

THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MAY 30, 2000 AT 6:30 P.M.

The Meeting was called to order at 6:30 p.m. Present: Council Chairperson Seng; Council Members: Camp, Cook, Johnson, McRoy, Shoecraft; Paul A. Malzer, Jr., City Clerk; ABSENT: Fortenberry.
The Council stood for a moment of silent meditation.

READING OF THE MINUTES

FORTENBERRY Having been appointed to read the minutes of the City Council proceedings of May 22, 2000, reported having done so, found same correct.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

PUBLIC HEARING

APP. OF AQUAMATIC, INC. DBA U-STOP CONVENIENCE SHOP FOR A CLASS B LIQUOR LICENSE AT 2700 SOUTH ST.;

MAN. APP. OF JAMES MICHAEL MANDL FOR AQUAMATIC, INC. DBA U-STOP CONVENIENCE SHOP AT 2700 SOUTH ST. - Michael Mandl, 5810 Robin Ct., applicant, took oath & came forward to answer any questions.

This matter was taken under advisement.

APP. OF BUSTERS BARBEQUE & BREW FOR A SPECIAL DESIGNATED LIQUOR LICENSE (SDL) COVERING AN AREA APPROX. 75' BY 110' TO THE WEST AT 2435 S. 48TH ST. ON THE 10TH DAY OF JUNE, 2000 FROM 4:00 P.M. TO 1:00 A.M. - Dale Galusha, 2808 Jackson Dr., manager, came forward to answer any questions.

This matter was taken under advisement.

APP. OF HOOTERS OF LINCOLN FOR A SDL COVERING AN AREA APPROX. 93' BY 110' IN THE PARKING LOT ADJACENT TO THE PREMISES AT 6811 O ST. ON ~~JUNE 24 & 25~~, JULY 8, 2000 FROM 8:00 A.M. TO 12:30 A.M.;

APP. OF HOOTERS OF LINCOLN FOR A SDL COVERING AN AREA APPROX. 93' BY 110' IN THE PARKING LOT ADJACENT TO THE PREMISES AT 6811 O ST. ON AUG. 11, 12, & 13, 2000 FROM 8:00 A.M. TO 12:30 A.M. - Clerk: I know our Agenda indicates the dates of June 24th & 25th. I believe they wish to amend that to July 8th but we will ask the applicant when they do come forward.

Susie Clark, no address given, Hooters representative: That is correct. I did change the dates to July 8th & 9th.

Clerk: I would entertain a motion that we do amend the application, Item #5, amend it from June 24th & June 25th to July 8th.

Coleen Seng, Council Member: So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

This matter was taken under advisement.

APP. OF USWA LOCAL 286 FOR A SDL COVERING AN AREA MEASURING 372' BY 306' AT GOODYEAR TIRE & RUBBER CO. PARKING LOT AT 4021 N. 56TH ST., ON SEPT. 4, 2000 FROM 10:00 A.M. TO 4:00 P.M. - John Shotkoski, 1810 N. 62nd St., Vice President of USWA Local 286, came forward to answer any questions.

This matter was taken under advisement.

APP. OF HAVELOCK BUSINESS ASSOC. FOR A SDL COVERING AN AREA LOCATED ON HAVELOCK AVE. BETWEEN 61ST & 63RD STS. ON JUNE 10, 2000 FROM 4:00 P.M. TO 1:00 A.M. - Denise Otto, 2320 N. 52nd St., Havelock Business Assoc., came forward to answer any questions.

This matter was taken under advisement.

APP. OF CHACE ENTERPRISE DBA SILVER SPOKE SALOON FOR A SDL FOR AN AREA APPROX. 25' BY 72' IN THE PARKING LOT AT 1033 M ST. ON JUNE 3, 2000 FROM 5:00 P.M. TO 1:00 A.M. - Terri Ernessi, 8241 S. 1st St., owner, came forward to answer any questions.

This matter was taken under advisement.

APP. OF WINE MERCHANTS FOR A SDL FOR AN AREA MEASURING 2150' BY 750' AT THE PEGRAM RESIDENCE AT 4900 N. 14TH ST. ON JUNE 3, 2000, FROM 3:00 P.M. TO 11:00 P.M. - Kevin Meier, general manager, 3621 San Mateo Ln., came forward to answer any questions.

This matter was taken under advisement.

CHANGE OF ZONE 3251 - AMENDING SECS. 27.58.010 & 27.58.020 OF THE LINCOLN MUNICI-

PAL CODE (LMC) TO AMEND THE REFERENCE FROM "COMPREHENSIVE PLAN FIGURE 21" TO "OFFICIAL ZONING MAP OF THE CITY OF LINCOLN" - Clerk: As indicated on our Agenda, we do have a request by Planning to place this particular item on Pending. But since it has been advertised, if someone wishes to come forward to give testimony, they may. Otherwise, I'd entertain a motion that we place Item #10 on Pending.

Jonathan Cook, Council Member: So moved.

Coleen Seng, Council Member: Second.

Jerry Shoecraft, Council Chair: For how long?

Clerk: Whatever Planning...

Mr. Shoecraft: I know it goes before the Planning Commission June 14th.

John Bradley, Planning Dept.: Right. Rick Peo from the Law Dept. changed the map that was referred to & started changing a number of things. We determined that it was changed to such an extent it really needed to be readvertised with the new legal ad. & go all the way back through. So, I anticipate that this will just go on Pending & when we catch up to it with the substitute report, that I'll just ask for it to be withdrawn.

Motion carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

This matter was taken under advisement.

AMENDING ORD. 16792 TO INCREASE THE AGGREGATE PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE COMMERCIAL PAPER NOTES OUTSTANDING FROM TIME TO TIME TO \$125,000,000 - Terry Bundy, Administrator of Lincoln Electric System, 1040 "O" St., came forward to answer any questions.

This matter was taken under advisement.

CREATING SEWER DIST. 1174 IN OLD DAIRY RD. FROM 27TH ST. WEST APPROX. 600' - Clerk: We did receive a request from Mike Rierden, representing Lincoln Federal Bank & from J.D. Burt, of Design Assocs., requesting this particular item be placed on Pending.

Cindy Johnson, Council Member: Did they say for how long?

Clerk: Well, Design Assocs. says "Remove this item from the Council Agenda until further notice.", that's from J.D. Burt. Then Mike Rierden, just place it on item until further notification.

Ms. Johnson: Okay, I just had some questions, which is fine, we can wait.

Ms. Seng: So move.

Ms. Johnson: Second.

Motion carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

This matter was taken under advisement.

APPROVING THE LINCOLN BUILDING SKYWALK PROJ. BETWEEN THE CITY & LINCOLN INVESTMENT GROUP FOR THE CONSTRUCTION OF A SKYWALK BETWEEN THE LINCOLN BUILDING & THE LINCOLN DOWNTOWN SENIOR CENTER - Dallas McGee, Urban Development: Here this evening also is Ravi Maniktala, one of the developers of The Lincoln Building. I'd like to give you a little bit of background on the project. We've been working with Ravi & his partners in putting together this redevelopment agreement. It will identify not only what the City does in terms of the Tax Increment Financing (TIF) that'll be generated but identifies in detail what the developer will do in terms of the building itself & Ravi will tell you about that. What I will tell you about is how the TIF will be used from this building. We will be constructing a skywalk connection between the Lincoln Building & the adjacent Senior Center & connecting these two buildings. Our original plan was to connect the skywalk all the way through to the existing skywalk system at Gold's Galleria. However, there is one building in the center, the 1023 "O" St. Building, where we have not been able to come to an agreement with the developer. So, at this point, we will be building Phase I of this skywalk connection with the hope that someday we will be able to make the connection all the way through to the Gold's Galleria & the existing skywalk system. Our schedule is to begin construction this summer & have the skywalk connection complete by November of this year.

Annette McRoy, Council Member: How many people do you expect to use the skywalk?

Mr. McGee: How many people? I would say on this particular link it would be used by people using the Senior Center & residents & tenants of the Lincoln Building. Once it's connected all the way through to the Gold's Galleria, I would say it would have much broader usage in terms of people going to the Centrum or the Center Park Parking Garage as well as other offices & shops.

Jon Camp, Council Member: Dallas, what is the current status on that building, the St. George & Dragon Building, if you could elaborate on that & then I have some other questions.

Mr. McGee: Certainly. We have been working with the owner of that building. He has signed an agreement to have the roof repaired & to eliminate some structural problems in the building. That is expected to be completed within the next 4 to 5 months & the once threatened demolition of the building is no longer a threat because those improvements are under contract to be made.

