

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, May 7, 2007 AT 1:30 P.M.**

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

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

READING OF THE MINUTES

MCROY Having been appointed to read the minutes of the City Council proceedings of April 30, 2007, reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Seng presented the Mayor's Award of Excellence for the month of April, 2007 to Sergeant Michael Bassett, Officers Zachary Byers, Cassandra Johnson and Megan Schriener of the Lincoln Police Dept. in the category of Productivity and Customer Relations.

Chief Casady expressed his gratitude to Capt. Wilhelm for proposing this detail due to the frustration of neighbors in the Near South neighborhoods and for the good work these officers accomplished on a dangerous and distasteful detail.

Capt. Robert Wilhelm, Lincoln Police Dept., expressed his appreciation for the work this team did on the enforcement issue of prostitution.

This matter was taken under advisement.

PUBLIC HEARING

MANAGER APPLICATION OF TINA KRINGS FOR CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #1934 AT 550 W. CORNHUSKER HWY., #2720 AT 1001 S. 13TH STREET, AT 2723 AT 1140 N. 48TH STREET, #2724 AT 3003 N. 70TH STREET, #2729 AT 5500 SUPERIOR STREET, AND #2745 AT 2243 N. COTNER BLVD. - Tina Krings, 1005 Village Green #4, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF 55 DEGREES, INC. DBA BREAD & CUP FOR A CLASS I LIQUOR LICENSE AT 801 S STREET;
MANAGER APPLICATION OF KEVIN W. SHINN FOR 55 DEGREES, INC. DBA BREAD & CUP AT 801 S STREET - Kevin Shinn, 356 S. 53rd Street, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF VAN EISER LLC DBA VENUE FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS I LIQUOR LICENSE AT 4111 PIONEER WOODS DRIVE - Gregg Vanier, 313 Diadem Dr., took oath and came forward to answer questions.
Bruce Bauer, 19716 Mason St., Elkhorn, NE, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF NEBRASKA STATE BOARD OF AGRICULTURE FOR A SPECIAL DESIGNATED LICENSE COVERING A TRIANGULAR AREA MEASURING APPROXIMATELY 2,145 FEET BY 600 FEET AT 1800 STATE FAIR PARK DRIVE ON JUNE 22, 2007 FROM 2:00 P.M. TO 12:00 A.M., JUNE 23, 2007 FROM 9:00 A.M. TO 12:00 A.M., AND ON JUNE 24, 2007 FROM 12:00 P.M. TO 6:00 P.M. - Barney Cosner, 415 Graham Park Dr., Seward, NE, requested the application for special designated license be withdrawn.

This matter was taken under advisement.

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CHANGE OF ZONE 07010 - APPLICATION OF STEVE M. CHAMPOUX FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 134TH AND A STREETS. (REQUEST OF APPLICANT TO CONTINUE P.H. TO 5/7/07) (4/16/07 - 2ND READING & P.H. CON'T. TO 5/7/07 W/ ACTION 5/14/07)- Peter Katt, 1045 Lincoln Mall, Suite 200, came forward representing Steve Champoux to request approval of this change of zone.

Mike Eckert, 3901 Normal Blvd., #203, Civil Design Group, stated this was an ideal location for acreage's as it is within the future city limits. Discussion followed.

Gary Summers, 13301 A Street, came forward in opposition. Discussion followed.

Marvin Krout, Planning Director, came forward confirming recommendation of denial and to answer questions. Discussion followed.

Mr. Eckert and Peter Katt came forward for rebuttal. Discussion followed.

This matter was taken under advisement.

AMENDING TITLE 20 OF THE LINCOLN MUNICIPAL CODE, THE BUILDING CODE, BY ADDING A NEW CHAPTER 20.02, ENTITLED NEGLECTED BUILDING REGISTRATION, TO REQUIRE REGISTRATION OF NEGLECTED, DETERIORATED AND/OR ABANDONED BUILDINGS, TO REQUIRE THE FILING OF PLANS FOR RESTORATION OR DEMOLITION OF ABANDONED BUILDINGS, AND TO ESTABLISH PENALTIES FOR VIOLATIONS THEREOF - PRIOR to reading:

COOK Moved to place Bill No. 07-73 on Pending with no date certain.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Svoboda; NAYS: Newman.

Chairman Newman expressed the need for the amendment to this code. Coby Mach, representing LIBA, stated they would be willing to work with staff on further revisions to this code. Discussion followed.

John Berry, 2650 N. 48th St., member of LIBA, expressed concerns to this amendment.

David Anderson, 1834 G Street, came forward in support. Discussion followed.

Pat Anderson, 1500 S 11th Street, came forward in support. Discussion followed.

