

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, AUGUST 20, 2001 AT 1:30 P.M.**

The Meeting was called to order at 1:36 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Friendt, Seng, Svoboda, Werner; Teresa Meier-Brock, Deputy 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 August 13, 2001, reported having done so, found same correct.

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

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Don Wesely presented the Mayor's Award of Excellence to Paul Aksamit of the Police Department in the category of Productivity.

**PUBLIC HEARING**

Chief Casady, Lincoln Police Dept., came forward to give an overview of the Special Designated License process. Discussion followed.

APPLICATION OF CHANCES "R" RESTAURANT FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 158' BY 64' AT NEBRASKA CHAMPIONS CLUB, 701 N. 10TH STREET, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001, FROM 8:00 A.M. TO MIDNIGHT - Tom Vanous, York, NE, came forward to request an amendment to the SDL to include the parking lot & to answer any questions. Discussion followed.

Tom Huston, 1900 US Bank Bldg., 233 S. 13th St., came forward representing the Alumni Association, Champions Club requesting the entire parking lot, also, be included in the liquor license. Discussion followed.

Richard Halvorsen, 6311 Inverness Rd., came forward in opposition. This matter was taken under advisement.

APPLICATION OF BARRY GOOD INC. DBA "BARRY'S BAR & GRILL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 142' BY 134' IN THE PARKING LOT AT 301 N. 9TH STREET, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, 2001, FROM 7:00 A.M. TO 1:00 A.M. - Mike & LouMary Webb, no address given, came forward to request approval & to answer any questions.

This matter was taken under advisement.

APPLICATION OF SPRAGUE COUNTRY CLUB FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 150' BY 50' IN THE PARKING LOT AT 9TH AND S STREETS, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 1:00 A.M. - Mary Heusinkvelt & Eric Heusinkvelt, Sprague Country Club, came forward to request approval & to answer any questions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF PICKFAIR ENTERTAINMENT CORP. DBA "BIG RED KENO SPORTS BAR & GRILL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 50' BY 25' AT 955 WEST "O" STREET ON AUGUST 25, SEPTEMBER 1, 8, 15, OCTOBER 6, 20, 27, NOVEMBER 10, 2001, FROM 8:00 A.M. TO 1:00 A.M. - Chris Anderson, 5408 W Madison, Lincoln, came forward to answer any questions.

Richard Halvorsen, 6311 Inverness Rd., came forward to state that all SDL applications have to be received by the Liquor Commission 10 working days prior to the event & these SDL's only have five days before their first event.

Joel Pedersen, Ass't. City Attorney, stated that these are Administrative rules of both the Liquor Commission & the City Clerk & in trying to accommodate the number of applications they have been approved within 5 days & are effective.

This matter was taken under advisement.

APPLICATION OF LINCOLN P STREET CATERING DBA "EMBASSY SUITES HOTEL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 92' BY 150' IN THE DOCK AREA AT 1040 P STREET ON AUGUST 24, 25, AND 31, SEPTEMBER 1, 7, 8, 14, AND 15, OCTOBER 5, 6, 19, 20, 26, AND 27, AND NOVEMBER 9 AND 10, 2001, FROM 6:00 A.M. TO 1:00 A.M. - Kraig Pomrenke, 626 Lyncrest Dr., Manager of Embassy Suites, came forward to answer any questions. Discussion followed.  
This matter was taken under advisement.

APPLICATION OF LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 200' BY 120' IN THE OLD KINGS BUFFET PARKING LOT LOCATED NORTH OF R STREET BETWEEN 9TH AND 10TH STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - Kraig Ponrenke, 626 Lyncrest Dr., Manager of Embassy Suites, came forward to answer any questions & to state there is no booking for this location as of yet. Discussion followed.  
This matter was taken under advisement.

APPLICATION OF LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 132' BY 120' AT 926 P STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - Kraig Pomrenke, 626 Lyncrest Dr., Manager of Embassy Suites, came forward to answer any questions & to state there is no booking for this location as of yet.  
This matter was taken under advisement.

APPLICATION OF LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 125' BY 170' AT 900 Q STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - Kraig Pomrenke, 626 Lyncrest Dr., Manager of Embassy Suites, came forward to answer any questions & to state there was some interest from the Alumni's of Notre Dame & Oklahoma, but there is no booking for this location as of yet. Discussion followed.  
This matter was taken under advisement.

APPLICATION OF GEEMAX INC. DBA "N ZONE" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 63 ½' BY 108' AT 728 ½ Q STREET ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 1:00 A.M. - John Boehm, 811 S. 13th St. & Mike McCarty, Manager, came forward to answer any questions.  
This matter was taken under advisement.

APPLICATION OF DESTINY PRODUCTIONS INC. FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 140' BY 18' AT THE PORT HURON BLDG. DOCK LOCATED AT 803 Q STREET ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 8:00 P.M. - Russ Bayer, owner of Port Huron Bldg., came forward to request approval & answer any questions.  
This matter was taken under advisement.

APPLICATION OF WILDERNESS RIDGE L.L.C. DBA "WILDERNESS RIDGE GOLF COURSE" TO AMEND THE PREVIOUSLY APPROVED CLASS "C" LIQUOR APPLICATION TO INCLUDE THE ENTIRE GOLF COURSE AND THE TEMPORARY CLUBHOUSE LOCATED AT 1800 WILDERNESS WOODS PLACE - Danay Kalkowski, 1111 Lincoln Mall, #350, took oath & to ask that the amendment include the temporary clubhouse. Discussion followed.  
This matter was taken under advisement.

AMENDING SECTION 2.62.200 OF THE LINCOLN MUNICIPAL CODE TO ALLOW MEMBERS OF THE POLICE AND FIRE PENSION PLANS "B" AND "C" TO SWITCH TO PLAN "A" WITHIN SIX MONTHS AFTER DEFERRED RETIREMENT OPTION PLAN IMPLEMENTATION - Jon Camp, Council Member, asked Georgia Glass, Personnel Director, how this would impact the City.  
Georgia Glass, Personnel Director, stated there should not be any impact to the City as the drop plan is in place. Discussion followed.  
Paul Lutomski, Police & Fire Pension Specialist, came forward to explain the process of the amendment to Section 2.62.200 of the Lincoln Municipal Code that is being proposed. Discussion followed.  
This matter was taken under advisement.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 251 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS. (IN CONNECTION W/01-136, 01-137, 01R-220, 01R-221, 01R-222, 01R-225) (REQUEST TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READINGS 08/20/01);

CHANGE OF ZONE 3325 - AMENDING CHAPTER 27.51 OF THE LINCOLN MUNICIPAL CODE TO ALLOW DEVELOPMENT OF A MINIMUM OF 50 ACRES INSTEAD OF 75 ACRES IN THE I-3

