

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, JULY 16, 2001 AT 1:30 P.M.**

The Meeting was called to order at 1:37 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Friendt, Seng, Svoboda, Werner; Joan Ross, City Clerk.

The Council stood for a moment of silent meditation.

**READING OF THE MINUTES**

SVOBODA Having been appointed to read the minutes of the City Council proceedings of July 9, 2001, reported having done so, found same correct.

Seconded by Werner carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None.

**PUBLIC HEARING**

APPLICATION OF THE BLUE CACTUS, INC. DBA "THE BLUE CACTUS" FOR A CLASS "I" LIQUOR LICENSE AT 5555 S. 48TH STREET, SUITE F;  
MANAGER APPLICATION OF ROBERT G. FURMAN FOR THE BLUE CACTUS, INC. DBA "THE BLUE CACTUS" AT 5555 S. 48TH STREET, SUITE F - Robert Furman, 1240 N. Winwood came forward and took the oath to answer any questions.  
This matter was taken under advisement.

APPLICATION OF RUSS'S MARKET #2 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 170 FEET BY 60 FEET AT 130 N. 66TH STREET ON JULY 26, 2001 FROM 4:00 P.M. TO 10:00 P.M.;  
APPLICATION OF RUSS'S MARKET #2 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 170 FEET BY 60 FEET AT 130 N. 66TH STREET ON JULY 28, 2001 FROM 4:00 P.M. TO 10:00 P.M. - Craig Weidner, Store Manager for Russ's Market came forward and took the oath to answer any questions.  
This matter was taken under advisement.

CHANGE OF ZONE HP70 - APP. OF RHO CHAPTER HOUSE CORP. KAPPA ALPHA THETA FRATERNITY FOR A LANDMARK DESIGNATION FOR THE KAPPA ALPHA THETA SORORITY HOUSE AT 1545 S STREET - Ed Zimmer, Planning Department came forward to present slides and to speak in favor of this Change of Zone.  
This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN BIG RED KENO AND PENALTY BOX PUB FOR THE OPERATION OF A KENO SATELLITE SITE AT 5551 S. 48<sup>TH</sup> STREET - John Hewitt, Manger of Big Red Keno & Penalty Box came forward in favor of agreement.

SPECIAL PERMIT 1918 - APPLICATION OF MIKE OLDERBAK TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT 338 N. 27<sup>TH</sup> STREET - Mark Hunzeker, 530 S. 13th St., Suite B, representing Kabradelo's, came forward to present a case for the issuance of the Special Permit.  
Mike Olderbak, ower of Kabradelo's came forward to answer questions posed by the Council members.  
Rose Sheridan, 1105 E Street; Dottie Barnes, 2532 Vine Street; Gloria Brett, 306 N. 19th Street (address not confirmed in City Directory); Richard Jasbitt, 2012 R Street (address not confirmed in City Directory); Mesay Ketema, 2909 Q Street; Shani Scott, 3145 R Street; Matt Herman, 5040 N. 70th; Gene Leahy, Refrigeration Co.; and Dennis Weiger, 2121 Y Street (address not confirmed in City Directory), all came forward in favor of allowing this store to sell alcohol.  
Lisa Savage, (address unknown); Vi Kuhl, 300 N. 27th Street; Mike Morrosin, 2055 "S" Street; Mickey Murrell, 601 N. 28th Street; Anthony Banelli, Pres. of N. 27th Street Business Assoc.  
Chief of Police, Tom Cassidy, came forward to present police call statistics to the Council regarding Kabredlo's.  
Wynn Hjernstad, Urban Development Staff, came forward in favor of keeping this store in the neighborhood in keeping with the North 27th Street redevelopment plan.  
Jason Reynolds, and Nicole Fleck-Tooze of Planning Staff, came forward to answer questions posed by Council Members.  
Dana Roper, City Attorney, came forward to answer questions.  
This matter was taken under advisement.

