

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, OCTOBER 15, 2007 AT 1:30 P.M.**

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

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

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of October 8, 2007 reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF CARMELA'S BISTRO AND WINE BAR LLC DBA CARMELA'S BISTRO AND WINE BAR FOR A CLASS C LIQUOR LICENSE AT 4141 PIONEER WOODS DRIVE, SUITE 110; MANAGER APPLICATION OF MARCI RANAE DAVISON FOR CARMELA'S BISTRO AND WINE BAR LLC DBA CARMELA'S BISTRO AND WINE BAR AT 4141 PIONEER WOODS DRIVE, SUITE 110 - Marci Davison, no address given, took the oath and came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF GJR, LLC DBA RANDY'S GRILL & CHILL FOR THE ADDITIONAL OF A LIQUOR CATERING LICENSE TO ITS CLASS C LIQUOR LICENSE AT 4947 HOLDREGE STREET - Randy Wilson, 4947 Holdrege Street, took the oath and came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING THE 9TH TO 10TH STREETS, SOUTH OF SOUTH STREET DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY AND RED CLOUD DEVELOPMENT RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 9TH AND SOUTH STREETS FOR COMMERCIAL AND RETAIL USES. (RELATED ITEMS: 07R-206, 07-156, 07-157) (ACTION DATE: 10/22/07);

CHANGE OF ZONE 07027 - APPLICATION OF RJJ&T, LLC AND RED CLOUD DEVELOPMENT FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF SOUTH STREET BETWEEN 9TH AND 10TH STREETS. RELATED ITEMS: 07R-206, 07-156, 07-157);

VACATION 07003 - VACATING THE EAST-WEST ALLEY AND A PORTION OF THE NORTH-SOUTH ALLEY BETWEEN 9TH STREET AND 10TH STREET SOUTH OF SOUTH STREET. (RELATED ITEMS: 07R-206, 07-156, 07-157) - Mike Rierden, 645 "M" Street, Suite 200, came forward representing the applicant to inform the Council of the plans for this property and to ask for approval. Discussion followed.

John Lehman, no address given, employed by the owner of the property on South Street between 9th and 10th Street as a feasibility marketing consultant. His remarks were based on a three year study of the neighborhood and land parcel in question. Discussion followed.

This matter was taken under advisement.

AMENDING SECTION 6.08.060 LICENSE FEE TO INCREASE FEES FOR LICENSING DOGS EFFECTIVE JANUARY 1, 2008;

AMENDING SECTION 6.12.120 LICENSE FEE TO INCREASE FEES FOR LICENSING CATS EFFECTIVE JANUARY 1, 2008 - Judy Halstead, Health Department, came forward to explain the reason for the difference between fees for a spayed or neutered animal versus those that are not spayed or neutered. Discussion followed.

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 AUGUST 16 - 31, 2007 - John DeCamp, 414 S. 11th Street, came forward as attorney for Sean Divers to ask reconsideration of his denied claim. Discussion followed.

Dana Roper, City Attorney, came forward to answer questions as to why the claim was denied and presented pictures of the accident. Discussion followed.

Mr. DeCamp came forward for rebuttal.

Greg Tyrell, Paralegal for Mr. DeCamp, came forward to answer a question. Discussion followed.

Connor Reuter, Assistant City Attorney, came forward to present the basis for denial of the claim. Discussion followed.

Mr. DeCamp continued his rebuttal. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 07004 - APPEAL OF MIKE AND KITRA DEGER TO THE CONDITIONAL APPROVAL OF THE REQUEST OF VERIZON WIRELESS TO CONSTRUCT A 158' TALL MONOPOLE FOR PERSONAL WIRELESS FACILITIES ON PROPERTY GENERALLY LOCATED AT 140TH AND O STREETS - Katrina Robertson, Selective Site Consultants, Inc., 8500 W. 110th St., Ste. 300, Overland Park, KS, came forward to inform the Council that through their research it was found not to be a property line issue. The monopole will be a fenced compound. Discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF CARMELA'S BISTRO AND WINE BAR LLC DBA CARMELA'S BISTRO AND WINE BAR FOR A CLASS C LIQUOR LICENSE AT 4141 PIONEER WOODS DRIVE, SUITE 110 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84578 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 Carmela's Bistro and Wine Bar LLC dba Carmela's Bistro and Wine Bar for a Class "C" liquor license at 4141 Pioneer Woods Drive, Suite 110, Lincoln, Nebraska, for the license period ending October 31, 2008, 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, Spatz, Svoboda; NAYS: None; ABSENT: Emery.

