

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, MAY 13, 2002 AT 1:30 P.M.**

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

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

**READING OF THE MINUTES**

SENG Having been appointed to read the minutes of the City Council proceedings of May 6, 2002, reported having done so, found same correct.

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

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Don Wesely presented the Mayor's Award of Excellence for the month of April to Jesse Tyler in the category of Customer Relations.

**PUBLIC HEARING**

APPLICATION OF CHEERLEADERS BAR FOR A SPECIAL DESIGNATED LIQUOR LICENSE IN THE PARKING LOT AREA TO THE SOUTH AT 5560 S. 48TH STREET ON MAY 19, 2002 FROM NOON TO 9:00 P.M. - Dean Borgman, 505 S. 50th St., took oath & came forward to answer any questions.

This matter was taken under advisement.

APPLICATION OF DENIS M. VONTZ DBA "PIONEERS GOLF COURSE" FOR A SPECIAL DESIGNATED LIQUOR LICENSE FOR THE ENTIRE GOLF COURSE INCLUDING DRIVING RANGE AND BOTH PARKING LOTS AT 3403 W. VAN DORN STREET ON MAY 25 AND 26, 2002, FROM 7:00 A.M. TO 4:30 P.M. - Denis M. Vontz, 7514 Brummond Dr., took oath & came forward to answer any questions.

This matter was taken under advisement.

CHANGE OF ZONE 3359 - APPLICATION OF PINNACLE BANK AND 70TH STREET PROPERTIES, INC. FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE TO O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND LINCOLNSHIRE ROAD. **(IN CONNECTION W/02R-103)**;

COMBINED USE PERMIT/SPECIAL PERMIT 19 - APPLICATION OF PINNACLE BANK AND 70TH STREET PROPERTIES, INC. TO DEVELOP A 20-BED HEALTH CARE FACILITY, 5,100 SQ. FT. OF BANK/FINANCIAL SPACE, AND 24,000 SQ. FT. OF MEDICAL OFFICE USES, WITH A WAIVER OF THE REQUIRED SIDE YARD SETBACK, ON PROPERTY GENERALLY LOCATED AT S. 70TH STREET AND LINCOLNSHIRE ROAD. **(IN CONNECTION W/02-62)** - W. Michael Morrow, 201 N. 8th St., Ste. 300, representing Pinnacle Bank and 70th Street Properties, Inc. stated that this property is already fully developed & the property to the north is already zoned O-3 so the applicant requests a change to O-3 so it can qualify for a health code facility under the zoning code. There will be no changes to the structure or to the landscaping.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A TUESDAY OPEN-AIR MARKET IN THE AREA OF 12TH STREET FROM Q TO R STREETS AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 4, 2002, THROUGH JUNE 25, 2002 - Marc Wullschleger, Director of Urban Development, came forward stating that this is the third year for the University-Downtown Lincoln Association Open-air Market.

This matter was taken under advisement.

AMENDING SECTION 6.04.155 OF THE LINCOLN MUNICIPAL CODE RELATING TO ANIMAL HYBRIDS TO POSTPONE THE EFFECTIVE DATE OF THE BAN ON ANIMAL HYBRIDS TO OCTOBER 1, 2002. **(REQUEST OF RICK SHAW TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READINGS)** - Rick Shaw, 2427 Park Avenue, came forward to ask that a grandfather clause be included within this code so that he could keep his wolf hybrid, Zeus, at his residence within the City limits. He also requested the effective date be postponed until Oct. 1, 2002. He stated that his neighbors were in support of him keeping his wolf hybrid as they feel no threat towards it. He read a letter of support from neighbor Doris Cole. Discussion

followed.

Whitney Shaw, 2427 Park Avenue, came forward to share how safe she & her friends feel around this animal.

Kim Mills, 2419 Park Avenue, came forward to state that she has no concerns having this wolf hybrid in the neighborhood.

Kathleen Bruntly Maynard, stated she has no concern of having this wolf hybrid in their neighborhood. She stated Mr. Shaw gives his dogs great care & runs them everyday.

Jim Weverka, Manager of Animal Control, came forward to state that wolf hybrids are a concern as they react to predatory instincts. It was stated that rabies vaccines are not accepted by wolf hybrids. There has been cases where these animals have attacked human beings & small animals.

