

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 31, 2008 AT 5:30 P.M.**

The Meeting was called to order at 5:30 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.

READING OF THE MINUTES

ESCHLIMAN Having been appointed to read the minutes of the City Council proceedings of March 24, 2008 reported having done so, found same correct.

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

PUBLIC HEARING

APPROVING THE APPOINTMENT OF JOHN HENDRY AS THE CITY ATTORNEY FOR A TWO-YEAR TERM - John Hendry, Mayor's nominee, came forward to state he is enthused, anxious and willing to do the job. He respectfully asked for Council's consent for appointment. In response to Council questions, Mr. Hendry stated that he serves both the Mayor and the City Council as legal advisor and the City as a whole under the rules of professional ethics. Council thanked Mr. Hendry for coming forward.

This matter was taken under advisement.

Chair Marvin recognized Boy Scout Troop 8 who were in attendance taking an interest in community action at the government level.

CHANGE OF ZONE 08003 - APPLICATION OF OLDERBAK ENTERPRISES NORTH, LLC FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH AND MEREDETH STREET;

SPECIAL PERMIT 08007 - APPEAL OF KEITH SACKSCHEWSKY TO THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF THE APPLICATION OF OLDERBAK ENTERPRISES NORTH LLC TO EXPAND A NONCONFORMING USE TO INCREASE THE AREA WHERE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES IS ALLOWED, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH STREET AND MEREDETH STREET - Mike Olderbak, 2840 S. 74th St., Kabredlos, Inc. President, came forward to report that positive gains were made following three neighborhood association meetings, verifying that a new store is needed, a larger size eliminates congestion and justifies the remodeling budget, a 30-inch retaining wall will keep traffic out of the alley, and fewer approaches will provide safety for pedestrian traffic. Mr. Olderbak stated that no agreement has been achieved on the purchase price of Mr. Sackschewky's duplex.

Council analyzed Mr. Olderbak's future options, clarifying that pump capacity dictates his larger floor plan and there are no blaring lights on the west side to affect the residential property.

Larry Rhodes, 1132 Virginia St., came forward in support and presented petition signatures.

Gene Schober, 5301 S. 65th St. Cir., came forward in support stating it will be an improvement to the neighborhood.

Andrew Loudon, 1248 O St. #600, attorney representing Keith Sackschewsky, came forward in opposition stating the following concerns: the purchase offer of \$132,000 was below the duplex's assessed value; 12 pump capacity is too large for a residential zone; fear of increased crime and litter; lack of adequate customer parking; unwillingness to consider a revised site plan calling for a shift to the south & east to eliminate noise & lights; and his client's loss of rental income.

Keith Sackschewsky, came forward to respond to Council questions stating his concerns of congestion, noise, safety, building distance, and the low purchase offer. He stated \$175,000 would be more acceptable to him.

Doug Krogman, Krogman Tile Co., 4723 Lowell Ave., came forward on behalf of some of the neighbors who are in agreement that a service station is desired but they had concerns that the increased number of pumps will bring more traffic even though 48th Street is not wide enough.

Gary Bollinger, 10101 Weeks Dr., Vice Pres. for Financial Admin. at Union College, came forward representing college administrators expressing opposition even though there is more about this project they like than dislike. He responded to questions of Council stating that while they applaud a business owner who makes improvements, a smaller facility with only four pumps or two islands is more consistent with community goals, further presenting that the intersection at 48th and Meredeth is not a major thoroughfare.

Council expressed praise toward Union College for its leadership and stewardship shown to the area and for bringing economic development to the City.

Mr. Olderbak came forward in rebuttal to clarify that an independent appraisal was done on Mr. Sackschewsky's property; however, with today's market being a buyer's market, the seller can purchase another home for value today. Mr. Olderbak responded to Council questions stating if purchased, he would use the duplex as rental property to diversify his existing business.

Council expressed appreciation for the investment of Kabredlo convenience stores which have improved the City of Lincoln.

This matter was taken under advisement.

DECLARING APPROXIMATELY 58,520 SQUARE FEET OF THE CORNHUSKER CONVENTION CENTER AT S. 13TH STREET AND M STREET AS SURPLUS PROPERTY - David Landis, Director of Urban Development, came forward to present this project stating that for the past 25 years the Cornhusker has been paying taxes which in turn pay off Tax Increment Financing, currently amounting to a little less than \$125,000 a year. He shared that in addition, five years of incoming rent for the two City-owned floors have amounted to \$400,000. He stated the agreed purchase price of \$580,000 will allow this property to return to the tax rolls. Mr. Landis answered Council questions clarifying the use of the property and said that upon approval of the sale, the money would go into the Land Acquisition Fund.

Rick Peo, Chief Asst. City Attorney, came forward to answer Council questions about history of the lease agreement which continues to the year 2044 and any sale of the property is subject to the prior lease.

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 MARCH 1-15, 2008 - Chair Marvin noted that there is a motion to amend this resolution which will be acted upon during the voting session.

This matter was taken under advisement.

APPROVING A TWO-YEAR ADVERTISING AGREEMENT BETWEEN THE CITY AND CORNHUSKER BANK FOR ADVERTISING RIGHTS ON THE ELECTRONIC MESSAGE SYSTEMS AT PERSHING MUNICIPAL AUDITORIUM AT 15TH AND N STREETS - Tom Lorenzen, General Manager of Pershing Center, came forward to answer questions of Council stating the cost of advertising is a negotiated rate.

This matter was taken under advisement.

SPECIAL PERMIT 08015 - APPLICATION OF ROGER SCHWISOW FOR AUTHORITY TO ALLOW MINING/EXTRACTION OF SOIL OF AGRICULTURAL ZONED PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF N.W. 56TH STREET AND WEST O STREET - Peter Katt, 1248 O St., attorney for the applicant, came forward in agreement with all the special permit conditions but raised opposition to the policy restricting operating hours to daylight hours, Monday through Friday only. Mr. Katt responded to Council questions stating

that it is an inconsistently placed restriction not found in the standards of the original ordinance. He stated his client's business is not run on a 24/7 basis but rather intermittent and done only when there is a demand for soil.

Roger Schwisow, property owner and applicant, came forward to present his business of moving dirt and meeting contract deadlines.

Eunice Cernohlavek, 6205 West O St., came forward in opposition to weekend and night time soil mining, sharing concerns of health issues related to dust, traffic safety, and noise pollution.

Becky Vandenberg, 8301 West O St., representing SID #6, came forward with concerns of the soil mining's effect on Emerald's wellhead protection area. She requested that all action stop and independent studies be performed by the EPA & DEQ showing the impact on the water table.

Lee Ann Lauenroth, 6920 West O St., came forward in opposition stating concerns about hours of operation.

Rodney Braunsroth, 1512 Superior Rd, Pleasant Dale, came forward in opposition stating he was not informed of this activity, as he is concerned about safety, water pollution and further development.

Karen Kurbis, 17500 N. 84th St., came forward in opposition for reasons of safety and hours of operation. She is in favor of a task force.

Julia Lee Melichar, 8321 West O St., came forward in opposition expressing concerns of traffic safety. Council stated they will comply with her request for future SID #6 mailings to be updated to the new president as her husband is deceased.

Marvin Krout, Planning Director, came forward to answer Council questions stating their standards deal with the lowering of the water table but do not deal with runoff impacting groundwater contamination.

Chair Marvin requested Planning Dept. to provide task force review to the April 8 Commons meeting.

Mr. Katt came forward for rebuttal and stated that a two week delay would be appropriate. He stated good soil mining operators should not be punished for bad operators' behavior and safety issues will be addressed.

This matter was taken under advisement.

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

TOOK BREAK 8:03 P.M.

RECONVENED 8:11 P.M.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING THE APPOINTMENT OF JOHN HENDRY AS THE CITY ATTORNEY FOR A TWO-YEAR TERM - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84798 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of John Hendry to the position of City Attorney for a two-year term effective April 1, 2008, is hereby approved.

Introduced by Robin Eschliman

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

SETTING THE BOARD OF EQUALIZATION HEARING DATE OF MONDAY, APRIL 28, 2008, AT 5:30 P.M. ON THE NORTH 27TH STREET MAINTENANCE IMPROVEMENT DISTRICT AND UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT - CLERK requested motion for approval to set the hearing date.

ESCHLIMAN So moved.

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MARCH 17, 2008 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, APRIL 14, 2008 AT 1:30 P.M. FOR THE APPLICATION OF OLD FEDERAL PLACE, LLC DBA THE GRAND MANSE FOR A CLASS I LIQUOR LICENSE LOCATED AT 129 NORTH 10TH STREET - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:
A-84799 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 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 Old Federal Place, LLC dba The Grand Manse for a Class I liquor license located at 129 N. 10th Street.

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

Introduced by John Spatz

Seconded by Svoboda & 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. 2751B - App. of D. David Slosburg, Van Dorn Acres Planned Unit Development, to amend the sign regulations for the commercial portion of the PUD to allow an additional ground sign and a free-standing menu board, on property generally located at S. 84th Street and Van Dorn Street.

Change of Zone No. 08011 - App. of James R. Blue, Cedars Home For Children Planned Unit Development, from R-1 Residential District to R-1 PUD Residential District PUD with a development plan which proposes to modify the standards of the underlying zoning district, on property generally located at S. 66th Street and Pioneers Boulevard.

Change of Zone No. 08012 - App. of Nebraska State Historical Society Foundation, to designate a historic landmark, known as the Lewis Syford House, on property located at 700 N.16th Street.

Change of Zone No. 08013 - App. of Sigma Chi Building Association, to designate a historic landmark, known as Sigma Chi Fraternity House, on property located at 1510 Vine Street.

Change of Zone No. 08014 - App. of Nebraska Alpha Alumni Association, to designate a historic landmark, known as Phi Kappa Psi Fraternity House, on property located at 1548 S Street.

MISCELLANEOUS BUSINESS - NONE

LIQUOR RESOLUTIONS - NONE

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

CHANGE OF ZONE 08003 - APPLICATION OF OLDERBAK ENTERPRISES NORTH, LLC FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH AND MEREDETH STREET. (RELATED ITEMS: 08-17, 08R-65) (ACTION DATE: 3/10/08) (3/3/08 - P.H. CON'T. 4 WEEKS TO 3/31/08) (ACTION DATE:

4/7/08) - 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.

SPECIAL PERMIT 08007 - APPEAL OF KEITH SACKSCHEWSKY TO THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF THE APPLICATION OF OLDERBAK ENTERPRISES NORTH LLC TO EXPAND A NONCONFORMING USE TO INCREASE THE AREA WHERE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES IS ALLOWED, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH STREET AND MEREDETH STREET. (RELATED ITEMS: 08-17, 08R-65) (ACTION DATE: 3/10/08) (3/3/08 - P.H. CON'T. 4 WEEKS TO 3/31/08) (ACTION DATE: 4/7/08).

DECLARING APPROXIMATELY 58,520 SQUARE FEET OF THE CORNHUSKER CONVENTION CENTER AT S. 13TH STREET AND M STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Robin Eschliman, declaring the City-owned property generally located at South 13th Street and M Street as surplus and authorizing the sale thereof to Shubh Hotels Lincoln, LLC, a Florida limited liability company, 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 MARCH 1-15, 2008 - PRIOR to reading:

COOK Moved to amend Bill No. 08R-78 in the following manner:
 On line 10, the claim of Shanna Belschner in the amount of \$163.00 should be removed from the list of DENIED claims and added to the list of ALLOWED/SETTLED claims in the amount of \$100.

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

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

A-84800 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 March 17, 2008, 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/SETTLED</u>
Shanna Belschner \$ 163.00	Parrish Project, LLC \$13,530.00
Graylin Gray 1,000,000.00	Naqibullah Attaie 1,335.50
Bill Chamberlin 2.00	Hamid Honardoust 647.98
	Julie McGahan 250.00
	Betsy Schramm 2,112.37
	Jim Larson 1,309.10
	Lincoln Public Schools 1,559.00
	Cynthia Ritter & Thomas Labedz 370.17
	<u>Shanna Belschner</u> 100.00

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 Robin Eschliman

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

APPROVING A TWO-YEAR ADVERTISING AGREEMENT BETWEEN THE CITY AND CORNHUSKER BANK FOR ADVERTISING RIGHTS ON THE ELECTRONIC MESSAGE SYSTEMS AT PERSHING MUNICIPAL AUDITORIUM AT 15TH AND N STREETS - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84801 WHEREAS, the City of Lincoln owns and operates Pershing Municipal Auditorium located at 226 Centennial Mall South in Lincoln, Nebraska; and

WHEREAS, two exterior animated programmable electronic message systems, and one interior animated programmable electronic message system are located at said auditorium; and

WHEREAS, Cornhusker Bank, 11th and Cornhusker Highway, Lincoln, NE 68508, (402) 434-2265, wishes to acquire the right to display advertisements on said message systems and the City is willing to grant certain advertising rights to Cornhusker Bank.

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

That the Advertising Agreement, which is attached hereto marked as Attachment "A" and made a part hereof by reference, by and between the City of Lincoln dba Pershing Municipal Auditorium and Cornhusker Bank, under which Cornhusker Bank is granted certain interior and exterior advertising rights at Pershing Municipal Auditorium for a two-year period upon the terms and conditions as set forth in said Agreement is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed copy of said Advertising Agreement to Thomas Lorenz, Manager of Pershing Municipal Auditorium, and one fully executed copy to Cornhusker Bank, Attn: Barry Lockard, 11th and Cornhusker Highway, Lincoln, NE 68521.

Introduced by Robin Eschliman

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

SPECIAL PERMIT 08015 - APPLICATION OF ROGER SCHWISOW FOR AUTHORITY TO ALLOW MINING/EXTRACTION OF SOIL OF AGRICULTURAL ZONED PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF N.W. 56TH STREET AND WEST O STREET - PRIOR to reading:

COOK Moved to continue Public Hearing & Action for Bill No. 08R-82 on April 14, 2008.

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

SUPPORTING PASSAGE OF CONSTITUTIONAL AMENDMENT NO. 1 ON THE MAY 13, 2008 BALLOT RELATED TO A POLITICAL SUBDIVISION'S ABILITY TO INVEST PUBLIC ENDOWMENT FUNDS

A-84802 A Resolution in support of Amendment 1, Proposal to amend the Nebraska Constitution, May 13, 2008 primary election.

RECITALS

I.

Advanced by the Legislature by a vote of 42-2, Amendment 1 relates to a political subdivision's ability to invest public endowment funds. Current constitutional language unnecessarily restricts such entities from investing in equity securities (i.e. stocks). This restriction, in place since 1875, was designed to safeguard public funds from the dangers of private railroad corporations and other business ventures. These investment standards, designed for another era, actually place modern era public funds at greater risk. Since that time, modern investment practices have evolved. Diversification" and the "investment standard" are better tools for ensuring the safety of modern day investments.

II.

Amendment 1 will be particularly beneficial for entities like the Community Health Endowment in Lincoln. The City established this endowment with proceeds from the sale of Lincoln General Hospital in 1997. The fund has returned nearly \$8 million to Lincoln and surrounding area to health-related initiatives. Many of these initiatives involve

health care for the poor, elderly, homeless and mentally ill. Endowment funds have also provided assistance to agencies that serve minority populations, high-risk children, and victims of domestic violence. The Endowment's funds has reduced the City's and the County's reliance on taxpayer dollars and reduced the growing burden on human service infrastructure. Endowment estimates indicate that diversification will not provide greater safety but generate as much as \$22 million for these health initiatives and grow the fund 160% over the next 20 years.

III.

Amendment 1 will allow public endowments throughout Nebraska to invest in broader, more diversified portfolios to protect community assets that may fund parks, senior centers, health care, public education, and other services that are important to local communities. Amendment 1 has strict limitations that hold communities accountable for public endowment investments and puts safeguards in place to make trustees are spending public endowments wisely. Community board members will oversee the funds and adhere to strict rules on spending. The Nebraska Legislature will provide additional oversight for even greater safety.

IV.

Amendment 1 is a safe, smart investment in the future of Nebraska communities, creating opportunities for diversification, growth, and long-term benefits for all Nebraskans.

NOW THEREFORE BE IT RESOLVED by the City of Lincoln, Nebraska that it be on record in wholehearted support of Amendment 1.

Introduced by Robin Eschliman

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

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

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P STREET FROM 7TH TO 8TH STREETS FROM MAY 3, 2008 THROUGH OCTOBER 11, 2008 AND ON 8TH STREET FROM P TO Q STREET FROM JUNE 14, 2008 THROUGH AUGUST 9, 2008 - CLERK read an ordinance, introduced by John Spatz, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets and P Street from 7th to 8th Streets, from May 3, 2008 through October 11, 2008, and on 8th Street from P to Q Street from June 14, 2008 through August 9, 2008, and authorizing the Mayor to sign such Contract on behalf of the City, the first time.

APPROVING A CONTRACT BETWEEN THE CITY AND DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A MID-WEEK JAZZ IN JUNE PUBLIC MARKET IN THE AREA LOCATED AT 12TH STREET FROM Q TO R STREET AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 3, 2008 THROUGH JUNE 24, 2008 - CLERK read an ordinance, introduced by John Spatz, accepting and approving the Public Market Contract between the City of Lincoln, Nebraska and Downtown Lincoln Association for establishment and regulation of a Jazz in June public market in the Marketplace area, 12th Street from Q to R Streets and R Street from 12th to 13th Streets, on each Tuesday from June 3, 2008 through June 24, 2008, and authorizing the Mayor to sign such Contract on behalf of the City, the first time.

AMENDING TITLE 28 OF THE LINCOLN MUNICIPAL CODE RELATING TO STORMWATER QUALITY AND EROSION AND SEDIMENT CONTROL BY CREATING A NEW CHAPTER 28.02, REGULATIONS FOR ILLICIT DISCHARGES - CLERK read an ordinance, introduced by John Spatz, amending Title 28 of the Lincoln Municipal Code relating to stormwater quality and erosion and sediment control by creating a new Chapter 28.02, Regulations for Illicit Discharges, the first time.

AMENDING CHAPTER 2.54 OF THE LINCOLN MUNICIPAL CODE RELATING TO CONFLICTS OF INTEREST OF OFFICERS AND EMPLOYEES TO DECLARE THE POLICY OF THE CHAPTER; TO REVISE THE DEFINITION OF IMMEDIATE FAMILY; TO ADOPT STANDARDS FOR ETHICAL CONDUCT OF OFFICERS AND EMPLOYEES, INCLUDING GENERAL PRINCIPALS RELATING TO FINANCIAL INTERESTS, USE OF INFORMATION, STATUS, OR PROPERTY FOR PRIVATE GAIN, AND CONTRACTING WITH THE CITY; TO REQUIRE CANDIDATES FOR OFFICE TO DISCLOSE EXISTING OR PENDING CONTRACTUAL RELATIONSHIPS WITH THE CITY; TO DECLARE INTERESTS IN CONTRACTS BY REVISING LANGUAGE, POSTING OF INFORMATION ON WEBSITES, TO REQUIRE ADDITIONAL INFORMATION ON DISCLOSURES, TO EXTEND BID DEADLINES, AND TO REQUIRE COUNCIL APPROVAL OF SUCH CONTRACTS - PRIOR to reading:

SPATZ Moved to continue 1st Reading for Bill No. 08-37 on April 7, 2008 with Public Hearing on April 14, 2008.

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

CLERK Read an ordinance, introduced by John Spatz, amending Chapter 2.54 of the Lincoln Municipal Code relating to conflicts of interest of officers and employees to declare the policy of the Chapter; to revise the definition of immediate family; to adopt standards for ethical conduct of officers and employees, including general principals relating to financial interests, use of information, status, or property for private gain, and contracting with the City; to require candidates for office to disclose existing or pending contractual relationships with the City; to declare interests in contracts by revising language, posting of information on websites, to require additional information on disclosures, to extend bid deadlines, and to require Council approval of such contracts, the first time.

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

AUTHORIZING THE CITY OF LINCOLN, NEBRASKA TO ENTER INTO A LEASE-PURCHASE TRANSACTION WITH UNION BANK & TRUST COMPANY, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,500,000 FOR THE ACQUISITION OF STREET LIGHTING EQUIPMENT AND THE CONSTRUCTION OF PARK IMPROVEMENTS IN CONNECTION WITH THE ANTELOPE VALLEY PROJECT - PRIOR to reading:

CAMP Moved to amend Bill No. 08-23 in the following manner:

1. On page 3, on the fourth line, delete the reference to "Notice to Bidders" and insert in lieu thereof the reference to "Notice of Sale".

2. Attach the seven referenced attachments to the ordinance which are attached hereto.

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

CLERK Read an ordinance, introduced by Doug Emery, authorizing and approving a lease-purchase transaction with Union Bank & Trust Company, the proceeds of which will be used to pay the costs of (A) acquiring, constructing and installing street lights and related improvements and (B) improvements to a portion of the Antelope Creek Channel bounded by "O" Street, "R" Street, 21st Street and 22nd Street; and related amenities; approving the issuance, sale and delivery of not to exceed \$7,500,000 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 third time.

EMERY Moved to pass the ordinance as amended.

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

The ordinance, being numbered #19065, is recorded in Ordinance Book #26, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION

Dale Young, former Mayor of the City of Lincoln, came forward to provide informational history of the Cornhusker Hotel. Council member Camp recognized Mr. Young's tenure as Mayor and Council Marvin thanked him for his comments.

This matter was taken under advisement.

Mike Morosin, 1500 N. 15th St., came forward on behalf of the late Glen Cekal to express appreciation to the City Council for listening to him as well as other citizens who have come forward to speak in consideration of various issues.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to April 7, 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 April 7, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

ADJOURNMENT 8:28 P.M.

CAMP Moved to adjourn the City Council meeting of March 31, 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

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