Wendy Francis, 3818 S. 16th Street, Real Estate Agent, came forward in support.

Mike Merwick, Building and Safety, came forward to answer questions. Discussion followed.

Shawn Ryba, 4411 N. Park Blvd., came forward to show pictures of neglected buildings. Discussion followed.

Dana Roper, stated he would look into the question presented about a zoning issue. Discussion continued.

Shawn Ryba, Lincoln Free to Go community organizer, came forward in support.

This matter was taken under advisement.

SPECIAL PERMIT 1989A - APPLICATION OF SID DILLON AUTOMOBILE DEALERSHIP TO MODIFY THE DESIGN STANDARDS FOR PARKING LOTS TO ALLOW 20 FT. CANDLE LIGHTING LEVELS IN THE DISPLAY AREAS ON PROPERTY GENERALLY LOCATED AT S. 27TH ST. & KENDRA LN. (2/12/07 - PLACED ON PENDING FOR P.H. & ACTION 5/7/07)- Peter Katt, 1045 Lincoln Mall, Suite 200, came forward representing Sid Dillon to request Bill No. 07R-36 have Public Hearing continued to 7/23/07 due to the design and manufacturing of new lens covers for the existing pole lights. Discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF TINA KRINGS FOR CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #1934 AT 550 W. CORNHUSKER HWY., #2720 AT 1001 S. 13TH STREET, AT 2723 AT 1140 N. 48TH STREET, #2724 AT 3003 N. 70TH STREET, #2729 AT 5500 SUPERIOR STREET, AND #2745 AT 2243 N. COTNER BLVD. - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84347 WHEREAS, Casey's Retail Company dba Casey's General Store #1934 at 550 W. Cornhusker Hwy., Casey's General Store #2720 at 1001 S. 13th Street, Casey's General Store #2723 at 1140 N. 48th Street, Casey's General Store #2724 at 3003 N. 70th Street, Casey's General Store #2729 at 5500 Superior Street, and Casey's General Store #2745 at 2243 N. Cotner Blvd., Lincoln, Nebraska have been approved for a Retail Class "B" liquor license, and now requests that Tina Krings be named manager; WHEREAS, Tina Krings 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 Tina Krings be approved as manager of these businesses for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Dan Marvin

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

APPLICATION OF 55 DEGREES, INC. DBA BREAD & CUP FOR A CLASS I LIQUOR LICENSE AT 801 S STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84348 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 55 Degrees, Inc. dba Bread & Cup for a Class "I" liquor license at 801 S Street, Lincoln, Nebraska, for the license period ending April 30, 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 Dan Marvin

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

MANAGER APPLICATION OF KEVIN W. SHINN FOR 55 DEGREES, INC. DBA BREAD & CUP AT 801 S STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84349 WHEREAS, 55 Degrees, Inc. dba Bread & Cup located at 801 S Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Kevin W. Shinn be named manager;

WHEREAS, Kevin W. Shinn 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 Kevin W. Shinn be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Dan Marvin

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

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APPLICATION OF VAN EISER LLC DBA VENUE FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS I LIQUOR LICENSE AT 4111 PIONEER WOODS DRIVE - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption for approval:

A-84350 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 Van Eiser, LLC dba Venue for the issuance of a Catering Permit to the existing liquor license, located at 4111 Pioneer Woods Drive, 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 Dan Marvin

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

APPLICATION OF NEBRASKA STATE BOARD OF AGRICULTURE FOR A SPECIAL DESIGNATED LICENSE COVERING A TRIANGULAR AREA MEASURING APPROXIMATELY 2,145 FEET BY 600 FEET AT 1800 STATE FAIR PARK DRIVE ON JUNE 22, 2007 FROM 2:00 P.M. TO 12:00 A.M., JUNE 23, 2007 FROM 9:00 A.M. TO 12:00 A.M., AND ON JUNE 24, 2007 FROM 12:00 P.M. TO 6:00 P.M. - PRIOR to reading:

COOK Moved to Withdraw application of special designated license of Nebraska State Board of Agriculture.

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

The ordinance, having been **WITHDRAWN**, was assigned the File #**38-4555** & was placed on file in the Office of the City Clerk.

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

CHANGE OF ZONE 07010 - APPLICATION OF STEVE M. CHAMPOUX FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 134TH AND A STREETS. (REQUEST OF APPLICANT TO CONTINUE P.H. TO 5/7/07) (4/16/07 - 2ND READING & P.H. CON'T. TO 5/7/07 W/ ACTION 5/14/07)- CLERK read an ordinance, introduced by Jonathan Cook, 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.