Bruce Dart, Director of Health Dept., came forward stating that wolf hybrids are a concern especially the owners who don't care for these animals. There were 14 wolf hybrids in the City of Lincoln and only two remain. He feels it would be unfair to the others if this one was allowed to remain within the City. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND SID NO. 2 (PINE LAKE) TO PROVIDE IMMEDIATE WATER SERVICE TO PINE LAKE ADDITION TO AVOID ECONOMIC WASTE SINCE ANNEXATION IS OCCURRING - Bill Austin, 301 S. 13th St., Ste 100, Sederstrom Erickson, came forward to say there is not sufficient water flow for fire protection & personal use in this Pine Lake area. If the Association puts in a new water well and then the City annexes them, which is inevitable, there will be a water well that the City would have no use for, but would have to maintain. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 1219K - APPLICATION OF BRYANLGH MEDICAL CENTER TO EXPAND THE SCHOOL OF NURSING TO ACCOMMODATE AN ENROLLMENT OF 250 STUDENTS, WITH A WAIVER OF THE REQUIRED MAXIMUM BUILDING COVERAGE FROM 38.2% TO 42%, ON PROPERTY GENERALLY LOCATED AT SOUTH 48TH STREET AND SUMNER STREET - Bill Lewis, 100 N 56th St., Attorney for BryanLGH, came forward representing the BryanLGH Medical Center & BryanLGH School of Nursing.

Phyllis Hollamon, Director of School of Nursing, stated there is a need for nurses so they have increased their recruitment activities, therefore, there has been an increase by 55%. The enrollment at present is 190 which puts them over capacity in the current space and project they can increase the enrollment to 250 with additional space. Discussion followed.

Doug Elting, Davis Design Inc., came forward as the Architect for the School of Nursing at BryanLGH Campus. The new addition will be on the northeast corner of the campus and will add an additional 43,000 sq. ft. on two levels. The campus area will be increased about 24,000 sq. ft.

This matter was taken under advisement.

APPEAL OF SUTHERLAND PARK PARTNERS, L.L.C. FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT 1964 FOR AUTHORITY TO CONSTRUCT A PRIVATE SCHOOL FOR TUMBLING, DANCE, CHEERLEADING, AND GYMNASTICS, ON PROPERTY GENERALLY LOCATED AT S. 8TH STREET AND PIONEERS BLVD. - Rich Bollerup, 3930 South Street, representing Novis Sport, came forward to request a continuance on the public hearing for one week.

Coleen Seng, Council Person, moved to delay public hearing & action to 5/20/02.

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

This matter was taken under advisement.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF EDENTON NORTH 6TH ADDITION FOR 184 SINGLE- AND TWO-FAMILY LOTS, WITH WAIVERS TO PERMIT LOTS WHICH DO NOT INTERSECT THE STREET AT 90 DEGREE ANGLES, BLOCK LENGTH ALONG ANTELOPE CREEK, AND TO ALLOW THE LOCATION OF THE PEDESTRIAN RIGHT-OF-WAY EASEMENT TO BE DETERMINED AT THE TIME OF FINAL PLATS, ON PROPERTY GENERALLY LOCATED AT S. 75TH STREET AND GLYNOAKS DRIVE - Mike Rierden, 645 M St., Suite 200, came forward representing Lincoln Federal Bank Corp. He stated they were in agreement with all of the conditions of Planning Staff with one exception, that being to waive the requirement of a pedestrian way easement & sidewalk when a block exceeds 1,000 feet in length for Block 4. Discussion followed.

Jason Reynolds, Planning Dept., stated they did not find

sufficient justification for the request for a waiver. Planning Commission supported Staff's decision for a pedestrian easement where Staff had recommended. Discussion followed.

This matter was taken under advisement.

AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE PURCHASE OF PROPERTY GENERALLY KNOWN AS 2240 Q STREET FOR REVITALIZATION IN THE ANTELOPE VALLEY PROJECT AREA - Marc Wullschleger, Director of Urban Development, stated this is the former Delp Auto Sales at 23rd & Q Streets. This area is in the flood plain which will be taken out by the Antelope Valley Project. The City will buy this lot to put the houses on that would be moved out of the Antelope Valley. Less than a dozen houses would be moved if the owners want them moved. This would be one of the locations that these houses would be moved to. It would be out of the flood plain at that time. Discussion followed.

Terry Werner, Council Person, asked how many houses could be moved onto this property?

Mr. Wullschleger stated three houses on three lots.

Mr. Werner asked if it was standard procedure to pay \$70,000 per lot?

Mr. Wullschleger answered no, this is what is referred to as Community Development. This area is zoned B-3 and it will be down zoned to R. This property will go back on the tax rolls as soon as it's redeveloped or sold. Depending on how the transaction is structured there are several different ways this can be done. Any costs to the City will come from Community Development Block Grant dollars. The Federal Relocation Act prevents the property owners from receiving substantial gain in this situation. Further discussion followed.

Ed Patterson, 2108 Q Street, came forward in favor of the City purchasing the Delp property. Further discussion followed.

This matter was taken under advisement.

DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE THE COST OF WATER SYSTEM IMPROVEMENTS FROM THE PROCEEDS OF WATER REVENUE BONDS OF THE CITY - Margaret Remmenga, Public Works Dept., came forward to state that part of the water improvements will be the reservoir at 84th Street & Yankee Hill Rd., 51st Pumping Station, and the Water main on Vine Street between 84th & the Southeast Reservoir which are currently in progress. The amount of the debt will not be less than 8.5 million dollars.