EMPLOYMENT CENTER DISTRICT. (IN CONNECTION W/01-135, 01-137, 01R-220, 01R-221, 01R-222, 01R-225) (REQUEST TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READINGS 8/20/01);

CHANGE OF ZONE 3265 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO I-3 EMPLOYMENT CENTER AND R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS. (IN CONNECTION W/135, 01-136, 01R-220, 01R-221, 01R-222, 01R-225);

SPECIAL PERMIT 1845 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES TO DEVELOP STONE BRIDGE CREEK COMMUNITY UNIT PLAN FOR 437 DWELLING UNITS AND A MODIFICATION OF THE LOT AREA, WIDTH, AND SIZE FOR OUTLOTS AND SPECIFIED RESIDENTIAL AND TOWNHOUSE LOTS IN THE PROPOSED R-3 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS. (IN CONNECTION W/01-135, 01-136, 01-137, 01R-221, 01R-222, 01R-225);

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF STONE BRIDGE CREEK FOR 315 SINGLE FAMILY LOTS, 80 ATTACHED SINGLE FAMILY LOTS, 1 MULTI-FAMILY LOT, 7 OUTLOTS, 2 INDUSTRIAL LOTS AND 2 LARGE LOTS FOR POTENTIAL FUTURE URBAN VILLAGE, WITH A WAIVER OF THE REQUIREMENTS REGARDING THE LOCATION OF SANITARY SEWER MAINS, STREET TREES ALONG I-80, DOUBLE FRONTAGE LOTS, AND LOT LINE ANGLES, ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS. (IN CONNECTION W/01-135, 01-136, 01-137, 01R-220, 01R-222, 01R-225);

USE PERMIT 139 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES TO DEVELOP 500,500 SQ. FT. OF INDUSTRIAL AND OFFICE SPACE, WITH REDUCTION OF THE FRONT AND SIDE YARDS, ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS. (IN CONNECTION W/01-135, 01-136, 01-137, 01R-220, 01R-221, 01R-225);

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND STONEBRIDGE CREEK L.L.C. OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 251.07 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN INTERSTATE 80 AND ARBOR ROAD EAST OF NORTH 14TH STREET. (IN CONNECTION W/01-135, 01-136, 01-137, 01R-220, 01R-221, 01R-222) - Bob Hampton, President of Hampton Development, came forward to describe his project & to answer any questions.

Mark Hunzeker, 530 S. 13th St., Suite B, came forward representing Hampton Development, requested to have 2nd & 3rd reading this day & to answer any questions. Discussion followed.

Kathleen Sellman, Planning Director, came forward to answer questions.

Becky Horner, Planning Dept., stated that Public Works could better address the waivers.

Dennis Bartels, Public Works, came forward to answer questions.

Richard Halvorsen, 6311 Inverness Rd., stated that Hampton Development did not have a good enough reason to suspend the rules to have 2nd & 3rd readings this date.

This matter was taken under advisement.

CHANGE OF ZONE 3323 - APPLICATION OF PARK RIDGE APARTMENTS, L.L.C. FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST C STREETS. (IN CONNECTION W/01R-223, 01R-224);

RENAMING CHARLES AVE. AS HANNEMAN DR. BEGINNING AT THE NORTH APPROACH OF THE INTERSECTION OF TRIMBLE DR. & W. "C" ST. & EXTENDING NORTH & EAST THROUGH THE MUFF 2ND ADD. PRELIMINARY PLAT;

SPECIAL PERMIT 1733B - APPLICATION OF PARK RIDGE APARTMENTS, L.L.C. TO DEVELOP MUFF 2ND ADDITION COMMUNITY UNIT PLAN FOR AN ADDITIONAL 83 DWELLING UNITS, WITH A REDUCTION OF THE REQUIRED LOT AREA, ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST "C" STREETS. (IN CONNECTION W/01R-224, 01-138);

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF MUFF 2ND ADDITION FOR 12 LOTS ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST "C" STREETS. (IN CONNECTION W/01-224, 01-138) - Bob Stevens, no address given, came forward to answer any questions.

This matter was taken under advisement.

SPECIAL PERMIT 1423C - APP-. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84<sup>TH</sup> ST. & OLD CHENEY RD. (3/13/00 - TO REMAIN ON PENDING) (8/6/01- REMOVED FROM PENDING FOR PUBLIC HEARING & ACTION 8/13/01) (8/13/01 - PUB. HEARING CONT'D & ACTION DELAYED FOR 1 WEEK TO 8/27/01) (ACCEPTED SUB. RESO, 7-0; AMENDED, 4-3; CAMP, FRIENDT, SVOBODA DISSENTING; ADOPTED AS AMENDED, 5-2; CAMP, SVOBODA DISSENTING; A-81045) - Mark Hunzeker, 530 S. 13th St., Suite B, representing Charter group out of Arizona came forward to answer any questions. Discussion followed.

Cindy Anderson, 5524 S. 88th Street, came forward in opposition. Discussion followed.

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

Jason Reynolds, Planning Dept., came forward to answer questions.

Dennis Bartels, Public Works Dept., came forward to answer questions.

Daren Shrader, 5430 S 88th Street, came forward in opposition.

This matter was taken under advisement.

APPROVING THE STARTRAN RATE SCHEDULE TO INCREASE THE STARTRAN FARE STRUCTURE -

Larry Worth, Transit Manager for StarTran, came forward to make a presentation of the rates & to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND GAGE COUNTY FOR THE NEBRASKA USED OIL COLLECTION AND REFUSE PROGRAM ALLOWING FOR THE DEVELOPMENT OF TWO USED OIL COLLECTION SITES WITHIN LANCASTER COUNTY AND EXPENDITURE OF STATE GRANT FUNDS TO MAKE CAPITAL IMPROVEMENTS AND ACQUIRE USED OIL COLLECTION EQUIPMENT AND SUPPLIES - Gene Hanlon, Recycling Coordinator for Public Works, came forward to explain the agreement & to answer any questions.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF MARY F. BILLS TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A SIX YEAR TERM TO EXPIRE ON AUGUST 24, 2007 - Glenn Friendt, Council Member, expressed his opinion that this position is replacing Russ Bayer, so therefore, it should be replaced with someone with Russ Bayer's business experience.

This matter was taken under advisement.

ADOPTING THE CITY OF LINCOLN 2001-2002 ANNUAL OPERATING BUDGET - Steve Hubka, Budget Officer, stated that there are corrections to the budget on page C-1, Capital Improvement Fire Dept., didn't show reduction of ADL & on page C-2 the shared service to the Health Dept. Capital Improvement total should be \$2,330,000. Discussion followed.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **LIQUOR RESOLUTIONS**

APPLICATION OF CHANCES "R" RESTAURANT FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 158' BY 64' AT NEBRASKA CHAMPIONS CLUB, 701 N. 10TH STREET, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001, FROM 8:00 A.M. TO MIDNIGHT - PRIOR to reading:

FRIENDT Moved to have the liquor license include the parking lot of the Nebraska Champions Club.