SPECIAL PERMIT 692K - APPLICATION OF TABITHA, INC. TO AMEND THE TABITHA NEW COMMUNITY COMMUNITY UNIT PLAN TO PERMIT THE CONVERSION OF 28 ELDERLY OR RETIREMENT DWELLING UNITS TO ASSISTED LIVING FACILITIES ON PROPERTY LOCATED AT SEA MOUNTAIN ROAD AND FOLKWAYS BLVD. - John Bergmeyer, Attorney on behalf of Tabitha, came forward in favor of the Special Permit.

This matter was taken under advisement.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 45 ACRES OF PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE NORTH;  
VACATING A PORTION OF PINE LAKE RD. FROM THE WEST LINE OF LAZY ACRES SUBDIVISION WEST TO THE RAILROAD RIGHT-OF-WAY, GENERALLY LOCATED WEST OF S. 14TH ST. & PINE LAKE RD.;

SPECIAL PERMIT 1832 - APP. OF GEORGE & KATHY MECHLING TO DEVELOP WILDERNESS PARK ESTATES C.U.P. CONSISTING OF 19 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE;

ACCEPTING & APPROVING THE PRE. PLAT OF WILDERNESS PARK ESTATES INCLUDING WAIVERS FOR CURB & GUTTERS, SIDEWALKS, STORMWATER DETENTION, & STREET TREES, ON PROPERTY GENERALLY LOCATED WEST OF S. 14TH ST. & MOCKINGBIRD LANE - Jim DeMars, Attorney, 1225 L Street, Suite 400, came forward in favor of the four resolutions/ordinances listed above.

Nicole Fleck-Tooze, Planning Dept., came forward to answer questions.

Mike DeKalb, Planning Dept., came forward to answer questions.

Mike Gorka (no address given), option holder on new proposed lots, came forward in opposition.

Tom Chaka, Ross Engineering, came forward to answer questions.

Mike Rierden, Attorney, 645 M Street., #200, representing five property owners on North Mockingbird came forward in opposition.

Mike Schukar, 6901 W. Mockingbird St., came forward in concern for fire protection in the neighborhood. He however does not believe it is fair to ask neighbors to help with paving.

This matter was taken under advisement.

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

## **COUNCIL ACTION**

### **LIQUOR RESOLUTIONS**

APPLICATION OF THE BLUE CACTUS, INC. DBA "THE BLUE CACTUS" FOR A CLASS "I" LIQUOR LICENSE AT 5555 S. 48TH STREET, SUITE F - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80965 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 The Blue Cactus, Inc, dba "The Blue Cactus" for a Class "I" liquor license at 5555 S. 48th Street, Suite F, Lincoln, Nebraska, for the license period ending April 30, 2002, 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 Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF ROBERT G. FURMAN FOR THE BLUE CACTUS, INC. DBA "THE BLUE CACTUS" AT 5555 S. 48TH STREET, SUITE F - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80966 WHEREAS, The Blue Cactus, Inc. dba "The Blue Cactus" located at 5555 S. 48th Street, Suite F, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Robert G. Furman be named manager;

WHEREAS, Robert G. Furman 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 Robert G.

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

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF MOUSETRAP INC. DBA "BRASS RAIL" FOR A LIQUOR CATERING LICENSE AT 1436 O STREET - PRIOR to reading:

CAMP Moved to delay action for one week to 7/23/01.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF RUSS'S MARKET #2 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 170 FEET BY 60 FEET AT 130 N. 66TH STREET ON JULY 26, 2001 FROM 4:00 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by John Camp, who moved its adoption for denial:

A-80967 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of B & R Stores, Inc. d/b/a Russ's Market Store #2 for a Special Designated License to cover an area measuring 170 feet by 60 feet in the parking lot at 130 North 66th Street, Lincoln, Nebraska, on the 26th day of July, 2001, between the hours of 4:00 p.m. and 10:00 p.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; and (d) will not be detrimental to the public health, safety, and 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 Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF RUSS'S MARKET #2 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA APPROXIMATELY 170 FEET BY 60 FEET AT 130 N. 66TH STREET ON JULY 28, 2001 FROM 4:00 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-80968 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of B & R Stores, Inc. d/b/a Russ's Market Store #2 for a Special Designated License to cover an area measuring 170 feet by 60 feet in the parking lot at 130 North 66th Street, Lincoln, Nebraska, on the 28th day of July, 2001, between the hours of 4:00 p.m. and 10:00 p.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; and (d) will not be detrimental to the public health, safety, and 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 Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