This matter was taken under advisement.

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

## **COUNCIL ACTION**

### **LIQUOR RESOLUTIONS**

APPLICATION OF CHEERLEADERS BAR FOR A SPECIAL DESIGNATED LIQUOR LICENSE IN THE PARKING LOT AREA TO THE SOUTH AT 5560 S. 48TH STREET ON MAY 19, 2002 FROM NOON TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81487 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of B&B-Q Inc. dba "Cheerleaders Bar and Grill" for a Special Designated License to cover an area measuring 70 feet by 65 feet in the south parking lot at 5560 South 48th Street Lincoln, Nebraska, on the 19th day of May, 2001, between the hours of 12:00 noon and 9:00 p.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, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

APPLICATION OF DENIS M. VONTZ DBA "PIONEERS GOLF COURSE" FOR A SPECIAL DESIGNATED LIQUOR LICENSE FOR THE ENTIRE GOLF COURSE INCLUDING DRIVING RANGE AND BOTH PARKING LOTS AT 3403 W. VAN DORN STREET ON MAY 25 AND 26, 2002, FROM 7:00 A.M. TO 4:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81488 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 Dennis Vontz d/b/a Pioneers Golf Course for a Special Designated License to cover the entire golf course at 3403 W. Van Dorn Street, Lincoln, Nebraska, on May 25 and 26, 2002 between the hours of 7:00 a.m. and 4:30 p.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. 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, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

#### ORDINANCES - 2ND READING

CHANGE OF ZONE 3359 - APPLICATION OF PINNACLE BANK AND 70TH STREET PROPERTIES, INC. FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE TO O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND LINCOLNSHIRE ROAD. (IN CONNECTION W/02R-103) - CLERK read an ordinance, introduced by Coleen Seng, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by § 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

APPROVING A CONTRACT BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A TUESDAY OPEN-AIR MARKET IN THE AREA OF 12TH STREET FROM Q TO R STREETS AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 4, 2002, THROUGH JUNE 25, 2002 - CLERK read an ordinance, introduced by Coleen Seng, accepting and approving the Contract between the City of Lincoln, Nebraska and Downtown Lincoln Association for establishment and regulation of a Tuesday public market in the area of 12th Street from Q to R Streets and R Street from 12th to 13th Streets from June 4, 2002 through June 25, 2002, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

AMENDING SECTION 6.04.155 OF THE LINCOLN MUNICIPAL CODE RELATING TO ANIMAL HYBRIDS TO POSTPONE THE EFFECTIVE DATE OF THE BAN ON ANIMAL HYBRIDS TO OCTOBER 1, 2002. (REQUEST OF RICK SHAW TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READINGS) - CLERK read an ordinance, introduced by Coleen Seng, amending Section 6.04.155 of the Lincoln Municipal Code relating to animal hybrids to postpone the effective date of the ban on animal hybrids to October 1, 2002; and repealing Section 6.04.155 of the Lincoln Municipal Code as hitherto existing, the second time. (See Council Action under "ORDINANCES - 3RD READING".)

#### RESOLUTIONS

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND SID NO. 2 (PINE LAKE) TO PROVIDE IMMEDIATE WATER SERVICE TO PINE LAKE ADDITION TO AVOID ECONOMIC WASTE SINCE ANNEXATION IS OCCURRING - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81489 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City of Lincoln and Sanitary and Improvement District #2 of Lancaster County, to provide water service to Pine Lake Addition, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved, upon the terms and conditions as set forth in said Agreement, and the Mayor is authorized to execute said Interlocal Agreement on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Interlocal Agreement to the Sanitary and Improvement District #2 of Lancaster County, Nebraska.

Introduced by Ken Svoboda

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

APPOINTING JERRY SHOECRAFT TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD TO FILL AN UNEXPIRED TERM EXPIRING DECEMBER 31, 2003 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:  
A-81490 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jerry Shoecraft to the Lincoln Electric System Administrative Board to fill an unexpired term expiring December 31, 2003 is hereby approved.