MANAGER APPLICATION OF MARCI RANAE DAVISON FOR CARMELA'S BISTRO AND WINE BAR LLC DBA CARMELA'S BISTRO AND WINE BAR AT 4141 PIONEER WOODS DRIVE, SUITE 110 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84579 WHEREAS, Carmela's Bistro and Wine Bar LLC dba Carmela's Bistro and Wine Bar located at 4141 Pioneer Woods Drive, Suite 110, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Marci Ranae Davison be named manager;

WHEREAS, Marci Ranae Davison 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 Marci Ranae Davison 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, Spatz, Svoboda; NAYS: None; ABSENT: Emery.

APPLICATION OF GJR, LLC DBA RANDY'S GRILL & CHILL FOR THE ADDITIONAL OF A LIQUOR CATERING LICENSE TO ITS CLASS C LIQUOR LICENSE AT 4947 HOLDREGE STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84580 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 ordinance, the City Council recommends that the application of GJR, LLC dba Randy's Grill & Chill for the issuance of a Catering Permit to the existing liquor license, located at 4947 Holdrege Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all city and state regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

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

APPROVING THE 9TH TO 10TH STREETS, SOUTH OF SOUTH STREET DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY AND RED CLOUD DEVELOPMENT RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 9TH AND SOUTH STREETS FOR COMMERCIAL AND RETAIL USES. (RELATED ITEMS: 07R-206, 07-156, 07-157) (ACTION DATE: 10/22/07)

CHANGE OF ZONE 07027 - APPLICATION OF RJJ&T, LLC AND RED CLOUD DEVELOPMENT FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF SOUTH STREET BETWEEN 9TH AND 10TH STREETS. (RELATED ITEMS: 07R-206, 07-156, 07-157) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, changing the boundaries of the districts established and shown thereon, the second time.

VACATION 07003 - VACATING THE EAST-WEST ALLEY AND A PORTION OF THE NORTH-SOUTH ALLEY BETWEEN 9TH STREET AND 10TH STREET SOUTH OF SOUTH STREET. (RELATED ITEMS: 07R-206, 07-156, 07-157) - CLERK read an ordinance, introduced by Jon Camp, vacating the east-west alley and a portion of the north-south alley between 9th Street and 10th Street, south of South Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

AMENDING SECTION 6.08.060 LICENSE FEE TO INCREASE FEES FOR LICENSING DOGS EFFECTIVE JANUARY 1, 2008 - CLERK read an ordinance, introduced by Jon Camp, amending Section 6.08.060 of the Lincoln Municipal Code relating to license fees for dogs to increase the fee for licensing a dog; and repealing Section 6.08.060 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 6.12.120 LICENSE FEE TO INCREASE FEES FOR LICENSING CATS EFFECTIVE JANUARY 1, 2008 - CLERK read an ordinance, introduced by Jon Camp, amending Section 6.12.120 of the Lincoln Municipal Code relating to license fees for cats to increase the fee for licensing a cat; and repealing Section 6.12.120 of the Lincoln Municipal Code as hitherto existing, the second time.

PUBLIC HEARING RESOLUTIONS

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

CAMP Moved to amend Bill No. 07R-207 by placing the Sean Divers claim on Pending for one week.
 Seconded by Eschliman & **LOST** by the following vote: AYES: None;
 NAYS: Camp, Cook, Eschliman, Marvin, Spatz, Svoboda; ABSENT: Emery.