#### ORDINANCES - 2ND READING

CHANGE OF ZONE HP70 - APP. OF RHO CHAPTER HOUSE CORP. KAPPA ALPHA THETA FRATERNITY FOR A LANDMARK DESIGNATION FOR THE KAPPA ALPHA THETA SORORITY HOUSE AT 1545 S STREET - CLERK read an ordinance, introduced by Glenn Friendt, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

APPROVING A CONSENT TO SUBLEASE AGREEMENT WITH ALLTEL TO ALLOW QWEST WIRELESS TO CO-LOCATE ON THE ALLTEL TOWER IN ANTELOPE PARK - PRIOR to reading:

CAMP Moved to amend Bill No. 01-109 in the following manner:

1. Substitute the Consent to Sublease Agreement attached to the Bill with the Consent to Sublease Agreement attached to this motion.

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
CLERK read an ordinance, introduced by Glenn Friendt, accepting and approving and consenting to an Agreement to Sublease between Alltel and Qwest Wireless for the sublease and co-location of telecommunications facilities upon City property in Antelope Park and authorizing the Mayor to sign such consent on behalf of the City, the second time.

APPROVING A CONSENT TO SUBLEASE AGREEMENT WITH AMERICAN TOWER CORP. TO ALLOW AMERICAN TOWER TO SUBLEASE THE ALLTEL PREMISES IN ANTELOPE PARK - CLERK read an ordinance, introduced by Glenn Friendt, accepting and approving and consenting to an Agreement to Sublease between Alltel and the American Tower Corporation for the sublease and assignment of telecommunications facilities upon City property in Antelope Park and authorizing the Mayor to sign such consent on behalf of the City, the second time.

#### RESOLUTIONS

REAPPOINTING JIM JOHNSON, H. KIRK LANGER, JR., AND BRYAN RICKERTSEN TO THE CABLE ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING JULY 1, 2004 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80969 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Jim Johnson, H. Kirk Langer, Jr., and Bryan Rickertsen to the Cable Advisory Board for three-year terms expiring July 1, 2004 is hereby approved.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING RICHARD NOBLE TO THE CABLE ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING JULY 1, 2004 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80970 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Richard "Dick" Noble to the Cable Advisory Board for a three-year term expiring July 1, 2004 is hereby approved.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING BONNIE ARMSTRONG, GREG KALLOS, AND MARCIA MALONE TO THE LINCOLN AREA AGENCY ON AGING ADVISORY COUNCIL FOR THREE-YEAR TERMS EXPIRING JULY 1, 2004 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80971 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Bonnie Armstrong, Greg Kallos, and Marcia Malone to the Lincoln Area Agency on Aging Advisory Council for three-year terms expiring July 1, 2004 is hereby approved.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN AGREEMENT BETWEEN BIG RED KENO AND PENALTY BOX PUB FOR THE OPERATION OF A KENO SATELLITE SITE AT 5551 S. 48<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80972 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purposes of providing for joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of keno type lottery with Lincoln's Big Red Keno, Ltd., a Nebraska limited partnership; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of Penalty Box Pub, 5551 S. 48th Street, Lincoln, NE 68516.

The City Clerk is directed to return an executed copy of this Resolution to Penalty Box Pub, and a copy to Lincoln's Big Red Keno, Ltd.

Introduced Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JUNE 16-31, 2001 - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80973 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the claims listed in the attached report, marked as Exhibit "A", dated June 2, 2001, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED</u>
Dennis M. Reed	\$1,000,000.00	Mary Haake	\$ 25.00
Alan Griffin	250.00	Gary Abraham	300.00
Neejaa Edmonds	NAS*	James K. Fogerty	377.69

\*No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1918 - APPLICATION OF MIKE OLDERBAK TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES AT 338 N. 27<sup>TH</sup> STREET - PRIOR to reading:

CAMP Moved to amend Line 3 to read 338 N. 27th Street for clarification. Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80974 WHEREAS, Mike Olderbak has submitted an application designated as Special Permit No. 1918 for authority to sell alcoholic beverages for consumption off the premises at Kabredlo's at ~~228~~ 338 North 27th Street, legally described as:

Lot 14, Block 4, Sunnyside Addition, located in the Southwest Quarter of Section 19, Township 10 North, Range 7 East, Lincoln, Lancaster County, Nebraska, with the proposed premises for liquor sales being further described as:

Beginning at a point 30 feet from the southeast property corner of Lot 14, proceeding west 60.3 feet, north 41.3 feet, east 60.3 feet, and south 41.3 feet, such premises being a convenience store.