Introduced by Ken Svoboda

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

SPECIAL PERMIT 1219K - APPLICATION OF BRYANLGH MEDICAL CENTER TO EXPAND THE SCHOOL OF NURSING TO ACCOMMODATE AN ENROLLMENT OF 250 STUDENTS, WITH A WAIVER OF THE REQUIRED MAXIMUM BUILDING COVERAGE FROM 38.2% TO 42%, ON PROPERTY GENERALLY LOCATED AT SOUTH 48TH STREET AND SUMNER STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81491 WHEREAS, BryanLGH Medical Center has submitted an application designated as Special Permit No. 1219K for authority to expand the School of Nursing to accommodate an enrollment of 250 students, with an increase of the maximum building coverage from 38.2% to 42% on property located at South 48th Street and Sumner Street, and legally described to wit:

Lots 116, 117, 259 I.T., and Lots 1-33, Block 3, Shurtleff's Piedmont Park, the vacated portions of Washington and Everett Streets west of the west line of S. 50th Street, including the cul-de-sac at the west intersection of said streets, a triangle area of property bounded on the east by S. 50th Street, Everett Street on the south and Washington Street on the north, the vacation portion of S. 51st Street from the north line of Sumner Street to the south line of Everett Street, and Lots 1-24, Block 6, Shurtleff's Piedmont Park, all located in the Northeast Quarter of Section 32, Township 10 North, Range 7 East, Lancaster County, Nebraska:

WHEREAS, the real property adjacent to the area included within the site plan for this School of Nursing expansion 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 BryanLGH Medical Center, hereinafter referred to as "Permittee", to expand the School of Nursing to accommodate an enrollment of 250 students, on the property legally described above, be and the same is hereby granted under the provisions of § 27.63.080 of the Lincoln Municipal Code upon condition that construction and operation of said School of Nursing expansion be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the addition of 45,000 square feet of floor area to the School of Nursing and permits an increase in building coverage to 42%.

2. Before receiving building permits:

a. The Permittee must submit a revised final plan including five copies.

- b. The construction plans must conform to the approved plans.
3. Before occupying the School of Nursing addition, all development and construction must be completed in conformance with the approved plans.
4. All privately-owned improvements must be permanently maintained by the Permittee.
5. The site plan, approved by this permit, shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.
8. The site plan approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Ken Svoboda

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

COMBINED USE PERMIT/SPECIAL PERMIT 19 - APPLICATION OF PINNACLE BANK AND 70TH STREET PROPERTIES, INC. TO DEVELOP A 20-BED HEALTH CARE FACILITY, 5,100 SQ. FT. OF BANK/FINANCIAL SPACE, AND 24,000 SQ. FT. OF MEDICAL OFFICE USES, WITH A WAIVER OF THE REQUIRED SIDE YARD SETBACK, ON PROPERTY GENERALLY LOCATED AT S. 70TH STREET AND LINCOLNSHIRE ROAD. **(IN CONNECTION W/02-62)** - PRIOR to reading:

CAMP Moved to delay action on Bill No. 02R-103 for one week to 5/20/02.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

APPEAL OF SUTHERLAND PARK PARTNERS, L.L.C. FROM THE PLANNING COMMISSION DENIAL OF SPECIAL PERMIT 1964 FOR AUTHORITY TO CONSTRUCT A PRIVATE SCHOOL FOR TUMBLING, DANCE, CHEERLEADING, AND GYMNASTICS, ON PROPERTY GENERALLY LOCATED AT S. 8TH STREET AND PIONEERS BLVD. - PRIOR to reading:

SENG Moved to delay action on Bill NO. 02R-104 for one week to 5/20/02.  
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF EDENTON NORTH 6TH ADDITION FOR 184 SINGLE- AND TWO-FAMILY LOTS, WITH WAIVERS TO PERMIT LOTS WHICH DO NOT INTERSECT THE STREET AT 90 DEGREE ANGLES, BLOCK LENGTH ALONG ANTELOPE CREEK, AND TO ALLOW THE LOCATION OF THE PEDESTRIAN RIGHT-OF-WAY EASEMENT TO BE DETERMINED AT THE TIME OF FINAL PLATS, ON PROPERTY GENERALLY LOCATED AT S. 75TH STREET AND GLYNOAKS DRIVE - PRIOR to reading:

SVOBODA Moved to amend Bill No. 02R-105 as follows:  
On page 2, after line 2, insert the following paragraph:  
4. The requirements of § 26.23.120 of the Land Subdivision Ordinance requiring a pedestrian way easement and sidewalk when a block exceeds 1,000 feet in length is hereby waived for Block 4.

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

CLERK Read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81492 WHEREAS, **Lincoln Federal Bankcorp, Inc.** has submitted the preliminary plat of **EDENTON NORTH 6TH ADDITION** with requested waivers for acceptance and approval; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated February 21, 2002, which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Lincoln, Nebraska:

That the preliminary plat of **EDENTON NORTH 6TH ADDITION**, generally located at South 75th Street and Glynoaks Drive as submitted by **Lincoln Federal Bankcorp, Inc.** is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

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

1. The requirement of § 26.23.130(a) of the Lincoln Municipal Code that block length not exceed 1320 feet between cross streets is waived for Phares Drive.

2. The requirement of § 26.23.140(c) that the side lines of any lot shall be at right angles to the street is waived for Lots 19, 20, 25, 26, 28, 29, 34, and 35, Block 4.

