bell, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

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 - Don Herz, Finance Director, came forward to state this is the annual amount to finance street lights in 2008. Discussion followed.

Scott Keene, Ameritas Insurance Corp., came forward to answer questions. Discussion followed.

Lauren Wismer was available for questions.

Scott Opfer, Engineer/Traffic Manager for Public Works & Utilities, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

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)- DaNay Kalkowski, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing Steven Harms and Marylinn and Charles Jetton requesting to operate a garbage collection business at N. 84th Street and Cornhusker Highway and to answer questions. Discussion followed.

Steve Harms, Harms Refuse, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE, 2006 AND DECEMBER, 2006 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - Councilman Jonathan Cook commented this was a housekeeping measure.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 16 - 31, 2007 - Beth Hollon, 928 N. 27th Street, came forward to explain the reason for submitting a claim to the City. Discussion followed.

Dana Roper, City Attorney, came forward to explain the reason for denial of Ms. Hollon's claim. Discussion followed.

Ms. Hollon came forward for rebuttal.

This matter was taken under advisement.

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ART. IX, RELATING TO FINANCE AND TAXATION TO PROVIDE THAT TAXES MAY BE PAID BY CHECKS OR ELECTRONIC TRANSFERS AS WELL AS CASH, TO PROVIDE CITY CLAIMS BE PAID BY CHECKS AS WELL AS WARRANTS, AND TO REPLACE OUTDATED LANGUAGE - Don Herz, Finance Director, came forward to explain the purpose of this resolution and request approval.

Tim Schlegelmilch, Vice President of Government Banking at US Bank, explained how banks are moving away from check processing as automation continues to grow which reduces errors and is cost saving. He stated Check 21 legislation authorizes use of substitute checks.

This matter was taken under advisement.

SPECIAL PERMIT NO. 1989A - APPLICATION OF SID DILLON AUTOMOBILE DEALERSHIP TO MODIFY THE DESIGN STANDARDS FOR PARKING LOTS TO ALLOW 20 FOOT CANDLE LIGHTING LEVELS IN THE DISPLAY AREAS ON PROPERTY GENERALLY LOCATED AT S. 27TH STREET AND KENDRA LANE - Peter Katt, 1045 Lincoln Mall, Suite 200, came forward representing Sid Dillon Automobile Dealership to request this be placed on Pending for 60 days until the lighting issue is solved. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 06019 - APPROVING AND ADOPTING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN FOR THE ESTABLISHMENT OF THE "NORTH HAYMARKET ARTS AND HUMANITIES CENTER PROJECT AREA" GENERALLY BOUNDED BY S STREET ON THE NORTH, 9TH STREET ON THE EAST, R STREET ON THE SOUTH, AND 8TH STREET ON THE WEST - Dallas McGee, Ass't. Director of Urban Development, came forward for a presentation of the new proposed project in the Haymarket. Discussion followed.

Michelle Waite, UNL, read a statement from Chancellor Perlman in support.

Robert Scott, WRKL, came forward in support. Discussion followed.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing 2015 Project came forward in support.

Richard Esquivel, 733 W. Cuming, came forward in opposition. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 06017 - APPROVING AND ADOPTING AN AMENDMENT TO THE WEST O REDEVELOPMENT PLAN TO ADD THREE POTENTIAL NEW PROJECTS GENERALLY BOUNDED BY 10TH STREET ON THE EAST, ½ MILE WEST OF N.W. 70TH STREET ON THE WEST, AND EITHER SIDE OF WEST O STREET, LOCATED SOUTH OF INTERSTATE 80 AND NORTH OF THE BURLINGTON RAILROAD YARD ON THE SOUTH - Ernie Castillo, Community Development Program Specialist, came forward requesting approval. Discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF BARNEY COSNER FOR THE NEBRASKA STATE FAIR BOARD DBA NEBRASKA STATE FAIR PARK AT 1800 STATE FAIR PARK DRIVE - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84231 WHEREAS, the Nebraska State Fair Board dba Nebraska State Fair Park located at 1800 State Fair Park Drive, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Barney Cosner be named manager;

WHEREAS, Barney Cosner 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 Barney Cosner 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPLICATION OF ROBIN INC. DBA ROC'S STOP & SHOP FOR A CLASS D LIQUOR LICENSE AT 5757 S. 85TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84232 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 Robin Inc. dba ROC's Stop & Shop for a Class "D" liquor license at 5757 S. 85th 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MANAGER APPLICATION OF LARRY E. SEMIN FOR ROBIN INC. DBA ROC'S STOP & SHOP AT 5757 S. 85TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84233 WHEREAS, Robin Inc. dba ROC's Stop & Shop located at 5757 S. 85th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Larry E. Semin be named manager;