Mr. Camp: As far as the contract is concerned, do you feel sure that it's going to occur or is this perhaps a...

Mr. McGee: We will be monitoring the contract to make sure that it does occur.

Mr. Camp: I guess my concern is...& appreciate & I know the area very well. I was one bid behind Ravi in buying the Lincoln Building so I respect what he's been doing & his partners. It would really seem that it makes most sense economically to build the skywalk in one fell swoop. If you start & stop obviously you've got construction crews going through all the phases two times, perhaps more.

Ravi Maniktala, Maniktala Assocs. Engineers, 2820 N. 48th St.: That's not actually the way the skywalk is designed it's...it will be 100% complete up to the Senior Center wall & there would not be any rework. No work would be wasted from that point on to the Lincoln Building. It will be just opening up the doors & taking care of the St. George's Building. So, there's really no backtracking & going through any other existing buildings.

Mr. Camp: I guess what I'm questioning is though you have subcontractors there doing various stages & as they're working, you know the start up time & the closing down time & it would seem to be most economical to build that additional, what are you talking about another 50', do the whole thing in one fell swoop.

Mr. Maniktala: I agree a hundred percent but, again, we've been waiting for three years for this to occur & you don't want the building to be sitting there & not be developed & this was the next best thing is to at least get this part started.

Mr. Camp: Is there any way that you can...I mean, why can't you proceed with the Lincoln Building & then in the next 4 to 5 months when St. George's is done, then do it all?

Mr. Maniktala: Because of the TIF money & the way the skywalk will connect & go through our lobby & elevators, we need to get the Lincoln Building all ADA compliance & lower the elevators & that part of the project is developing that for public access. So, we've been holding back on that till the skywalk is done, lower at the elevator, you know, if you remember the Lincoln Building, you step up & the elevator needs to have a lower stop so its ADA compliant with the skywalk. And so that...all work has to get done before we start doing...ripping up floors.

Mr. McGee: The other piece of the issue here is we would need to have a redevelopment agreement with the owner of the 1023 Building in order for the TIF to be generated from that building as well to help finance the piece that goes through that building & we don't have that at this point.

Mr. Camp: Is that something you think will happen or are we going to be looking at some further delays that...

Mr. McGee: We're not negotiating that at this point. We did work on that & then that's the piece that did not happen. We then went back to the owner & he has made a commitment to repair the roof & that's as far as the commitment that he's made.

Mr. Camp: Now, originally, as I recall, you had set up an early May deadline for the owner to make up his mind on what direction he wanted to proceed. Did he make up his mind in a sufficient manner that met your requirements by that early May date?

Mr. McGee: He did. He sent a letter to the Mayor indicating that he had a signed contract with a contractor to repair the roof & make those improvements. But that's not the same thing as redeveloping the building as we had originally planned. He will be making the improvements to keep the building safe but not to make all the improvements necessary to redevelop it.

Mr. Camp: What if he doesn't do a redevelopment plan?

Mr. McGee: I guess at this point then we wait until something does happen to the building in terms of making improvements to it. It's not...we don't have the money to take the skywalk through the building at this point.

Mr. Camp: So, there isn't sufficient TIF generated off of Ravi's

building for the (inaudible).

Mr. McGee: Not to go all the way through.

Mr. Camp: I support everything Ravi's doing & I'm thinking of the construction timing & all this so I'm very much supportive of it. I think it's a great addition. I have serious concerns though about that middle increment there & that you may be looking at a long, long time before it would be done & I don't know if you just got a skywalk going nowhere then from the Lincoln Building.

Mr. McGee: I think we have concerns too. Our first concern was can the building be saved. And that's what we really wanted to address & that first step is to repair the roof so the building is no longer a health threat & hopefully the building can be saved & maybe with further time & discussions with the owner, there'll be additional improvements. But, at this point, all we've done is he's signed a contract to repair the roof which will keep us from declaring it an unsafe building & proceeding with demolition.

Mr. Camp: I have one last question if I may, Mr. Chair. I'm just really concerned that this isn't a stalling technique or tactic. I'm sorry but I just...I know the situation very well. And, you know, I would favor some of this delay & not demolishing the 1023 Building, if we really knew there was the ability to complete it. I have serious reservations that that is the intent at this point & I think it's just a hoodwink strategy. And I'm sorry to say that but I know the situation very well & it concerns me to put Ravi & his group at the risk of this other increment & just having delay after delay after delay. And this particular developer has demonstrated that on too many occasions. I guess I'd like to see some teeth into it that, you know, if they...I don't think there's a financial wherewithal to make that structurally integral. I'm sorry but I really don't think people have the ability to do that. And if they do, then I'd like to see a Performance Bond to that end. And that, again, that's going to help the Lincoln Building but the worst thing we can do is have Ravi & his partners consume millions of dollars in improvements & have a skywalk going nowhere, City funds have been expended, & we're losing the value of that. That's my concern. It's not against the project or anything.

Mr. McGee: Sure. We've had discussion & Ravi & I've been in numerous discussions where we talked about the feasibility of doing this first part of this skywalk & we debated whether or not there was merit in connecting the two buildings with the hope that eventually it would get through to Gold's Galleria. We felt, because of the TIF that's generated from Ravi's building, that it did make sense to go ahead & do the first part. And we will continue to work with that owner & do what we can to get the skywalk connected. But, at this point, it will only go through to the edge of his building.

Ms. Seng: Well, I, too, have a lot of concern about this because this is what we wanted done way back when was to get that Senior Center hooked up & I was through your building the other day on the home tour, the downtown tour, & I'm just delighted you're doing it. Anything anybody can think of to get that moving along. Now, I want to ask you then when you answered Jon about you would not be going through the other buildings when that one section has to be done later on, you build that skywalk from inside of that building?

Mr. Maniktala: Correct. Everything is interior so all we do is cut an opening through that door into that building.

Ms. Seng: So, you wouldn't be coming from either side?

Mr. Maniktala: No activity will be in the Lincoln Building or the Senior Center while that skywalk is completely done before they cut in the door.

Ms. Seng: Well, I just wish there was something that somebody could think of to get a hold of that.

Mr. Maniktala: (Inaudible) for the last two years.

Ms. Seng: I know it, yeah.

Mr. McGee: We'll be working with the timeline that was given to us in the letter & if it's not being addressed, we will certainly look at that.

Ms. Seng: So, how much money is that for that last piece then to be done? The one that will not be done at the present time.

Mr. McGee: Initially, that was over half of the entire construction project, it was over \$250,000 because of the structural condition of the building. Once the building, if the structure is repaired & the roof is repaired, we don't have an estimate but it'd be substantially less than that to complete it through that building.

Mr. Maniktala: It's 50' so there's the elevation difference between Gold's Galleria & Senior Center. So, there has to have some ramp.

Mr. McGee: Yeah, the biggest concern is the difference in elevation between all the buildings.

Mr. Maniktala: If the building were sound then cost would've been minimal.

Mr. Camp: Dallas, is there a way, & I appreciate what Coleen Seng has just said about any ideas because I think that's important, this is such a great opportunity to get the rest of that block developed, is there a way we could negotiate with that building owner as far as time frame that if those structural (inaudible) aren't done within that 4 or 5 month period that there be a partial imminent domain action taken for the rear part of the building, the south part, so that just leave his front part alone & take probably what, 15' width, or roughly that amount for your skywalk portion & say we'll just build our own thing & divorce it from the building.

Mr. McGee: I think if the timeline is not met, that has been identified for us, we would look at all options.

Mr. Camp: Can we look at them now though rather than have the delay? I just...

Mr. McGee: We can look at them now. I think we would have to wait until we see if the work is being done but we can certainly identify them now &...

Mr. Camp: I guess I'd rather see & for Ravi's benefit & his partners that if this other party doesn't perform that there's an immediacy of action thereafter & not another 2 yr. delay.

Mr. McGee: Sure.

Mr. Camp: Thank you.