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages for consumption off the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of Mike Olderbak, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for consumption off the premises at the establishment located at 338 North 27th Street.

2. The requirements of Section 27.63.685(c) of the Lincoln Municipal Code which requires a distance of 100 feet from a residential district is hereby waived upon condition that the adverse effects of the reduction in distance is mitigated through landscaping, screening, or other methods approved by the Planning Director.

3. Before commencing sales of alcoholic beverages, the applicant shall submit five copies of a revised site plan showing a parking lot which meets parking lot and screening design standards and provides

circulation for delivery trucks.

4. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, location of parking and circulation elements, and similar matters.

5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, his successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

6. Construction plans must conform to the approved plans.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Friendt, Svoboda, Werner; NAYS: Cook, McRoy, Seng.

SPECIAL PERMIT 692K - APPLICATION OF TABITHA, INC. TO AMEND THE TABITHA NEW COMMUNITY COMMUNITY UNIT PLAN TO PERMIT THE CONVERSION OF 28 ELDERLY OR RETIREMENT DWELLING UNITS TO ASSISTED LIVING FACILITIES ON PROPERTY LOCATED AT SEA MOUNTAIN ROAD AND FOLKWAYS BLVD. - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80975 WHEREAS, Tabitha, Inc. has submitted an application designated as Special Permit No. 692K for authority to amend the Tabitha New Community community unit plan to permit the conversion of 28 elderly or retirement dwelling units to assisted living facilities on property located at Sea Mountain Road and Folkways Blvd., and legally described to wit:

Lot 1, Block 2 of Tabitha New Community 2nd Addition, located in the Northeast Quarter of Section 1, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within said community unit plan will not be adversely affected by such amendment; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of Tabitha, Inc., hereinafter referred to as "Permittee", to amend the Tabitha New Community community unit plan to permit the conversion of 28 elderly or retirement dwelling units to assisted living facilities on the above-described property be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of such assisted living facilities be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 28 domiciliary care units and 72 units of elderly or retirement housing on Lot 1, Block 2, Tabitha New Community 2nd Addition within the Tabitha New Community CUP.

2. Before receiving building permits:

a. The Permittee must submit and receive approval of a permanent reproducible final plan, and five copies, as approved by the City Council.

b. The construction plans must conform to the approved plans.

3. Before occupying the domiciliary care units all development and construction must be completed in conformance with the approved plans.

4. All privately-owned improvements must be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

8. Adoption of this resolution voids, repeals, and rescinds Special Permit No. 692 adopted by Resolution No. A-61683 on March 24, 1975 with respect to Lot 1, Block 2, Tabitha New Community 2nd Addition.

9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however, all resolutions approving previous permits (Special Permit Nos. 692D, 692E, 692F, 692G, 692H, 692I, and 692J) remain in force unless specifically amended by this resolution.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1832 - APP. OF GEORGE & KATHY MECHLING TO DEVELOP WILDERNESS PARK ESTATES C.U.P. CONSISTING OF 19 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE - PRIOR to reading:

COOK Moved to Amend Bill OOR-309.

After discussion

COOK Withdrew motion.