WHEREAS, Larry E. Semin 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 Larry E. Semin 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPLICATION OF GRATA LLC DBA GRATA FOR A CLASS C LIQUOR LICENSE AT 2755 JAMIE LANE, SUITE 1516 - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84234 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 Grata LLC dba Grata for a Class "C" liquor license at 2755 Jamie Lane, Suite 1516, 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 Dan Marvin

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

MANAGER APPLICATION OF ANGELA ROSE ROE FOR GRATA LLC DBA GRATA AT 2755 JAMIE LANE, SUITE 1516 - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84235 WHEREAS, Grata LLC dba Grata located at 2755 Jamie Lane, suite 1615, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Angela Rose Roe be named manager;

WHEREAS, Angela Rose Roe 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 Angela Rose Roe 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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

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 second 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 second 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 second 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 second 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 second time.

RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 16 - 31, 2007 - PRIOR to reading:

MCROY Moved to removed Beth Hollon from the denied list to have public hearing and action on February 26, 2007.

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 Ken Svoboda, who moved its adoption:

A-84236 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 February 1, 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>	
Beth Hollon	NAS*	LaDonna Iltzsch	\$1,900.00
Ann Geary	NAS*	Douglas A. Reimer	1,150.00
Beth Zillig (Wooster)	NAS*	Monica Smith	210.18
Laurie Novak	NAS*		
Kenneth M. Volker	\$ 13.12		
Beth (Marion) Griffing	NAS*		
Roger L. Pine	87.88		
Brian Lambert	43.47		
Frank Sanchez	186.21		
Pinehurst, Inc.	242.80		
Christine Hocij	53.00		
Farmers Mutual of Nebraska (Claim No. P0606633)	4,021.46		
Ying Chen	68.00		
Christina Green	37.42		
James S. Spidel	NAS*		
Lincoln Firefighter's Reception Hall	NAS*		
Judy Schwaller	NAS*		
James O'Malley	248.43		
Christopher L. Grady	2,222.00		

* 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 Ken Svoboda

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

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ART. IX, RELATING TO FINANCE AND TAXATION TO PROVIDE THAT TAXES MAY BE PAID BY CHECKS OR ELECTRONIC TRANSFERS AS WELL AS CASH, TO PROVIDE CITY CLAIMS BE PAID BY CHECKS AS WELL AS WARRANTS, AND TO REPLACE OUTDATED LANGUAGE- CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84237 WHEREAS, under the provisions of Article XI, Section 4, of the Constitution of the State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified electors at a special election proposed by the City Council of the City of Lincoln, Nebraska:

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

1. That at the general election to be held on Tuesday, the 1st day of May, 2007, there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the following proposed amendment to the Charter of the City of Lincoln:

CHARTER AMENDMENT

Amend Article IX of the Charter relating to finance and taxation to provide first that taxes may be paid by checks or electronic transfers as well as cash; secondly, to provide City claims be paid by checks as well as warrants; and lastly to replace outdated language.

**ARTICLE IX
 FINANCE AND TAXATION**

Sec. 19. Taxes, How Paid. All municipal taxes and special assessments in the city shall be paid in cash, ~~or in warrants of the city drawn on the fund for which the same are offered; provided, coupons on any bonds of the city shall be received in payment of taxes or special assessments~~ check, or electronic transfers.

Sec. 28. Warrants Payments. The finance director shall be responsible ~~for the drawing of warrants upon the treasurer~~ for the payment of approved claims. ~~Each~~ Any payment made by check or warrant shall be signed by the mayor and countersigned by the finance director., and no money shall be paid except upon warrants so drawn. The use of facsimile signatures on checks or warrants is hereby authorized. Any warrant not paid upon presentation by reason of lack of funds shall be registered and shall draw interest at a rate not to exceed five percent per year from date of registration.

Sec. 30. Finance Director Report to Council. The finance director shall report to the council annually, and at such other times as may be required by the council, a full and detailed account of the city's financial condition and of all receipts and disbursements during the year or other period concerned. The finance

director shall be responsible for the keeping of a register or other appropriate record of all ~~warrants redeemed and paid, and payments made.~~ Such register or record shall show the date, amount, and number of each ~~warrant, the fund from which paid,~~ payment made and the person payee name to whom paid. Such ~~warrant~~ register or record shall be kept subject to examination by the council at any time. (Amendment of March 3, 1959).