Glen Cekal, 1420 C St.: I'll probably regret that I got up on this but I go down to the Senior Center. I've been greatly inconvenienced by the sidewalk construction & I'm tickled to death though that it's done now. And, you know, I guess maturity is you gotta put off something now so you can have something else later so that's a positive comment on my part even though it sounded a little funny. Thank God somebody's doing something. Anyhow, I'm somewhat acquainted with this man that owns that building just from comments & things I've heard & I can appreciate your remarks, Mr. Camp. Is it possible that sometimes you just have to make the best of a bad deal? Is it possible to go ahead & buy that property from that man & put it in the hands of somebody that has the vision & the capabilities & so forth. Sometimes a little rock in the shoe can do an awful lot of damage to a big structure. Football, basketball, whatever. And surely he can't be that much out of line. I would think maybe he'd love to be taken out of there & surely there's a way that that could be done. It's kind of obvious & maybe there's some good reasons it can't be done but I'll bet you somebody was around, not to offend anybody or apple polish but I'll bet if Nathan Gold were around today, he'd figure out some way to get it done. So, we've got a network there that needs to be completed &, you know, it kind of reminds me of what they said about the bus routes that sometimes...well, you go from some place to some place & it isn't all connected & once we get our bicycle routes all connected, for example, there's going to be a lot of bicycle traffic downtown. And then we'll have to start worrying about where to put bicycles & where to traffic them. But this is more important than meets the eye. And I think all possibilities. I think you're right, Mr. Camp. I think all possibilities should be thoroughly investigated & sometimes you have to be a little creative. And thank you.

Danny Walker, 427 E St.: The only comment that I do have I think maybe the people that spoke in favor of this & the representation, I think it should've been a little bit more prepared. The City's had enough dealings with the individual that owns the 1023 Building, not to discredit him because from what I've been told, there's some muscle tried on the individual, well, you do this & you do that & well, he more or less told them where to go which in some respects I don't blame him a bit but I do think that they should've been a little more prepared for the approach to City Council. Thank you.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 94-38 - APP. OF THE PLANNING DIRECTOR TO INCORPORATE THE BEAL SLOUGH BASIN STORMWATER MASTER PLAN BY REFERENCE AS AN APPROVED COMPONENT OF THE COMPREHENSIVE PLAN - Steve Masters, Public Works: I have a couple of people with me to help with the presentation. I wonder if I might have ten minutes instead of the customary five?

Mr. Shoecraft: We'll give you ten.

Mr. Masters: Thank you. With me tonight is Art Zygielbaum, John Cambridge & Mary Jo Livingston. We would like to provide first a little history of some of the things that we've been doing relative to the Beal

Slough plan & then describe, in general terms, the conclusion that has been recommended. First of all, you all may remember that in June of '99 we did complete a Beal Slough Master Plan. It was advanced to the Planning Commission, Public Hearing was held, approval was recommended in Sept.. Upon bringing the plan to the City Council in October, we did meet with substantial concerns & objections, eventually asking after a hearing in December of '99, for an extension up to the end of May 2000, & I believe that's tonight, to give us additional time to meet with property owners to see if we couldn't find some common ground, mutual objectives that take us to a common ending. We've held two public meetings where we've invited 400 to 500 property owners in Beal Slough to come & follow the process. The first one was held on the 2nd of March & second the 18th of May. And I'm here this evening to state to you that we have reached consensus & do have a recommendation that we understand you may want to hold until next week. At the meeting of March 2nd, we had about 50 property owners present &, very quickly, I'd like to highlight the issues that were identified by the people present. The meeting was held at Gere Library. We started at seven & the meeting ran until nine. I have copies of the material that I'm using here & would pass those around for your consideration. We had I suppose 25 different comments & those fell in about 8 areas that are bulletized on this issue paper. One of the first one's that was discussed also in the public hearing with Council was the potential concern for loss of property value for those locations where storage structures or flood control ponds are located on private property. Concern & understanding was voiced about the need to contain the increase flows that result from urbanization. Desire was expressed to come up with other alternatives not just the one's that were presented in the plan. And I want to emphasize that through this process, we have had property owners come forward & suggest viable alternatives to those that were shown in the 1999 plan. Concerns about flood elevations as they relate to flooding & insurance; concerns about roads, particularly along 70th St. & Yankee Hill; a desire & a real need to reduce flooding within the lower elevations of the slough; & then, finally, concerns voiced about the lack of maintenance occurring to the channel, potential loss of bridges & pedestrian bridges, bike paths & private property came up as a common concern that was voiced that evening. I'd like to turn it to Art Zygielbaum at this point to touch on some of the things that we've been through.

Art Zygielbaum, 6601 Pine Crest: As you'll probably recall, I was fairly upset last time I stood in front of you. And the result of that was we did form a committee & we set out actually at one point I thought we'd be at each other's throats for 6 months but our goal was to come here & be supportive of a consensus plan & that's what we're doing. I want to tell you, bottom line first, what we've come up with. First of all, we believe that all planned projects from 56th on downstream are well conceived, that they make sense. There was no objection & they should be approved as part of the Master Plan. Second of all, that the Master Plan be revised to remove all references to specific projects in the upper slough. That is above 56th St.. The reasons for that is more engineering was needed to done. Rather than specific projects it would be replaced with a target flow from each of the sub-basins that make up the upper basin. The specific projects would be engineered later & we'll talk a bit about that process. That the Master Plan be modified in the sense of the tiers or priorities such that projects near 40th St. in the Beal Slough be moved up in priority. That is an area that's been identified as having substantial flood risk & approving the projects early in that area will mitigate a lot of that flooding. The fourth is that we would recommend the approval of the amendment to the Comprehensive Plan to adopt the Beal Slough Master Plan, the amended Beal Slough Master Plan by reference. The language includes specific instructions that property owners & affected citizens be involved early in the selection & in the engineering of specific projects. Mention a little bit about the Commit-tee. We had representatives of the NRD, the City, residents, Olsson Assocs. We had our engineer that the residents hired from Speece-Lewis. Mark Hunzeker also took part. As you can see, a lot of representation, a lot of good people working together. Our meetings were open. We tried to keep them small. They were good working sessions. And we had two public meetings with the stakeholders that were open where we answered questions. [Break in tape]...goals were to find a solution that mitigated flooding problems in the lower slough without unfairly impacting residents in the upper slough. I believe we've done that. And we wanted to find a solution that was acceptable to all. We knew everybody wasn't going to be perfectly happy but it was acceptable & we've done that I think. As a matter of fact, we're all pretty happy. We did review & validate the technical

basis of the Master Plan through our engineer & also through a lot of patient effort on the part of Olsson & Assocs. We looked at specific requirements for water retention, for...I can't think of the word, here you guys taught it to me & I can't think of it...conveyance! That's it. And all the parts of the plan. Our goal was to also look at alternatives to understand the relative benefit that they stay within reasonable cost & that considerations be given for the quality of life & aesthetics in the areas affected. And, of course, we said we would be back here before the end of May of 2000 & we've done that. Some of the specific findings that we had, just to give you an idea of the things we looked at. We did look at the flood model & the overall engineering. We're satisfied that that was done well. We did find some specific details that raised some questions. For example, there are two...I don't know how well you can see them but there are two aerial photographs that depict projects along the Beal Slough. The one on the left was the one that brought me here. That spillway takes out half my backyard, the one labeled DEQ 2 & we discovered in that case that you could do either of those projects, you didn't need to do both & satisfy the needs of the flow rates for the Master Plan. As a matter of fact, thanks to somebody coming forward, we found a third alternative that doesn't affect either of these areas & is a better solution. And so, the City is looking at that. We discovered the area near 70th which brought the Livingston's in here, this dam covered a house & also built a new pond on the Livingston property & that brought them here. We've discovered that multiple small structures could, in fact, have the same impact on the slough & the flow rates. Other things we found which, again, you'll hear more about is that early public involvement is crucial not only in avoiding some of the angst that occurred but also citizens came forward with good solutions & good alternatives for specific projects. And, finally, we have strong support for implementing the Master Plan & I'm here to tell you for the Committee that we're strong proponents now of this amendment language. I'd like to have John Cambridge continue.

John Cambridge, 3454 Grimsby Ln.: I'm going to give a brief overview of where the projects are within the Master Plan. As we see on the plan here, down at the bottom we're essentially dealing with a conveyance issue. What we found through our studies was that there are no real opportunities in the lower portion of the watershed to provide additional storage. We were able to find a off-channel detention pond in the Tierra Park area that was able to...& that was part of the original Master Plan that will help control flows there & a by-pass channel to help reduce some of the flooding in the 27th to Hwy. 2 area. From 40th St., as Art mentioned, we have a supplemental culvert at that location to help augment the existing box culvert to help reduce flooding in the 40th & Gertie area. And, as Art mentioned, initially we had that in the third tier of priority. We've brought that up to the first tier of priority to address some of the citizens concerns in those areas with the floodplain & as it creeps in that area. In the shaded area that you see in the upper portion of the slough, what we have done to provide us more flexibility in storage site location is to identify specific target flow rates at those locations rather than identify a specific dam. That will, as Art mentioned, allow us to look at multiple sites rather than single sites, allow a little more flexibility in locating those to better fit those areas as they develop. If you look on the next page, you'll see the flow rates. If all of the components in the Master Plan are implemented & the target flow rates are realized in those shaded areas, we'll see a reduction in flows in the upper portion. We'll see a 50 to 60 percent reduction in flows. In the center portion, about half of that or about half of the reduction. And in the lower area, downstream from basically 27th St. on down because we can't find any viable storage areas in those locations, we just have a reduction of about 10%. That flow then merges into the Salt Creek flow at about the same time so that it doesn't have a negative impact on the flooding in the Salt Creek area. That's a brief overview. I believe Steve is going to wrap this up.