CLERK Read the following resolution, introduced by Coleen Seng, who moved for its adoption:

A-80976 WHEREAS, George and Kathy Mechling have submitted an application designated as Special Permit No. 1832 for authority to develop Wilderness Park Estates Community Unit Plan consisting of 19 dwelling units on property located at Mockingbird Lane and south 14th Street, and legally described to wit:

Lots 14, 19, 20, 21, 57, and 58 Irregular Tracts, located in the South Half of Section 14, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described by metes and bounds as follows:

Referring to the South Quarter corner of Section 14, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska (found 5/8" rebar with 2" aluminum cap); thence south 89 degrees 58 minutes 00 seconds east (an assumed bearing) and on the south line of the Southeast Quarter of said Section 14, a distance of 28.54 feet to the southwesterly corner (set 5/8" rebar) of Lot 19 Irregular Tract of said Section 14, and also said point is on the easterly right-of-way line of Burlington Northern Santa Fe Railway and the point of beginning; thence north 26 degrees 21 minutes 43 seconds west, and on the westerly line of Lots 19 and 14, Irregular Tracts of said Section 14 or the easterly right-of-way line of said Burlington Northern Santa Fe Railway, a distance of 76.10 feet to the point of non-tangent curvature (set 5/8" rebar); thence on a curve to the left, and on the westerly line of Lot 14 and 21 Irregular Tracts of said Section 14 or the easterly right-of-way line of said Burlington Northern Santa Fe Railway, having a radius of 1854.57 feet, an arc length of 475.96 feet, and a central angle of 14 degrees 42 minutes 16 seconds, with a chord bearing of north 17 degrees 19 minutes 36 seconds west, a chord distance of 474.65 feet to the point of non-tangent compound curvature (set 5/8" rebar); thence on a curve to the left, and on the westerly line of Lot 21, Irregular Tract of said Section 14 or the easterly right-of-way line of said Burlington Northern Santa Fe Railway, having a radius of 3760.24 feet, an arc length of 297.68 feet, and a central angle of 04 degrees 32 minutes 09 seconds, with a chord bearing of north 04 degrees 06 minutes 50 seconds west, a chord distance of 297.60 feet to the northwesterly corner (found 1" Iron Pipe) of Lot 21 or the southwesterly corner of Lot 23 Irregular Tracts of said Section 14; thence south 89 degrees 55 minutes 50 seconds east, and on the northerly line of Lots 21 and 20 or the southerly line of Lots 25 and 23

Irregular Tracts of said Section 14, a distance of 332.77 feet to the northeasterly corner (found 1" iron pipe) of Lot 20 Irregular Tract of said Section 14; thence south 00 degrees 28 minutes 16 seconds east, and on the easterly line of Lot 20 Irregular Tract or the westerly line of Lot 25 Irregular Tract of said Section 14, a distance of 110.48 feet to the northwesterly corner (found 1" iron pipe) of Lot 58 Irregular Tract or the south-southwesterly corner of Lot 25 Irregular Tract of said Section 14; thence south 89 degrees 55 minutes 43 seconds east, and on the northerly line of Lot 58 Irregular Tract or the southerly line of Lot 25 Irregular Tract of said Section 14, a distance of 877.47 feet to the northeasterly corner (found 1" iron pipe) of Lot 58 Irregular Tract of said Section 14 or the northwesterly corner of Lazy Acres to the City of Lincoln, a replat of the east 1590.0 feet of Lot 24 Irregular Tract in the Southeast Quarter of Section 14, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska; thence south 00 degrees 09 minutes 12 seconds east, and on the easterly line of Lots 57 and 58 Irregular Tracts of said Section 14 or the westerly line of said Lazy Acres, a distance of 706.76 feet to the southeasterly corner (set 5/8" rebar) of Lot 58 Irregular Tract of said Section 14 and also said point is on the south line of the Southeast Quarter of said Section 14; thence north 89 degrees 58 minutes 00 seconds west, and on the south line of the Southeast Quarter and Lot 58 Irregular Tract of said Section 14, a distance of 1016.54 feet to the point of beginning and containing a calculated area of 842,261.01 square feet or 19.336 acres, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this community unit plan will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of George and Kathy Mechling, hereinafter referred to as "Permittee", to develop Wilderness Park Estates Community Unit Plan, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a total of 19 dwelling units.
2. Before receiving building permits the Permittee must submit a permanent reproducible final site plan as approved.
3. Before occupying this development all development and construction must conform to the approved plans.
4. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, their successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Coleen Seng

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PROPERTY GENERALLY LOCATED WEST OF S. 14TH ST. & MOCKINGBIRD LANE - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-80977 WHEREAS, **George and Kathy Mechling** have submitted the preliminary plat of **WILDERNESS PARK ESTATES** for acceptance and approval; and  
WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated May 5, 2000, which is attached hereto as Exhibit "A".