Sec. 31. Separate Funds, Private Use Forbidden. The city treasurer shall keep all money ~~in his hands~~ belonging to the city in such separate funds as may be created by this charter or ordered by the council. ~~He~~ The city treasurer is hereby expressly prohibited from using either directly or indirectly ~~the city money~~ or checks or warrants or securities ~~in his custody~~ for his or her own use and benefit or that of any other person.

Sec. 35. Claims and Accounts, Approval. All claims and accounts payable against the city other than a tort claim as defined by state law shall be presented in writing and shall fully and accurately identify the items or services for which payment is claimed. The finance director shall be responsible for the pre-auditing and approval of all claims and accounts payable, and no check or warrant in payment of any claim or account payable shall be drawn or paid without such approval. Publication of claims shall be accomplished in accordance with the laws of the state of Nebraska.

Said amendment shall be submitted to the qualified electors as a Charter amendment of Article IX on the ballot and shall be printed on said ballot in the following form:

"CHARTER AMENDMENT -- AMEND ARTICLE IX OF THE CHARTER TO PROVIDE FIRST THAT TAXES MAY BE PAID BY CHECKS OR ELECTRONIC TRANSFERS AS WELL AS CASH; SECONDLY, TO PROVIDE CITY CLAIMS BE PAID BY CHECKS AS WELL AS WARRANTS; AND LASTLY TO REPLACE OUTDATED LANGUAGE.

SHALL ARTICLE IX OF THE CHARTER OF THE CITY OF LINCOLN BE AMENDED TO PROVIDE FIRST THAT TAXES MAY BE PAID BY CHECKS OR ELECTRONIC TRANSFERS AS WELL AS CASH; SECONDLY, TO PROVIDE CITY CLAIMS BE PAID BY CHECKS AS WELL AS WARRANTS; AND LASTLY TO REPLACE OUTDATED LANGUAGE?

VOTE FOR or AGAINST

I vote FOR the proposed amendment.

I vote AGAINST the proposed amendment."

2. That the City Clerk of the City of Lincoln is hereby directed to publish with his official certification, three times, and a week apart, the full text of the proposed amendments to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the general election to be held in the City of Lincoln, Nebraska, on Tuesday, the 1st day of May, 2007, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition, and to procure the necessary ballots and make all other necessary arrangements for the same.

Introduced by Ken Svoboda

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

SPECIAL PERMIT NO. 1989A - APPLICATION OF SID DILLON AUTOMOBILE

DEALERSHIP TO MODIFY THE DESIGN STANDARDS FOR PARKING LOTS TO ALLOW 20 FOOT CANDLE LIGHTING LEVELS IN THE DISPLAY AREAS ON PROPERTY GENERALLY LOCATED AT S. 27TH STREET AND KENDRA LANE - PRIOR to reading:

MARVIN Moved to place Bill No. 07R-42 on Pending with Date Certain and to have public hearing and action on 5/7/07.

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

COMP. PLAN CONFORMANCE 06019 - APPROVING AND ADOPTING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN FOR THE ESTABLISHMENT OF THE "NORTH HAYMARKET ARTS AND HUMANITIES CENTER PROJECT AREA" GENERALLY BOUNDED BY S STREET ON THE NORTH, 9TH STREET ON THE EAST, R STREET ON THE SOUTH, AND 8TH STREET ON THE WEST - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84238 WHEREAS, the City Council on October 22, 1984, adopted Resolution No. A-69713 finding an area generally bounded by "R" Street, 17th Street, "S" Street, and 7th Street to be blighted, and on October 19, 1987, adopted Resolution No. A-71701 finding said area to be blighted and substandard as defined in the Nebraska Community Development Law (Neb.Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, The City Council has previously adopted the Lincoln Center Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the "North Haymarket Arts and Humanities Center Project Area" generally bounded on the north by S Street, on the east by 9th Street, on the south by R Street and on the west by 8th Street, to to strengthen and extend the Haymarket district by removal of blighted and substandard conditions, create new opportunities for housing, employment, and recreation, and to encourage further reinvestment in the Historic Haymarket District; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the redevelopment plan for said blighted and substandard area, which plan as modified is contained in the document entitled "Proposed Amendments to the Lincoln Center Redevelopment Plan for the North Haymarket Arts and Humanities Center Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (2004 Cum. Supp.); and