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

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

A-81034 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 Chances "R" Restaurant for a Special Designated License to cover an area measuring 158 feet by 64 feet at Nebraska Champions Club, 701 N. 10th Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 8:00 a.m. and midnight, be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.  
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 BARRY GOOD INC. DBA "BARRY'S BAR & GRILL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 142' BY 134' IN THE PARKING LOT AT 301 N. 9TH STREET, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, 2001, FROM 7:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81035 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 Barry Good, Inc. dba Barry's Bar & Grill for a Special Designated License to cover an area measuring 142 feet by 134 feet in the parking lot at 301 North 9th Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, 2001, between the hours of 7:00 a.m. and 1:00 a.m., be approved with the condition that the applicant and premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification shall be checked on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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 SPRAGUE COUNTRY CLUB FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 150' BY 50' IN THE PARKING LOT AT 9TH AND S STREETS, ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for disapproval:

A-81036 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 Sprague Country Club for a Special Designated License to cover an area measuring 150 feet by 50 feet at 9th and S Streets, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 8:00 a.m. and 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; 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: None; NAYS: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner.

APPLICATION OF PICKFAIR ENTERTAINMENT CORP. DBA "BIG RED KENO SPORTS BAR & GRILL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 50' BY 25' AT 955 WEST "O" STREET ON AUGUST 25, SEPTEMBER 1, 8, 15, OCTOBER 6, 20, 27, NOVEMBER 10, 2001, FROM 8:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81037 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 Pickfair Entertainment d/b/a Big Red Keno Bar & Grill for

a Special Designated License to cover an area measuring 50 feet by 25 feet at 955 West O Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 8:00 a.m. and 1:00 a.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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 LINCOLN P STREET CATERING DBA "EMBASSY SUITES HOTEL" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 92' BY 150' IN THE DOCK AREA AT 1040 P STREET ON AUGUST 24, 25, AND 31, SEPTEMBER 1, 7, 8, 14, AND 15, OCTOBER 5, 6, 19, 20, 26, AND 27, AND NOVEMBER 9 AND 10, 2001, FROM 6:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81038 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 Lincoln P Street Catering Co. d/b/a Embassy Suites Hotel for a Special Designated License to cover an outdoor area in the back deck area at 1040 P Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 6:00 a.m. and 1:00 a.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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 LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 200' BY 120' IN THE OLD KINGS BUFFET PARKING LOT LOCATED NORTH OF R STREET BETWEEN 9TH AND 10TH STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for disapproval:

A-81039 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 Lincoln P Street Catering Co. for a Special Designated License to cover an area in the Old Kings Buffet parking lot located north of R Street between 9th and 10th Street, Lincoln, Nebraska, on September 8 and October 27, 2001 between the hours of 6:00 a.m. and 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; 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 Werner & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: McRoy.

APPLICATION OF LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 132' BY 120' AT 926 P STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

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

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

A-81040 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 Lincoln P Street Catering Co. for a Special Designated License to cover an area measuring 132 feet by 120 feet at 926 P Street, Lincoln, Nebraska, on September 8 and October 27, 2001, between the hours of 6:00 a.m. and 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; 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, Friendt, Seng, Svoboda; NAYS: Cook, McRoy, Werner.

APPLICATION OF LINCOLN P STREET CATERING FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 125' BY 170' AT 900 Q STREET ON SEPTEMBER 8 AND OCTOBER 27, 2001 FROM 6:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for disapproval:

A-81041 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 Lincoln P Street Catering Co. for a Special Designated License to cover an area measuring 125 feet by 170 feet at 900 Q Street, Lincoln, Nebraska, on September 8 and October 27, 2001, between the hours of 6:00 a.m. and 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; 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, Friendt, Seng, Svoboda; NAYS: Cook, McRoy, Werner.

APPLICATION OF GEEMAX INC. DBA "N ZONE" FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 63 ½' BY 108' AT 728 ½ Q STREET ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81042 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 Geemax, Inc. dba N Zone for a Special Designated License to cover an area measuring 63 ½ feet by 108 feet at 728 ½ Q Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 8:00 a.m. and 1:00 a.m., be approved with the condition that the applicant and premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification shall be checked on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.  
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, Svoboda, Werner; NAYS: Seng.

APPLICATION OF DESTINY PRODUCTIONS INC. FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 140' BY 18' AT THE PORT HURON BLDG. DOCK LOCATED AT 803 Q STREET ON AUGUST 25, SEPTEMBER 1, 8, AND 15, OCTOBER 6, 20, AND 27, AND NOVEMBER 10, 2001 FROM 8:00 A.M. TO 8:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81043 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 Destiny Productions Inc. for a Special Designated License to cover an area measuring 140 feet by 18 feet at the Port Huron Bldg. dock located at 803 Q Street, Lincoln, Nebraska, on August 25, September 1, 8, and 15, October 6, 20, and 27, and November 10, 2001, between the hours of 8:00 a.m. and 1:00 a.m., be approved with the condition that the applicant and premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification shall be checked on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

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 WILDERNESS RIDGE L.L.C. DBA "WILDERNESS RIDGE GOLF COURSE" TO AMEND THE PREVIOUSLY APPROVED CLASS "C" LIQUOR APPLICATION TO INCLUDE THE ENTIRE GOLF COURSE AND THE TEMPORARY CLUBHOUSE LOCATED AT 1800 WILDERNESS WOODS PLACE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81044 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 Wilderness Ridge L.L.C. dba "Wilderness Ridge Golf Course" to amend the previously approved Class "C" liquor license to include the entire golf course and the temporary clubhouse located at 1800 Wilderness Woods Place, Lincoln, Nebraska, as shown on the application, for the license period ending October 31, 2001, 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.

#### ORDINANCES - 2ND READING

AMENDING SECTION 2.62.200 OF THE LINCOLN MUNICIPAL CODE TO ALLOW MEMBERS OF THE POLICE AND FIRE PENSION PLANS "B" AND "C" TO SWITCH TO PLAN "A" WITHIN SIX MONTHS AFTER DEFERRED RETIREMENT OPTION PLAN IMPLEMENTATION - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 2.62.200 of the Lincoln Municipal Code to provide members of Police and Fire Pension Plans "B" and "C" the opportunity to elect to participate in Police and Fire Pension Plan "A" subsequent to the implementation of the Deferred Retirement Option Plan, and repealing Section 2.62.200 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING SECTION 10.16.030 OF THE LINCOLN MUNICIPAL CODE WITH REGARD TO THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL TO BRING THE LEVEL OF ALCOHOL IN BLOOD OR BREATH INTO COMPLIANCE WITH STATE STATUTE -CLERK read an ordinance, introduced by Jonathan Cook, amending Section 10.16.030 of the Lincoln Municipal Code to bring the level of alcohol in blood or breath into compliance with state statute; and repealing Section 10.16.130 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 251 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 20 of Ordinance No. 8730, passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17870, passed June 25, 2001, prescribing and defining the corporate limits of the City of Lincoln, Nebraska; and repealing Section 20 of Ordinance No. 8730 passed May 17, 1965, as last amended by Section 1 of Ordinance No. 17870, passed June 25, 2001, as hitherto existing, the second time.