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

That the preliminary plat of **WILDERNESS PARK ESTATES**, located west of South 14th Street and Mockingbird Lane as submitted by **George and Kathy Mechling** is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision requirements are therefore approved:

1. The requirement of Section 26.27.010 of the Land Subdivision Ordinance requiring curb and gutters is hereby waived.
2. The requirement of Section 26.27.020 of the Lincoln Municipal Code that concrete sidewalks be constructed to the specifications set forth in Chapter 14.80 of the Lincoln Municipal Code is hereby waived to allow a crushed rock path on one side of the street.
3. The requirements of Section 26.23.105 of the Lincoln Municipal Code and the Storm Water Drainage Design Standards for on-site storm water detention are hereby waived.

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

Accepting and approving the preliminary plat of Hawkswood Estates for 27 lots and waivers for street lighting intervals, roadway approach grades, sidewalks, curb & gutter, location of water and sewer mains, storm water requirements, transfer of sanitary sewer basins, block lengths, and length of permanent dead end streets, on property generally located south and west of South 70th Street and Old Cheney Road - PRIOR to reading:

SENG Moved to amend Bill No. 01R-171 in the following manner:

1. On page 1, between lines 15 and 16, add another clause to read as follows:

BE IT FURTHER RESOLVED that Exhibit "A" be amended by adding a new condition 3.4 to read as follows:

3.4 Subdivider shall revise the preliminary plat to add a note stating that Lots 17, 20, 21 and 22, Block 2, which are shown as fronting upon and taking access to Stevens Creek Road as shown and located in the preliminary plat of Fairchild Estates shall not be final platted as buildable lots until such time as said portion of Stevens Ridge Road is dedicated as a public street.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-80979 WHEREAS, **Robert Beck, Kit Dimon, Diane Oldfather, Zane and Ethel Fairchild, Alan Embury, Vincent and Janice Goracke, and Herbert and Barbara Griess** have submitted the preliminary plat of **HAWKSWOOD ESTATES** for acceptance and approval; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated March 23, 2001, which is attached hereto as Exhibit "A".

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

That the preliminary plat of **HAWKSWOOD ESTATES**, located south and west of S. 70th Street and Old Cheney Road as submitted by **Robert Beck, Kit Dimon, Diane Oldfather, Zane and Ethel Fairchild, Alan Embury, Vincent and Janice Goracke, and Herbert and Barbara Griess** is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

3.4 Subdivider shall revise the preliminary plat to add a note stating that Lots 17, 20, 21 and 22, Block 2, which are shown as fronting upon and taking access to Stevens Creek Road as shown

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and located in the preliminary plat of Fairchild Estates shall not be final platted as buildable lots until such time as said portion of Stevens Ridge Road is dedicated as a public street.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision requirements are therefore approved:

1. The requirement of the Design Standards for street lights providing that street lights shall have a maximum interval spacing of 240' is waived to allow an interval spacing of 480 - 500'.

2. The requirement of the Design Standards for urban public streets providing that the vertical grade for roadway approaches shall not exceed 2% is waived to allow a 3% vertical grade separation.

3. The requirement of Section 26.27.020 of the Land Subdivision Ordinance providing that sidewalks be installed on both sides of all streets within the subdivision is waived to allow sidewalks to be installed only on one side of the interior streets within the subdivision.

4. The requirement of Section 26.27.010 of the Land Subdivision Ordinance providing that all streets within a subdivision shall be paved with curbs and gutters is waived to allow the streets to be paved with a rural roadway cross section.

5. The requirement of the Design Standards for water mains and sanitary sewers providing that all water mains and sanitary sewers be located 17 feet from center line of the street is waived to allow said water mains and sanitary sewers to be located 15.5 feet from the center line.

6. The requirement of the Design Standards for storm water drainage requiring that storm water be discharged through storm sewers is waived to allow roadside ditches to carry the storm water provided that the abutting property owners are responsible for maintenance of the roadway side ditches and culverts.

7. The requirement of the Design Standards for sanitary sewers prohibiting the transfer of sanitary sewage from one drainage basin into another basin is waived to allow such transfer, provided the depth of the sewer does not exceed 15'.

8. The requirement of Section 26.23.130 of the Land Subdivision Ordinance providing that block lengths shall not exceed 1,320' between cross streets is waived for Stevens Ridge Road.

9. The requirement of Section 26.23.080 of the Land Subdivision Ordinance providing that dead end streets shall not be longer than 1,000 feet as measured from the centerline of the intersected street to the farthest point of the cul-de-sac is waived for dead end streets within the subdivision.

Introduced by Glenn Friendt

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**PETITIONS AND COMMUNICATIONS**

INFORMAL PETITION FOR SANITARY SEWER DISTRICT AT NORTHEAST CORNER OF NW 40TH & "O" STREETS, REQUESTED BY BOYD BATTERMAN - CLERK presented said petition which was referred to the Public Works Department.

REPORT OF UNL MICROBIOLOGIST FOR WATER TESTING FOR THE MONTH OF JUNE, 2001. - CLERK presented said report which was placed on file in the Office of the City Clerk. (35-01)

**REPORTS OF CITY OFFICERS**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JULY 2, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JULY 9, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

INVESTMENTS OF FUNDS - CLERK read the following resolution, introduced by Glenn

Friendt, who moved its adoption:

A-80978 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments from July 2 - July 6, 2001.)

Introduced by Coleen Seng

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF JUNE, 2001: Business Telecom, Inc.; Operator Communications, Inc. and One Call Communications, Inc. - CLERK presented said report which was placed on file in the Office of the City Clerk.

#### ORDINANCES - 1ST READING

CHANGE OF ZONE 3326 - APPLICATION OF THOMASBROOK PROPERTIES FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT 60TH AND NORMAL BLVD. - CLERK read an ordinance, introduced by Coleen Seng, amending the Lincoln Zoning District Maps attached to an 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 first time.

AMENDING CHAPTERS 5.34 AND 5.42 OF THE LINCOLN MUNICIPAL CODE RELATING TO PAWNBROKERS AND SECONDHAND JEWELRY AND WATCH DEALERS TO REQUIRE PAWNBROKER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED AND TO REQUIRE RECORDING OF SPECIFIC IDENTIFYING MARKS; TO ADD PAWNBROKER EMPLOYEE TO THOSE REQUIRED TO SUBMIT DAILY REPORTS TO THE CHIEF OF POLICE; TO REQUIRE SECONDHAND JEWELRY AND WATCH DEALER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED; TO CHANGE "RECORD OF TRANSACTIONS" TO "FORM FOR EACH TRANSACTION"; TO EXTEND THE TIME OF RETENTION OF SECONDHAND JEWELRY OR SECONDHAND WATCHES PURCHASED BY A DEALER FROM 72 HOURS TO 14 DAYS; AND TO MAKE REQUIREMENTS FOR PURCHASING SECONDHAND JEWELRY CONSISTENT WITH REQUIREMENTS FOR PAWNING GOODS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapters 5.34 and 5.42 of the Lincoln Municipal Code relating to Pawnbrokers and Secondhand Jewelry and Watch Dealers, respectively, by amending Section 5.34.050 to require pawnbroker forms to be typewritten or machine printed and to require recording of specific identifying marks; amending Section 5.34.060 to add pawnbroker employee to those required to submit daily reports to the Chief of Police; amending Section 5.42.070 to require secondhand jewelry and watch dealer forms to be typewritten or machine printed; amending Section 5.42.0808 to change the phrase "record of transactions" to "form for each transaction"; amending Section 5.42.100 to extend the time of retention of secondhand jewelry or secondhand watches purchased by a dealer from 72 hours to 14 days; amending Section 5.42.110 to make requirements for purchasing secondhand jewelry consistent with requirements for pawning goods; and repealing Sections 5.34.050, 5.34.060, 5.42.070, 5.42.080, 5.42.100 and 5.42.110 of the Lincoln Municipal Code as hitherto exiting, the first time.

AUTHORIZING THE ISSUANCE AND SALE OF LINCOLN ELECTRIC SYSTEM REVENUE BONDS - CLERK read an ordinance, introduced by Coleen Seng, authorizing the issuance and sale of Lincoln Electric System Revenue Bonds, the first time.

AUTHORIZING THE ISSUANCE OF LINCOLN ELECTRIC SYSTEM REVENUE BONDS, SERIES 2001 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$175,000,000 AND TAXABLE LINCOLN ELECTRIC SYSTEM NOTES, SERIES 2001 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$45,000,000 - CLERK read an ordinance, introduced by Coleen Seng, authorizing the issuance of Lincoln Electric System Revenue Bonds, Series 2001 in the aggregate principal amount of not to exceed \$175,000,00 and taxable Lincoln Electric System notes, Series 2001 in the aggregate principal amount of not to exceed \$45,000,000, the first time.

AMENDING ORDINANCE NOS. 16564, 16792, 16800, AND 17681 RELATING TO THE ISSUANCE OF LINCOLN ELECTRIC SYSTEM REVENUE COMMERCIAL PAPER NOTES PROVIDING FOR THE RELATIVE PRIORITY OF SUCH NOTES AND THE ISSUANCE OF TAXABLE COMMERCIAL PAPER NOTES - CLERK read and ordinance, introduced by Coleen Seng, amending Ordinance Nos. 16564, 16792, 16800 and 17681 relating to the

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issuance of Lincoln Electric System Revenue Commercial Paper Notes providing for the relative priority of such notes and the issuance of taxable commercial paper notes, the first time.

**ORDINANCES - 3RD READING**

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 45 ACRES OF PROPERTY GENERALLY LOCATED AT S. 14TH ST. & MOCKINGBIRD LANE NORTH - PRIOR TO READING:

SENG Moved to accept Substitute Ordinance that reads as follows:  
AN ORDINANCE amending Section 5 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17869 (Bill No. 01-97) passed June 25, 2001, prescribing and defining the corporate limits of the City of Lincoln, Nebraska; and repealing Section 5 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17869 (Bill No. 01-97), passed June 25, 2001, as hitherto existing.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SENG Moved to pass the ordinance as amended.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **17876**, is recorded in Ordinance Book 24, Page

VACATING A PORTION OF PINE LAKE RD. FROM THE WEST LINE OF LAZY ACRES SUBDIVISION WEST TO THE RAILROAD RIGHT-OF-WAY, GENERALLY LOCATED WEST OF S. 14TH ST. & PINE LAKE RD. - CLERK read and ordinance, introduced by Annette McRoy, vacating Pine Lake Road from the west line of Lazy Acres Subdivision west to the railroad right-of-way, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska.

COOK Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **17877**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3238 - APPLICATION OF OLSSON ASSOCIATES FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH AND WEST OF S. 70TH STREET AND OLD CHENEY ROAD - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to an 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.

COOK Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **17878**, is recorded in Ordinance Book 24, Page

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,750,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S GOLF COURSE REVENUE REFUNDING BONDS - PRIOR to reading:

COOK Moved to place Bill No. 01-106 on pending indefinitely.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**MISCELLANEOUS BUSINESS**

**PENDING LIST -**

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 4.4 ACRES OF PROPERTY GENERALLY LOCATED NORTH OF S. 14TH ST. & YANKEE HILL RD. (In connection w/01R-144 & 01R-145)

FRIENDT Moved to remove Bill No. 01-98 from pending and to have action and public hearing on 7/23/01.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CAMP Moved to extend the Pending List for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**UPCOMING RESOLUTIONS**

CAMP            Moved to approve the resolutions to have Public Hearing on July  
23, 2001.  
                  Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None;

**ADJOURNMENT**

**5:16 p.m.**

CAMP            Moved to adjourn the City Council Meeting of July 16, 2001.  
                  Seconded by Seng & carried by the following vote: AYES: Camp,  
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None;  
So ordered.

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Joan E. Ross, City Clerk

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Glenna Graupmann, Office Assistant III

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