WHEREAS, on January 8, 2007, a notice of public hearing was mailed postage prepaid to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place and purpose of the public hearing to be held on January 17, 2007 before the Lincoln City - Lancaster County Planning Commission regarding the proposed North Haymarket Arts and Humanities Center Project, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, on January 26, 2007 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on February 12, 2007, regarding the proposed North Haymarket Arts and Humanities Center Project, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on January 26, 2007 and February 2, 2007 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of the public hearing to be held on February 12, 2007 regarding the proposed North Haymarket Arts and Humanities Center Project for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, said proposed Amendments to the Lincoln Center Redevelopment Plan for the North Haymarket Arts and Humanities Center Project has been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and said Planning Commission

on January 17, 2007 found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on February 12, 2007 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the redevelopment plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council now finds and determines that (a) the Lincoln Center Redevelopment Plan as modified by changing said plan by incorporating the North Haymarket Arts and Humanities Center Project; and by making minor administrative revisions and corrections to update the plan; is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will promote the general health, safety and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight; (b) The Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law; and

WHEREAS, such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing. The elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest; and

WHEREAS, for projects utilizing funds authorized in Section 18-2147 of the Community Development Law, (a) the redevelopment activities provided for in the plan would not be economically feasible without the use of tax-increment financing, (b) the redevelopment activities would not occur in the community redevelopment area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the redevelopment activities all as more specifically set forth in the Plan as Redevelopment Activities and Estimated Expenditures.

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

1. That pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the "North Haymarket Arts and Humanities Center Project Area" attached hereto as Attachment "A", establishing the Haymarket Arts and Humanities Project, making minor administrative revisions and corrections to update the plan is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said redevelopment plan as they relate to the above-described modifications.

3. That the Redevelopment Project Area for the North Haymarket Arts and Humanities Project as described and depicted in the Plan Amendments is the Redevelopment Project Area comprising the property to be included in the area subject to the increment provision authorized in the Nebraska Community Development Law.

4. That it is intended that this resolution and the modifications adopted herein are supplemental hereto the findings, approvals, and authorizations set forth in Resolution No. A-68489, Resolution No. A-70273, Resolution No. A-71073, Resolution No. A-71490,

Resolution No. A-71701, Resolution No. A-72046, Resolution No. A-72329, Resolution No. A-72774, Resolution No. A-73000, Resolution No. A-73698, Resolution A-74165, Resolution No. A-74186, Resolution A-74291, Resolution No. A-74583, Resolution No. A-74603, Resolution No. A-74583, Resolution No. A-75257, Resolution A-75784, Resolution A-75974, Resolution No. A-75784, Resolution A-76438, Resolution No. A-77828, Resolution No. A-78138, Resolution No. A-78688, Resolution No. A-80587, Resolution No. A-81681, Resolution No. A-83005, and Resolution No. A-83839.

Introduced by Ken Svoboda

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

COMP. PLAN CONFORMANCE 06017 - APPROVING AND ADOPTING AN AMENDMENT TO THE WEST O REDEVELOPMENT PLAN TO ADD THREE POTENTIAL NEW PROJECTS GENERALLY BOUNDED BY 10TH STREET ON THE EAST, ½ MILE WEST OF N.W. 70TH STREET ON THE WEST, AND EITHER SIDE OF WEST O STREET, LOCATED SOUTH OF INTERSTATE 80 AND NORTH OF THE BURLINGTON RAILROAD YARD ON THE SOUTH - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84239 WHEREAS, the City Council on September 26, 2005, adopted Resolution No. A-83549 finding an area generally bounded by 10th Street on the east, 1/2 mile west of N.W. 70th Street on the west, Interstate 80 on the north and the Burlington Railroad Yard on the south, to be blighted and substandard as defined in the Nebraska Community Development Law (Neb.Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, the City Council has previously adopted the West O Street Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by adding three new projects to the plan as Projects 14 through 16 in the area generally bounded by 10th Street on the east, 1/2 mile west of N.W. 70th Street on the west, Interstate 80 on the north and the Burlington Railroad Yard on the south, to support commercial/industrial redevelopment efforts, to strengthen and extend the West O Street Redevelopment district by removal of blighted and substandard conditions, create new opportunities for housing, employment, and recreation, and to encourage further reinvestment in the West O Street Redevelopment District; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the redevelopment plan for said blighted and substandard area, which plan as modified is contained in the document entitled "Redevelopment Activities: Commercial and Industrial" beginning on page 24 of the West O Street Redevelopment Plan which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (2004 Cum. Supp.); and

