

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JANUARY 7, 2008 AT 1:30 P.M.**

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

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

SPATZ Having been appointed to read the minutes of the City Council proceedings of December 17 and December 21, 2007 reported having done so, found same correct.

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

PUBLIC HEARING

MANAGER APPLICATION OF RICHARD J. HURT FOR KWIK SHOP INC. DBA KIWK SHOP #618 AT 4750 CALVERT STREET, #619 AT 2302 CORNHUSKER HWY., #632 AT 5900 FREMONT STREET, #634 AT 2940 N. 14TH STREET, #635 AT 2330 N. 1ST STREET, #637 AT 2710 W STREET, #641 AT 2811 N. 48TH STREET, #642 AT 3939 A STREET, #646 AT 3301 HOLDREGE STREET, #650 AT 5600 HOLDREGE STREET, #662 AT 2040 S. 56TH STREET, #663 AT 4400 CORNHUSKER HWY., #680 AT 1441 N. COTNER BLVD., AND #681 AT 4440 O STREET - Richard J. Hurt, 7239 Pioneers Blvd., #518, came forward to take oath and answer questions.

This matter was taken under advisement.

MANAGER APPLICATION OF JEFFREY BALL FOR RT OMAHA FRANCHISE LLC DBA RUBY TUESDAY AT 2700 NORTH HILL ROAD - Jeffrey Ball, 2675 W. Garfield, came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF HY-VEE INC. DBA HY-VEE 5 TO EXPAND ITS LICENSED PREMISES AT 7151 STACY LANE BY CONSTRUCTION OF AN ADDITION ON THE WEST SIDE OF THE EXISTING ONE STORY BUILDING MEASURING APPROXIMATELY 53 FEET BY 100 FEET - Scott Schlatter, 3325 Longview Ct., came forward to take oath and answer questions.

This matter was taken under advisement.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND EXPERIENCE WORKS FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - David Landis, Urban Development Director, came forward to discuss the lease and answer questions. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 07058 - AMENDING SECTION 27.63.680 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES BY SPECIAL PERMIT TO ALLOW SUCH SALES ON THE PREMISES OF A RESTAURANT IN THE B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, AND I-3 DISTRICTS SUBJECT TO APPROVAL OF A SPECIAL PERMIT AND PROVIDING CONDITIONS THEREFOR - Brett Richardson, 1928 S. 8th St., came forward as applicant to explain the change of zone. Discussion followed.

Michael Tavlin, CFO for B & J Partnership dba Speedway Properties, owner of the real estate, came forward in support of the change. Discussion followed.

Marvin Krout, Director of Planning, came forward to answer questions about amendments to the ordinance. Discussion followed.

Dana Roper, City Attorney, came forward to answer questions about liquor licensing and the acceptable distance in residential neighborhoods. Discussion followed.

Tom Casady, Chief of Police, came forward to answer questions and stated that thriving retail businesses help keep a neighborhood healthy. Discussion followed.

Mr. Richardson came forward in rebuttal. Discussion followed.

This matter was taken under advisement.

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND AIRPORT AUTHORITY TO PROVIDE AN OVERALL FRAMEWORK FOR THE OPERATION, INSTALLATION, AND ABANDONMENT OF WATER AND WASTEWATER UTILITIES WITHIN LINCOLN AIR PARK WEST - Steve Owen, Supt. of Water Distribution in the Public Works and Utilities Dept., came forward to answer questions.
This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF RICHARD J. HURT FOR KWIK SHOP INC. DBA KIWK SHOP #618 AT 4750 CALVERT STREET, #619 AT 2302 CORNHUSKER HWY., #632 AT 5900 FREMONT STREET, #634 AT 2940 N. 14TH STREET, #635 AT 2330 N. 1ST STREET, #637 AT 2710 W STREET, #641 AT 2811 N. 48TH STREET, #642 AT 3939 A STREET, #646 AT 3301 HOLDREGE STREET, #650 AT 5600 HOLDREGE STREET, #662 AT 2040 S. 56TH STREET, #663 AT 4400 CORNHUSKER HWY., #680 AT 1441 N. COTNER BLVD., AND #681 AT 4440 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:
A-84666 WHEREAS, Kwik Shop Inc. dba Kwik Shop #618 at 4750 Calvert Street, #619 at 2302 Cornhusker Hwy., #632 at 5900 Fremont Street, #634 at 2940 N. 14th Street, #635 at 2330 N. 1st Street, #637 at 2710 W Street, #641 at 2811 N. 48th Street, #642 at 3939 A Street, #646 at 3301 Holdrege Street, #650 at 5600 Holdrege Street, #662 at 2040 S. 56th Street, #663 at 4400 Cornhusker Hwy., #680 at 1441 N. Cotner Blvd., and #681 at 4440 O Street, Lincoln, Nebraska has been approved for Retail Class "D" and "B" liquor licenses, and now requests that Richard J. Hurt be named manager;