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

A-84581 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 October 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>	
Dan White & Kathryn White	\$ 199.40	Danna Reiner	\$
21.40			
Adeline Bauer	500.00	Perkins Properties, Inc.	
125.00			
Security National Properties	15,072.88	Katie Ebert	
1,381.54			
Irene Hutchison	NAS*		
Pam Ligenza	428.00		
Joyce Gana	427.00		
Claims Management Resources			
on behalf of Windstream	902.03		
Sean Divers	NAS*		
William C. Kunkel	53.00		

* 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 Jon Camp

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

SPECIAL PERMIT 07004 - APPEAL OF MIKE AND KITRA DEGER TO THE CONDITIONAL APPROVAL OF THE REQUEST OF VERIZON WIRELESS TO CONSTRUCT A 158' TALL MONOPOLE FOR PERSONAL WIRELESS FACILITIES ON PROPERTY GENERALLY LOCATED AT 140TH AND O STREETS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84582 WHEREAS, Verizon Wireless has submitted an application designated as Special Permit No. 07004 for authority to construct a 158' tall monopole for personal wireless facilities capable of accommodating up to three carriers in the I-1 zoning district on property generally located at 140th and O Streets, and described as:

Lot 33 I.T., located in the Southwest Quarter of
Section 21, Township 10 North, Range 8 East of the 6th
P.M., Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a public hearing on said application; and

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

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

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

That the application of Verizon Wireless, hereinafter referred to as "Permittee", to construct a 158' tall monopole wireless facility capable of accommodating the antennas of three carriers be and the same is hereby granted under the provisions of Section 27.68.030 the Lincoln Municipal Code upon condition that construction of said tower be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a 158' tall monopole for wireless facilities capable of accommodating the antennas for at least three service providers.
2. Before receiving building permits:
 - a. The Permittee shall complete the following instructions and submit to the Planning Department for review and approval a revised site plan including five copies showing the following revisions:
 - i. A revised landscape plan that demonstrates compliance with Design Standards.
 - ii. Add a note to Sheet A01 stating that the heights of the antennas and the locations of the equipment shelters are approximate and can vary at the time of building permits.
 - iii. Add a note stating that the tower will not be lighted.
 - iv. Show all setbacks and dimensions to the tower being measured to the edge of the tower and not to the centerline of the tower.
 - b. The construction plans comply with the approved plans.
 - c. Verification of findings of no significant impact from the Lincoln Airport Authority and the Nebraska Historical Society.
3. Before use of the facility all development and construction shall have been completed in compliance with the approved plans.
4. All privately-owned improvements shall be permanently maintained by the Permittee.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

7. The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Introduced by Jon Camp

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE 2007-2009 MINORITY HEALTH INITIATIVE PROJECT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84583 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the Nebraska Department of Health and Human Services and the Lincoln-Lancaster County Health Department to accept a subgrant in the amount of \$902,359.00 for the 2007 - 2009 Minority Health Initiative Projects, in accordance with the terms, conditions and assurances contained in said Agreement is hereby approved and the prior signature of the Health Director is hereby ratified and approved by the majority vote of the City Council. The City Clerk is directed to return the executed copies of the Agreement to Bruce Dart, Director of the Lincoln Lancaster County Health Department.

Introduced by Jon Camp

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

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Change of Zone 07054HP - App. of Gamma Phi Beta Building Association to designate a historic landmark known as Gamma Phi Beta Sorority house on property located at 415 N. 16th Street.

Change of Zone 07055 - App. of Hoppe, Inc. from P Public Use District to R-4 Residential District on property located at 1635 N. 10th Street and Military Road.

Change of Zone 07056 - App. of John and Andrea Schleich from AGR to R-3 on property located at Ashbrook Drive and Northshore Drive.

Special Permit 1989B - App. of Thomas L. Folsom, Susan Brouse and Don Brouse for Planned Service Commercial on property located at S. 27th Street and Kendra Lane.

Special Permit 1992A - App. of John and Andrea Schleich for an amendment to the Edenton Woods Community Unit Plan to add approximately 33 dwelling units with requests to waive block length and to rollover curves on property located at Ashbrook Drive & Northshore Drive.

Special Permit 07047 - App. of Hoppe, Inc. for approximately 73 dwelling units, with requests to waive screening along the limits of community unit plan, reduction in parking, reduce front yard setback, stormwater detention, spacing of local streets to major streets and minimum elevation of streets in a floodplain on property located at 1635 North 10th Street and Military Road.