3. A waiver of the offset placement for the pedestrian way easement across Outlot "D" is hereby approved until the time of final platting.

Introduced by Ken Svoboda

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF APRIL 16 - 30, 2002 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81493 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated May 1, 2002, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED</u>		
Denis Donohoe	\$	854.75	Sharon Smith	\$	85.48
Rod L. & Sharon Faulkner		160.77	Estate of Darlene Nystrom		44.26
Steve Nast		108.00	American Family Insurance Group		
American Family Insurance Group			(Teresa Dills, Insured)		521.28
(Michael & Matth Crandall, Insureds)	8,044.25		Farmers Mutual of Nebraska		
Eva Paris-Huesca	90.00		(Janet Snyder, Insured)		1,774.60
American Family Insurance Group			Melissa Snyder		709.33
(Diane R. Schwieger, Insured)	789.61				

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

Introduced by Ken Svoboda

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

AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE PURCHASE OF PROPERTY GENERALLY KNOWN AS 2240 Q STREET FOR REVITALIZATION IN THE ANTELOPE VALLEY PROJECT AREA - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81494 A RESOLUTION authorizing the expenditure of not to exceed \$230,000.00 from the Community Development Block Grant Program for the purchase of Lots 10, 11, and 12, Block 5, Kinney's O Street Addition.

WHEREAS, 24 CFR 570.208(b)(2) authorizes Community Development Block Grant funds to be expended to address slum and blight on a spot basis through acquisition, clearance, and relocation when the subject property is not located in a designated slum and blight area.

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

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the City Clerk to the office of the Real Estate Acquisition and Relocation Assistance Supervisor for his files.

Introduced by Ken Svoboda

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

DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE THE COST OF WATER SYSTEM

IMPROVEMENTS FROM THE PROCEEDS OF WATER REVENUE BONDS OF THE CITY - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:  
A-81495

A RESOLUTION TO DECLARE THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, TO BORROW MONEY BY THE ISSUANCE OF WATER REVENUE BONDS TO REIMBURSE THE COSTS OF CONSTRUCTING CERTAIN IMPROVEMENTS TO THE CITY'S WATER SUPPLY AND DISTRIBUTION SYSTEM.

BE IT RESOLVED by the City Council (the "Council") of the City of Lincoln, Nebraska (the "City") as follows:

1. Findings.

(a) The Mayor and Council of the City have heretofore undertaken the planning, acquisition, construction, equipping and furnishing of certain improvements to the City's water supply and distribution system (the "Water System") including, but not limited to, improvements to the Floating Storage Reservoir at 84th Street and Yankee Hill Road, the 51st Street Pumping Station and the construction of a 48-inch water main from 77th and Vine Streets to 84th Street and Yankee Hill Road (collectively, the "Project").

(b) The Mayor and Council expect to provide funds for the payment of all or a portion of the costs of the Project by the issuance of the City's water revenue bonds (the "Bonds") under and pursuant to Ordinance No. 16435 passed and adopted on July 26, 1993 and approved by the Mayor on July 29, 1993 (as amended and supplemented from time to time, the "Ordinance") on a parity with the City's outstanding Water Revenue and Refunding Bonds, Series 1993 (the "Outstanding Bonds").

(c) It is necessary, desirable, advisable and in the best interest of the City to undertake work on the Project prior to the issuance, sale and delivery of the Bonds and that funds of the City be advanced prior to the issuance of the Bonds by the City to finance a portion of the Costs of the Project.

(d) The anticipated amounts to be expended from and after date of adoption of this Resolution by the City with respect to the Project is estimated not to exceed \$5,000,000.

(e) The Department of the Treasury has promulgated final regulations (Treasury Regulations, § 1.150-2 hereinafter referred to as the "Regulations") governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for Project expenditures made by the City prior to the date of issuance of the Bonds which require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditures. The Regulations generally require that the Bonds be issued and the reimbursement allocation made from the proceeds of the Bonds within 18 months after the later of the date the expenditure is made or the Project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

(f) The Council has determined that it is necessary, desirable and advisable that the requirements of the Regulations be satisfied to preserve the ability of the City to reimburse expenditures made with respect to the Project from funds of the City from and after the date of adoption of this Resolution from the proceeds of the Bonds.

2. Declaration of Intent and Related Matter.

(a) In accordance with the provisions of the Regulations, the Council does hereby declare the official intent of the City to borrow funds through the issuance of Bonds by the City, the interest on which will be excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") to pay the costs of the Project. Prior to the issuance of the Bonds, the City is authorized to advance money of the City up to an estimated maximum aggregate principal amount of \$5,000,000 for the purpose of paying a portion of the costs of planning, acquiring, constructing, equipping and furnishing the Project from and after the date of adoption of this Resolution. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under § 1.150-2(d)(3) of the Regulations.

