

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, DECEMBER 10, 2001 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Cook, Seng, Svoboda, Werner; Joan Ross, City Clerk; Absent: Friendt.

Council Chair asked the visitors to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of December 3, 2001, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF JV, INC. DBA "AZTECA MEXICAN RESTAURANT" FOR A CLASS "I" LIQUOR LICENSE AT 500 WEST GATE BLVD.;

MANAGER APPLICATION OF JOY LYNN VIDAURRE FOR JV, INC. DBA "AZTECA MEXICAN RESTAURANT" AT 500 WEST GATE BLVD. - Joy Lynn Vidaurre, 1741 Dudley, Lincoln Ne, took oath & came forward to answer any questions.

Annette McRoy, Council Member, asked if Ms. Vidaurre had any previous experience working in a liquor establishment?

Ms. Vidaurre answered no, but she is signed up for the Responsible Hospitality Class in January.

This matter was taken under advisement.

APPLICATION OF NEBRASKA AGRI-BUSINESS ASSOCIATION TO CONDUCT A RAFFLE IN THE CITY OF LINCOLN FROM DECEMBER 15 - JANUARY 31, 2002 - Bill Austin, Erickson & Sederstrom, 301 S. 13th Street, Suite 400, came forward to answer any questions.

This matter was taken under advisement.

AUTHORIZING THE CITY, ACTING AS A COMMUNITY REDEVELOPMENT AUTHORITY, TO ACQUIRE BY USE OF EMINENT DOMAIN CERTAIN PROPERTY IN CONNECTION WITH THE DEVELOPMENT OF A DOWNTOWN ENTERTAINMENT CENTER UNDER THE AUTHORITY OF THE NEBRASKA COMMUNITY DEVELOPMENT LAW, ON A PORTION OF THE CITY BLOCK GENERALLY LOCATED FROM 11TH TO 12TH AND O TO P STREET AND SPECIFICALLY INCLUDING LOTS 1 THROUGH 4 AND LOTS 9 THROUGH 16, BLOCK 41, ORIGINAL PLAT OF THE CITY OF LINCOLN AND ALL OF THE COUNTY CLERK'S SUBDIVISION OF BLOCK 41, ORIGINAL PLAT OF THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA - Dallas McGee, Urban Development, explained the background of this project. He stated that Douglas Theaters has decided not to be the anchor tenant and without an anchor tenant this project will not proceed. Discussions with an outside theater company is in the process. This project will have retail businesses in this complex and is considered critically important to the downtown area to have this complex which will cater to the College students in Lincoln. Discussion followed.

Polly McMullen, Director of the Downtown Lincoln Association, came forward in favor of this project. Roger Larson, Downtown Lincoln Association Board and Richard McGinnis, FMA Realty, local representative of Entertainment Center Project Team were also present. Discussion followed.

Terry Werner, Council Member, asked Mr. McGinnis if he felt that Douglas Theaters was being negotiated with in good faith.

Richard McGinnis, FMA Realty and local representative of the Entertainment Center Project Team, answered that he felt they were. All the other properties involved have signed purchase agreements. Douglas Theaters will be approached with a new contract. Discussion followed concerning tenant rates.

Richard Halvorsen, 6311 Inverness Road, asked if the people of Lincoln will get a return on their investment since it was tax money that built the theater that's there already.

Mr. McGee stated that the old project will be closed out and the new project will take over and it will be a TIF District so the tax increment financing will be used to help fund public improvements just as it was initially with the Lincoln Theater. Tax increment is money that's generated from the project itself based on the increased value that the

project will bring in terms of increased assessment. Without the project proceeding there is no tax increment to be generated. Further discussion followed.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND HEWLETT-PACKARD CO. FOR THE COMPUTER ASSISTED DISPATCHING COMPUTER IN THE 911 CENTER AND BACKUP SITE, AND A RELATED MAINTENANCE CONTRACT, FOR A THREE-YEAR TERM - Julie Righter, Emergency Communications/911 Center Manager, came forward to explain that the Hewitt Packer system would be a replacement of the mini computers from 1993 that are the backbone of a computer rated dispatch system that runs the entire public safety dispatch system for Lincoln Lancaster County. Further explanation and discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF JV, INC. DBA "AZTECA MEXICAN RESTAURANT" FOR A CLASS "I" LIQUOR LICENSE AT 500 WEST GATE BLVD. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81258 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 JV, Inc. dba "Azteca Mexican Restaurant" for a Class "I" liquor license at 500 West Gate Blvd., 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, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

MANAGER APPLICATION OF JOY LYNN VIDAURRE FOR JV, INC. DBA "AZTECA MEXICAN RESTAURANT" AT 500 WEST GATE BLVD. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81259 WHEREAS, JV, Inc. dba "Azteca Mexican Restaurant" located at 500 West Gate Blvd., Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Joy Lynn Vidaurre be named manager;

WHEREAS, Joy Lynn Vidaurre 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 Joy Lynn Vidaurre 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, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Friendt.