AMENDING THE PAY SCHEDULE OF EMPLOYEES WHOSE CLASSIFICATION IS ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER M BY CHANGING THE PAY RANGE FOR THE JOB CLASSIFICATION OF "INTERNAL AUDITOR" - CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18784 passed August 14, 2006, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M", by changing the pay range for the position of Internal Auditor from an M01 (\$46,080.32 - \$78,871.52) to an M02 (\$47,515.52 - \$96,905.12), the second time.

AMENDING TITLE 20 OF THE LINCOLN MUNICIPAL CODE, THE BUILDING CODE, BY ADDING A NEW CHAPTER 20.02, ENTITLED NEGLECTED BUILDING REGISTRATION, TO REQUIRE REGISTRATION OF NEGLECTED, DETERIORATED AND/OR ABANDONED BUILDINGS, TO REQUIRE THE FILING OF PLANS FOR RESTORATION OR DEMOLITION OF ABANDONED BUILDINGS, AND TO ESTABLISH PENALTIES FOR VIOLATIONS THEREOF - PRIOR to reading:

COOK Moved to place Bill No. 07-73 on Pending with no date certain.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Svoboda; NAYS: Newman.

CLERK Read an ordinance, introduced by Annette McRoy, amending Title 20 of the Lincoln Municipal Code, the Building Code, by adding a new Chapter 20.02, entitled Neglected Building Registration, to require registration of neglected, deteriorated and/or abandoned buildings, to require the filing of plans for restoration or demolition of abandoned buildings, and to establish penalties for violations thereof, the second time.

RESOLUTIONS

SPECIAL PERMIT 1989A - APPLICATION OF SID DILLON AUTOMOBILE DEALERSHIP TO MODIFY THE DESIGN STANDARDS FOR PARKING LOTS TO ALLOW 20 FT. CANDLE LIGHTING LEVELS IN THE DISPLAY AREAS ON PROPERTY GENERALLY LOCATED AT S. 27TH ST. & KENDRA LN. (2/12/07 - PLACED ON PENDING FOR P.H. & ACTION 5/7/07)- PRIOR to reading:

CAMP Moved to continue Public Hearing on Bill No. 07R-36 to 7/23/07.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPROVING A CONSERVATION EASEMENT AGREEMENT BETWEEN ROGER AND ELDONNA SCHWISOW AND DETWEILER INVESTMENTS AND THE CITY OF LINCOLN OVER APPROXIMATELY 5.12 ACRES IN NORTHBANK JUNCTION 1ST ADDITION AND 10.15 ACRES OVER LOT 22 I.T. LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 7 EAST, GENERALLY LOCATED AT N. 56TH STREET AND ALVO ROAD, TO PRESERVE THE FLOOD STORAGE CAPACITY ON THE PROPERTIES- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-84351 WHEREAS, Roger and Eldonna Schwisow and Detweiler Investments have offered to grant a conservation easement to preserve the flood storage capacity and to restrict the development of the property over an area generally located at N. 56th Street and Alvo Road, and legally described as Outlot A and a portion of Lots 1 and 2, Northbank Junction Addition as described on Legal Description 'A' attached hereto containing 5.12 acres more or less, and a portion of Lot 22 I.T., located in the Northeast Quarter of Section 32, Township 11 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska as described on Legal Description 'B' attached hereto containing 10.15 acres more or less; and

WHEREAS, acquisition of this conservation easement by the City would further the goals of the Comprehensive Plan relating to preserving the flood storage capacity by restricting the development of the property.

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

That, on behalf of the City of Lincoln, Nebraska, the offer of a conservation easement by Roger and Eldonna Schwisow and Detweiler Investments over the tracts of land legally described above and in accordance with the terms of the Conservation Easement Agreement, attached hereto and marked as Exhibit "A", is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Conservation Easement Agreement on behalf of the City of Lincoln, Nebraska.

Introduced by Annette McRoy

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

PETITIONS & COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPT.:

Change of Zone 2938B - Application requested by Thomas C. Huston to amend Ordinance #17504, University of Nebraska Technology Park Special Sign District standards to allow wall signs to face I-80, West Highland Blvd. or N.W. 1st Street on buildings west of N.W. 1st Street and to allow administrative amendments for minor deviations from the Special Sign District.

Change of Zone 07021 - Application of Eiger Corporation from AG to B-5 on property located at Andermatt Drive and Eiger Drive.

Change of Zone 07022 - Application of Hoppe Partners, Ltd. from R-6 to B-4 on property located at S. 19th Street and L Street.