WHEREAS, Richard J. Hurt 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 Richard J. Hurt 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, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

MANAGER APPLICATION OF JEFFREY BALL FOR RT OMAHA FRANCHISE LLC DBA RUBY TUESDAY AT 2700 NORTH HILL ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84667 WHEREAS, RT Omaha Franchise LLC dba Ruby Tuesday at 2700 North Hill Road, Lincoln, Nebraska has been approved for Retail Class "I" liquor licenses, and now requests that Jeffrey Ball be named manager;

WHEREAS, Jeffrey Ball 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 Jeffrey Ball

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, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

APPLICATION OF HY-VEE INC. DBA HY-VEE 5 TO EXPAND ITS LICENSED PREMISES AT 7151 STACY LANE BY CONSTRUCTION OF AN ADDITION ON THE WEST SIDE OF THE EXISTING ONE STORY BUILDING MEASURING APPROXIMATELY 53 FEET BY 100 FEET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84668 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 Hy-Vee Inc. dba Hy-Vee 5 to expand its licensed premises by the addition of an area measuring 53 feet by 100 feet to the west of the presently licensed premises located at 7151 Stacy Lane, 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 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, Eschliman, Marvin, Svoboda; NAYS: Cook, Emery, Spatz.

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

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND EXPERIENCE WORKS FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by John Spatz, accepting and approving a Sublease Agreement between the City of Lincoln, Nebraska and Experience Work for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of August 1, 2007 through June 30, 2008 whereby the City of Lincoln is subleasing space to Experience Works, at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the second time.

CHANGE OF ZONE 07058 - AMENDING SECTION 27.63.680 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES BY SPECIAL PERMIT TO ALLOW SUCH SALES ON THE PREMISES OF A RESTAURANT IN THE B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, AND I-3 DISTRICTS SUBJECT TO APPROVAL OF A SPECIAL PERMIT AND PROVIDING CONDITIONS THEREFOR - CLERK read an ordinance, introduced by John Spatz, amending Section 27.63.680 of the Lincoln Municipal Code relating to sale of alcoholic beverages for consumption on the premises by special permit to allow such sales on the premises of a restaurant in B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2, and I-1 districts subject to approval of a special permit and providing conditions therefor; and repealing Section 27.63.680 of the Lincoln Municipal Code as hitherto existing, the second time.

PUBLIC HEARING RESOLUTIONS

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND AIRPORT AUTHORITY TO PROVIDE AN OVERALL FRAMEWORK FOR THE OPERATION, INSTALLATION, AND ABANDONMENT OF WATER AND WASTEWATER UTILITIES WITHIN LINCOLN AIR PARK WEST - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84669 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Memorandum of Understanding (City Utilities in Lincoln Air Park West) between the City and the Airport Authority of the City of Lincoln, Nebraska which is attached hereto, marked as Attachment "A" and made a part hereof by reference, to provide an overall framework for the operation, installation, and abandonment of water and wastewater utilities within Lincoln Air Park West, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said Memorandum of Understanding on behalf of the City.

Introduced by John Spatz

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

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JANUARY 14, 2008 AT 1:30 P.M. FOR THE APPLICATION OF DJ SALIA INVESTMENT PROPERTIES DBA DJ SALIA FOR A CHANGE OF LOCATION OF THEIR EXISTING CLASS IK LIQUOR LICENSE FROM 901 OAK STREET TO 710 HILL STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84670 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 14, 2008, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the application of DJ Salia Investment Properties dba DJ Salia for a change of location of their existing Class IK liquor license from 901 Oak Street to 710 Hill Street.

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

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2008 AT 5:30 P.M. FOR THE APPLICATION OF PEKING PALACE LINCOLN, INC. DBA PEKING PALACE FOR A CLASS I LIQUOR LICENSE LOCATED AT 8341 O STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84671 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2008, 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 the application of Peking Palace Lincoln dba Peking Palace for a Class I liquor license located at 8341 O Street.

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

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF MONDAY, JANUARY 28, 2008 AT 5:30 P.M. FOR THE MANAGER APPLICATION OF MATTHEW CRAWFORD FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0217 LOCATED AT 333 N. 48TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84672 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 28, 2008, 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 the manager application of Matthew Crawford for STL of Nebraska Inc. dba Target Store T-0217 located at 333 N. 48th Street.