Mr. Masters: Finally, the proposed Comprehensive Plan Amendments include the language that was present in the one we brought forward in the fall. The first two bullets we now have a May 2000 Beal Slough Plan. We recommend adoption of that plan. That emphasis be given to bioengineering & natural techniques. Basically, those two items came from the Planning Commission. As you may recall, & as I mentioned earlier, they were looking at a June of '99 version but we still retain that flood reduction goal that was in the 1990 version. Two points that we've added is the desire to promote broad public involvement involving property owners in more of a private informal setting than public hearings in the review of alternatives & preliminary engineering. And then as we bring projects

forward that we present them in terms of not of benefit cost analysis but to describe the relative benefit in terms of flood hazards, water quality, channel integrity, natural character & protection of bridges, culverts, & existing public & private properties or structures. Basically, those are the points that are in the Comp. Plan Amendment that we would seek adoption by City Council. Mary Jo?

Mary Jo Livingston, 7420 Yankee Hill Rd.: We really want to thank all of the Council members for giving us the time to meet with City Staff & Olsson Assocs. & come to an acceptable solution for I would say most involved. We really, really do appreciate it. I also want to thank Art Zygielbaum for being so thorough & well organized & helpful. And the members of the City Staff & Olsson Assocs. that took the time to meet with us & while we all educated one another about our goals & our needs regarding this plan. I especially want to thank Mark Mainelli, the engineer from Speece-Lewis for thoroughly studying the Beal Slough Master Stormwater Plan & formulating relevant questions & proposing viable alternatives which we hope will be looked at in the future. We are very happy to be nearing a close to this chapter of the plan & we look forward to working together with the City in the future on the specific projects. And thank you all very much.

Dick Longacre, 2108 Southwood Place: I'm a member of the Southwood Place Homeowners Assoc., everything south of Hwy. 2 between 27th & 14th, there must be 15 different Homeowners Assoc. in that area. The one that I live in & represent backs up on the south side of Beal Slough on the lower slough part of the map that you seen. I'm here to extend support to the report & say that our organization certainly hopes that this amendment can be adopted into the Comp. Plan because it'll give us something to look at & a way to maybe get something done. At the same time, when I was at the meeting two weeks ago, it's brought out that there is a lot to do here & there's very little money to be had to do it. And as being a homeowner in the area that since 1989, we've had water on the south side of that slough almost up to my back door. I would hope that in the near future, the Council could see by putting in their budgets some dollars to bio-engineer the reconstruction of that area from 27th St. down to just west of Southwood Drive. We're not asking for a lot but we do have a lot of water in there & we're losing a lot of trees & I understand that we have been...I think we're listed in the priority for reconstruction of the slough & I'm just asking that maybe that could be upgraded or put into a early area so those of us that live in there (inaudible) if we had that slough straightened out or reconstructed, I think it would minimize the water problem that we have going down there in the 8 or 10 inch rains. I just wanted to thank the Committee also for the work that they have done over the past 6 months putting this plan together. I think it can work.

Russell Miller, 341 S. 52nd St.: I own commercial property in the South Bottoms. I delivered a letter this morning to you & I'm here to ask if you have any questions in regard to that & also make the following comments. Stormwater's not like any other problem. If you solve one part of it & stormwater tends to move downstream, my property is downstream of this, of Beal Slough. As the graph shows, we should be spending, on the enclosure one of my letter, the graph shows & their graph also shows that the water reduction from Beal Slough really does not occur as it enters Salt Creek. That is the important part as far as I'm concerned. And most of the people in South Bottoms would feel the same way. We have paid taxes for almost a hundred years in South Bottoms. In the floodplain district, the property valuation is approx. \$21,000,000 yet this \$15,000,000 thing that the Beal Slough proposes will not help us at all. I would like to think for \$15,000,000 we could get something that could also have an impact on the Beal Slough as it flows into Salt Creek that would have a positive impact. I'd like to remind you that there's been a lot of development along Salt Creek. The most recent one is the ballpark for the University thing. Most of that stuff, that development, is based on 1978 data. The Beal Slough is the only one that we have current data on & this is a shocker to everybody because it's much more than what they had been anticipating using the 1978 data. The priorities should be, in my mind, spend our money to get a Beal Slough-type report done on all of what I'm considering South Lincoln which, to me, is anything that flows into Salt Creek south of "O" St. so we actually really know what's going to go on there. As my letter said, Hanes, Branch, Middle Creek, these places all have been experiencing development. None of that development is being covered by the recently enacted stormwater runoffs, the recently enacted stormwater runoff ordinances that have just been passed. So, I can anticipate if something very similar to what the Beal Slough report will be when they start doing Hanes, Branch & these others. Thank you.

Danny Walker, 427 E St.: I might need an extra 2 minutes if you

would? [Permission granted.] First of all, I'd like to point out the City Council, you want to keep one thing in mind on this Beal Slough project, if the City of Lincoln & the developers hadn't have been in the same bed together, it would've never happened & you wouldn't have to spend \$15,000,000+ to get yourself out of the crap which is exactly what's going on. That area around there should never have been developed. The City knew it when it was developed & yet they went ahead & started playing a little politics. Now, here's what we wind up with. I'm opposed in part because of the fact this little deal is going the same way in my neighborhood that the Antelope Valley Study did. We were never asked to participate in the Antelope Valley Study. We were never asked to participate in these Beal Slough Meetings that they're sitting up here blowing about that they've had these public meetings & blah, blah, blah. Well, little do they realize we're the one's that would take the beating, not the people living in that area. The severe part of the flooding would be in the south & north bottoms & very possibly Salt Valley View, not out in that area because everything dumps in Salt Creek & heads towards the Platte River which goes through two major neighborhoods, older neighborhoods where buildings are not equipped to handle a sever flood. And it doesn't help matters at all when you consider how the flood plain has been raped over the past several years with the blessings of the City of Lincoln, I might add, with no updated floodplain maps, with the Parks & Recreation Board of Directors acting like a bunch of idiots. Here's a little deal on the Boy Scout facilities that was before the Planning Commission a while back. The last sentence of Item 3 of the Planning Staff Report which states the Park & Rec. Board has determined this land is not needed to meet recreation & open space needs & the objectives of the community. Where was it at? It's on about 21st & Hwy. 2. Open space sitting right on top of the creek, right on top of it, & yet the Board of Directors of Parks & Rec. comes up with a stupid statement like this? Come on. This is...stuff like this is arranged & we got...we're in trouble now on this Beal Slough project. It don't make sense. Now, you've had representatives from the Planning Dept. & etc. & Public Works get up here & harp to you about how we're helping these people paying floodplain insurance. Well, here's a letter dated May 15th, Danny Walker, 427 E St., Lincoln, Nebraska, re: Payment Change Loan # etc. Dear Borrower, you're mortgage loan payment has increased by \$2.20 effective with your June payment due to addition of (inaudible) insurance, effective 6/1/00. You're next payment due, will be due in the amount of etc., etc." Now, granted, that's not much & rest assured, I can handle it. However, when you consider the fact that I am paying an approximate of \$200 a year now for just basic structure insurance, not content flood insurance, just basic structure insurance. This is getting to the point where it's ridiculous. Now, where's all this help & I'm not the only one that's receiving these type of letters & there's people that are paying in the proximity of \$400 a year for full coverage, including home furnishings. That's totally ridiculous. Here's a questionnaire sheet. [Mr. Walker presented this questionnaire sheet to the City Council which was placed on file with the legislation in the Office of the City Clerk & proceeded to read from it.] Are there any questions? I'm sorry but I'm a little upset. There's being a (inaudible) dumped into this & what's sad about it is it's ineptness & mismanagement & poor planning on the City of Lincoln that's caused the whole problem.