WHEREAS, on January 5, 2007, a notice of public hearing was mailed postage prepaid to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place and purpose of the public hearing to be held on January 17, 2007 before the Lincoln City - Lancaster County Planning Commission regarding the proposed Amendments to the West O Street Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, on January 26, 2007 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on February 12, 2007, regarding the proposed Amendments to the West O Street Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on January 26, 2007 and February 2, 2007 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of the public hearing to be held on February 12, 2007 regarding the proposed Amendments to the West

O Street Redevelopment Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, said proposed Amendments to the West O Street Redevelopment Project have been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and said Planning Commission on January 17, 2007 found the plan to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on February 12, 2007 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the redevelopment plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council now finds and determines that:(a) the West O Street Redevelopment Plan as modified by changing said plan by incorporating the Projects 14 through 16; and by making minor administrative revisions and corrections to update the plan; is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will promote the general health, safety and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight; (b) the Redevelopment Plan, as modified, is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law; and

WHEREAS, such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing. The elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest; and

WHEREAS, for projects utilizing funds authorized in Section 18-2147 of the Community Development Law, (a) the redevelopment activities provided for in the plan would not be economically feasible without the use of tax-increment financing, (b) the redevelopment activities would not occur in the community redevelopment area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interest of the community impacted by the redevelopment activities all as more specifically set forth in the Plan as Redevelopment Activities and Estimated Expenditures.

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

1. That pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the amendments to the West O Street Redevelopment Plan attached hereto as Attachment "A", providing for three new projects, making minor administrative revisions and corrections to update the plan is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said redevelopment plan as they relate to the above-described modifications.

3. That the Redevelopment Project Area for the West O Street Redevelopment Project as described and depicted in the Amendments is the Redevelopment Project Area comprising the property to be included in the area subject to the increment provision authorized in the Nebraska Community Development Law.

4. That it is intended that this resolution and the modifications adopted herein are supplemental hereto the findings, approvals, and authorizations set forth in Resolution No. A-83802 and Resolution No. A-83550.

Introduced by Ken Svoboda

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

APPLICATION OF THE UNIVERSITY OF NEBRASKA LINCOLN TO USE THE PUBLIC RIGHT-OF-WAY TO PLACE A FIBER OPTIC LINE FROM THE BOB DEVANEY SPORTS CENTER COMPLEX TO THE UNIVERSITY OF NEBRASKA-LINCOLN'S TRANSPORTATION SERVICES BUILDING AT 1931 N. ANTELOPE VALLEY PARKWAY - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84240 WHEREAS, the University of Nebraska-Lincoln has submitted an application for a permit to use the public right-of-way in 14th Street for the purpose of installing a fiber optic communication line to connect Bob Devaney Sports Center Complex to UNL's Transportation Services Building at 1931 N. Antelope Valley Parkway; and

WHEREAS, said applicant has submitted a letter of application and a site plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and made a part of this resolution by reference, to use the public right-of-way as above described; and

WHEREAS, said applicant has complied with all of the provisions of Chapter 14.54 of the Lincoln Municipal Code pertaining to such use.

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

That the aforesaid application of the University of Nebraska-Lincoln, hereinafter referred to as Permittee, to use the public right-of-way in 14th Street as shown on Exhibit "B", for the purpose of installing a fiber optic line be granted as a privilege only by virtue of and subject to strict compliance with the site plan, the letter of application, and the following terms and conditions, to wit:

1. 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 except that the provisions relating to the posting of a continuing bond in the amount of \$5,000 and the filing of a certificate of insurance are waived since Permittee is a governmental entity.

2. That said use shall conform to the application, the site plan filed therewith, and with all applicable City ordinances and regulations.

3. The Permittee, its successors or assigns shall save and keep the City free and harmless from any and all loss or damages or claims for damages arising from or out of the use of the public way requested herein.

4. That all work done under the authority of this resolution shall be subject to the inspection and approval of the Director of Public Works of the City of Lincoln.

5. The terms and conditions of this resolution shall be binding and obligatory upon the above-named Permittee, its successors and assigns.

6. That within thirty (30) days from the adoption of this resolution, and before commencing any construction under the provisions hereof, the Permittee shall file an unqualified written acceptance of all the terms and conditions of this resolution with the City Clerk. Failure to do so will be considered a rejection hereof and all privileges and authorities hereunder granted shall thereupon ipso facto terminate.