Change of Zone 07023 - Application of Planning Director to amend Section 27.69.300 of the Lincoln Municipal Code, "Other Permitted Signs, nonresidential; Special Sign District", to allow the Planning Director to approve minor modifications to a Special Sign District.

Change of Zone 07024 - Application of Olsson Associates for Don Linscott from O-3 to B-2 on property located at S. 27th Street and Yankee Hill Road.

Use Permit 123E - Application of Olsson Associates for Complete Children's Health for an amendment to adjust lot layouts and to waive the requirement that lots front onto public or private roads on property located at N. 33rd Street and Folkways Blvd.

Use Permit 154C - Application of Olsson Associates for Don Linscott for

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an amendment to allow waivers of the requirements for lots to front onto public or private roads, sidewalks, and street trees on property located at S. 27th Street and Yankee Hill Road.

Special Permit 07012 - Application of Southview Holding Company, Inc. for an early childhood care facility on property located at N. 1st Street and Highlands Blvd.

SETTING THE HEARING DATE OF MONDAY, MAY 21, 2007 AT 5:30 P.M. FOR THE APP. OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2720 FOR RECONSTRUCTION TO PREMISE AT 1001 S. 13TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84352 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 21, 2007 at 5:30 p.m. or soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Casey's Retail Company dba Casey's General Store 2720 for reconstruction of premise at 1001 S. 13th 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 21, 2007 AT 5:30 P.M. FOR THE APP. OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2724 FOR RECONSTRUCTION TO PREMISE AT 3003 N. 70TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84353 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 21, 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 Casey's Retail Company dba Casey's General Store 2724 for reconstruction of premise at 3003 N. 70th 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MISCELLANEOUS REFERRALS - NONE

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS & ORDINANCES PASSED BY THE CITY COUNCIL ON APRIL 30, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

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

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF MARCH, 2007 FROM AQUILA - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED MARCH 31, 2007 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84354 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended March 31, 2007, \$631,077.88 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Ken Svoboda

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

REPORT FROM CITY TREASURER OF TELECOMMUNICATION OCCUPATIONAL TAX FOR THE MONTHS OF JAN.-MAR., 2007: ALIANT, MEGAPATH, T-MOBILE CENTRAL, COMTECH 21, HELIO, NETWORK US, ENHANCED, NECC, DIGIZIP.COM; FEBRUARY 2007: D&D, USCOC OF GREATER IOWA, NE TECHNOLOGY, NEW CINGULAR, AT&T COMM. OF MIDWEST, CRICKET, TRACFONE, XO COMM., LDMI, ANDIAMO, EARTHLINK, VOICECOM, ADVANCED TEL, IBM GLOBAL, QUANTUM SHIFT, NORSTAR NETWORK, GUARANTEED PHONE, GLOBAL CROSSING, TELECOMM. SYSTEMS CORP. OF MARYLAND, GLOBAL CROSSING BANDWIDTH, VERIZON BELL ATLANTIC, ACN COMM., VERIZON-VERIZON SALE AT SERVICES, MOVIDA, TELECORP COMM., GLOBALSTAR USA, USCOC OF NE/KS, INTELICCALL, WORKING ASSETS, BROADWING, TRANS NATIONAL, MCLEODUSA, QWEST, ONSTAR, UCN, VIRGIN MOBILE, KDDI AMERICA, BUSINESS PROD. SOLUTIONS, LIBERTY WIRELESS, CIMCO, WHO'S CALLING, PRIMUS, LEVEL 3; MARCH 2007: SPRINT, TWC INFO, NEXTEL, MCI WORLDCOM, SPRINT SPECTRUM, ALLTEL COMM. OF NE, ALLTEL, COVISTA, 360NETWORKS (USA), AMERIVISION, ACCERIS MANAGEMENT & ACQUISITION, FIRST COMM., BT AMERICAS, SBC LONG DISTANCE, ACCERIS, AFFINITY NETWORK, GLOBALCOM, LIGHTYEAR, TRI-M, GTC, ZONE, ENHANCED, NEXTEL WEST, NOSVA, 800 RESPONSE INFO., NOS, NETWORK BILLING SYSTEMS, COMTEL, AT&T OF MIDWEST, LEVEL 3 COMM. - CLERK presented said report which was placed on file in the Office of the City Clerk.

APPOINTING MARVONA TAVLIN TO THE KENO ADVISORY BOARD TO FILL AN UNEXPIRED THREE-YEAR TERM AND TO A FULL THREE-YEAR TERM EXPIRING JULY 1, 2010 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-84355 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Marvona Tavlin to the Keno Advisory Board to fill an unexpired three-year term and to a full three-year term expiring July 1, 2010 is hereby approved.