AMENDING CHAPTER 5.36 OF THE LINCOLN MUNICIPAL CODE RELATING TO PEDDLERS BY ADDING A NEW SECTION TO PROHIBIT USE BY PEDDLERS OF ANY TRUCK OVER 21 FEET IN LENGTH IN ANY RESIDENTIAL ZONING DISTRICT, EXCEPT FOR THE PURPOSE OF DELIVERING GOODS - CLERK read an ordinance, introduced by Coleen Seng, amending Chapter 5.36 of the Lincoln Municipal Code relating to Peddlers by adding a new section numbered 5.36.085 to prohibit use by peddlers of any truck over 21 feet in length in any residential zoning district, except for the purpose of delivering goods, the second time.

RESOLUTIONS

APPLICATION OF NEBRASKA AGRI-BUSINESS ASSOCIATION TO CONDUCT A RAFFLE IN THE CITY OF LINCOLN FROM DECEMBER 15 - JANUARY 31, 2002 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81260 WHEREAS, Nebraska Agri-Business Association has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

WHEREAS, said application complies with all of the requirements of Section 9.32.030 of the Lincoln Municipal Code.

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

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to Nebraska Agri-Business Association to conduct a raffle in the City of Lincoln in accordance with the application filed by Robert Anderson. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that pursuant to Section 9.32.080 of the Lincoln Municipal Code, a tax of 5% is imposed upon the gross proceeds received from the sale of raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each raffle to be conducted hereunder, and if unpaid at that time, shall thereafter be delinquent.

Introduced by Ken Svoboda

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

AUTHORIZING THE CITY, ACTING AS A COMMUNITY REDEVELOPMENT AUTHORITY, TO ACQUIRE BY USE OF EMINENT DOMAIN CERTAIN PROPERTY IN CONNECTION WITH THE DEVELOPMENT OF A DOWNTOWN ENTERTAINMENT CENTER UNDER THE AUTHORITY OF THE NEBRASKA COMMUNITY DEVELOPMENT LAW, ON A PORTION OF THE CITY BLOCK GENERALLY LOCATED FROM 11TH TO 12TH AND O TO P STREET AND SPECIFICALLY INCLUDING LOTS 1 THROUGH 4 AND LOTS 9 THROUGH 16, BLOCK 41, ORIGINAL PLAT OF THE CITY OF LINCOLN AND ALL OF THE COUNTY CLERK'S SUBDIVISION OF BLOCK 41, ORIGINAL PLAT OF THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81261 WHEREAS, the City of Lincoln has enumerated powers, duties, and responsibilities pursuant to State law, Home Rule Charter, and City ordinance, to acquire real property for public purposes including those authorized under the Community Development law for purposes of redevelopment; and

WHEREAS, the City Council of the City of Lincoln has approved a redevelopment plan known as the Lincoln Center Redevelopment Plan and has specifically approved a redevelopment plan amendment for a sub-project for the development of a downtown entertainment center (Resolution No. A-80587); and

WHEREAS, in 1998 the City of Lincoln, the Downtown Lincoln Association, and the Chamber of Commerce jointly funded a study to guide future development in downtown which listed priority projects including redevelopment of a downtown entertainment center; and

WHEREAS, in spring of 2000, the City of Lincoln and the Downtown Lincoln Association commissioned a market research study which noted the success downtown Lincoln has achieved attracting residents, employees, and students for dining, entertainment, and shopping, all of which support development of a downtown entertainment center; and

WHEREAS, the City as a community development authority under the Community Development Law, Neb. Rev. Stat. § 18-2122 has the authority

to acquire, by the exercise of the power of eminent domain, if necessary, any real property which it may deem necessary for a redevelopment project; and