Introduced by Ken Svoboda

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF FEBRUARY 26, 2007 AT 5:30 P.M. FOR APPLICATION OF P.L.P. LIMITED LIABILITY COMPANY DBA SUN VALLEY BAR & GRILL FOR AN ADDITION TO 300 WEST P STREET ADDING A BEER GARDEN APPROXIMATELY 21' X 39' LOCATED ON THE SOUTH SIDE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84241 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., February 26, 2007 at 5:30 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 P.L.P. Limited Liability Company dba Sun Valley Bar & Grill for an addition to 300 West P Street adding a beer garden approximately 21' x 39' located on the south side.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF FEBRUARY 26, 2007 AT 5:30 P.M. FOR APPLICATION OF BUGEATER INVESTMENTS, INC. DBA CLIFF'S LOUNGE FOR A CHANGE OF LOCATION FROM 140 N. 12TH STREET TO 1321 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84242 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., February 26, 2007 at 5:30 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 Bugeater Investments, Inc. dba Cliff's Lounge for a change of location from 140 N. 12th Street to 1321 O Street.

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

Introduced by Jon Camp

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

SETTING THE HEARING DATE OF MARCH 5, 2007 AT 1:30 P.M. FOR APPLICATION OF FU SHUN, INC. DBA IMPERIAL PALACE FOR A CLASS I LIQUOR LICENSE LOCATED AT 701 N. 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84243 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 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 Fu Shun, Inc. dba Imperial Palace for a Class I liquor license located at 701 N. 27th Street.

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

Introduced by Jon Camp

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

MISCELLANEOUS REFERRALS

SETTING THE HEARING DATE OF MONDAY, MARCH 5, 2007 AT 1:30 P.M. FOR THE APPLICATION OF FOODMART II, INC. DBA IGA MARKET PLACE FOR A CLASS D LIQUOR LICENSE LOCATED AT 4646 W. HUNGTINGTON AVENUE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption: A-84244 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 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 Foodmart II, Inc. dba IGA Market Place Class D liquor license located at 4646 W. Huntington Avenue.

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

Introduced by Jon Camp

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

REPORT FROM NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM FOR WATER TESTING FOR THE MONTH OF JANUARY 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (35-01)

INFORMAL PETITION FOR A WATER DISTRICT FROM MID-BLOCK ON SOUTH 34TH STREET BETWEEN SMITH AND VAN DORN STREETS - CLERK presented said petition which was referred to the Public Works & Utilities Department.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JANUARY 29, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON FEBRUARY 5, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF DECEMBER 2006 FROM AQUILA - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-01)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF NOVEMBER, 2006: USCOC OF GREATER IOWA, CRICKET, NEW CINGULAR, AT&T OF MIDWEST, NEBRASKA TECHNOLOGY & TELECOMM., EARTHLINK, VOICECOM, TRACFONE, XO COMM., ADVANCED TEL, GUARANTEED PHONE, VIRGIN MOBILE USA, NETWORK BILLING, GLOBAL CROSSING, USCOC OF NE/KS, TELECOMM. SYSTEMS OF MARYLAND, BROADBAND DYNAMICS, VERIZON BELL ATLANTIC, ANDIAMO, PRIMUS, QWEST, WORKING ASSETS, TELECORP, MCLEODUSA, ACN, TANS NATIONAL, CINCINNATI BELL, VERIZON SELECT, GLOBALSTAR USA, ONSTAR, INTELICAL OPERATOR, GLOBAL CROSSING BANDWIDTH, BROADWING, UCN, KDDI AMERICA, IBM GLOBAL, QUANTUM SHIFT, BUSINESS PROD. SOLUTIONS, TELEPLUS WIRELESS, CIMCO, NOS, NOSVA, AFFINITY NETWORK, AFFINITY NETWORK, MSC LINCOLN SE; DECEMBER 2006: NEXTEL PARTNERS, SPRINT SPECTRUM, D & D, SPRINT, MCI WORLDCOM, NOSVA, MSC LINCOLN SE, 800 RESPONSE INFO., 360NETWORKS (USA), BT AMERICAS, NEXTEL WEST, TRI-M, ENHANCED, ACCERIS MANAGEMENT & ACQUISITION, ACCERIS, GLOBALCOM, LIGHTYEAR, ZONE TELECOM., GTC, COVISTA, SBC LONG DISTANCE, ATS MOBILE; OCTOBER THRU DECEMBER 2006: ENHANCED, MATRIX, AMERIVISION, IONEX, COMTEL TELCOM, TOUCH 1, Z TEL, NECC, COMTECH 21, HELIO - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