Introduced by Annette McRoy

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

REAPPOINTING JEFF STEFFENSMEIER TO THE KENO ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING JULY 1, 2010 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-84356 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jeff Steffensmeier to Keno Advisory Board to fill an unexpired three-year term and to a full three-year term expiring July 1, 2010 is hereby approved.

Introduced by Annette McRoy

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

APPOINTING MARY HERRES AND JERROD JAEGER TO THE CABLE ADVISORY BOARD TO FILL UNEXPIRED THREE-YEAR TERMS EXPIRING JULY 1, 2009 AND JULY 1, 2007, RESPECTIVELY, AND APPOINTING JERROD JAEGER TO A FULL THREE-YEAR TERM EXPIRING JULY 1, 2010- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-84357 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Mary Herres and Jerrod Jaeger to the Cable Advisory Board to fill an unexpired three-year term expiring July 1, 2009 and July 2007, respectively, and the appointment to a full three-year term expiring July 1, 2010, is hereby approved.

Introduced by Annette McRoy

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

REAPPOINTING STUART LONG AND JIM JOHNSON TO THE CABLE ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING JULY 1, 2010- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-84358 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Stuart Long and Jim Johnson to the Cable Advisory Board to for three-year term expiring July 1, 2010 is hereby approved.

Introduced by Annette McRoy

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

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SETTING A HEARING DATE OF MONDAY, JUNE 4, 2007, AT 1:30 P.M. FOR THE BOARD OF EQUALIZATION ON THE NORTH 27TH STREET MAINTENANCE DISTRICT - City Clerk requested a motion to approve the requested hearing date of June 4, 2007 at 1:30 p.m. for Board of Equalization meeting.

MCROY So moved.

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

SETTING A HEARING DATE OF MONDAY, MAY 21, 2007, AT 5:30 P.M. ON THE REPORT OF PUBLIC WORKS/SIDEWALK SERVICES FOR SNOW AND ICE REMOVAL ASSESSMENTS FOR THE 2006-2007 WINTER SEASON AGAINST VARIOUS PROPERTIES - CLERK requested a motion to approve the hearing date of Monday, May 21, 2007 at 5:30 p.m. for sidewalk snow & ice removal assessments.

MCROY So moved.

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS - NONE

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

CREATING WATER DISTRICT NO. 1197 FOR THE PURPOSE OF CONSTRUCTING A 6-INCH DIAMETER WATER MAIN IN S. 34TH STREET FROM VAN DORN STREET NORTH APPROXIMATELY 300 FEET AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Dan Marvin, creating Water District No. 1197 designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18919**, is recorded in Ordinance Book #26, Page

DECLARING APPROXIMATELY 0.07 ACRES GENERALLY LOCATED AT S. 44TH STREET AND CALVERT STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Dan Marvin, declaring the City-owned property generally located at South 44th Street and Calvert Street as surplus and authorizing the sale thereof, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18920**, is recorded in Ordinance Book #26, Page

DECLARING APPROXIMATELY 0.7 ACRES GENERALLY LOCATED AT S. 39TH STREET AND VAN DORN STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Dan Marvin, declaring the City-owned property generally located at South 39th Street and Van Dorn Street as surplus and authorizing the sale thereof, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18921**, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE 07013 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTION 27.71.210, ENLARGEMENT AND ALTERATION OF LOTS, TO CLARIFY LANGUAGE THAT CONFLICTS WITH OTHER PROVISIONS OF THE ZONING REGULATIONS - CLERK read an ordinance, introduced by Dan Marvin, amending Section 27.71.210 of the Lincoln Municipal Code relating to Enlargement and Alteration of Lots to clarify language that conflicts with other provisions of the zoning regulations; and repealing Section 27.71.210 of the Lincoln Municipal Code as hitherto existing, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18922**, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE 07016 - APPLICATION OF DAVID TITTERINGTON FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO H-2 HIGHWAY BUSINESS DISTRICT, ON PROPERTY GENERALLY LOCATED AT N. 49TH STREET AND ORCHARD STREET - CLERK read an ordinance, introduced by Dan Marvin, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered #18923, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE 07017 - APPLICATION OF WATERFORD ESTATES, LLC, FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL DISTRICT TO B-1 LOCAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED NORTHEAST OF N. 98TH STREET AND O STREET - CLERK read an ordinance, introduced by Dan Marvin, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered #18924, is recorded in Ordinance Book #26, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to May 14, 2007.

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

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on May 14, 2007.

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

ADJOURNMENT 3:42 P.M.

CAMP Moved to adjourn the City Council meeting of May 7, 2007.

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

So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

REGULAR MEETING

May 7, 2007

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