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures constituting "preliminary expenditures" within the meaning of § 1.150-2(f)(2) of the Regulations, or (iii) expenditures in a "de minimus" amount (as defined in § 1.150-2(f)(1) of the Regulations), no expenditures for the Project have been paid by the City more than 60 days prior to the date of adoption of this Resolution.

(c) The reasonably expected source of funds to be used to pay debt service on the Bonds will be the net revenues of the Water System, all of which have been pledged to the payment of the Outstanding Bonds and which will be pledged to the payment of the principal of, premium, if any, and interest on the Bonds on a parity with the Outstanding Bonds.

4. Ratification.

All acts and deeds heretofore done by any officer, employee or agent of the City on behalf of the City to preserve the ability of the City to reimburse expenditures made from and after the date of adoption of this Resolution with respect the Project by the City through the issuance of the Bonds and other transactions contemplated by this Resolution are hereby ratified, confirmed and approved in all respects.

5. Effective Dates.

This Resolution shall be in full force from and after its passage and adoption by this Council.

6. All resolutions of the Council, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict, hereby repealed.

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF JUNE 3, 2002 AT 1:30 P.M. FOR THE APP. OF BUGEATER INVESTMENTS, INC. DBA "CLIFF'S LOUNGE" FOR A CLASS "C" LIQUOR LICENSE AT 140 N. 12<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81496 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 3, 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 the App. of Bugeater Investments, Inc. dba "Cliff's Lounge" for a Class "C" Liquor License at 140 N. 12th 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, Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

**PETITIONS & COMMUNICATIONS**

APP. OF ALZHEIMER'S ASSOC. LINCOLN/GREATER NEBRASKA CHAPTER TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN. (NEED MOTION TO SET HEARING DATE FOR MAY 20, 2002 AT 5:30 P.M.) - CLERK requested to have a motion to set the hearing date for May 20, 2002 at 5:30 p.m.

SVOBODA So moved.

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

**REPORTS OF CITY OFFICERS**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED AT THE COUNCIL MEETING OF MAY 6, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR APRIL 29 THROUGH MAY 3, 2002 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81497 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attachments 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 April 29 - May 3, 2002)

Introduced by Ken Svoboda

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

SETTING THE HEARING DATE OF MONDAY, JUNE 3, 2002 AT 1:30 P.M. TO ASSESS THE COST INCURRED BY THE CITY FOR SNOW REMOVAL FOR THE 2001-2002 WINTER SEASON AGAINST THE BENEFITTED PROPERTIES - CLERK requested to set the hearing date of Monday, June 3, 2002 at 1:30 p.m.

SENG So moved.

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

REPORT FROM CITY TREASURER OF TELECOMM. OCC. TAX FOR THE MONTH OF MARCH, 2002: ALLTEL #150, ALLTEL #365, ALLTEL #522, NEBRASKA TECHNOLOGY & TELECOMM., AMERICAN FARM BUREAU, IBM GLOBAL, SHAFFER COMM., COAST INT'L., CRICKET COMM., MCI WORLDCOM.,

NETWORK BILLING, BELL ATLANTIC, INTELICAL OPERATOR SERVICES, ACCESSLINE COMM. CORP. - CLERK presented said report which was placed on file in the Office of the City Clerk.

**ORDINANCES - 1ST READING**

- ESTABLISHING A VOLUNTARY BILLING DONATION PROGRAM THROUGH LINCOLN ELECTRIC SYSTEM - CLERK read an ordinance, introduced by Ken Svoboda, establishing a voluntary utility billing donation program to fund City programs and projects serving the community, the first time.
- CREATING RE-PAVING DISTRICT NO. 155 IN WEST CHARLESTON STREET FROM NORTH 1ST STREET WEST TO AND INCLUDING THE PROPOSED CUL-DE-SAC AND ASSESSING THE COST THEREOF TO THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Ken Svoboda, creating Re-paving District No. 155, defining the limits thereof, establishing the width of the roadway to be re-paved and new curb, providing for the payment of the cost thereof, designating the property to be benefitted, 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.
- CREATING IMPROVEMENT DISTRICT NO. 183 IN S.W. 8TH STREET FROM WEST C STREET TO HANNEMAN DRIVE AND ASSESSING THE COST THEREOF TO THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Ken Svoboda, creating Improvement District No. 183, defining the limits thereof, designating the improvements to be made therein, designating the property to be benefitted, providing for the payment of the cost thereof, providing for the acquisition of title, by purchase or condemnation, to the lands and lots necessary for the completion of the improvements therein, and repealing all ordinances and parts of ordinances in conflict herewith, the first time.
- APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN ACTION PROGRAM AT THE ONE STOP CENTER FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner Lincoln Action Program for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through June 30, 2002 whereby the City of Lincoln is subleasing space to Lincoln Action Program at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.
- APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND GOODWILL INDUSTRIES AT THE ONE STOP CENTER FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner Goodwill industries for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through December 31, 2006 whereby the City of Lincoln is subleasing space to Goodwill Industries at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.
- APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND NAF MULTICULTURAL DEVELOPMENT CORPORATION FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner NAF Multicultural Human Development Corporation for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through December 31, 2006 whereby the City of Lincoln is subleasing space to NAF Multicultural Human Development Corporation at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.
- APPROVING THE NORTHEAST COMMUNITY RECREATIONAL SPORTS COMPLEX IMPROVEMENT, LEASE, AND OPERATING AGREEMENT BETWEEN JOINT ANTELOPE VALLEY AUTHORITY, THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, AND THE CITY OF LINCOLN, NEBRASKA FOR THE DEVELOPMENT OF THE NORTHEAST COMMUNITY RECREATIONAL SPORTS COMPLEX ON PROPERTY GENERALLY LOCATED AT 32ND STREET AND LEIGHTON AVENUE - CLERK read an ordinance, introduced by Ken Svoboda, approving an Improvement Lease and Operating Agreement (Agreement) and accepting the terms and conditions of the Lease and Operating Agreement (Agreement) and accepting the terms and conditions of the Lease and Operating Agreement between the Board of Regents of the University of

Nebraska, a public body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a municipal corporation (City), and the Joint Antelope Valley Authority, a joint administrative entity created under the Interlocal Cooperation Act Neb. Rev. Stat. § 13-801 et seq., public agencies within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997), under which the parties agree that it is in their best interest to coordinate planning, development, and implementation of a joint use shared facility complex to be known as the Northeast Community Recreational Sports Complex (Complex) in connection with the Antelope Valley Study and the United States Army Corps of Engineer Antelope Creek Feasibility Study No. M-5244(3) (Project), in cooperation with one another through the Agreement setting forth the provisions for improvement, lease, and operating the Complex, and upon the terms and conditions set forth in the Agreement, the first time.

**ORDINANCES - 3RD READING**

AMENDING TITLE 8, HEALTH & SANITATION, OF THE LINCOLN MUNICIPAL CODE BY CREATING CHAPTER 8.08 TO REGULATE BODY ART ESTABLISHMENTS AND PRACTITIONERS BY REQUIRING ESTABLISHMENTS TO MEET AND MAINTAIN CERTAIN REQUIREMENTS IN ORDER TO OBTAIN AND MAINTAIN A PERMIT FROM THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT; REQUIRING PRACTITIONERS TO RECEIVE PROPER TRAINING BEFORE BEING ISSUED A PERMIT; AND PROHIBITING ALL BODY ART, EXCEPT BODY PIERCING, ON MINORS UNDER THE AGE OF 18 - PRIOR to reading:

WERNER Moved to amend Bill No. 02-55 in the following manner:

(1) On page 1, line 13 after the semicolon add the following: "adding a new section numbered 8.08.290 to provide body art restrictions."

(2) On page 2, line 3, delete "8.08.290".

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

WERNER Moved amendment #2 of Bill No. 02-55 1) on page 22, delete lines 4 & 5; 2) on page 22, line 6, renumber (2) as (1) and delete the word "piercing" and insert in lieu thereof the word "art"; 3) on page 22, line 8, renumber (3) as (2); 4) on page 22, delete lines 11, 12, and 13; 5) on page 22, line 14 renumber (5) as (3) and delete the word "piercing" and insert in lieu thereof the word "art"; 6) on page 22, line 16 renumber (6) as (4) and delete the word "piercing" and insert in lieu thereof the word "art"; 7) on page 22, line 18 renumber (7) as (5) and delete the word "piercing" and insert in lieu thereof the word "art"; 8) on page 22, line 20 renumber (8) as (6) and delete the word "piercing" and insert in lieu thereof the word "art"; 9) on page 23, line 19 delete the word "piercing" and insert in lieu thereof the word "art"; 10) on page 23, line 21 delete the word "piercing" and insert in lieu thereof the word "art"; 11) on page 24, line 7 delete the word "piercing" and insert in lieu thereof the word "art"; 12) on page 24, line 11 delete the word "piercing" and insert in lieu thereof the word "art"; 13) on page 25, line 20 delete the word "piercing" and insert in lieu thereof the word "art".

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

WERNER Moved to delay action on Bill NO. 02-55 for one week to 5/20/02.

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

SVOBODA Moved amendment #3 of Bill No. 02-55 on page 2, line 21, after the word "chapter" and before the period insert the following phrase: within the city and within three miles of the corporate limits of the city and outside of any other organized city or village.