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

Introduced by Ken Svoboda

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

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 07063: App. of Ringneck Development, LLC, I-80 West Lincoln Business Center Planned Unit Development, for a change of zone from AG Agriculture District to I-3 PUD Employment Center District and R-3 PUD Residential District on property generally located at N.W. 48th Street and Interstate 80.

Special Permit No. 04044A: App. of Sterling Hills II, LLC, for an amendment to the North Creek Villas Community Unit Plan to reduce the front yard setback from 25 feet to 15 feet abutting Fletcher Avenue on property generally located at N. 27th Street and Fletcher Avenue.

Special Permit No. 07054: App. of Phillip R. and Diane S. Hynes, to allow an accessory building as a dwelling unit for a domestic employee on property generally located at S. 112th Street and A Street.

MISCELLANEOUS BUSINESS - NONE

REPORTS OF CITY OFFICERS

APPOINTING MARGARET BERRY TO THE URBAN DESIGN COMMITTEE FOR A THREE-YEAR TERM EXPIRING FEBRUARY 1, 2010 - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84673 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Margaret Berry to the Urban Design Committee for a three-year term expiring February 1, 2010, is hereby approved.

Introduced by John Spatz

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

REAPPOINTING R. J. LIPERT, MICHAEL COON, MARTIN KASL, DOUG LUEDTKE, BILL MOODY, AND BOB SIEMSEN TO THE FIRE SPRINKLER AND CHEMICAL EXAMINING BOARD FOR THREE-YEAR TERMS EXPIRING NOVEMBER 24, 2010 - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84674 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of R. J. Lipert, Michael Coon, Martin Kasl, Doug Luedtke, Bill Moody, and Bob Siemsen to the Fire Sprinkler and Chemical Examining Board three-year terms expiring November 24, 2010, is hereby approved.

Introduced by John Spatz

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

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

AUDIT REPORTS OF LINCOLN WATER & WASTEWATER SYSTEMS FOR FISCAL YEAR 2006-2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71A)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 10, 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 RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 17, 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 RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON DECEMBER 21, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

APPROVING TWO FIVE-YEAR/3,500 HOUR LEASE/PURCHASE AGREEMENTS BETWEEN THE CITY AND MERCHANTS CAPITOL RESOURCES, INC. TO PROVIDE TWO 2008 CATERPILLAR ARTICULATED FRAME FOUR-WHEEL DRIVE LOADERS FOR USE BY THE PUBLIC WORKS & UTILITIES STREET MAINTENANCE OPERATIONS IN CONSTRUCTION, MAINTENANCE AND SNOW REMOVAL PROJECTS - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving two five-year lease agreements with option to purchase between the City of Lincoln, Nebraska and Merchants Capitol Resources, Inc. for two 2008 Caterpillar 938HX Articulated Frame Four Wheel Drive Wheel Loaders per Specification #07-345 for use by the Department of Public Works & Utilities, the first time.

AMENDING SECTION 2.76.375 OF THE LINCOLN MUNICIPAL CODE TO CLARIFY THE LANGUAGE REGARDING ELIGIBILITY FOR HOLIDAY PAY - CLERK read an ordinance, introduced by Ken Svoboda, amending Section 2.76.375 of the Lincoln Municipal Code to clarify that an employee must be in a pay status the normal hours scheduled the working day before and the normal hours scheduled the working day after the authorized holiday in order to be eligible for holiday pay; and repealing Section 2.76.375 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP BY CREATING THE CLASSIFICATION OF LIBRARIES SYSTEM COORDINATOR - CLERK read an ordinance, introduced by Ken Svoboda, amending Section 1 of Ordinance No. 18967 passed August 6, 2007, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A," by creating the job classification of "Libraries System Coordinator," the first time.

AMENDING SECTION 14.20.020 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE PROCEDURE FOR VACATION OF PUBLIC WAYS TO CLARIFY RESPONSIBILITIES AND TO PROVIDE FOR THE EXPIRATION OF APPLICATIONS FOR THE VACATION OF A PUBLIC WAY - CLERK read an ordinance, introduced by Ken Svoboda, amending Section 14.20.020 of the Lincoln Municipal Code relating to the procedure for vacation of public ways to clarify responsibilities and to provide for the expiration of applications for the vacation of a public way; and repealing Section 14.20.020 of the Lincoln Municipal Code as hitherto existing, the first time.

COMP. PLAN CONFORMITY 07025 - DECLARING APPROXIMATELY 43,200 SQUARE FEET GENERALLY LOCATED AT N.W. 52ND STREET AND WEST HUNTINGTON AVE. AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - CLERK read an ordinance, introduced by Ken Svoboda, declaring approximately 43,200 square feet of City-owned property generally located near N.W. 52nd Street and West Huntington Avenue as surplus and authorizing the sale thereof, the first time.

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

AMENDING CHAPTER 19.03 OF THE LMC (THE FIRE CODE) TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE EXCEPT AS PROVIDED BY SPECIFIC AMENDMENTS RECOMMENDED BY THE FIRE CODE TASK FORCE AND CODE STUDY COMMITTEE - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 19.03 of the Lincoln Municipal Code, the Fire Code, to adopt the 2006 edition of the International Fire Code except as provided by specific amendments recommended by the Fire Code Task Force and code Study Committee, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19032**, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 20.10 OF THE LMC (THE LINCOLN RESIDENTIAL BUILDING CODE) TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE EXCEPT AS PROVIDED BY SPECIFIC AMENDMENTS RECOMMENDED BY THE BUILDING CODE TASK FORCE AND CODE STUDY COMMITTEE - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 20.10 of the LMC (the Lincoln Residential Building Code) to adopt the 2006 edition of the International Residential Code except as provided by specific amendments recommended by the Building Code Task Force and Code Study Committee, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#19033**, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 20.08 OF THE LMC (THE LINCOLN BUILDING CODE) TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL BUILDING CODE EXCEPT AS PROVIDED BY SPECIFIC AMENDMENTS RECOMMENDED BY THE BUILDING CODE TASK FORCE AND CODE STUDY COMMITTEE - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 20.08 of the LMC (the Lincoln Building Code) to adopt the 2006 edition of the International Building Code except as provided by specific amendments recommended by the Building Code Task Force and Code Study Committee, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#19034**, is recorded in Ordinance Book #26, Page

AMENDING SECTION 14.24.030 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SIZE AND LOCATION OF BUILDING NUMBERS TO REFERENCE THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL FIRE CODE - CLERK read an ordinance, introduced by Robin Eschliman, amending Section 14.24.030 of the Lincoln Municipal Code relating to the size and location of building numbers to reference the International Building Code and the International Fire Code; and repealing Section 14.24.030 of the Lincoln Municipal Code as hitherto existing, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#19035**, is recorded in Ordinance Book #26, Page

AMENDING CHAPTER 21.01 OF THE LINCOLN MUNICIPAL CODE (LINCOLN HOUSING CODE) TO MAKE THE HOUSING CODE COMPATIBLE WITH THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL FIRE CODE - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 21.01 of the Lincoln Municipal Code (LMC), the Lincoln Housing Code, by amending LMC Section 21.01.090 to revise Section 504.2 of the Uniform Housing Code (UHC) relating to light to allow artificial light when in compliance with the International Building Code as adopted by the City; amending LMC Section 21.01.100 to amend UHC Section 504.3 relating to ventilation to provide that mechanical ventilation shall comply with the International Building Code as adopted by the City; amending Section 21.01.160 to amend UHC Section 801 relating to exits to provide that emergency escape openings shall be maintained in accordance with the Building Code and Fire Code in effect at the time of construction; and repealing Sections 21.01.090, 21.01.100, and 21.01.160 of the Lincoln Municipal Code as hitherto existing, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#19036**, is recorded in Ordinance Book #26, Page

RESOLUTION - FOR ACTION ONLY

APPROVING THE ASSIGNMENT OF THE FRANCHISE AGREEMENT FOR THE PROVISION OF NATURAL GAS SERVICES TO LINCOLN BETWEEN THE CITY AND AQUILA TO BLACK HILLS/NEBRASKA GAS UTILITY COMPANY, LLC AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY. (12/17/07 - ACTION DELAYED TO 1/7/08) - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84675 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Franchise Transfer Approval Application of Aquila for the assignment of the Franchise Agreement for the provision of natural gas services to Lincoln between the City and Aquila to Black Hills/Nebraska Gas Utility Company, LLC is hereby approved and the Mayor is authorized to execute said Transfer Application on behalf of the City. This Application provides for the assignment of the Franchise to Black Hills by Aquila, and to the assumption by Black Hills of Aquila's obligations under the Franchise.

The City Clerk is directed to transmit an executed original of the Franchise Transfer Approval Application to Aquila, P.O. Box 83008, Lincoln, NE 68501-3008.

Introduced by Robin Eschliman

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

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to January 14, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on January 14, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

ADJOURNMENT 2:47 P.M.

CAMP Moved to adjourn the City Council meeting of January 7, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
So ordered.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant