

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JUNE 15, 2009 AT 1:30 P.M.**

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

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

IN MEMORIAM

Chair Emery shared the news that former Lincoln Mayor and Councilwoman, Helen Boosalis, died earlier today. On behalf of the City Council, he conveyed sympathy to the Boosalis family for their loss and expressed appreciation for all that Helen Boosalis did in her service to the City of Lincoln.

Chair Emery announced that last week the City experienced the loss of two long-term employees, Elmer Cole and Cindy Dittmann. On behalf of the City Council, he expressed sympathy to their respective families. He stated that each worked in excess of 30 years and, for that, the City is grateful.

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of June 8, 2009 reported having done so, found same correct. Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

PUBLIC HEARING

APPLICATION OF HOME COOKIN', LLC DBA PAT'S BBQ AND NERO'S PIZZA FOR A CLASS C LIQUOR LICENSE AT 1401 SUPERIOR STREET, SUITE 7;

MANAGER APPLICATION OF PATRICK J. LUND, JR. FOR HOME COOKIN', LLC DBA PAT'S BBQ AND NERO'S PIZZA AT 1401 SUPERIOR STREET, SUITE 7 - Perry Pirsch, 462 W. Lakeshore, Attorney, came forward as one of the members of the LLC to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF KABREDLO'S, INC. DBA KABREDLO'S #127 FOR A CLASS D LIQUOR LICENSE AT 4411 NORTH 27TH STREET;

MANAGER APPLICATION OF ANTHONY OLDERBAK FOR KABREDLO'S, INC. DBA KABREDLO'S #127 AT 4411 NORTH 27TH STREET - Mike Olderbak, President of Kabredlo's Inc., 2840 S. 74th St., came forward to take oath and answer questions.

Anthony Olderbak, 6920 Starr St., came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF ROGELIO ARIAS DBA SUPER TACO FOR THE ADDITION OF APPROXIMATELY 44 FEET BY 30 FEET TO THE WEST OF ITS PRESENTLY LICENSED PREMISES

LOCATED AT 5501 HOLDREGE STREET - Lisbette Castro, 1616 N. 70th St., came forward to take oath and answer questions. In answer to Council questions, she stated she was not a joint owner but that Mr. Arias was her husband's uncle.

This matter was taken under advisement.

APPLICATION OF B & R STORES, INC. DBA RUSS'S MARKET 21 FOR THE ADDITION OF A MEZZANINE AREA APPROXIMATELY 29 FEET BY 136 FEET AT ITS PRESENTLY LICENSED PREMISES LOCATED AT 1550 S. CODDINGTON STREET - Tyler D. Popp, 5545 S. 78th St., Store Director at Russ' Market, came forward to take oath and answer questions.

This matter was taken under advisement.

APPLICATION OF TODD P. PFUNDT DBA SUN VALLEY BAR & GRILL FOR A CLASS C LIQUOR LICENSE AT 300 WEST P STREET - Todd Pfundt, 300 West P St., came forward to take oath and answer questions. He said he is taking over the 11-year family business founded by his father, who is retiring. In answer to Council questions about his past misdemeanor citations, Mr. Pfundt said since 2006 alcohol use is no longer a part of his life due to attendance of meetings, follow-up training and his current health concerns.

This matter was taken under advisement.

AMENDING ORDINANCE NO. 19223 WHICH AUTHORIZED AND PROVIDED FOR THE ISSUANCE OF LINCOLN FLATS/BANK OF THE WEST REDEVELOPMENT PROJECT TAXABLE TAX ALLOCATION BOND, SERIES 2009A AND SERIES 2009B IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$764,000 - Don Herz, City Finance Director, came forward to state this ordinance amends a previously approved bond ordinance from May 2009 for the Lincoln Flats Project.

Lauren Wismer, Gilmore & Bell, Bond Counsel, 1248 O Street, came forward to state that changes permit the City to reset an interest rate during the life of the bond. He said tax-increment financing is limited to a term of 15 years and typically obligation bonds have been authorized with fixed rates. He said the desire is to place the obligation with financial institutions who are not interested in long-term fixed rates; therefore, amendment language authorizes the Finance Director to issue the bond and approve an interest rate based on an index that would be reset periodically with a maximum interest of 10%. Mr. Wismer said a flexible interest rate will make it easier for the City to place the obligation.

Mr. Herz responded to Council questions by stating the reasoning behind this amendment stems from the requirement of financial institutions to minimize their risk since fall of 2008. He said he does not expect any additional administrative burden to his staff to monitor this change. He anticipated that a rate would be set for a five or seven year period at which time it could be reviewed and possibly reset at that point.

This matter was taken under advisement.

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

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JUNE 1, 2009 - 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, JUNE 29, 2009 AT 5:30 P.M. FOR THE APPLICATION OF KINSETH HOTEL CORPORATION DBA HAMPTON INN FOR A CLASS I LIQUOR LICENSE LOCATED AT 7343 HUSKER CIRCLE - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-85395 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 29, 2009, 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 Kinseth Hotel Corporation dba Hampton Inn for a Class I liquor license located at 7343 Husker Circle.

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

Introduced by Jayne Snyder

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 29, 2009 AT 5:30 P.M. FOR THE APPLICATION OF KINSETH HOTEL CORPORATION DBA RESIDENCE INN FOR A CLASS I LIQUOR LICENSE LOCATED AT 5865 BOBOLI LANE - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-85396 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 29, 2009, 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 Kinseth Hotel Corporation dba Residence Inn for a Class I liquor license located at 5865 Boboli Lane.

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

Introduced by Jayne Snyder

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MISCELLANEOUS REFERRALS - NONE

LIQUOR RESOLUTIONS

APPLICATION OF HOME COOKIN', LLC DBA PAT'S BBQ AND NERO'S PIZZA FOR A CLASS C LIQUOR LICENSE AT 1401 SUPERIOR STREET, SUITE 7 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85397 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 Home Cookin', LLC dba Pat's BBQ and Nero's Pizza for a Class "C" liquor license at 1401 Superior Street, Suite 7, Lincoln, Nebraska, for the license period ending October 31, 2010, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.

2. The premise must comply 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF PATRICK J. LUND, JR. FOR HOME COOKIN', LLC DBA PAT'S BBQ AND NERO'S PIZZA AT 1401 SUPERIOR STREET, SUITE 7 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85398 WHEREAS, Home Cookin', LLC dba Pat's BBQ and Nero's Pizza located at 1401 Superior Street, Suite 7, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Patrick J. Lund, Jr. be named manager;

WHEREAS, Patrick J. Lund, Jr. 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 Patrick J. Lund, Jr. 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF KABREDLO'S, INC. DBA KABREDLO'S #127 FOR A CLASS D LIQUOR LICENSE AT 4411 NORTH 27TH STREET - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption for approval:

A-85399 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 Kabredlo's Inc. dba Kabredlo's 127 for a Class "D" liquor license at 4411 North 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2010, 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 Adam Hornung

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF ANTHONY OLDERBAK FOR KABREDLO'S, INC. DBA KABREDLO'S #127 AT 4411 NORTH 27TH STREET - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption for approval:

A-85400 WHEREAS, Kabredlo's, Inc. dba Kabredlo's 127 located at 4411 North 27th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Anthony Olderbak be named manager;

WHEREAS, Anthony Olderbak 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 Anthony Olderbak 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 Adam Hornung

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF ROGELIO ARIAS DBA SUPER TACO FOR THE ADDITION OF APPROXIMATELY 44 FEET BY 30 FEET TO THE WEST OF ITS PRESENTLY LICENSED PREMISES LOCATED AT 5501 HOLDREGE STREET - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption for approval:

A-85401 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 Rogelio Arias dba Super Taco to expand its licensed premises by the addition of approximately 44 feet by 30 feet to the west of the presently licensed premises located at 5501 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 the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jayne Snyder

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF B & R STORES, INC. DBA RUSS'S MARKET 21 FOR THE ADDITION OF A MEZZANINE AREA APPROXIMATELY 29 FEET BY 136 FEET AT ITS PRESENTLY LICENSED PREMISES LOCATED AT 1550 S. CODDINGTON STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-85402 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 B & R Stores, Inc. dba Russ's Market 21 to expand its licensed premises by the addition of a mezzanine area approximately 29 feet by 136 feet at its presently licensed premises located at 1550 S. Coddington 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 the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF TODD P. PFUNDT DBA SUN VALLEY BAR & GRILL FOR A CLASS C LIQUOR LICENSE AT 300 WEST P STREET - PRIOR to reading:

CAMP Moved for denial.

Motion died for lack of a second.

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

A-85403 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 Todd P. Pfundt dba Sun Valley Bar & Grill for a Class "C" liquor license at 300 West P Street, Lincoln, Nebraska, for the license period ending October 31, 2009, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. The premise must comply 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 Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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

AMENDING ORDINANCE NO. 19223 WHICH AUTHORIZED AND PROVIDED FOR THE ISSUANCE OF LINCOLN FLATS/BANK OF THE WEST REDEVELOPMENT PROJECT TAXABLE TAX ALLOCATION BOND, SERIES 2009A AND SERIES 2009B IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$764,000 - CLERK read an ordinance, introduced by Adam Hornung amending Ordinance No. 19223 to provide for resetting the

interest rate on the bonds from time to time; to repeal certain provisions of Ordinance No. 19223, in connection therewith; taking other action in connection with the foregoing; and related matters, 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 MAY 15 - 31, 2009 - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-85404 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 June 1, 2009, 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>	
Gail Wilkinson	\$ 112.30	Larry & Gloria Larson	\$ 237.54
Recovery Services International, Inc. (File #5556 494 026315-3)	2,798.14	David Jacobs	100.00
Stephanie Bales	NAS*	Grant Heilman	2,360.26
Dillon Samples	1,595.00	Jonathan & Micaela Duval	272.72
Perian Patillo	NAS*	Ettamae Branstetter	2,500.00
Peter P. Bouffard	425.00		
Breanna R. McCall	NAS*		

*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 Adam Hornung

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (as required)

AMENDING CHAPTER 20.10 OF THE LINCOLN MUNICIPAL CODE, THE LINCOLN RESIDENTIAL BUILDING CODE BY AMENDING SECTION 20.10.710 TO INCLUDE CHAPTERS 13, 14, 15, 16, 17, AND 18 OF THE INTERNATIONAL RESIDENTIAL CODE, AS PART OF THE LINCOLN RESIDENTIAL BUILDING CODE; AND REPEALING SECTION 20.10.710 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jayne Snyder, amending Chapter 20.10 of the Lincoln Municipal Code, the Lincoln Residential Building Code, by amending Section 20.10.710 to include Chapters 13, 14, 15, 16, 17 and 18 of the International Residential Code, as amended by this ordinance, as part of the Lincoln Residential Building Code; and repealing Section 20.10.710 of the Lincoln Municipal code as hitherto existing, the first time.

AMENDING TITLE 25 OF THE LINCOLN MUNICIPAL CODE RELATING TO HEATING BY CREATING A NEW CHAPTER 25.04 TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND APPENDIX CHAPTERS A AND B REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS WITHIN THE CITY OF LINCOLN AND WITHIN THREE MILES THEREOF AND OUTSIDE THE LIMITS OF ANY OTHER INCORPORATED CITY OR VILLAGE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING CHAPTER 25.03 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING; AND ESTABLISHING THE

OPERATIVE DATE AS 60 DAYS AFTER PASSAGE OF THE ORDINANCE - CLERK read an ordinance, introduced by Jayne Snyder, amending Title 25 of the Lincoln Municipal Code relating to Heating by creating a new Chapter 25.04 to adopt the 2006 edition of the International Mechanical Code and Appendix Chapters A and B regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems within the City of Lincoln and within three miles thereof and outside the limits of any other incorporated city or village; providing for the issuance of permits and collection of fees therefor; repealing Chapter 25.03 of the Lincoln Municipal Code as hitherto existing; and establishing the operative date for this ordinance as 60 days after passage hereof, the first time.