WHEREAS, pursuant to the approved Lincoln Center Redevelopment Plan, the Urban Development Department has determined that certain real property described herein is necessary for a redevelopment project under the Community Development Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the acquisition of certain real property described herein is found and determined to be necessary for the development of a downtown entertainment center as authorized by the Lincoln Center Redevelopment Plan under the Nebraska Community Development Law; to wit:

A portion of the City block generally located from 11th to 12th and O to P Streets, specifically including Lots 1 through 4 and Lots 9 through 16, Block 41, Original Plat of the City of Lincoln, and all of the County Clerk's Subdivision of Block 41, Original Plat of the City of Lincoln, Lancaster County, Nebraska; including any rights, duties, privileges and obligations under existing redevelopment agreements and the Nebraska Community Development Law.

BE IT FURTHER RESOLVED that the City Attorney is hereby directed to institute eminent domain proceedings for the acquisition of the necessary property in the event that negotiations for the acquisition of the same are not successful.

Introduced by Ken Svoboda

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

REAPPOINTING MICHAEL COON TO THE FIRE SPRINKLER AND CHEMICAL EXAMINING BOARD FOR A THREE-YEAR TERM EXPIRING NOVEMBER 24, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81262 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Michael Coon to the Fire Sprinkler and Chemical Examining Board for a three-year term expiring November 24, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING R. J. LIPERT TO THE FIRE SPRINKLER AND CHEMICAL EXAMINING BOARD FOR A THREE-YEAR TERM EXPIRING NOVEMBER 24, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81263 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of R.J. Lipert to the Fire Sprinkler and Chemical Examining Board for a three-year term expiring November 24, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING MARTIN KASL TO THE FIRE SPRINKLER AND CHEMICAL EXAMINING BOARD FOR A THREE-YEAR TERM EXPIRING NOVEMBER 24, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81264 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Martin Kasl to the Fire Sprinkler and Chemical Examining Board for a three-year term expiring November 24, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPOINTING CARLOS SERVAN TO THE MULTICULTURAL ADVISORY COMMITTEE TO FILL AN UNEXPIRED TERM EXPIRING SEPTEMBER 18, 2004 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81265 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Carlos Servan to the Multicultural Advisory Committee for a three-year term expiring September 18, 2004 is hereby approved.

Introduced by Ken Svoboda

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND HEWLETT-PACKARD CO. FOR THE COMPUTER ASSISTED DISPATCHING COMPUTER IN THE 911 CENTER AND BACKUP SITE, AND A RELATED MAINTENANCE CONTRACT, FOR A THREE-YEAR TERM - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81266 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached three year Lease Purchase Agreement with Hewlett-Packard for replacement equipment and a related maintenance contract to replace the Computer Assisted Dispatching (CAD) computer in the 911 Center and in the backup site at the Highlands Fire Station, in accordance with the terms and conditions contained in said agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to Don Herz for execution by Hewlett-Packard.

Introduced by Ken Svoboda

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

APPOINTING TIFFANY BOOHER, PAT SCHMIDT, DEB HOWE, DIANE SPELLMAN, DEILA STEINER, JULIE TORQUATI, AND GERRY DIMON TO THE CHILD CARE ADVISORY COMMITTEE FOR TWO-YEAR TERMS EXPIRING SEPTEMBER 26, 2003 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81267 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of the following persons to the Child Care Advisory Committee for two-year terms expiring September 26, 2003, is hereby approved.

Tiffany Booher
Pat Schmidt
Deb Howe
Diane Spellman
Deila Steiner
Julie Torquati
Gerry Dimon

Introduced by Ken Svoboda

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

SETTING HEARING DATE OF MONDAY, JAN. 7, 2002 AT 1:30 P.M. FOR APP. OF MARBLZ CORP DBA "ROAD HOUSE BAR & GRILLE" FOR A DELETION TO PREMISES CONSISTING OF THE BANQUET HALL, SUITE 200 AT 1501 CENTERPARK ROAD, #300 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81268 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 7, 2002, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of Marblz Corp. dba "Road House Bar & Grille: for a deletion to premises consisting of the banquet hall, Suite 200 at 1501 Centerpark Road, #300.

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

Introduced by Ken Svoboda

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

SETTING HEARING DATE OF MONDAY, JAN. 7, 2002 AT 1:30 P.M. FOR APP. OF HANNAH HOCH DBA "SILVER SPUR ROADHOUSE" FOR A CLASS "C" LIQUOR LICENSE AT 5100 NORTH 48TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81269 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 7, 2002, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City

Building, 555 S. 10th St., Lincoln, NE, for App. of Hannah Hoch dba "Silver Spur Roadhouse" for a Class "C" Liquor License at 5100 North 48th Street.

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

Introduced by Ken Svoboda

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

SETTING HEARING DATE OF MONDAY, JAN. 7, 2002 AT 1:30 P.M. FOR APP. OF 48 BOWL INC. DBA "PARKWAY LANES & PUB" FOR A CLASS "C" AND "K" (CATERING) LIQUOR LICENSE AT 2555 SOUTH 48TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81270 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 7, 2002, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of 48 Bowl Inc. dba "Parkway Lanes & Pub" for a Class "C" and "K" (catering) Liquor License at 2555 South 48th Street.

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

Introduced by Ken Svoboda

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

SETTING HEARING DATE OF MONDAY, JAN. 7, 2002 AT 1:30 P.M. FOR APP. OF 48 BOWL INC. DBA "HOLLYWOOD BOWL" FOR A CLASS "C" LIQUOR LICENSE AT 920 NORTH 48TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81271 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., January 7, 2002, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for App. of 48 Bowl Inc. dab "Hollywood Bowl" for a Class "C" Liquor License at 920 North 48th Street.

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

Introduced by Ken Svoboda

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

PETITIONS & COMMUNICATIONS

PETITION TO VACATE PUBLIC WAY AT NORTH 58TH STREET, FROM THE SOUTH LINE OF SEWARD AVENUE TO SOUTH LOT LINE OF HAVELOCK BLOCK 116, LOTS 1 THRU 6 & N ½ VACATED EAST-WEST ALLEY ADJACENT & BLOCK 117, LOTS 10, 11 & 12 & VACATED NORTH 57TH STREET LYING BETWEEN BLOCK 115, LOT 1 & BLOCK 116, LOT 6 SUBMITTED BY MILLARD DRYWALL SERVICES, INC., LYNN L. KNUTH, SECRETARY - CLERK presented said petition which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON Nov. 26, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

INVESTMENT OF FUNDS FOR NOVEMBER 19 - NOVEMBER 21, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81272 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 November 19 - November 21, 2001.)

Introduced by Ken Svoboda

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

INVESTMENT OF FUNDS FOR NOVEMBER 26 - NOVEMBER 30, 2001 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81273 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 November 26 - November 30, 2001.)

Introduced by Ken Svoboda

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

APPROVING DISTRIBUTION OF FUNDS REPRESENTING INTEREST ON EARNINGS OF SHORT-TERM INVESTMENTS OF IDLE FUNDS FOR THE MONTH ENDED 10/31/01 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81274 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended October 31, 2001, \$295,894.17 was earned from short-term investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Ken Svoboda

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

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCC. TAX FOR THE MONTH OF SEPTEMBER, 2001: ATS MOBILE TELEPHONE CO.; OCTOBER, 2001: ATS MOBILE TELEPHONE COL, IBM GLOBAL, BROADWING TELECOMM., INTELICALL OPERATOR SERVICES, BELL ATLANTIC, GLOBAL CROSSING, ALLTEL SYSTEMS OF THE MIDWEST, ALLTEL NEBRASKA, ALLTEL COMM. OF NEBRASKA, COAST INT'L., MCI WORLDCOM NETWORK, NEBRASKA TECHNOLOGY & TELECOMM., SPRING COMM., SPRINT SPECTRUM, GUARANTEED PHONE SERVICE; NOVEMBER, 2001: D & D COMM. - CLERK presented said report which was placed on file in the Office of the City Clerk.
(20)

REQUEST OF PUBLIC WORKS TO CITY COUNCIL TO WAIVE ITS RULES TO ALLOW INTRODUCTION, PUBLIC HEARING AND ACTION ON DECEMBER 17, 2001, ON A RESOLUTION APPROVING A CONTRACT INVOLVING THE EXPENDITURES OF MONEY FROM APPROPRIATIONS OF MORE THAN ONE YEAR FOR A WATER PROJECT THAT INCLUDES THE MOVING AND UPGRADE OF A 4-MILLION GALLON WATER STORAGE RESERVOIR TO A 10-MILLION GALLON WATER STORAGE RESERVOIR IN CONJUNCTION WITH THE DEVELOPMENT THAT IS TAKING PLACE IN THE AREA OF 84TH STREET AND HIGHWAY 2 - CLERK requested a motion to have introduction, public hearing & action on December 17, 2001.

SENG So moved.

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

REQUEST OF CITY ATTORNEY'S OFFICE TO COUNCIL TO WAIVE ITS RULES TO ALLOW INTRODUCTION, PUBLIC HEARING AND ACTION ON DECEMBER 17, 2001 ON A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE AIRPORT AUTHORITY TO PROVIDE POLICE CERTIFIED EMPLOYEES OF THE AIRPORT AUTHORITY TO ISSUE TICKETS FOR VIOLATIONS OF TITLE 10 OF THE LINCOLN MUNICIPAL CODE - CLERK requested a motion to have introduction, public hearing & action on December 17, 2001.

SENG So moved.

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

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

ORDINANCES - 1ST READING

CREATING SEWER DISTRICT NO. 1176 IN S.W. 40TH STREET AND WEST "O" STREET AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read an ordinance, introduced by Ken Svoboda, creating Sewer District No.

1176, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

CHANGE OF ZONE 3346 - APPLICATION OF CHAMELEON & COMPANY, INC. FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL TO H-3 HIGHWAY COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NORTH 1ST AND CHARLESTON STREETS - CLERK read an ordinance, introduced by Ken Svoboda, 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.

APPROVING A FIVE-YEAR LEASE BETWEEN THE CITY AND GOLD'S LIMITED PARTNERSHIP FOR THE ONE-STOP CAREER CENTER LOCATED AT GOLD'S GALLERIA - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Lease Agreement between the City of Lincoln and Gold's Limited Partnership for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a five-year term from January 1, 2002 through December 31, 2006, whereby the City of Lincoln is leasing 17,000 square feet space for the One Stop Career Center to unify the employment and training programs into a single system under the Workforce Investment Act, the first time.

ORDINANCES - 3RD READING

CHANGE OF ZONE 3344 - AMENDING SECTIONS 27.63.180, 27.63.210, 27.63.215, AND 27.63.570 OF THE CITY ZONING ORDINANCE TO UPDATE REFERENCES TO THE CITY OF LINCOLN DESIGN STANDARDS AND THE AIRPORT ENVIRONS NOISE DISTRICT - CLERK read an ordinance, introduced by Coleen Seng for Glenn Friendt who was absent, amending Title 27 of the Lincoln Municipal Code relating to zoning by amending Sections 27.63.180, 27.63.210 and 27.63.215 to correct a reference to City of Lincoln Design Standards; by amending Section 27.63.570 to correct a reference to the Airport Environs Noise District and the Airport Environs Noise District Map; and repealing Sections 27.63.180, 27.63.210, 27.63.215, and 27.63.570 of the Lincoln Municipal Cod as hitherto existing, the third time.

SENG Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17947**, is recorded in Ordinance Book 24, Page

VACATING THE SOUTH HALF OF PINE LAKE ROAD WEST OF SOUTH 14TH STREET - CLERK read an ordinance, introduced by Jonathan Cook for Glenn Friendt who was absent, vacating the south half of Pine Lake Road, west of South 14th Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered **#17948**, is recorded in Ordinance Book 24, Page

MISCELLANEOUS BUSINESS

APPROVING THE INTENT TO CREATE A BUSINESS IMPROVEMENT DISTRICT IN THE UNIVERSITY PLACE REDEVELOPMENT PROJECT AREA, GENERALLY LOCATED AT N. 48TH STREET FROM COLBY STREET TO THE HALF BLOCK NORTH OF ADAMS STREET, AND ST. PAUL AVE. FROM N. 47TH STREET TO N. 50TH STREET - CLERK requested to place Bill no. 01R-329 on Pending.

SENG So moved.

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

CREATING WATER DISTRICT NO. 1185 IN MARLBOROUGH AND OAKS HOLLOW DRIVE, STEVENS RIDGE ESTATES:

CAMP Moved to reconsider Bill No. 01-161, Ordinance No. 17942, with action only on December 17, 2001.

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

PENDING LIST -

CAMP Moved to extend the Pending List for 1 week and approve the resolutions to have Public Hearing on Dec. 17, 2001.

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

ADJOURNMENT

2:43 p.m.

CAMP Moved to adjourn the City Council meeting of December 10, 2001.

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

Joan E. Ross, Deputy City Clerk

Judy Roscoe, Office Assistant III

REGULAR MEETING
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