APPOINTING MAURA KELLY-TOLZIN AND JOHN GLYNN TO THE GOVERNMENT ACCESS AND INFORMATION COMMITTEE FOR ONE-YEAR TERMS EXPIRING DECEMBER 31, 2007 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84245 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Maura Kelly-Tolzin and John Glynn to the Government Access and Information Committee for one-year terms expiring December 31, 2007, is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING KIMBERLY BRO TO THE LINCOLN HOUSING AUTHORITY BOARD TO FILL AN UNEXPIRED FIVE-YEAR TERM EXPIRING JULY 1, 2010 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84246 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Kimberly Bro to the Lincoln Housing Authority Board to fill an unexpired five-year term expiring July 1, 2010, is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING CHARLES W. "BILL" BOWMASTER TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A THREE-YEAR TERM EXPIRING NOVEMBER 1, 2008 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84247 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Charles W. "Bill" Bowmaster to the Veterans Memorial Garden Advisory Council to fill an unexpired three-year term expiring November 1, 2008, is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING PETER C. (CHRIS) HOVE TO THE LINCOLN AIRPORT AUTHORITY BOARD TO FULFILL AN UNEXPIRED TERM, EXPIRING UPON THE GENERAL ELECTION OF MAY, 2007 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84248 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the temporary appointment of Peter C. (Chris) Hove to the Lincoln Airport Authority Board to fill an unexpired term until a successor is elected at the general election in May, 2007, is hereby approved.

Introduced by Ken Svoboda

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A NORTH 56TH STREET AND ARBOR ROAD REDEVELOPMENT PLAN SUB-PROJECT AREA A TAX ALLOCATION BOND, SERIES 2007 IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$975,000 - CLERK read an ordinance, introduced by Jon Camp, AN ORDINANCE authorizing and providing for the issuance of a City of Lincoln, Nebraska Tax Allocation Bond, Series 2007, in a total principal amount not to exceed \$975,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within sub-project Area A in the City's North 56th Street and Arbor Road Redevelopment Plan, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details

of the bond; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bond as the same become due; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bond not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

APPROVING THE CITY OF LINCOLN REDEVELOPMENT AGREEMENT (VERIZON WIRELESS PROJECT) BETWEEN THE CITY AND MDG LINCOLN LP FOR DEVELOPMENT OF APPROXIMATELY 13.5 ACRES OF PROPERTY IN UNIVERSITY OF NEBRASKA TECHNOLOGY PARK FOR CONSTRUCTION OF A COMMERCIAL BUILDING AND IMPROVEMENTS BY VERIZON WIRELESS, GENERALLY LOCATED AT N.W. 1ST STREET AND HIGHLANDS BLVD. (RELATED ITEMS 07R-48, 07-28).

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A VERIZON WIRELESS TAX ALLOCATION BOND, SERIES 2007 IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$2,265,000. (RELATED ITEMS 07R-48, 07-28) (REQUEST 2ND & 3RD READINGS 2/26/07) - CLERK read an ordinance, introduced by Jon Camp, An Ordinance authorizing the issuance of not to exceed \$2,500,000 Verizon Wireless Tax Allocation Bonds, Series 2007, for the purpose of (1) paying all or part of the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within the City's Verizon Wireless including acquiring any real estate and/or interests in real estate in connection therewith, (2) making a deposit into such accounts as may be established in the reserve account established in the special fund and (3) paying the costs of issuance thereof; prescribing the form and certain of the details of the bonds; pledging certain tax allocation and other tax revenues to payment of the principal of and interest on the bonds as the same become due and to carry out all other covenants of this ordinance; limiting payment of the bonds to such tax allocation and other tax revenues; creating and establishing funds and accounts; authorizing the public or private sale and delivery of the bonds; delegating, authorizing and directing the Finance Director to exercise his own independent discretion and judgment in determining and finalizing the terms and provisions with respect to the bonds not specified herein; providing for application of the proceeds of the bonds; providing for payment of the principal of and interest on the bonds; taking other action and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

APPROVING THE SALT CREEK 100-YEAR FLOODPRONE AREAS AND REVISED FLOODWAY AS THE BEST AVAILABLE INFORMATION FOR LOCAL FLOOD REGULATION PURPOSES. (RELATED ITEMS: 07R-45, 07-26) (ACTION DATE: 3/5/07).