CHANGE OF ZONE 3325 - AMENDING CHAPTER 27.51 OF THE LINCOLN MUNICIPAL CODE TO ALLOW DEVELOPMENT OF A MINIMUM OF 50 ACRES INSTEAD OF 75 ACRES IN THE I-3 EMPLOYMENT CENTER DISTRICT - CLERK read an ordinance, introduced by Jonathan Cook, amending Sections 27.51.030, 27.51.090, and 27.51.100 of the Lincoln Municipal Code to allow development of a minimum of 50 acres instead of 75 acres in the I-3 Employment Center District; and repealing Sections 27.51.030, 27.51.090, and 27.51.100 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 3265 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO I-3 EMPLOYMENT CENTER AND R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH and NORTH 27TH STREETS, NORTH OF I-80 and SOUTH OF ALVO AND ARBOR ROAD - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.012 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 3323 - APPLICATION OF PARK RIDGE APARTMENTS, L.L.C. FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST C STREETS - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

#### RESOLUTIONS

SPECIAL PERMIT 1423C - APP. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84<sup>TH</sup> ST. & OLD CHENEY RD. - PRIOR to reading:  
SENG Moved to accept a Substitute Resolution for Bill No. 01R-64.  
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

COOK Moved to accept an alternate amendment for Bill No. 01R-64 as follows:  
1. On page 2, delete lines 15, 16 & 17 & insert the following in lieu thereof: Permittee shall grant a hiker/biker trail easement between 84th Street & Old Cheney Road in accordance with the Memorandum attached hereto marked as Exhibit "A" and incorporated herein by this reference. 2. On page 6, after line 3, insert the following: BE IT FURTHER RESOLVED that the Memorandum attached hereto marked as Exhibit "A" is hereby approved & the Mayor is authorized to execute the same on behalf of the City of Lincoln, Nebraska provided that the Memorandum is amended to delete in its entirety the last paragraph under paragraph 4 of the Memorandum (Trail Maintenance & Operations) relating to the commuter & recreational use of the trail.  
Seconded by Seng & carried by the following vote: AYES: Cook,

McRoy, Seng, Werner; NAYS: Camp, Friendt, Svoboda.

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

WHEREAS, Dru, Guy, and David Lammle have submitted an application designated as Special Permit No. 1423C for authority to amend the HiMark Estates Community Unit Plan to add land to the community unit plan, increase the number of dwelling units from 240 to 272 in the area designated for multi-family, and to approve the site plan for the multiple family area on property located at the northeast corner of South 84th Street and Old Cheney Road, and legally described to wit:

Lot 2 I.T., all of Outlot "D" HiMark Estates 1st Addition, Outlot "D", and that part of Outlot "E" HiMark Estates Addition, the part of Outlot "E" is more particularly described as:  
Commencing at the northwest corner of Lot 7, block 2, HiMark Estates; thence north 00 degrees 00 minutes 00 seconds east (assumed bearing) along the west line of Lot 6, Block 2, HiMark Estates Addition 14.28 feet to the point of beginning; thence north 76 degrees 30 minutes 07 seconds, 540.46 feet along the north line of Outlot "D", HiMark Estates Addition; thence continuing along said north line south 89 degrees 54 minutes 36 seconds west, 275.0 feet to the east right-of-way line of 84th Street; thence north 00 degrees 05 minutes 27 seconds west, 70.0 feet along said right-of-way line; thence north 89 degrees 54 minutes 36 seconds east, 275.0 feet; thence south 71 degrees 16 minutes 39 seconds east, 555.01 feet to the west line of Lot 6, Block 2, HiMark Estates Addition; thence south 00 degrees 00 minutes 00 seconds east, 18.0 feet to the point of beginning, all located in the southwest Quarter of Section 11, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this revised 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 Dru, Guy, and David Lammle, hereinafter referred to as "Permittee", to add land to the community unit plan, increase the number of dwelling units from 240 to 272 in the area designated for multi-family, and to approve the site plan for the multiple family, 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 maximum of 272 dwelling units.
2. ~~Permittee has agreed with the Parks and Recreation Department upon a suitable bike trail easement between 84th Street and Old Cheney Road as shown on the revised site plan. Permittee shall grant a hiker/biker trail easement between 84th Street & Old Cheney Road in accordance with the Memorandum attached hereto marked as Exhibit "A" and incorporated herein by this reference.~~
3. The 404 permit shall be obtained prior to the fill of any wetlands on the site.
4. Before receiving building permits:
  - a. The Permittee must submit a revised and reproducible final plan including five copies. Said plan shall show:
    - i. A note indicating that Permittee shall provide documented right of passenger vehicular access from a public street to Lot 48 I.T. for a single family dwelling only.
    - ii. Move the eastern apartment buildings farther away from the 25-foot vehicular access easement to S. 88th Street. There must be room along the driveway for sidewalks to connect to the north

- and south entrances to the buildings.
- iii. A note as follows: The driveway connection to South 88th Street shall be constructed prior to the completion of medians in Old Cheney Road. The minimum driveway width shall be 24 feet; however, as an alternative with agreement of the Public Works Department, Permittee may dedicate sufficient right-of-way and construct facilities for eastbound U-turns at 88th and Old Cheney Road, and build the access to 88th Street as an 18-foot wide exit only.
  - iv. A note indicating that wetland mitigation will be at a 1:1 ratio (.48 acres) and will be conducted offsite pursuant to a Section 404(b) permit issued by the Army Corps of Engineers.
  - v. Delete the word "both" in Note 5 and add the following sentence: The bike trail shall not be obstructed by a gate, fence or any other structure.
  - vi. A note saying: The car wash facility shall include signage indicating that its use is restricted to residents. The car wash mechanism shall operate by card or tokens, not coins.
  - vii. Relabel "water surface elevation" and "relocated min. flood corridor" as "100 year storm limit" and "100 year storm conveyance corridor", respectively. Label the elevations of the 100 year storm and demonstrate on the plan that all building pads are at least one foot above that elevation.
  - viii. Add a note to the landscape plans stating: Street trees on Old Cheney Road and South 84th Street are to be planted on private property.
  - ix. Correct either the botanical or common name of Emerald Luster Maple. Also, give it a different key designation so it is not confused with Red Sunset Maple.
  - x. Correct the spelling in Cimmaron Ash botanical name.
  - xi. Provide the design spread and height for plant materials to assure compliance with design standards and revise plant materials to the satisfaction of the Parks and Recreation Department.
  - xii. Revise the grading plan as indicated in the March 19, 2001 Public Works memo.
  - xiii. Reduce the slope on the west driveway.
  - xiv. Correct the storm sewer system as outlined in the March 19, 2001 Public Works memo.
  - xv. Revise the grading plan so that the utility grading and the grading plan match.
  - xvi. Add a note to the site plan as follows: The car wash facility shall be a pavillion type structure, with a roof supported by pillars and only two walls, no more than five feet in height. The design of the structure shall be consistent architecturally with the multi-family dwellings and clubhouse, and a building elevation shall be supplied to the Planning Department and attached to the site plan
- b. The construction plans must conform to the approved plans.
  - c. The final plat within this community unit plan must be approved by the City.
  - d. Construction specifications for the low-flow water crossing shall be provided to the Lower Platte South Natural Resources District for review and comment.
5. Before occupying the dwelling units:
- a. All development and construction must be completed in conformance with the approved plans.
  - b. Provide necessary utility easements as requested by