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

CLERK Read an ordinance, introduced by Jon Camp, amending Title 8, health & sanitation, of the Lincoln Municipal Code by creating Chapter 8.08 to regulate body art establishments and practitioners by requiring establishments to meet and maintain certain requirements in order to obtain and maintain a permit from the Lincoln-Lancaster County Health Department; requiring practitioners to receive proper training before being issued a permit; and prohibiting all body art, except body piercing, on minors under the age of 18, the third time.

CAMP Moved to pass ordinance as amended.

Seconded by Seng & **TIED** by the following vote: AYES: Camp, Friendt, Seng; NAYS: Cook, Svoboda, Werner; ABSENT: McRoy. (Bill No. 02-55 carried over to 5/20/02 due to tie vote)

AMENDING TITLE 20 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 20.10 TO ADOPT THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION

TO, USE OR MAINTENANCE OF ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES IN THE CITY OF LINCOLN - CLERK read an ordinance, introduced by Glenn Friendt, amending Title 20 of the LMC by adding a new Chapter 20.10 to adopt the 2000 Edition of the International Residential Code regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one-and two-family dwellings and townhouses in the City of Lincoln, the third time.

FRIENDT Moved to pass ordinance as read.

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

The ordinance, being numbered **#17996**, is recorded in Ordinance Book 25, Page

AMENDING TITLE 20 OF THE LINCOLN MUNICIPAL CODE BY CREATING A NEW CHAPTER 20.08 TO ADOPT THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE, WITH AMENDMENTS, ADDITIONS AND DELETIONS THERETO, TO ESTABLISH THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; TO PROVIDE THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND TO PROVIDE FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES, WITHIN THE CITY OF LINCOLN - CLERK read an ordinance, introduced by Glenn Friendt, amending Title 20 of the LMC by creating a new chapter 20.08 to adopt the 2000 Edition of the International Building Code, with amendments, additions and deletions thereto, to establish the minimum regulations governing the conditions and maintenance of all property, buildings and structures; to provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and to provide for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures, within the city of Lincoln, the third time.

FRIENDT Moved to pass ordinance as read.

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

The ordinance, being numbered **#17997**, is recorded in Ordinance Book 25, Page

AMENDING TITLE 19 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE INTERNATIONAL FIRE CODE 2000 EDITION WITH AMENDMENTS - CLERK read an ordinance, introduced by Glenn Friendt, amending Title 19 of the LMC to adopt the International Fire Code 2000 Edition with amendments, the third time.

FRIENDT Moved to pass ordinance as read.

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

The ordinance, being numbered **#17998**, is recorded in Ordinance Book 25, Page

AMENDING SECTION 6.04.155 OF THE LINCOLN MUNICIPAL CODE RELATING TO ANIMAL HYBRIDS TO POSTPONE THE EFFECTIVE DATE OF THE BAN ON ANIMAL HYBRIDS TO OCTOBER 1, 2002. **(REQUEST OF RICK SHAW TO HAVE 2<sup>ND</sup> & 3<sup>RD</sup> READINGS)** - PRIOR to reading:

FRIENDT Moved to waive the rules to have 2nd & 3rd Readings this date.

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

CLERK Read an ordinance, introduced by Coleen Seng, amending Section 6.04.155 of the Lincoln Municipal Code relating to animal hybrids to postpone the effective date of the ban on animal hybrids to October 1, 2002; and repealing Section 6.04.155 of the Lincoln Municipal Code as hitherto existing, the third time.

SENG Moved to pass ordinance as read.

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

The ordinance, having **LOST**, was assigned File **#38-4402**, & was placed on file in the Office of the City Clerk.

#### MISCELLANEOUS BUSINESS

#### PENDING LIST -

CREATING WATER DISTRICT 1183 IN N.W. 27TH STREET FROM APPROXIMATELY WEST O STREET NORTH TO THE INTERSTATE BRIDGE AND ASSESSING A PORTION OF THE COST THEREOF AGAINST THE BENEFITTED PROPERTY. (11/19/01 - RECONSIDERED AND PLACED ON PENDING) - CLERK requested to have Bill No. 01-151 Withdrawn.

SENG So moved.

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

The ordinance, having been **WITHDRAWN**, was assigned File **#38-4403**, & placed on file in the Office of the City Clerk.

CAMP Moved to extend the Pending List to May 20, 2002.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook,  
Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

**UPCOMING RESOLUTIONS -**

CAMP Moved to approve the resolutions to have Public Hearing on  
May 20, 2002.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook,  
Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.

**ADJOURNMENT**

**4:50 P.M.**

CAMP Moved to adjourn the City Council meeting of May 13, 2002.  
Seconded by Seng & carried by the following vote: AYES: Camp, Cook,  
Friendt, Seng, Svoboda, Werner; NAYS: None; ABSENT: McRoy.  
So ordered.

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Joan Ross, City Clerk

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Judy Roscoe, Office Assistant III

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