CHANGE OF ZONE 07001 - AMENDING 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 27.52.035 TO ADOPT STANDARDS FOR DEVELOPMENT WITHIN THE SALT CREEK FLOOD STORAGE AREAS. (RELATED ITEMS: 07R-45, 07-26) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending 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; by adding a new section numbered 27.52.035 to adopt standards for development within the Salt Creek Flood Storage Areas; and by repealing Section 27.52.020 of the Lincoln Municipal Code as hitherto existing, the first time.

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

A-84249 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled City of Lincoln North 56th Street & I-80 Redevelopment Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Hartland Homes Inc., and other Redevelopers, outlining certain conditions and understandings relating to the redevelopment of blighted and substandard area generally located at north 56th Street and I-80, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Redevelopment 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 other parties.

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 Hartland Homes Inc.

Introduced by Robin Eschliman

Seconded by Svoboda & 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:

CAMP Moved to amend Bill No. 07-7 as follows: 1. Substitute the attached "LEGAL DESCRIPTION OF ANNEXATION #30007 N. 56TH STREET & ARBOR ROAD" for the language on page 1, lines 7 through 34, page 2, lines 1 through 46, and page 3, lines 1 through 36; 2. Attach "ANNEXATION EXHIBIT N. 56TH & I-80 LINCOLN, NEBRASKA" as ATTACHMENT "A" as referenced on page 4, lines 4 and 5.

Seconded by Svoboda & 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.

ESCHLIMAN Moved to pass the ordinance as amended.

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

The ordinance, being numbered **#18880**, is recorded in Ordinance Book #25, Page

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

A-84250 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Roger H. Schwisow, Trustee of the Roger H. Schwisow Revocable Trust, Eldonna Schwisow, Trustee of the Eldonna Schwisow Revocable Trust, Hartland Homes, Inc., and Detweiler Properties I, LLC, outlining certain conditions and understandings relating to the redevelopment of property generally located at N. 56th Street and Arbor Road, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the 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 Roger H. Schwisow, Trustee of the Roger H. Schwisow Revocable Trust, Eldonna Schwisow, Trustee of the Eldonna Schwisow Revocable Trust, Hartland Homes, Inc., and Detweiler Properties I, LLC.

Introduced by Robin Eschliman

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

A-84251 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the agreement titled Landowner Agreement Not to Protest Tax Assessments and to Pay Taxes, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and various property owners, outlining certain conditions and understandings relating to the Community Redevelopment of property generally located at N. 56th Street and Arbor Road, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Landowner 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 various property owners.

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 the various property owners.

Introduced by Robin Eschliman

Seconded by Svoboda & 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:

COOK Moved to accept a substitute agreement for Bill No. 07R-29.

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

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

A-84252 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the agreement titled 14th Street and Saltillo Road Conditional Annexation and Zoning Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and NEBCO, Inc. and Western Hemisphere Holding Company LLC, outlining certain conditions and understandings 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, 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 the NEBCO, Inc. and Western Hemisphere Holding Company LLC.

Introduced by Robin Eschliman

Seconded by Svoboda & 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:

COOK Moved to accept a substitute agreement for Bill No. 07R-30.

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

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

A-84253 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the agreement titled 25th Street and Saltillo Road Conditional Annexation and Zoning Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Gary L. Templeton and Rose Templeton, husband and wife, and Clarke E. DeVries and Lisa J. DeVries, husband and wife, outlining certain conditions and understandings 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, 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 Templetons and the DeVries.

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 the Templetons and DeVries.

Introduced by Robin Eschliman

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

The ordinance, being numbered **#18881**, is recorded in Ordinance Book #25, Page

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 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 **#18882**, is recorded in Ordinance Book #25, Page

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 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 **#18883**, is recorded in Ordinance Book #25, Page

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 third time.

MCROY 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 **#18884**, is recorded in Ordinance Book #25, Page

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 third time.

MCROY 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 **#18885**, is recorded in Ordinance Book #25, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION

Richard Esquivel, 733 W. Cuming, came forward to express his opinion on the 50th Street project. He also asked how much property the University of Nebraska and the State of Nebraska have in the City of Lincoln which is not on the tax roll.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the remaining items on the Pending List to February 26, 2007.

Seconded by Cook & 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 26, 2007.

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

ADJOURNMENT 3:30 P.M.

CAMP Moved to adjourn the City Council meeting of February 12, 2007.

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

So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

REGULAR MEETING
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