Glen Cokal, 1420 C St.: Just kind of sum it all up by saying, this is what happens when you don't have reasonably equal participation made possible realistically by your City government. Or, let's just say, the playing field ain't level. We have people that've operated in the past in a very crooked, illegal fashion to the extent they could be put in the penitentiary. And it starts from the top to the very bottom. When Mr. Hoppe decided to build Hoppe Heights, I was selling real estate & we all knew...everybody knew that this was a lousy area. It wasn't fit to build in. They built. We contended immediately with leaky basements, complaints to the City about sewer backup & so forth. I am real sympathetic with what Mr. Danny Walker said. I don't have to have my (inaudible) to be sympathetic with somebody else. I hope I never get to that point that I am that...have that much tunnel vision & so forth that all I look at is the bottom line of the bucks in the bank & to hell with everything else. So, again, I say, I have learned that problems are opportunities in disguise if we avail ourself. We can't be defeated but when we start letting little lies & part-truths slip into our so-called truths. And then as you read in the paper, what was it Sunday paper or whatever, a man wrote in there something about...the headline was something like sit down & shut up. I refer you to that article, maybe it was the Monday paper. It was fantastic. One of the best things I've seen in the Journal Star

for a long time which, I might add, does not print the whole truth & doesn't intend to. They are part of our problem & ever since we had a good newspaper in this City, since that happened, that we've lost that, there's been a constant deterioration. Everybody chooses up sides & sees how much they can get for themselves & for their group. And when you're talking about flooding, this is quality of life issue. It affects everybody. And, look, there was a lot of good things said here today by talking & conversing & getting some of the dust off of our being...for lack of interest in our City government, finally something bad happens, it wakes us up & then we maybe start to do something. We can turn a negative into a positive. This is what you're in process of doing. This is the kind of City we want & this is the kind of country we want. So, I hope that we don't just keep doing business as usual. This is not a problem of a democrat or republican, a liberal or a conservative. It's a matter of character, integrity, honesty & if we can't...we should put our emphasis on quality not quantity. We're a very lucky group of people to be living in this spot of the globe. Every cotton picking one of us are so lucky & let's not (inaudible), there's a lot of people depending on us to win. I don't consider problems to be a negative. I think this is a positive. And I don't consider the building next to the Senior Center as a negative. And I don't consider any of these problems as a negative. We just have to sit down, figure out, establish our priorities & make the thing reasonably honest. We haven't done a very good job of this. This problem of that area of 40th & Hwy. 2 was done many decades ago. It has nothing to do with anybody that's here.

Mr. Shoecraft: Time is up.

Mr. Cekal: Thank you.

Ken Reitan, 2310 S. Canterbury Ln.: I have a fairly short statement here to make. First off, I'm going to have to say I'm really not sure what I want to say because of the fact that I really don't know much about the specifics of the project. Maybe no one does. That may be true. I don't even know whether I'm opposed to this plan or not. However, I'm very concerned about the possible loss of natural tree masses. If, you know, where the channel might be reconstructed & I'm not even sure about that. I mean, they're talking apparently about some channel reconstruction but to what extent, I don't know. You get people on heavy equipment sometimes & they do a lot more than they need to do or a lot more than they should do so I guess I am really concerned about the loss of natural tree masses anywhere along Beal Slough. I'm also concerned that the general public wasn't invited to participate in the planning process since there are public areas along the lower portions of the slough. Furthermore, if the plan involves much more than is needed, this will simply give the development community more room in which to continue with more inappropriate development. In conclusion, I could possibly live with a less expensive project but my fear is that this plan, whatever it is, will end up being too expensive both environmentally & financially. So, I guess I feel badly that I can't talk in specifics here but I don't know, maybe that's true of everybody. Any questions?

Mr. Camp: I just wondered, sir, if you would like to perhaps contact Steve Masters & he could give you more information because you asked some very good questions & I think some of those could be answered fairly quickly on what the overall proposal is.

Mr. Reitan: Again, I don't know...I get the impression...I've already talked to Steve a little bit tonight & I get the impression that he's not very certain about some of these things either. Am I wrong?

Mr. Masters: Well, that's an interesting question to try to respond to. I believe we are very specific in overall the goals of the master plan. And I think that there would be value in sitting down & talking further. I think mostly we talked about one of the points that was made earlier in the presentation about the importance & the interest that exist in the natural environment & continuing of value of open space & plant material. I'd like to visit with you further about that.

Ms. Seng: Steve, yeah, he needs to have some of the reams of paper that have been generated through this process. How long, four, five years?

Mr. Masters: Right.

Ms. Seng: It's been a long ongoing effort & then this portion of it was put on pending for a little while while there was some extra work done. But I wanted to go back to I think it...was it Mr. Longacre, the gentleman from Southwood that spoke & that was an area I know that we looked at that's where it's eroding so badly. Now, is there...have you gotten specific yet on any of that & is any of that in the budget for next year or is any of that put in to be funded?

Mr. Masters: With the proposed Capital Improvement Program for the

coming year, we do show improvements, channel reconstruction in the area adjacent to Stephanos on that south bank, between 27th & 40th St. We do show a bond issue to help provide further engineering & some property acquisition. So, there is more here than simply a plan. There is an interest & a direction toward implementation.

Ms. Seng: Going back to Russell Miller's comments, how do we address those that when we are...we're looking at the Beal Slough & then I think Danny Walker was talking about the Antelope Creek piece & everything ends up flowing into Salt Creek & so where are we headed in trying to...are we trying to get the most updated floodplain...do we need to have Nicole answer some of this?

Mr. Masters: Well, certainly Nicole is welcome to step forward & speak but here's the way I see. With the Beal Slough Master Plan, the intent was to go into that drainage. The number one's...there is some area that's yet to be developed. Identify how it can be developed without further contributing to flooding downstream in the South Salt Creek Neighborhood, all the way to Ashland. We anticipate continuing forward & doing similar kinds of studies in the area south of Yankee Hill just to the west & on to 40th St. or so adjacent to Wilderness Park to see how that area can be developed without further contributing to flooding downstream. That is, in fact, one of the goals of basin planning. The other need that we attempt to meet is to identify what can be done to enhance & improve the performance of the channel & build into that interest & values that are identified relative to open space & natural vegetation. So, it's somewhat of a balancing act & basically what we're seeking to do, over time, is to have a blue print that identifies need in the developing areas & ultimately carry that process forward into the developed parts of the community. As you may recall, the Corp. of Engineers has done a lot of work in trying to identify problems & issues relative to Salt Creek. Up to this point, that level of detail & analysis had not been done in the Beal Slough drainage & I think that part of what we're saying is that there is a lot of need out there & a lot of interest in how we develop & how we maintain the existing community. The Beal Slough Master Plan simply is a blueprint on how we can proceed forward in the Beal Slough drainage, minimizing flooding & optimizing maintenance within the basin.

Ms. Seng: I just have a follow up. Now, what about all these other nice meandering streams that run through the City? Go ahead & talk. Where else...where we headed for any of the rest of them?

Mr. Masters: Well, within the City, it'll be necessary to develop projects & budgets to go in & look at how we might prioritize & manage the need within those areas. I don't know that I've answered your question well but a comprehensive study is planned in those areas that are developing to see what can be done to retain the natural character of those channels to the maximum extent possible. And there is need for us to look at the existing community.

Ms. Seng: So, who takes the lead on this? Is NRD or does the City take the lead on this or...?

Mr. Masters: Well, I think it needs to be a joint NRD, City approach.

Mr. Cook: Can you address some of Danny Walker's questions & get some answers back to him on some of those issues? Some of them are related more closely to the Beal Slough plan. Others are more general questions that are outstanding questions & have been for some time.

Mr. Masters: Well, I don't think I'm in a position to be able to respond to his questions about the flood warning system & those sorts of things but, certainly, we can prepare some kind of response that refers to the number of public hearings that have occurred on the Beal Slough Master Plan, the number of letters & those kinds of things. Be more than happy to do that.

Mr. Cook: Yeah, I'd appreciate that. And I certainly can understand the frustration that because there was some flooding in the Beal Slough area, we now have a big plan that we're working on. And we're planning to expend large sums of money depending on how much we can come up with but it's very different from saying to some other residents well, we're putting in just an early warning system to let you know when the floods are coming. So, I can understand that frustration. I know there are many complicated issues involved here but I hope that the flood warning issue maybe if the NRD is really in charge of that area, is that correct? The Corp. of Engineers?

Mr. Masters: I think it's a joint Corp./NRD program.

Mr. Cook: Okay. And I guess I would be interested in getting back some more information on the plans for the early warning system & how that will be implemented & maybe if we could pass that along to the appropriate

people for response, that would be nice.

Mr. Masters: Okay.

Mike Morosin, 2055 "S" St., Past President of Malone Neighborhood Assoc.: In following Antelope Valley for almost 5 yrs., Coleen, & others, that was one of the major questions that we asked from the very beginning. How is...let's take Antelope Valley, going to fill in with Beal Slough, Dead Man's Run, Stephens Creek, & we've been trying to bring that whole picture together in a Master Plan so that we can look at it & we need this direction so that we can set our priorities if you said, you know, for the future 'cause many of the older neighborhoods are going to be the gift of all this water that's coming down through there & those people that live in those tar paper shacks with gold faucets out there across Hwy. 2, we're going to be the recipients of a lot of that water & we're sacrificing a lot when it comes down because we're going to get one of those big rains & we're going to have these problems. So, hopefully, eventually, I think what the citizens are asking, let's put a big major plan down on paper. Let's take all the drainage areas, let's put them on paper, let's get the citizens all on the same page so that we go forward in one giant leap instead of these small leaps here. And I think that's what the citizens when I talk to a lot of people across the City, that's what they're asking for. What is the major, you know, push that we're going to do so, just keep that in mind of what the citizens are asking for.

Mr. Shoecraft: Jon, you had a follow up question?

Mr. Camp: Just a comment or two. I really want to congratulate Art Zygielbaum & his neighbors because we had met about 6 months ago after we had the Pre-Council & initial hearing & they were very constructive, had legitimate concerns but I think that what they have done over this past 6 months in working with Steve Masters & the other folks & the City Staff has just been an excellent exercise. I think you are bringing something to us today that we can now make some substantial direction with & I just want to thank all of you for taking that time & energy to do that for your community.

Mr. Cook: Last comment?

Mr. Shoecraft: Sure, go ahead.

Mr. Cook: I just, after a few negative comments, I just...I do want to thank you all for working so hard on this. Certainly there are many more steps & there are many other tributaries of Salt Creek & there are issues with the Salt Creek itself that have to be addressed but somewhere there has to be a first step & I'm really pleased to see this moving forward. Of course, there's no better way than to encourage public involvement & to come up with a plan that puts people's houses under water so...but I'm glad that you all were able to get together & come up with something workable & that we can move forward with. So, thank you very much.

This matter was taken under advisement.

ORDINANCES - 3RD READING

CHANGE OF ZONE 3241 - APP. OF PEARLE FINIGAN FOR A CHANGE FROM AG AGRICULTURAL TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 84TH ST. & WAVERLY RD. - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

SENG Moved to withdraw Bill 00-87.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry. The ordinance, having been **WITHDRAWN**, was assigned the File #38-4338 & was placed on file in the Office of the City Clerk.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 251.6 ACRES OF PROPERTY GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00R-151) - CLERK read an ordinance, introduced by Jon Camp, amending Sec. 17 of Ord. 8730, passed 5/17/65, as last amended by Sec. 3 of Ord. 17109, passed 12/2/96, defining the corporate limits of the City of Lincoln, Nebraska; & repealing said Sec. 17 of Ord. 8730, passed 5/17/65, as last amended by Sec. 3 of Ord. 17109, passed 12/2/96, as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry. The ordinance, being numbered **17677**, is recorded in Ordinance Book 24, Page

AMENDING TITLE 5 OF THE LMC BY ADDING A NEW CHAPTER 5.17 PERTAINING TO TELECOMMUNICATIONS PROVIDERS USING THE CITY'S RIGHTS-OF-WAY TO ESTABLISH DEFINITIONS, STANDARDS, & PERMIT FEES FOR THE USE OF RIGHTS-OF-WAY; TO PROVIDE FOR INSURANCE, BONDING, & CONSTRUCTION STANDARDS FOR TELECOMMUNICATIONS FACILITIES LOCATED IN RIGHTS-OF-WAY; TO ESTABLISH PROCEDURES FOR REVIEWS OF DECISIONS REGARDING TELECOMMUNICATIONS FACILITIES; & TO PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE - PRIOR to reading:

CAMP Moved to delay action on Bill 00-100 for 1 week to 6/5/00.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read an ordinance, introduced by Jon Camp, amending Title 5 of the LMC by adding a new Chapter 5.17 pertaining to telecommunications providers using the City's right-of-way to establish definitions, standards, & permit fees for the use of right-of-way; to provide for insurance, bonding & construction standards for telecommunications facilities located in the right-of-way; to establish procedures for reviews of decisions regarding telecommunications facilities; & to provide for enforcement of this ordinance, the third time.

AMENDING CHAPTER 2.62 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "A" BY AMENDING SEC. 2.62.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN, FOR THE POLICE & FIRE PENSION PLAN "A"; & ADDING A NEW SECTION NUMBERED 2.62.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "A" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - PRIOR to reading:

SENG Moved to amend Bill 00-102 in the following manner:
On page 3, line 27, through page 4, line 1, delete the words "is participating" & insert in lieu thereof the words may participate.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.62 of the LMC relating to the Police & Fire Pension Plan - Plan "A" by amending Sec. 2.62.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "A"; adding a new section numbered 2.62.045 to establish the requirements for participation by Police & Fire Pension Plan "A" members in the Deferred Retirement Option Plan; & repealing Sec. 2.62.020 of the LMC as hitherto existing, the third time.

COOK Moved to pass the ordinance as amended.
Seconded by Johnson & carried by the following vote: AYES: Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: Camp; ABSENT: Fortenberry.

The ordinance, being numbered **17678**, is recorded in Ordinance Book 24, Page

AMENDING CHAPTER 2.65 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "B" BY AMENDING SEC. 2.65.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "B"; & ADDING A NEW SECTION NUMBERED 2.65.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "B" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - PRIOR to reading:

SENG Moved to amend Bill 00-103 in the following manner:
1. On page 4, line 19, delete the words "is participating" & insert in lieu thereof the words may participate.

2. On page 4, lines 23 & 24, delete the words "the payments previously made into the DROP Account" & insert in lieu thereof the words all funds in the account(s) designated for the benefit of the member.

3. On page 6, line 13, delete the words "three-year" & insert in lieu thereof the words five-year.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.65 of the LMC relating to the Police & Fire Pension Plan - Plan "B" by amending Sec. 2.65.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "B"; adding a new section numbered 2.65.045 to establish the requirements for participation by Police & Fire Pension Plan "B" members in the Deferred Retirement Option Plan; & repealing Sec. 2.65.020 of the LMC as hitherto existing, the third time.

SENG Moved to pass the ordinance as amended.
Seconded by Johnson & carried by the following vote: AYES: Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: Camp; ABSENT: Fortenberry.

The ordinance, being numbered **17679**, is recorded in Ordinance Book 24, Page

AMENDING CHAPTER 2.66 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN -

PLAN "C" BY AMENDING SEC. 2.66.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "C"; & ADDING A NEW SECTION NUMBERED 2.66.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "C" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - PRIOR to reading:

SENG Moved to amend Bill 00-104 in the following manner:

1. On page 4, line 22, delete the words "is participating" & insert in lieu thereof the words may participate.

2. On page 5, lines 1 & 2, delete the words "the payments previously made into the DROP Account" & insert in lieu thereof the words all funds in the account(s) designated for the benefit of the member.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.66 of the LMC relating to the Police & Fire Pension Plan - Plan "C" by amending Sec. 2.66.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "C"; adding a new section numbered 2.66.045 to establish the requirements for participation by Police & Fire Pension Plan "C" members in the Deferred Retirement Option Plan; & repealing Sec. 2.66.020 of the LMC as hitherto existing, the third time.

SENG Moved to pass the ordinance as amended.

Seconded by Johnson & carried by the following vote: AYES: Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: Camp; ABSENT: Fortenberry.

The ordinance, being numbered **17680**, is recorded in Ordinance Book 24, Page

PETITIONS & COMMUNICATIONS

APP. OF ST. JOHN'S CHURCH, 731 SKYWAY RD., LINCOLN, TO CONDUCT A LOTTERY WITHIN THE CITY OF LINCOLN - CLERK requested a motion to set the hearing date for Mon., June 5, 2000, at 1:30 p.m.

SENG So moved.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

INFORMAL REQUEST FOR THE ALLEY REPAVING DIST. ADJACENT TO PROPERTY LOCATED AT 14TH TO CENTENNIAL MALL, "P TO Q" ST., FROM LINCOLN CHILDREN'S MUSEUM - CLERK presented said petition which was referred to the Public Works & Law Departments.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Special Permit 1843 - App. of LoraBelle Hanson to use a portion of an existing off-sale liquor license premises for on-sale on property at 2620 Stockwell.

Change of Zone 3259 - App. of Nebraska Assoc. of County Officials for a change from R-8 to O-1 on property at 725 S. 14th St.

Change of Zone 3261 - App. of Parks & Rec. Dept. for a change from R-3 Residential to P Public Use on property generally located at Superior St. & Bel Ridge Dr.

Change of Zone 3262 - App. of Parks & Rec. Dept. for a change from R-1 Residential to P Public Use on property generally located at S. 14th & Mockingbird Lane.

REPORTS TO CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON MAY 15, 2000 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80213 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 05/18/00)

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED APRIL 30, 2000 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80214 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That during the month ended April 30, 2000, \$204,425.10 was earned from short-term investments of "IDLE FUNDS". The same hereby distributed to the various funds on a pro-rata basis using the balance of each fund & allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Cindy Johnson

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

REPORT FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF APRIL 2000: Western Union, Phoenix Network, LCI Int'l., Inacom, LDM Systems, Teligent, Nextlink, Cincinnati Bell, Viatel f.k.a. Destia, Primus, Trans Nat'l., Atlas, Topp Telecomm., Equality, GlobalCom, Nextel West, Big Planet, D & D Comm., RSL COM USA, Long Distance of Michigan, Network Int'l., Network Billing Systems, Association Administrators, NOSVA Ltd., Incomnet Comms., ATS Mobile Telephone, Sprint Spectrum, UniDial Comms., GTC Telecom, Comdata Telecomms., NOS Comms., Glyphics Comms., Single Billing Services, Stormtel, Tri-M Comms., Global Telephone Corp., Affinity Network, GST Net, Lincoln Celtelco, USA Paging, & I-Link Comms. - CLERK presented said reports which were placed on file in the Office of the City Clerk. (20)

ACCEPTING THE REPORT OF NEW & PENDING TORT CLAIMS AGAINST THE CITY & APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MAY 1 THRU 15, 2000 - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80207 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 May 16, 2000, of various new & 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</u>
Brittany Anderson-Hoxie	\$53.13	None
Karl E. Serbousek	70.00	

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 Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING INTEREST RATE & LEVY THE ASSESSMENTS ON SPECIAL ASSESSMENT GROUP I OF THE BOARD OF EQUALIZATION OF MAY 22, 2000. (7.36%) ACCEPTING REPORT ON BOARD OF EQUALIZATION TO CITY COUNCIL ON SPECIAL ASSESSMENTS GROUP I - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80208 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that:

The special taxes assessed May 15, 2000, to pay the costs of the improvements in Paving Units Nos. 131, 132, & 133; Water District No. 1177 & Sewer District No. 1171 are hereby levied & shall bear interest at 7.36% per annum & that the period of time in which the assessments are to be paid shall be as follows:

20 years - Paving Unit No. 131
20 years - Paving Unit No. 132
20 years - Paving Unit No. 133
20 years - Water District No. 1177
20 years - Sewer District No. 1171

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

OTHER RESOLUTIONS

APP. OF AQUAMATIC, INC. DBA U-STOP CONVENIENCE SHOP FOR A CLASS B LIQUOR LICENSE

AT 2700 SOUTH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80198 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, & the pertinent City ordinances, the City Council recommends that the App. of Aquamatic, Inc. dba U-Stop Convenience Shop for a Class B liquor license at 2700 South St., Lincoln, Nebraska, for the license period ending April 30, 2001, be approved with the condition that the premise complies in every respect with all city & state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

MAN. APP. OF JAMES MICHAEL MANDL FOR AQUAMATIC, INC. DBA U-STOP CONVENIENCE SHOP AT 2700 SOUTH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80199 WHEREAS, Aquamatic, Inc. dba U-Stop Convenience Shop located at 2700 South St., Lincoln, Nebraska has been approved for a Retail Class B liquor license, & now requests that James Michael Mandl be named manager;

WHEREAS, James Michael Mandl appears to be a fit & 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, & the pertinent City ordinances, the City Council recommends that James Michael Mandl 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 Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APP. OF BUSTERS BARBEQUE & BREW FOR A SPECIAL DESIGNATED LIQUOR LICENSE (SDL) COVERING AN AREA APPROX. 75' BY 110' TO THE WEST AT 2435 S. 48TH ST. ON THE 10TH DAY OF JUNE, 2000 FROM 4:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80200 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, & the pertinent City ordinances, the City Council recommends that the App. of Busters Barbeque & Brew for a SDL to cover an area measuring 75' by 110' to the west at 2435 S. 48th St., Lincoln, Nebraska, on June 10, 2000, or an alternate rain date of June 11, 2000, between the hours of 4:00 p.m. & 1:00 a.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APP. OF HOOTERS OF LINCOLN FOR A SDL COVERING AN AREA APPROX. 93' BY 110' IN THE PARKING LOT ADJACENT TO THE PREMISES AT 6811 O ST. ON ~~JUNE 24 & 25~~, JULY 8, 2000 FROM 8:00 A.M. TO 12:30 A.M. - PRIOR to reading:

SENG Moved to amend the dates from June 24th & 25th to July 8th.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval as amended:

A-80201 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, & the pertinent City ordinances, the City Council recommends that the App. of Lincoln Wings, L.L.C. dba Hooters of Lincoln for a SDL to cover an area measuring 93' by 110' at 6811 O St., Lincoln, Nebraska, on ~~June 24 & 25~~ July 8, 2000, between the hours of 8:00 a.m. & 12:30 a.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng; NAYS: Shoecraft; ABSENT: Fortenberry.

APP. OF HOOTERS OF LINCOLN FOR A SDL COVERING AN AREA APPROX. 93' BY 110' IN THE PARKING LOT ADJACENT TO THE PREMISES AT 6811 O ST. ON AUG. 11, 12, & 13, 2000 FROM 8:00 A.M. TO 12:30 A.M. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval:

A-80202 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, & the pertinent City ordinances, the City Council recommends that the App. of Lincoln Wings, L.L.C. dba Hooters of Lincoln for a SDL to cover an area measuring 93' by 110' at 6811 O St., Lincoln, Nebraska, on Aug. 11, 12, & 13, 2000, between the hours of 8:00 a.m. & 12:30 a.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng; NAYS: Shoecraft; ABSENT: Fortenberry.

APP. OF USWA LOCAL 286 FOR A SDL COVERING AN AREA MEASURING 372' BY 306' AT GOODYEAR TIRE & RUBBER CO. PARKING LOT AT 4021 N. 56TH ST., ON SEPT. 4, 2000 FROM 10:00 A.M. TO 4:00 P.M. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80203 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, & the pertinent City ordinances, the City Council recommends that the App. of USWA Local 286 for a SDL to cover an area measuring 372' by 306' at 4021 N. 56th St., Lincoln, Nebraska, on the 4th day of Sept., 2000, between the hours of 10:00 a.m. & 4:00 p.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APP. OF HAVELOCK BUSINESS ASSOC. FOR A SDL COVERING AN AREA LOCATED ON HAVELOCK AVE. BETWEEN 61ST & 63RD STS. ON JUNE 10, 2000 FROM 4:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption for approval:

A-80204 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, & the pertinent City ordinances, the City Council recommends that the App. of Havelock Business Association for a SDL to cover a portion of Havelock Ave. from 61st St. to 63rd St. to include ½ of each block to the north & south of Havelock Ave., as shown on the attached drawing, on June 10, 2000, between the hours of 4:00 p.m. & 1:00 a.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Coleen Seng

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APP. OF CHACE ENTERPRISE DBA SILVER SPOKE SALOON FOR A SDL FOR AN AREA APPROX. 25' BY 72' IN THE PARKING LOT AT 1033 M ST. ON JUNE 3, 2000 FROM 5:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80205 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, & the pertinent City ordinances, the City Council recommends that the App. of Chace Enterprise dba Silver Spoke Saloon for a SDL to cover an area measuring 25' by 72' in the parking lot at 1033 M St., Lincoln, Nebraska, on the 3rd day of June, 2000, between the hours of 5:00 p.m. & 1:00 a.m.,

be denied because the applicant has not shown that the granting of this application: (a) will further the public interest; (b) will be a betterment to the City; (c) will constitute a true increase in service to the public; & (d) will not be detrimental to the public health, safety, & welfare.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APP. OF WINE MERCHANTS FOR A SDL FOR AN AREA MEASURING 2150' BY 750' AT THE PEGRAM RESIDENCE AT 4900 N. 14TH ST. ON JUNE 3, 2000, FROM 3:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80206 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, & the pertinent City ordinances, the City Council recommends that the App. of Wine Merchants, Inc. for a SDL to cover an area measuring 2150' by 750' at the Pegram residence, 4900 N. 14th St., Lincoln, Nebraska, on the 3rd day of June, 2000, between the hours of 3:00 p.m. & 11:00 p.m., be approved with the condition that the premise complies in every respect with all City & State regulations.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPROVING THE CORPORATE LICENSE AGRMT. BETWEEN THE CITY & NOVELL, INC. FOR THE PURCHASE OF NOVELL LICENSES FROM AN APPROVED PARTNER - PRIOR to reading:

CAMP Moved to continue Pub. Hearing & to delay Action on Bill 00R-150 for 1 week to 6/5/00.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPROVING AN AGRMT. BETWEEN THE CITY & SOUTH INDUSTRIAL PARK, L.L.C., THE SECURITY MUTUAL LIFE INSURANCE CO. OF NEBRASKA, JOHN RALLIS, & GARY PICKERING FOR THE INSTALLATION OF OFF-SITE TRANSPORTATION IMPROVEMENTS IN HORIZON BUSINESS CENTER GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LN. - PRIOR to reading:

CAMP Moved to continue Pub. Hearing & to delay Action on Bill 00R-154 for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

COMP. PLAN AMENDMENT 94-38 - APP. OF THE PLANNING DIRECTOR TO INCORPORATE THE BEAL SLOUGH BASIN STORMWATER MASTER PLAN BY REFERENCE AS AN APPROVED COMPONENT OF THE COMPREHENSIVE PLAN - ACTION TO BE ON 6/5/00.

SETTING HEARING DATE OF MON., JUNE 12, 2000 AT 1:30 P.M. ON THE MAN. APP. OF MARK L. BRASSEAU FOR SYDRAN FOOD SERVICES DBA CHILI'S SOUTHWEST GRILL AT 6730 S. 27TH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80209 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 12, 2000 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 purpose of considering the Man. App. of Mark L. Brasseau for Sydran Food Services dba Chili's Southwest Grill at 6730 S. 27th St.

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

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF MON., JUNE 12, 2000 AT 1:30 P.M. ON THE APP. OF B & R STORES, INC. DBA SUPER SAVER FOR A LIQUOR CATERING LICENSE AT 233 N. 48TH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80210 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 12, 2000 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 purpose of considering the App. of B & R Stores, Inc. dba Super Saver for a Liquor Catering License at 233 N. 48th St.

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

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF MON., JUNE 12, 2000 AT 1:30 P.M. ON THE APP. OF GARDEN ENTERPRISES II LLC DBA GARDEN CAFÉ & BAKERY FOR A RETAIL CLASS I LIQUOR LICENSE AT 5100 N. 27TH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80211 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 12, 2000 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 purpose of considering the App. of Garden Enterprises II LLC dba Garden Café & Bakery for a Retail Class I Liquor License at 5100 N. 27th St.

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

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF MON., JUNE 12, 2000 AT 1:30 P.M. ON THE APP. OF GARDEN ENTERPRISES II LLC DBA GARDEN CAFÉ & BAKERY FOR A RETAIL CLASS C LIQUOR LICENSE AT 6891 A ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption:

A-80212 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 12, 2000 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 purpose of considering the App. of Garden Enterprises II LLC dba Garden Café & Bakery for a Retail Class C Liquor License at 6891 A St.

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

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPROVING AN ANNEXATION AGRMT. BETWEEN THE CITY, LANCASTER COUNTY AGRICULTURAL SOCIETY, INC., & THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA OUTLINING CERTAIN CONDITIONS & UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROX. 251.6 ACRES OF LAND GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00-98) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80215 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled An Agreement Regarding the Annexation of the Lancaster County Agricultural Society Event Center located East of N. 84th St. in the Vicinity of Havelock Ave. ("Annexation Agreement"), & the agreement titled Amendment No. 1 to the Annexation Agreement, which are attached hereto, marked as Attachments "A" & "B" respectively & made a part hereof by reference, between the City of Lincoln & the Lancaster County Agricultural Society, Inc. & the Board of Regents of the University of Nebraska (Owners) outlining certain conditions & understandings between the City & said Owners relating to the annexation of land generally located at N. 84th St. & Havelock Ave. is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Annexation Agreement & Amendment No. 1 to the Annexation Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement & Amendment No. 1 to the Annexation Agreement with the Register of Deeds, filing fees to be paid by the Owners.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

**REGULAR MEETING
MAY 30, 2000
PAGE 66**

CHANGE OF ZONE 3251 - AMENDING SECS. 27.58.010 & 27.58.020 OF THE LMC TO AMEND THE REFERENCE FROM "COMPREHENSIVE PLAN FIGURE 21" TO "OFFICIAL ZONING MAP OF THE CITY OF LINCOLN" - PRIOR to reading:

COOK Moved to place Bill 00-99 on Pending.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read an ordinance, introduced by Jon Camp, amending Secs. 27.58.010 & 27.58.020 of the LMC to amend the reference from "Comprehensive Plan Figure 21" to "Official Zoning Map of the City of Lincoln"; & repealing Secs. 27.58.010 & 27.58.020 of the LMC as hitherto existing, the second time.

AMENDING ORD. 16792 TO INCREASE THE AGGREGATE PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE COMMERCIAL PAPER NOTES OUTSTANDING FROM TIME TO TIME TO \$125,000,000 - CLERK read an ordinance, introduced by Jonathan Cook, amending Ord. 16792 to increase the authorized aggregate principal amount of electric system revenue commercial paper notes from time to time outstanding; to repeal certain provisions of Ord. 16792 in connection therewith; taking other action in connection with the foregoing; & related matters, the second time.

CREATING SEWER DIST. 1174 IN OLD DAIRY RD. FROM 27TH ST. WEST APPROX. 600' - PRIOR to reading:

SENG Moved to place Bill 00-106 on Pending.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CLERK Read an ordinance, introduced by Jonathan Cook, creating Sewer Dist. 1174, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements & additional right-of-way if necessary, & repealing all ordinances or parts of ordinances in conflict herewith, the second time.

APPROVING THE LINCOLN BUILDING SKYWALK PROJ. BETWEEN THE CITY & LINCOLN INVESTMENT GROUP FOR THE CONSTRUCTION OF A SKYWALK BETWEEN THE LINCOLN BUILDING & THE LINCOLN DOWNTOWN SENIOR CENTER - CLERK read an ordinance, introduced by Jonathan Cook, accepting & approving the Lincoln Building Skywalk Project Redevelopment Agreement ("Redevelopment Agreement") between the City of Lincoln & Lincoln Investment Group, L.L.C. (Redeveloper), the second time.

AMENDING ORD. 17597 PASSED JAN. 24, 2000 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION PRESCRIBING & DEFINING THE CORPORATE LIMITS OF THE CITY OF LINCOLN - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 1 of Ord. 17597, passed Jan. 24, 2000, by correcting an error in the legal description prescribing & defining the corporate limits of the City of Lincoln, Nebraska & repealing Section 1 of Ord. 17597 as hitherto existing, the second time.

AMENDING ORD. 17598 PASSED JAN. 24, 2000 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION OF THE BOUNDARIES OF THE AG AGRICULTURAL DIST. & THE R-3 RESIDENTIAL DIST. GENERALLY LOCATED NORTH OF HWY. 34, SOUTH OF ALVO RD. & WEST OF N. 1ST ST. - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 1 of Ord. 17598 passed Jan. 24, 2000, by correcting an error in the legal description of the boundaries of the AG Agriculture District & the R-3 Residential District as established & shown on the Lincoln Zoning District Maps pursuant to Ord. 17598 & repealing Section 1 of Ord. 17598 as hitherto existing, the second time.

MISCELLANEOUS BUSINESS

PENDING LIST -

ADOPTING A REVISED EMPLOYEE'S RETIREMENT PLAN TO ELIMINATE OUTDATED, OBSOLETE LANGUAGE; TO CHANGE PROVISIONS REGARDING EMPLOYEE CONTRIBUTIONS; TO PROVIDE FOR PRE-TAX CONTRIBUTIONS; TO CHANGE THE VESTING SCHEDULE; TO ELIMINATE PROVISIONS RELATING TO FORFEITURES OF CITY CONTRIBUTIONS; TO CHANGE PROVISIONS REGARDING RE-PARTICIPATION IN THE RETIREMENT PLAN AFTER A BREAK IN SERVICE WITH THE CITY; & TO CHANGE PROVISIONS RELATING TO EARLY RETIREMENT:

CAMP Moved to remove Bill 00-101 from Pending for Public Hearing on 6/5/00.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

CAMP Moved to extend the Pending List for 1 week.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on June 5, 2000.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

ADJOURNMENT

8:30 P.M.

CAMP Moved to adjourn the City Council Meeting of May 30, 2000.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

So ordered.

Paul A. Malzer, Jr., City Clerk

Teresa J. Meier-Brock, Office Assistant III