LES and add a note to the site plan stating that relocation of existing facilities will be at the owner/developer's expense.

6. All privately-owned improvements shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City Attorney.

7. 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.

8. 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.

9. 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.

10. The site plan as approved with this resolution voids and supersedes all previously approved plans for this site, however, all resolutions approving previous permits remain in force unless specifically amended by this resolution.

BE IT FURTHER RESOLVED that the Memorandum attached hereto marked as Exhibit "A" is hereby approved & the Mayor is authorized to execute the same on behalf of the city of Lincoln, Nebraska provided that the memorandum is amended to delete in its entirety the last paragraph under paragraph 4 of the Memorandum (Trail Maintenance & Operations) relating tot he commuter & recreational use of the trail.

Introduced by Coleen Seng

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

APPROVING THE STARTRAN RATE SCHEDULE TO INCREASE THE STARTRAN FARE STRUCTURE - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

<u>A-81046</u>	WHEREAS, pursuant to Section 2.38.100 of the Lincoln Municipal Code, the StarTran Advisory Board has made recommendations regarding increases in the StarTran Fare Structure; and	
	WHEREAS, the City Council, pursuant to said Code section, must review all recommendations and take final action thereon.	
	NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:	
	That the City Council, upon review of the recommendations of the StarTran Advisory Board, hereby accepts and adopts the following as the StarTran fare structure to increase the student cash fares and student ticket books:	
	HandiVan & Brokerage Services (cash)	<del>\$ 1.70/ride</del>
	<u>\$2.00/ride</u>	
	Adult Ticket Book (HandiVan & Brokerage Services)	<del>\$34.00/book</del> <u>\$40.00/book</u>
	Friends/Companions who accompany	Same fare as paid by
	ADA eligible persons on HandiVan or Brokerage Services	ADA eligible person
	Passport (Unlimited rides per month (HandiVan & Brokerage Services)	<del>\$50.00/month</del> 60.00/month
	Adult Cash	<del>\$.85/ride</del> <u>\$1.00/ride</u>
	Student (elementary, middle & high school)	\$ 1.00/ride
	Child (4 and under)	Free
	Star Shuttle/Downtown Zone	\$ .25/ride
	Go-For-Less & Senior Saver	<del>\$ .40/ride</del> <u>\$ .50/ride</u>
	Adult Ticket Book (regular service)	<del>\$17.00/book</del> <u>\$20.00/book</u>
	Student Ticket Book (20 ride)	\$20.00/card
	Elderly Handicapped Punch Pass (Regular service 20-ride)	<del>\$ 7.00/card</del> <u>\$10.00/card</u>
	Passport (Unlimited rides/month Regular Service)	<del>\$25.00/month</del> <u>\$30.00/month</u>
	Transfers	Free
	Ride 'N Shop reimbursements	\$ .40
	Holiday Light Tour	\$ 2.00/ride paid in advance



**REGULAR MEETING  
AUGUST 20, 2001  
PAGE 540**

FRONT AND SIDE YARDS, ON PROPERTY GENERALLY LOCATED BETWEEN NORTH 14TH AND NORTH 27TH STREETS, NORTH OF I-80 AND SOUTH OF ALVO AND ARBOR ROADS (In connection w/01-135, 01-136, 01-137, 01R-220, 01R-221, 01R-225) - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-222 for one week to 8/27/01.  
Seconded by Cook & **LOST** by the following vote: AYES: Cook, Seng, Werner; NAYS: Camp, Friendt, McRoy, Svoboda.  
FRIENDT Moved to reconsider the delay of Bill No. 01R-222.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
WERNER Moved to delay action on Bill No. 01R-222 for one week to 8/27/01.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: Friendt.

SPECIAL PERMIT 1733B - APPLICATION OF PARK RIDGE APARTMENTS, L.L.C. TO DEVELOP MUFF 2ND ADDITION COMMUNITY UNIT PLAN FOR AN ADDITIONAL 83 DWELLING UNITS, WITH A REDUCTION OF THE REQUIRED LOT AREA, ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST "C" STREETS - (In connection w/01R-224, 01-138) - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-223 for one week to 8/27/01.  
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 MUFF 2ND ADDITION FOR 12 LOTS ON PROPERTY GENERALLY LOCATED AT S.W. 8TH AND WEST "C" STREETS - (In connection w/01R-223, 01-138) - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-224 for one week to 8/27/01.  
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY AND STONEBRIDGE CREEK L.L.C. OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 251.07 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN INTERSTATE 80 AND ARBOR ROAD EAST OF NORTH 14TH STREET - (In connection w/01-135, 01-136, 01-137, 01R-220, 01R-221, 01R-222) - PRIOR to reading:

SENG Moved to delay action on Bill No. 01R-225 for one week to 8/27/01.  
Seconded by Cook & **LOST** by the following vote: AYES: Cook, Seng, Werner; NAYS: Camp, Friendt, McRoy, Svoboda.  
FRIENDT Moved to reconsider the delay of Bill No. 01R-225.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.  
WERNER Moved to delay action on Bill No. 01R-225 for one week to 8/27/01.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE REAPPOINTMENT OF JON D. CARLSON TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A SIX YEAR TERM TO EXPIRE AUGUST 24, 2007 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81048 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Jon D. Carlson to the Lincoln-Lancaster County Planning Commission for a six-year term expiring August 24, 2007 is hereby approved.  
Introduced by Glenn Friendt  
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE APPOINTMENT OF MARY F. BILLS TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION FOR A SIX YEAR TERM TO EXPIRE ON AUGUST 24, 2007 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81049 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Mary F. Bills to the Lincoln-Lancaster County Planning Commission for a six-year term expiring August 24, 2007 is hereby approved.  
Introduced by Glenn Friendt  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADOPTING THE CITY OF LINCOLN 2001-2002 ANNUAL OPERATING BUDGET - CLERK read

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

- A-81050 WHEREAS, under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln, the proposed annual budget for the City of Lincoln was submitted on June 25, 2001; and
- WHEREAS, under the provisions of Section 26 of Article IX of the City Charter, a public hearing on the proposed budget was held on August 6, 2001 notice thereof having been published in one issue of the Lincoln Journal and Star, a newspaper of general circulation in the City, more than five days before such hearing; and
- WHEREAS, all necessary changes have been made as to revenue estimates and appropriation items.
- NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska;
1. That pursuant to the provisions of Article IX of the Charter of the City of Lincoln, the budget for the fiscal year beginning September 1, 2001, a copy of which is hereto attached and made a part of this resolution as fully as if set forth verbatim herein, is hereby adopted, and the several sums therein set forth to be raised by the levy of a tax upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, the estimated balances on hand, the miscellaneous receipts and all other funds and receipts are hereby appropriated for the several purposes therein stated. That all money received in any of the aforesaid funds in excess of the estimated balances and receipts set forth in said budget shall be credited to the unappropriated surplus of such funds.
  2. The City Council, by adoption of the Capital Improvement Program on Schedule 5 of this resolution, hereby authorizes the acquisition of all necessary right-of-way, easements, or other interest in land, by purchase if possible, by condemnation if necessary, for those projects included within the first year of said Capital Improvement Program.
  3. Pursuant to Section 2 of L.B. 989 passed by the Second Session of the Ninety-Fifth Legislature, the City is authorized to increase budgeted restricted funds by the basic allowable growth percentage of the base (2.5%) and allowable growth due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation and any personal property valuation over the prior year above 2.5% expressed in dollars and to utilize other lid exemptions authorized in L.B. 989. Such increase is hereby authorized to the extent necessary to generate the revenues to fund the budget, and any unused restricted funds authority is hereby authorized to be carried forward to future budget years.
  4. Pursuant to the agreement for the provision of services related to the emergency medical care system in Lincoln, Nebraska, the annual budget for Emergency Medical Services, Inc. a copy of which is attached hereto, labeled Schedule 6, is hereby approved.
  5. There is hereby appropriated all money now credited or which will be credited to any Internal Service Fund, Trust Fund, Agency Fund, and Enterprise Fund, now or heretofore created, notwithstanding any sum limitations set forth in the budget attached hereto.
  6. There is hereby appropriated all money now credited or which will be credited to the Building and Safety Fund notwithstanding any sum limitation set forth in the budget attached hereto.
  7. There is hereby appropriated all money received or to be received from the County of Lancaster, the State of Nebraska, or the United States, as well as from any grants, donations, or contributions received for public purposes and the interest earned thereon, notwithstanding any sum limitations set forth in the budget attached hereto.
  8. There is hereby appropriated all money received from the interest income on the investments of all authorized bond issue proceeds including bond anticipation notes for the purposes for which said bonds and notes have been authorized to be issued, notwithstanding any sum limitations set forth in the budget attached hereto.
  9. There is hereby appropriated in the Worker's Compensation Loss Revolving Fund all amounts included in the budget for Worker's Compensation benefits, together with any recoveries on account of subrogation interests, from which fund all losses and costs incidental to the administration of such losses shall be paid, notwithstanding any sum limitations set forth in the budget attached hereto.
  10. There is hereby appropriated to the credit of the Social

Security Fund and Payroll Liability Account, in addition to the tax levied therefor, any money deducted from employees' salaries and wages together with any departmental contributions in non-tax supported funds, notwithstanding any sum limitations set forth in the budget attached hereto.

11. There is hereby appropriated all money now credited or which will be credited to the Self-Insured Health Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

12. There is hereby appropriated cash balances credited to the Health Care Fund, notwithstanding any sum limitation set forth in the budget attached hereto, for payment as needed to provide health care benefits to City employees.

13. There is hereby appropriated all money now credited or which will be credited to the Snow Removal Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

14. There is hereby appropriated all money now credited or which will be credited to the Vehicle Tax Construction Fund created by Section 3.20.220 of the L.M.C. (Vehicle Tax for street improvements) notwithstanding any sum limitation set forth in the budget attached hereto.

15. There is hereby appropriated all money now credited or which will be credited to the Unemployment Insurance Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

16. All receipts for on street parking meter collections are pledged toward the payment of bonds assigned for payment from the Parking Revenue Fund. Parking meter receipts in excess of those required to meet provisions of the bond covenants shall be credited to the General Fund up to the amounts budgeted.

17. There is hereby appropriated all money now credited or which will be credited to the Parking Lot Revolving Fund to be used for designing, acquiring, constructing, maintaining, repairing, regulating, supervising and policing of City owned parking lots and facilities in accordance with L.M.C. Chapter 10.34 and Chapter 10.36, notwithstanding any sum limitations set forth in the budget attached hereto.

18. There is hereby appropriated to the Street Construction Fund all monies received as the City's share of the Highway Allocation Fund and the Grade Crossing Protection Fund, together with any other Federal, State, and County funds, received for street construction purposes, any reimbursements and matching funds, including Federal Road Funds, all of which monies are hereby appropriated and reappropriated for all purposes as authorized by State laws pertaining to such funds, notwithstanding any sum limitations set forth in the budget attached hereto.

19. There is hereby appropriated in the Special Assessment Revolving Fund all monies in said fund for expenditures as authorized by Article VIII of the City Charter, Section 10a and all money received to the credit of the Special Assessment Revolving Fund including bond

proceeds, grants, donations, special assessment collections, and City participation deemed necessary by the City Council, notwithstanding any sum limitations set forth in the budget attached hereto.

20. There is hereby appropriated all money now credited or which will be credited in the Advance Acquisition Fund as provided in Article IX B, Section 12 of the City Charter, notwithstanding any sum limitation set forth in the budget attached hereto.

21. There is hereby appropriated all money now credited or which will be credited to the 911 Communication Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

22. There is hereby appropriated all money now credited or which will be credited to the Auditorium Promotion Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

23. There is hereby appropriated all money now credited or which will be credited to the Arbitrage Rebate Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

24. There is hereby appropriated all money now credited or which will be credited to the Tax Sale Revolving Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

25. There is hereby appropriated all money now credited or to be credited in the City Aviation Promotion Fund as provided in Neb. Rev. Stat. Section 3-504.02 (1991), notwithstanding any sum limitation set forth in the budget attached hereto.

26. There is hereby appropriated KENO proceeds for mandated payments, and 1% for administrative fees.

27. There is hereby appropriated all money in the Cable Access Television Fund, notwithstanding any sum limitations set forth in the

budget attached hereto.

28. There is hereby appropriated all monies now credited or which will be credited to the Community Improvement Financing Fund and all Tax Allocation Bond Debt Service funds, notwithstanding any sum limitations set forth in the budget attached hereto.

29. There is hereby appropriated all money now credited or which will be credited to the Disaster Recovery Fund, notwithstanding any sum limitation set forth in the budget attached hereto, for paying disaster related expenditures or for reimbursement to other City funds which have made disaster related expenditures for which reimbursement from outside sources has been received or as otherwise appropriated.

30. There is hereby appropriated all money now credited or which will be credited to the Property Tax Refund Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

31. There is hereby appropriated all money now credited or which will be credited to the Title V Clean Air fund notwithstanding any sum limitation set forth in the budget attached hereto.

32. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

	<u>Appropriated Amount-90%</u>	<u>Total Tax As Levied-100%</u>	<u>Per \$100 Market Value</u>
General	\$17,179,016	\$19,087,795	0.17798
Library	5,037,492	5,597,213	0.05219
Bond and Interest			
Redemption	5,450,607	6,056,230	0.05647
Social Security	1,473,893	1,637,658	0.01527
Police & Fire Pension	1,217,144	1,352,382	0.01261

33. There is hereby authorized the transfer to the appropriate reserve accounts of all encumbrances, including accrued payroll, for the fiscal year ending August 31, 2001, together with any monies previously so reserved.

34. Any unexpended balance remaining in the Police and Fire Pension Fund is reappropriated pursuant to Lincoln Municipal Code, Chapters 2.62, 2.65 and 2.66, notwithstanding any sum limitation set forth in the budget attached hereto.

35. All previous capital appropriations are hereby continued and reappropriated pursuant to Section 27 of Article IX of the Charter of the City of Lincoln, except the unexpended balance remaining in any fully completed project shall be credited to the unappropriated surplus in the fund from which such project was funded.

36. There is hereby designated and appropriated General Fund cash balances in an amount equal to the debt service falling due during the fiscal year for the Golf Course Revenue Bonds to be issued in 2001 for the purpose of providing for the payment of the principal and interest on such bonds, as they become due, if and to the extent that amounts credited to the Golf Revenue Fund are insufficient and to the extent that such General Fund cash balances are available.

37. That the appropriations for the following items be transferred effective August 31, 2001:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT
From: 18002.5655	General Expense/Work Study	\$14,290
To: 02014.5021	Human Rights/Salaries	\$9,490
	11003.5021 Planning/Salaries	\$4,800
From: 18002.5997	Presentations/Training Materials	\$1,302
To: 11003.5021	Planning/Salaries	\$1,302

38. That the appropriations and cash for the following items be transferred effective August 31, 2001:

From: 18002.5085	General Expense/Civilian Pension	\$72,000
	79160.5252 Fleet Services/Fuel	\$20,000
	04025.5251 Police Garage/Fuel	\$52,000
From: 18002.5655	General Expense/Work Study	\$13,029
To: 08002.5021	Building & Safety/Business Office/Salaries	\$4,640
	02002.5021 Lincoln Area Agency on Aging/Salaries	\$8,389
From: 18002.5085	General Expense/Civilian Pension	\$167
To: 295050	County/City Furniture Rebate	\$167

39. That cash and appropriations for the following items be transferred effective August 31, 2001 and reappropriated:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT
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From: 18002.5085 General Expense/Civilian Pension \$15,000  
 To: 02008.5865 Aging/Downtown Sr. Ctr. Restroom \$15,000  
 From: 18002.6144 General Expense/Special Assessments \$10,000  
 18002.5081 General Expense/Health Insurance \$150,000  
 To: 79200.6064 Pub. Works/Util./boom truck & hoist truck \$160,000  
 From: 18002.5085 General Expense/Civilian Pension \$60,000  
 To: 700013 Pub.Wks./Util../Williamsburg Trail Ped. extension  
 North underpass at Pine Lake Rd. \$60,000  
 From: 79130.5021 Public Works/Util./Snow Removal \$47,500  
 To: 79200.5272 Public Works/Util./School Crossing Signs \$25,000  
 79200.5272 Public Works/Util./Residential Street Name Signs  
 \$22,500  
 From: 18002.5647 General Expense/Corrections \$60,000  
 To: 701100 Pub. Works/Util./BB Relocate Tow Lot \$60,000

40. That the following unexpended appropriations are reappropriated effective August 31, 2001 up to the following amounts:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT
18002.5856	General Expense/City Share of Downtown Maintenance	\$95,467
18002.5872	General Expense/Sidewalk Repairs and Maintenance	\$232,368
18002.5659	General Expense/Financial System Development	\$91,637
06014.5633	911 Communications/Flood warning system	\$25,000
18002.5637	General Expense/Eng. Serv./Flood Warning System	\$25,000
18002.5637	Gen. Exp./Eng. Serv./Floodplain Ordinance Studies	\$22,900
18002.5869	Gen. Exp./Equipment Maint./Flood Warning System	\$25,000
17004.5638	Community Health Endowment	\$878,205
19001.9247	Inter-Fund Transfers/Wilderness Park Transfer	\$25,000
79160.6064	Fleet Services/Water Card-trol System	\$20,000
06015.6093	Fleet Services/Radio Shop Replacement Equipment	\$480
09250.9246	Parks/Unprogrammed KENO Appropriations	\$562,950
18002.5621	Match for Information Technology Infrastructure Audit	\$50,000
02007.6064	Lincoln Area Agency on Aging/Sr. Ctrs./Van	\$11,552

41. That unencumbered appropriations from the budget for the fiscal year beginning September 1, 2000 be transferred and reappropriated as follows effective August 31, 2001:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT
From: 18002.6144	General Expense/Special Assessments	\$39,000
To: 11001.5631	Planning/GIS Equipment & Software	\$39,000
From: 18002.5647	General Expense/Corrections	\$260,000
To: 79110.5621	Public Works/Util./Williamsburg Dredging	\$260,000

42. There is hereby appropriated to each departmental operating budget the full amount of unencumbered operating appropriations as shown in the final Appropriation Status Report as of August 31, 2000 up to the amount shown below:

FUND	AMOUNT
General	\$2,940,000
Health	\$200,000
Animal Control	\$50,000
StarTran	\$75,000
Aging	\$29,000
9-1-1 Communications	\$140,000

43. There is hereby attached and made a part hereof a listing of all funds of the City of Lincoln which are hereby confirmed and approved.

44. That the \$2,000,000 appropriation of parking revenue bonds in C.I.P. project 701110 Parking Lots for Baseball lapses as of August 31, 2001.

Introduced by Glenn Friendt

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

SPECIAL PERMIT 1909 - APPLICATION OF LEONARD STOLZER TO ALLOW THE TEMPORARY STORAGE OF CONSTRUCTION EQUIPMENT ON PROPERTY GENERALLY LOCATED AT 5400 S. FOLSOM STREET (IN CONNECTION W/01-129) - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

38-4372 WHEREAS, Leonard G. Stolzer has submitted an application designated as Special Permit No. 1909 for authority to allow the temporary storage of construction equipment on property located at 5400 South Folsom Street, and legally described to wit:

Lot 1, South Folsom Addition, located in the Southeast Quarter of Section 10, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this equipment storage 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 Leonard G. Stolzer, hereinafter referred to as "Permittee", to allow the temporary storage of construction equipment, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.590 of the Lincoln Municipal Code upon condition that the temporary storage of construction equipment be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the temporary storage of construction equipment and materials.
2. Before receiving building permits:
  - a. The Permittee must complete the following instructions and submit the documents and plans to the Planning Department for review and approval:
    - i. A revised site plan showing the following revisions:
      - (1) Replace Scotch Pine with a species less susceptible to Pine Wilt disease.
      - (2) Identify new landscape materials by common name, botanical name, planting size, and planting method.
      - (3) Identify the outdoor storage area and show a fence around it, or add a note indicating that there will be no outdoor storage of construction equipment or materials.
      - (4) Add a note to the site plan indicating that the premises shall be used only for storage of construction equipment and materials. There shall be no offices on the premises.
      - (5) Provide information regarding the storage of hazardous materials and/or chemicals and fuel on the site, as requested by the Health Dept.
    - ii. A final site plan with five copies as approved.
  - b. The construction plans must conform to the approved plans.
  - c. The required easements as shown on the site plan are recorded with the Register of Deeds.
3. This use shall cease 15 years following the approval of this special permit unless the Director of Planning approves an administrative amendment for its extension.
4. Before commencing operations, all development and construction must conform to the approved plans.
5. Before commencing operations, the City/County Health Department must approve the water and wastewater systems.
6. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.
7. 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.
8. 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.
9. 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 Jonathan Cook

Seconded by Seng & **LOST** by the following vote: AYES: Camp, Cook,

Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**PETITIONS AND COMMUNICATIONS**

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

**THE FOLLOWING APPS. WERE REFERRED TO PLANNING DEPT.:**

Change of Zone 3336 - App. of Rex Anderson for a change from I-1 to R-7 at 19<sup>th</sup> & Dudley.  
Special Permit 1901A - App. of RLM, L.L.C. to develop a 22 unit C.U.P./Special Permit for elderly or retirement housing.  
Special Permit 1926 - App. of Mark Lyon/JTM to sell wine only - off sale at 27<sup>th</sup> & Randolph.

**REPORTS OF CITY OFFICERS**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON AUGUST 6, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

INVESTMENT OF FUNDS FOR AUGUST 6 THROUGH AUGUST 10, 2001 - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81051 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 for August 6 - August 10, 2001.)

Introduced by Glenn Friendt

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

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR JULY, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(8-71)**

REPORT OF CITY TREASURER OF CASH ON HAND AT CLOSE OF BUSINESS JULY 31, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

**ORDINANCES - 1ST READING**

CHANGE OF ZONE 3333 - APPLICATION OF UNION BANK & TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 12TH STREET AND WEST DENTON ROAD - CLERK read an ordinance, introduced by Glenn Friendt, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

**ORDINANCES - 3RD READING**

RENAMING CHARLES AVE. AS HANNEMAN DR. BEGINNING AT THE NORTH APPROACH OF THE INTERSECTION OF TRIMBLE DR. & W. "C" ST. & EXTENDING NORTH & EAST THROUGH THE MUFF 2ND ADD. PRELIMINARY PLAT - CLERK read an ordinance, introduced by Terry Werner, changing the name of Charles Avenue to Hanneman Drive located the north approach of the intersection of Trimble Drive and West C Street and extending north and east through the Muff 2nd Addition, as recommended by the Street Name Committee, the third time.

WERNER Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17900**, 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 - CLERK read an ordinance, introduced by Glenn Friendt, authorizing and providing for the issuance of Golf Course Revenue Refunding Bonds of the City of Lincoln, Nebraska, in the principal amount of not to exceed \$2,500,00, the third time.

FRIENDT 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 **#17901**, is recorded in Ordinance Book 24, Page

APPROVING THE TRANSFER OF APPROPRIATIONS WITHIN PUBLIC WORKS & UTILITIES AND PARKS & RECREATION TO ENSURE THE COMPLETION OF CERTAIN PROJECTS THAT NEED ADDITIONAL FUNDING WITHIN THE FISCAL YEAR BUDGET - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of appropriates within Public Works & Utilities and Parks & Recreation to ensure the completion of certain projects that need additional funding within the fiscal year budget, the third time.

CAMP 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 **#17902**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3327 - AMENDING SECTION 27.71.130 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AN ADDITIONAL MAIN BUILDING ON A LOT IN THE AG ZONING DISTRICT WHERE THERE IS AN EXISTING RESIDENCE - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.71.130 of the Lincoln Municipal Code to allow an additional main building on a lot in the AG Zoning District where there is an existing residence, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4373**, & was placed on file in the Office of the City Clerk.

CHANGE OF ZONE 3331 - AMENDING CHAPTER 27.55 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY, AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT BY AMENDING THE LINCOLN ZONING ORDINANCE - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.55 of the Lincoln Municipal Code to adopt the revised flood insurance rates maps and flood insurance study, and to clarify language relating to the minimum standards required by the national flood insurance program and the State of Nebraska for Floodplain Management by amending the Lincoln Zoning Ordinance, the third time.

CAMP 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 **#17903**, is recorded in Ordinance Book 24, Page

AMENDING TITLE 26, THE LAND SUBDIVISION ORDINANCE, OF THE LINCOLN MUNICIPAL CODE TO ADD SECTION 26.07.115 AND TO AMEND SECTIONS 26.07.120 AND 26.15.040 TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT - Clerk read an ordinance, introduced by Jon Camp, Amending Title 26, the Land Subdivision Ordinance, of the Lincoln Municipal Code to add Section 26.07.115 and to amend Sections 26.07.120 and 26.15.040 to adopt the Revised Flood Insurance rate maps and Flood Insurance Study and to clarify language relating to the minimum standards required by the National Flood Insurance Program and the State of Nebraska for Floodplain Management, the third time.

CAMP 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 **#17904**, is recorded in Ordinance Book 24, Page

**MISCELLANEOUS BUSINESS**

**PENDING LIST -**

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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; NAYS: None.

**UPCOMING RESOLUTIONS**

CAMP            Moved to approve the resolutions to have Public Hearing on August  
                  27, 2001.  
                  Seconded by Seng & carried by the following vote: AYES: Camp,  
                  Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

**ADJOURNMENT**

**6:18 p.m.**

CAMP            Moved to adjourn the City Council Meeting of August 20, 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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Teresa J. Meier-Brock, Deputy City Clerk

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Judy Roscoe, Office Assistant III