SETTING THE HEARING DATE OF MONDAY, OCTOBER 29, 2007 AT 5:30 P.M. FOR THE APPLICATION OF L & M FOODS, INC. DBA SAM & LOUIE'S FOR A CLASS I LIQUOR LICENSE LOCATED AT 1501 PINE LAKE ROAD, STE. 9 & 10 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84584 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., October 29, 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 L & M Foods, Inc. dba Sam & Louie's for a Class I liquor license located at 1501 Pine Lake Road, Ste. 9 & 10.

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

Introduced by Jonathan Cook

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

MISCELLANEOUS BUSINESS

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

SETTING THE HEARING DATE OF MONDAY, OCTOBER 29, 2007 AT 5:30 P.M. FOR APPLICATION OF CRABBY BILL'S SEAFOOD SHACK, INC. DBA CRABBY BILL'S SEAFOOD SHACK FOR A SIDEWALK CAFÉ APPROXIMATELY 20' X 18' LOCATED AT 803 Q STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84585 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., October 29, 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 Crabby Bill's Seafood Shack, Inc. dba Crabby Bill's Seafood Shack for a sidewalk café approximately 20' x 18' located at 803 Q Street.

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

Introduced by Jonathan Cook

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

REPORTS OF CITY OFFICERS

CLERKS LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON OCTOBER 1, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk.

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR SEPTEMBER 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF MARCH 2006 THRU SEPT. 2007: ASSOCIATION ADMINISTRATORS, INC.; JANUARY 2007 THRU JUNE 2007: MATRIX TELECOM.; JUN 2007: UCN, INC.; JULY 2007: TELECORP COMM., BROADBAND DYNAMICS, VERIZON-VERIZON SELECT, FLYING J COMM., CIMCO, IBM GLOBAL, BUSINESS PRODUCTS SOLUTIONS, TELEPLUS WIRELESS, QUANTUM SHIFT, KDDI AMERICA, USCOC OF NEBRASKA/KANSAS, ACN COMM., INTELICAL OPERATOR, GLOBAL STAR USA, NETWORK BILLING, MOVIOC, BROADWING, ONSTAR, QWEST, VERIZON-BELL ATALNTIC, UCN, PRIMUS, WORKING ASSETS, VIRGIN MOBILE USA, GLOBAL CROSSING, MCLEOD USA, TRANS NATIONAL, GUARANTEED PHONE, CINCINNATI BELL ANY DISTANCE, ANDIAMO, XO COMM., VOICE COM, GLOBAL CROSSING BANDWIDTH, TRACFONE, LDMI, ADVANCED TEL, EARTHLINK, AT&T COMM. OF MIDWEST, NEW CINGULAR, USCOC OF GREATER IOWA, CRICKET; AUGUST 2007: ATS MOBILE, COVISTA, NOS, FRONTIER COMM. OF AMERICA, AFFINITY NETWORK, BT AMERICAS, BUSINESS TELECOM., ALLTEL COMM. OF NEBRASKA, WINDSTREAM NEBRASKA, NORSTAN NETWORK, NEXTEL WEST, LIGHTYEAR NETWORK, GTC, ENHANCED, GLOBALCOM, ZONE TELECOM, TRI-M, ACCERIS, SBC LONG DISTANCE, FIRST COMM., 360NETWORKS, NOSVA, SPRINT SPECTRUM, SPRINT COMM. COMPANY, ONE VERIZON WAY, ALLTEL, D&D, NEXTEL, WINDSTREAM SYSTEMS OF THE MIDWEST - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 5, 2007, AT 1:30 P.M. FOR THE BOARD OF EQUALIZATION TO EQUALIZE THE ASSESSMENTS ON THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, DOWNTOWN MAINTENANCE DISTRICT & CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY - CLERK requested a motion for approval to set the hearing date of Monday, November 5, 2007 at 1:30 p.m.

COOK So moved.

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

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)- NONE

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)- NONE

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to October 22, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Eschliman, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Emery.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on October
22, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Eschliman, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Emery.

ADJOURNMENT 2:55 P.M.

CAMP Moved to adjourn the City Council meeting of October 15, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Eschliman, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Emery.
So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