AMENDING TITLE 25 OF THE LINCOLN MUNICIPAL CODE RELATING TO HEATING BY CREATING A NEW CHAPTER 25.10 TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2006 EDITION, INCLUDING APPENDIX CHAPTERS B AND C, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES WITHIN THE CITY OF LINCOLN AND WITHIN THREE MILES THEREOF AND OUTSIDE THE LIMITS OF ANY OTHER INCORPORATED CITY OR VILLAGE, AND THE REGULATIONS, PROVISIONS, PENALTIES, CONDITIONS AND TERMS OF SAID FUEL GAS CODE; AND ESTABLISHING THE OPERATIVE DATE FOR THIS ORDINANCE AS 60 DAYS AFTER PASSAGE - CLERK read an ordinance, introduced by Jayne Snyder, amending Title 25 of the Lincoln Municipal Code relating to Heating by creating a new Chapter 25.10 to adopt the International Fuel Gas Code, 2006 edition, including Appendix Chapters B and C, regulating and governing fuel gas systems and gas-fired appliances within the City of Lincoln and within three miles thereof and outside the limits of any other incorporated city or village, and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Director of Building and Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this ordinance; and establishing the operative date for this ordinance as 60 days after passage hereof, the first time.

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

AMENDING ORDINANCE NO. 19094, PASSED BY THE CITY COUNCIL ON JUNE 16, 2008, WHICH AMENDED RULE 3-3 OF THE RULES OF COUNCIL, DECORUM, DEBATE AND PROCEDURE, TO ELIMINATE THE EXPIRATION DATE OF ONE YEAR AFTER ITS EFFECTIVE DATE - CLERK read an ordinance, introduced by Eugene Carroll, amending Ordinance No. 19094 (amending Section 2.04.010) of the Lincoln Municipal Code relating to the Rules of the City Council) by amending Section 3 to delete the provision that Ordinance No. 19094 shall automatically expire one year after its effective date, the third time.

CARROLL Moved to pass the ordinance as read.

Seconded by Spatz & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19272**, is recorded in Ordinance Book #26, Page

COMP. PLAN CONFORMITY 08025 - DECLARING APPROXIMATELY 6,600 SQ. FT. OF PROPERTY GENERALLY LOCATED NORTHWEST OF NORTH 41ST STREET AND GREENWOOD STREET AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF - CLERK read an ordinance, introduced by Eugene Carroll, declaring approximately 6,600 sq. ft. of City-owned property generally located northwest of North 41st Street and Greenwood Street as surplus and authorizing the sale thereof, the third time.

CARROLL Moved to pass the ordinance as read.

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered **#19273**, is recorded in Ordinance Book #26, Page

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

APPROVING A FUNDING AGREEMENT BETWEEN THE CITY AND STATE DEPARTMENT OF ROADS SO THAT THE IDENTIFIED PROJECTS WILL BE ELIGIBLE FOR FEDERAL HIGHWAY STIMULUS FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR A SIX-LANE DIVIDED CONCRETE PAVEMENT, PROJECT NO. LCLC-55(168), ANTELOPE VALLEY NORTH/SOUTH ROADWAY, P STREET TO VINE STREET. (4/13/09 - Public Hearing & Action continued for 1 week to 4/20/09) (4/20/09 - Placed on Pending Indefinitely) (Request to Withdraw) - PRIOR to reading:

CAMP Moved to Withdraw Bill No. 09R-54.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, having been **WITHDRAWN**, was assigned the File #38-4593 & was placed on file in the Office of the City Clerk.

CAMP Moved to extend the remainder of the Pending List to June 22, 2009.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

UPCOMING RESOLUTIONS

COOK Moved to approve the resolutions to have Public Hearing on June 22, 2009.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT 2:00 P.M.

CAMP Moved to adjourn the City Council meeting of June 15, 2009.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant