

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JUNE 2, 2003 AT 1:30 P.M.**

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

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

WERNER Having been appointed to read the minutes of the City Council proceedings of May 19, 2003, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF HAVELOCK BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA LOCATED ON HAVELOCK AVE. FROM APPROXIMATELY 10 FEET WEST OF 62ND STREET TO APPROXIMATELY 15 FEET WEST OF THE INTERSECTION AT 63RD STREET AND ½ BLOCK NORTH AND SOUTH ON 62ND STREET ON JUNE 21, 2003 FROM 4:00 P.M. TO 1:30 A.M. - Denise Otto, 6145 Havelock Avenue, came forward, representing the Havelock Business Association, to answer any questions.

This matter was taken under advisement.

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

MANAGER APPLICATION OF COURTNEY R. STETSON FOR JV INC. DBA AZTECA MEXICAN RESTAURANTE AT 500 WEST GATE BLVD. - Russ Fosler, Lincoln Police Department, came forward to recommend denial. Discussion followed.

This matter was taken under advisement.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY, THE NEBRASKA GAME AND PARKS COMMISSION, AND LOWER PLATTE SOUTH NRD FOR THE ADMINISTRATION OF THE NEBRASKA ENVIRONMENTAL TRUST GRANT FOR THE IMPLEMENTATION OF THE EASTERN NEBRASKA SALINE WETLANDS PROJECT - Terry Genrich, Parks & Recreation Department, came forward to explain that this agreement outlines the responsibilities for the agencies involved as well as the payment plan for the matching funds that are part of the Environmental Trust Grant. The resolution includes the implementation plan for the conservation of Nebraska's Eastern Saline Wetlands.

Annette McRoy, Council Member, asked if the \$75,000 from the CIP is this year?

Mr. Genrich answered that it was \$25,000 for three years which began with last year and is already budgeted.

This matter was taken under advisement.

APPROVING A COOPERATION AGREEMENT FOR SALINE WETLANDS BETWEEN THE CITY AND THE NATURE CONSERVANCY FOR THE ADMINISTRATION OF THE NEBRASKA ENVIRONMENTAL TRUST GRANT FOR THE IMPLEMENTATION OF THE EASTERN NEBRASKA SALINE WETLANDS PROJECT - Terry Genrich, Parks & Recreation Department, came forward to explain that this is essentially the same agreement as before, but since the Nature Conservancy is not a governmental agency a cooperative agreement was made.

This matter was taken under advisement.

REAPPOINTING SUSAN RODENBURG TO THE PARKS AND RECREATION ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING APRIL 27, 2006 - Terry Werner, Council Member, asked if she is an employee of Parks and Recreation Dept.

Lynn Johnson, Director of Parks and Recreation Dept., stated she was a contracted employee managing the fund raising campaign for the renovation of the Sunken Gardens.

Mr. Werner asked if he thought this was a conflict or being more helpful?

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Mr. Johnson stated he felt it was beneficial to the Board & didn't feel it would be a conflict of interest or be of financial gain to Susan.

This matter was taken under advisement.

APPROVING A CONTRACT INVOLVING EXPENDITURES FROM APPROPRIATIONS OF MORE THAN ONE YEAR BETWEEN THE CITY AND ~~GARNER~~ GARNEY CONSTRUCTION FOR A WASTEWATER PROJECT PROVIDING FOR THE CONSTRUCTION OF SALT VALLEY TRUNK SEWER PHASES IIB AND IIIA - Bud Dobson, Vice President of Dobson Brothers, came forward stating that they have filed a protest for this awarded contract. He asked that this be deferred until the appeal process can be resolved. The hearing is on Wednesday.

Jon Camp, Council Member, asked Dana Roper to explain the process to help everyone understand how this can transpire.

Mr. Roper explained that a protest of the award of the bid has been filed. There will be a hearing before a panel this week to decide if that should be upheld or not. If you chose to move forward with this and approve this today that hearing would have been done and completed and should have a decision before the Mayor would sign the resolution. In the event that it were upheld this would not become effective before the Mayor signed it.

This matter was taken under advisement.

APPROVING THE APPLICATION OF JOHN BUSSEY FOR THE USE OF PUBLIC RIGHT-OF-WAY FOR THE INSTALLATION OF A FENCE AT 1201 E STREET AND 1020 AND 1026 S. 12TH STREET - John Bussey, 6970 Pine Lake, stated he does rehabilitation of older homes in south central Lincoln area and in the latest rehab efforts they put in an ornamental fence and put it as far back from the sidewalk as they have other fences in the neighborhood, but the setback is different on this street so it's on the City property. He has worked with the City Legal Department, Allen Abbott and Byron Blum of Public Works to get bonded & to remove any liability from the City for the fence.

Jonathan Cook, Council Member, asked to see the pictures he had.

Mr. Bussey showed the pictures and explained them to the Council.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR CITY PROJECT NO. 546007 FOR THE PROPOSED FUNDING OF A ROUNDABOUT AT THE INTERSECTION OF S. 40TH STREET AND SHERIDAN BLVD. - Jonathan Cook moved to continue public hearing and delay action to 7/14/03.

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

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR CITY PROJECT NO. 546010 FOR THE PROPOSED FUNDING OF NORTH DUAL LEFT-TURN LANES, RE-STRIPE FOR SOUTH DUAL LEFT-TURN LANES AND TRAFFIC SIGNALS AT 27TH STREET AND HIGHWAY 2 - Jonathan Cook, Council Member, asked Roger Figard of the Public Works Dept. if this could be coordinated with the RTSD project to widen the railroad crossing on 27th St. south of the highway? Is that still in the list of the RTSD projects?

Roger Figard, Public Works Dept., stated that he thinks it's been done. He stated that all that railroad crossing material had been replaced in the last two years, and the overall width should have been accommodated when they actually did the new paving on 27th between Highway 2 and Old Cheney. He will do some follow up.

Mr. Cook stated the reason he asked was that the design looked like it tapered in to cross the railroad tracks which might limit the flexibility on the lane lengths back from Highway 2.

This matter was taken under advisement.

APPROVING AMENDMENTS TO THE NORTH 27TH STREET CORRIDOR AND ENVIRONS REDEVELOPMENT PLAN TO ADD THE ACQUISITION AND DEMOLITION OF THE REMAINING NORTH HALF OF BLOCK 21, KINNEY'S O STREET ADDITION, GENERALLY LOCATED AT NORTH 27TH AND P STREETS - Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., asked what other buildings are going to be demolished and what is being planned for this land?

Wynn Hjermstad, Urban Development, stated the proposal for this property was for a small transitional commercial use retail and is to be amended to the redevelopment of a commercial use and a transitional area between the residential portion of the neighborhood and the north 27th Street corridor. CenterPointe is interested in locating on this

property. All of the neighborhoods except the Malone neighborhood are in support of the project. An RFP process will be done. CenterPointe is the only business that has expressed an interest in this location at this time. This Resolution just amends the plan to show a project there, it doesn't specify what the project will be and to authorize the purchase of the block. The church is the most significant piece of this property & a parking lot.

Glenn Friendt, Council Member, asked if this corner was a part of the Antelope Valley Commercial Redevelopment plan and where is the grocery store that has been talked about?

Ms. Hjermstad stated that the Redevelopment for Antelope Valley does extend all the way to 27th Street. There was no consensus from the neighborhood group or the East Downtown group to have a grocery store there. Further discussion followed.

Ed Zimmer, Planning Department, stated there is no historic value to the church anymore.

Barb Morely, President of Malone Neighborhood Assn., came forward concerned that the RFP will be written to fit just CenterPointe. She wants a fair process.

Herbert Coulter, no address given, stated he was a former client of CenterPointe and felt they didn't monitor the clients as they left the facility alone all the time. He stated the neighborhood doesn't need more problems.

Ed Patterson, 2100 Q Street, came forward expressing his concern of tailoring the RFP to fit CenterPointe. He is against CenterPointe locating at this location.

This matter was taken under advisement.

APPROVING THE HUB HALL HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN HIGHWAY 15, INC., CHARLES GARY GATELY, TRUSTEE, AND THE CITY OF LINCOLN OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 142 ACRES OF LAND GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND NORTH OF HOLDREGE STREET. (IN CONNECTION W/03R-108, 03R-109, 03-70, 03-71) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) 5/19/03 - P.H. CON'T W/ ACTION 2 WKS TO 6/2/03);

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 142 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET. (IN CONNECTION W/03-71, 03R-108, 03R-109, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T W/ACTION 2 WKS TO 6/2/03) ;

CHANGE OF ZONE 3390 - APPLICATION OF HUBERT H. HALL FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET. (IN CONNECTION W/03-70, 03R-108, 03R-109, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T W/ ACTION 2 WKS TO 6/2/03);

SPECIAL PERMIT 1995 - APPLICATION OF HUBERT H. HALL TO DEVELOP HUB HALL HEIGHTS COMMUNITY UNIT PLAN FOR 869 DWELLING UNITS ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET. (IN CONNECTION W/03-70, 03-71, 03R-109, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T W/ACTION 2 WKS TO 6/2/03);

APPROVING AND ACCEPTING THE PRELIMINARY PLAT OF HUB HALL HEIGHTS FOR 356 LOTS AND 5 OUTLOTS WITH WAIVERS TO MODIFY THE LAND SUBDIVISION ORDINANCE TO ALLOW BLOCK LENGTHS TO EXCEED STANDARDS AND PERMIT DOUBLE FRONTAGE LOTS, ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET. (IN CONNECTION W/03-70, 03-71, 03R-108, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T & ACTION DELAYED 2 WKS TO 6/2/03) - Hub Hall, 2320 S. 48th Street, came forward to answer any questions.

Mr. Cook asked what the elevation of the highest point was at this development.

Mr. Camp said it was 3,120 feet.

Mark Hunzeker, 530 S. 13th St., Suite B, stated he appreciated the effort of the City Attorney to resolve all issues & conditions of this annexation and is ready to proceed with the project. Mr. Hub Hall is ready to sign the agreement today, but one of the owners, Mr. Gately, is not available to sign it today.

Ms. McRoy, asked if this is delayed one week will the gentleman be available to sign the agreement?

Mr. Hunzeker answered that he will be signing it this week.

Mark Yoakum 433 W. Saunders, expressed a concern that a major

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developer has allowed people to occupy their homes in his area without the yards being landscaped or the exterior not being finished. He also is concerned about N.W. 48th being a two lane road and would like it to be a four lane road.

Mr. Cook asked the City Attorney if his recommendation was to wait until the signatures are received before acting on the entire package?

Dana Roper, City Attorney, stated it would be better to wait until the signatures are received. Discussion followed.

Mr. Cook moved to delay items 15 through 19 for one week with no additional public hearing.

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

This matter was taken under advisement.

APPROVING THE PINECREST CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND PATRICK MOOBERRY RELATING TO THE ANNEXATION OF APPROXIMATELY 50 ACRES OF PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03-77, 03R-116, 03R-117) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03);

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 50 ACRES OF PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03R-123, 03R-116, 03R-117) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03);

SPECIAL PERMIT 1991 - APPLICATION OF PATRICK MOOBERRY TO DEVELOP PINECREST COMMUNITY UNIT PLAN CONSISTING OF 288 DWELLING UNITS, WITH WAIVERS TO THE REQUIRED RECREATION FACILITY, LOT WIDTH, LOT AREA, REDUCTION OF THE FRONT YARD SETBACK, CLUSTER DENSITY FOR THE MULTI-FAMILY AREA, AND TO ALLOW A MAXIMUM HEIGHT OF 40' ON LOT 1, BLOCK 1 IN THE MULTI-FAMILY AREA, ON PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03-77, 03R-117, 03R-123) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03);

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF PINECREST CONSISTING OF 201 LOTS, WITH WAIVERS OF THE DESIGN STANDARDS TO EXCEED SANITARY SEWER DEPTH AND FLOWS, MODIFICATION OF THE LAND SUBDIVISION ORDINANCE TO PERMIT NON-PERPENDICULAR LOT LINES, TO EXCEED LOT WIDTH-TO-DEPTH RATIO, TO ELIMINATE THE STREET CONNECTION TO THE WEST, TO ALLOW BLOCK LENGTHS LONGER THAN 1320 FEET, AND TO WAIVE THE REQUIRED PEDESTRIAN WAYS AND DETENTION REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03-77, 03R-123, 03R-116) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03) - Mark Hunzeker, 530 S. 13th St., Suite B, appearing on behalf of Pinecrest Partners, stated that an agreement has been made not to pursue any remedies that involve money damages against the City in exchange for being able to move forward.

Mr. Werner thanked Mr. Hunzeker and the City Attorney's staff for getting to this point.

Mr. Cook made a motion to delay action until they have received a copy of the signed agreement. Discussion followed.

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

Mr. Werner asked if it would matter if they voted today or next week?

Mr. Roper stated he was comfortable with a vote either today or next week. He stated this was the best both sides could come up with.

Mr. Hunzeker came forward for rebuttal. Further discussion followed.

This matter was taken under advisement.

TOOK BREAK 2:55 P.M.

RECONVENED 3:05 P.M.

MISCELLANEOUS BUSINESS

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., came forward to request that the Council ask questions to assure that various projects have the proper staff training, adequate staff, and adequate facility. He is concerned about the safety of the clients.

This matter was taken under advisement.

Glen Ceval, 1420 C Street, read a letter of the Problem Resolution Team dated 9/24/98 requesting that duplex's be included in the licensure programs.

This matter was taken under advisement.

Mark Yoakum, 433 W. Saunders, stated he called Chief Casady back in March to commend one of his officers for the over and above service he performed. The officer was Sgt. Mark Mumford. He, also, asked what is being done about the rebuilding of the lighthouse at Bowling Lake. This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF HAVELOCK BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA LOCATED ON HAVELOCK AVE. FROM APPROXIMATELY 10 FEET WEST OF 62ND STREET TO APPROXIMATELY 15 FEET WEST OF THE INTERSECTION AT 63RD STREET AND ½ BLOCK NORTH AND SOUTH ON 62ND STREET ON JUNE 21, 2003 FROM 4:00 P.M. TO 1:30 A.M. - CLERK read the following resolution, introduced by Glen Friendt, who moved its adoption for approval:

A-82108 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 Havelock Business Association for a Special Designated License to cover a portion of Havelock Avenue from approximately 10 feet west of 62nd Street to approximately 15 feet west of the intersection at 63rd Street and ½ block north and south on 62nd Street, as shown on the attached drawing, on June 21, 2003, between the hours of 4:00 p.m. and 1:30 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 Glenn Friendt

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

APPLICATION OF JV INC. DBA AZTECA MEXICAN RESTAURANTE FOR A CLASS I LIQUOR LICENSE AT 500 WEST GATE BLVD. - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for denial:

A-82109 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 for the license period ending April 30, 2004, at 500 West Gate Blvd., Lincoln, Nebraska, be refused for the following reasons:

1. The Lincoln Police Department has requested that this liquor license be denied based on the following:
 - a. On May 13, 2003, Ms. Stetson withdrew her request to be the manager of the requested liquor license.
 - b. On May 9, 2003, The Nebraska State Patrol conducted a compliance check in which alcohol was sold without a liquor license. James Vidaurre, president of the business was present during this transaction.
 - c. The application presented has been found to be inaccurate and incomplete.
2. The applicant has not demonstrated the propriety of the issuance of such license.
3. The issuance of the license will not be required by the present or future public convenience and necessity.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit

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a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Annette McRoy

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

MANAGER APPLICATION OF COURTNEY R. STETSON FOR JV INC. DBA AZTECA MEXICAN RESTAURANTE AT 500 WEST GATE BLVD. - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for denial:

A-82110 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 Courtney R. Stetson as manager of JV, Inc. dba "Azteca Mexican Restaurant" located at 500 West Gate Blvd., Lincoln, Nebraska, be denied. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Annette McRoy

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

ORDINANCES - 2ND READING - NONE

RESOLUTIONS

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY, THE NEBRASKA GAME AND PARKS COMMISSION, AND LOWER PLATTE SOUTH NRD FOR THE ADMINISTRATION OF THE NEBRASKA ENVIRONMENTAL TRUST GRANT FOR THE IMPLEMENTATION OF THE EASTERN NEBRASKA SALINE WETLANDS PROJECT - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82111 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Interlocal Agreement for Saline Wetlands between the City of Lincoln, the Nebraska Game and Park Commission, and the Lower Platte South Natural Resource District to cooperate and establish a Saline Wetland Conservation partnership to implement a Conservation Plan for Eastern Nebraska Saline Wetlands in accordance with the terms and conditions contained in said Interlocal Cooperation Agreement which is attached hereto marked as Attachment "A" and 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 transmit a certified copy of the executed original Interlocal Cooperation Agreement for Saline Wetlands to Lynn Johnson, Parks and Recreation Director, for transmittal to the Nebraska Game and Parks Commission and to the Lower Platte South NRD.

Introduced by Annette McRoy

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

APPROVING A COOPERATION AGREEMENT FOR SALINE WETLANDS BETWEEN THE CITY AND THE NATURE CONSERVANCY FOR THE ADMINISTRATION OF THE NEBRASKA ENVIRONMENTAL TRUST GRANT FOR THE IMPLEMENTATION OF THE EASTERN NEBRASKA SALINE WETLANDS PROJECT - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82112 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Cooperation Agreement for Saline Wetlands between the City of Lincoln, and the Nature Conservancy to cooperate and establish a Saline Wetland Conservation partnership to implement a Conservation Plan for Eastern Nebraska Saline Wetlands in accordance with the terms and conditions contained in said Cooperation Agreement which is attached hereto marked as Attachment "A" and 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 transmit a certified copy of the executed original Cooperation Agreement for Saline Wetlands to Lynn

Johnson, Parks and Recreation Director, for transmittal to the Nature Conservancy.

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

REAPPOINTING SUSAN RODENBURG TO THE PARKS AND RECREATION ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING APRIL 27, 2006 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82113 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Susan Rodenburg to the Parks and Recreation Advisory Board for a three-year term expiring April 27, 2006 is hereby approved.

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

APPROVING A CONTRACT INVOLVING EXPENDITURES FROM APPROPRIATIONS OF MORE THAN ONE YEAR BETWEEN THE CITY AND GARNEY CONSTRUCTION FOR A WASTEWATER PROJECT PROVIDING FOR THE CONSTRUCTION OF SALT VALLEY TRUNK SEWER PHASES IIB AND IIIA - PRIOR to reading:

COOK Moved to amend Bill No. 03R-127 to change the name Garner Construction to Garney Construction.

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

CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82114 WHEREAS, the City of Lincoln desires to enter into a contract for a wastewater project that provides for the construction of a major trunkline sanitary sewer providing increased conveyance for a major portion of the drainage that serves the Theresa Wastewater Treatment Plant.

WHEREAS, said contract will involve the expenditure of money from appropriations of more than one year, and Article VII, Section 3 of the Charter of the City of Lincoln provides that no such expenditure of money from appropriations of more than one year shall be valid unless approved by resolution of the City Council.

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

That the contract between the City and Garney Construction for a wastewater project that provides for the construction of Phases IIB and IIIA, from Haymarket Park through South Salt Creek Neighborhood to approximately 4th & Rose Street identified in the Capital Improvement Plan, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to return two fully executed copies of this Resolution to Steve Masters, Public Works Administrator, one for department records and one for transmittal to the contractor.

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

APPROVING THE APPLICATION OF JOHN BUSSEY FOR THE USE OF PUBLIC RIGHT-OF-WAY FOR THE INSTALLATION OF A FENCE AT 1201 E STREET AND 1020 AND 1026 S. 12TH STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82115 WHEREAS, John Bussey dba Capital Rentals has submitted an application for a permit to use the public right-of-way at 1201 E Street and 1020 and 1026 South 12th Street for the installation of a fence; and

WHEREAS, said applicant has submitted a letter of application and a site plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and made a part of this resolution by reference, to use the public right-of-way as above described; and

WHEREAS, said applicant has complied with all of the provisions of Chapter 14.54 of the Lincoln Municipal Code pertaining to such use.

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

That the application aforesaid of John Bussey dba Capital Rentals, hereinafter referred to as "Permittee" to use the public right-of-way adjacent to property legally described as the west 10 feet of Lot 5 and all of Lot 6, Block 188, Original Plat, commonly known as 1201 E Street, 1020 and 1026 S. 12th Street is granted as a privilege only by virtue of

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and subject to strict compliance with the site plan, the letter of application, and the following terms and conditions, to wit:

1. That the permission herein granted is granted as a privilege only, and is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code including those provisions relating to the posting of a continuing bond in the amount of \$5,000, and the filing of a certificate of insurance with a minimum combined single limit of \$500,000 aggregate for any one occurrence.

2. That said use shall be in full accordance with the aforesaid application, the site plan filed therewith, and with all applicable City ordinances and regulations.

3. The Permittee, his heirs, successors or assigns shall save and keep the City free and harmless from any and all loss or damages or claims for damages arising from or out of the use of the public way requested herein.

4. That all work done under the authority of this resolution shall be subject to the inspection and approval of the Director of Public Works of the City of Lincoln.

5. This permit may be revoked by resolution of the City Council and after giving of five days written notice to the Permittee by the City Clerk, for the following reasons: (a) failure of the Permittee to pay the compensation required within ten days after the date payment is due; (b) failure or neglect of the Permittee to comply with the provisions of Chapter 14.54 of the Lincoln Municipal Code, or any other provisions of the Lincoln Municipal Code or the provisions of the permit; (c) failure to use the space for which the permit was granted for a continuous period of at least six months or (d) upon a determination by the City that the space for which the permit was granted is needed for public use.

Upon revocation of a permit, the Permittee shall forthwith remove or abandon the space for which the permit was granted, together with the removal of any structure at their own cost and expense and return that space to the City of Lincoln, free and clear of all structures or encroachments of any type, at no expense to the City. If the requested removal or abandonment has not been completed within six months after revocation of the permit, the City Council may cause such removal or abandonment to be so done and the cost of such work shall become a lien against the property of the Permittee.

6. Permittee shall pay, as rental fee for the space occupied, an amount equal to ten percent of the square foot value, as last fixed by the Board of Equalization, of the lot directly abutting on the use, multiplied by the square footage of the use of space.

Said rental payments shall be made to the City Treasurer and shall be due and payable on the 1st day of October of each year; provided however, the amount of the initial payment required hereunder shall be pro-rated from the date when the permit is issued to the 1st day of October of the next year and payments shall be due and payable on October 1st thereafter. Rent shall become delinquent on the 1st day of December of each year and such delinquent rent shall bear interest at the rate of one percent per month until paid and if such rent is not paid for six months or more after such delinquent date, a penalty of five percent shall be added thereto in addition to said interest.

7. The use of the public way herein granted and the terms and conditions of this resolution shall be binding and obligatory upon the above-named Permittee, his successors and assigns.

8. That within thirty (30) days from the adoption of this resolution, and before commencing any construction under the provisions hereof, the above-named Permittee shall file an unqualified written acceptance of all the terms and conditions of this resolution with the City Clerk. Failure to do so will be considered a rejection hereof and all privileges and authorities hereunder granted shall thereupon ipso facto terminate.

Introduced by Annette McRoy

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND COUNTY OUTLINING CONSTRUCTION AND MAINTENANCE RESPONSIBILITIES FOR THE CHENEY CONNECTION PROJECT NO. 800935, BEING THE REDESIGN OF SOUTH 91ST STREET AT HIGHWAY 2 AND THE ROAD INTO THE TOWN OF CHENEY - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82116 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City of Lincoln and Lancaster County, outlining construction and maintenance responsibilities for paving and construction of the Cheney Connector, described as rerouting the current section of South 91st Street into the town of Cheney, upon the terms and conditions as set forth in said Agreement, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved 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 Earleen Ladd, Lancaster County Clerk's Office for filing with the County.

Introduced by Annette McRoy

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND COUNTY TO RECONSTRUCT SOUTH 14TH STREET, SOUTH OF YANKEE HILL ROAD TO A SUBURBAN SECTION AND TO TAPER THE ROADWAY TO MEET THE TWO-LANE EXISTING COUNTY ROAD - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82117 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City of Lincoln and Lancaster County, outlining construction and maintenance responsibilities for the reconstruction of South 14th Street south of Yankee Hill Road to a suburban section and to taper the roadway to meet the two lane existing county road, upon the terms and conditions as set forth in said Agreement, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved 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 Patricia Owen, Lancaster County Clerk's Office for filing with the County.

Introduced by Annette McRoy

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR CITY PROJECT NO. 546007 FOR THE PROPOSED FUNDING OF A ROUNDABOUT AT THE INTERSECTION OF S. 40TH STREET AND SHERIDAN BLVD. - PRIOR to reading:

COOK Moved to delay action & continue public hearing on Bill No. 03R-131 to 7/14/03.

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

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR CITY PROJECT NO. 546010 FOR THE PROPOSED FUNDING OF NORTH DUAL LEFT-TURN LANES, RE-STRIPE FOR SOUTH DUAL LEFT-TURN LANES AND TRAFFIC SIGNALS AT 27TH STREET AND HIGHWAY 2 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82118 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Project No. STPP-5231(11) (City Project No. 546010) for the construction of north dual left-turn lanes, re-stripe for south dual left-turn lanes, and traffic signals at 27th Street and Highway 2, 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 the Department of Public Works, for transmittal and execution by the State Department of Roads.

Introduced by Annette McRoy

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

APPROVING AMENDMENTS TO THE NORTH 27TH STREET CORRIDOR AND ENVIRONS REDEVELOPMENT PLAN TO ADD THE ACQUISITION AND DEMOLITION OF THE

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REMAINING NORTH HALF OF BLOCK 21, KINNEY'S O STREET ADDITION, GENERALLY LOCATED AT NORTH 27TH AND P STREETS - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82119 WHEREAS, the City Council, on June 19, 2000, adopted Resolution No. A-80238 finding an area generally bounded by "N" Street on the south; the viaduct over the Burlington Northern Santa Fe right-of-way, parallel to Cornhusker Highway on the north; 23rd Street on the west; and 31st Street on the east to be blighted and substandard as defined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, the City Council has previously adopted the North 27th Street Corridor and Environs Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to amend provisions of the Plan related to the 27th and P Street Commercial Development Project to add acquisition of additional property to facilitate the construction of a facility for adult residential treatment and administrative offices in conformance with the Plan; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk the Amendments to the Plan, which amendments are attached hereto, marked as Exhibit "A", and made a part hereof by reference, and has reviewed said Amendments and has found that they meet the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 1997); and

WHEREAS, on April 18, 2003 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be held on April 30, 2003 before the Lincoln City - Lancaster County Planning Commission regarding the Amendments to North 27th Street Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Exhibit "B" and "C" respectively; and

WHEREAS, said proposed Amendments to North 27th Street Redevelopment Plan have been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendation, and said Planning Commission on April 30, 2003 found the proposed Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on May 16, 2003 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on June 2, 2003 regarding the proposed Amendments to North 27th Street Redevelopment Plan, a copy of said notice having been attached hereto as Exhibit "D"; and

WHEREAS, on May 16, 2003 and May 23, 2003 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on June 2, 2003 regarding the proposed Amendments to the North 27th Street Redevelopment Plan; and

WHEREAS, on June 2, 2003 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed Amendments to the North 27th Street Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

WHEREAS, the City Council after the hearing on June 2, 2003 duly considered all statements made and materials submitted relating to said Amendments and specifically found among other things that the costs and benefits of the proposed Redevelopment Projects, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services were in the long-term best interest of the community impacted by the same.

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed plans.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Amendments are described in sufficient detail and are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City which will promote general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That the proposed Project is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said plan is in conformity with the legislative declarations, and the determinations set forth in the Community Development Law.

3. That the Director of the Urban Development Department has submitted with said Redevelopment Plan a statement of the proposed method and estimated cost of the acquisition and preparation for redevelopment of the Project areas and the estimated proceeds or revenue from the partial disposal thereof to redevelopers, if any; a statement of the proposed method of financing the Redevelopment Projects; and a statement of the method proposed for the relocation of families and businesses to be displaced from the Redevelopment Project areas.

4. That the acquisitions by the City of real property, if any, as set forth in the Amendments are necessary for implementation of said Projects and their purposes under the provisions of the Community Development Law.

5. That the Redevelopment Projects in the Amendments would not be economically feasible without the use of tax-increment financing.

6. That said Redevelopment Projects would not occur in the Plan Redevelopment Area without the use of tax-increment financing.

7. That the costs and benefits of the Redevelopment Projects, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council and have been found to be in the long-term best interest of the community impacted by the redevelopment projects according to the (a) the community's public service needs impacts and local tax impacts arising from the approval of the project; (b) impacts on employers and employees of firms locating or expanding within the boundaries of the project area; (c) impacts on other employers and employees in the City and immediate area outside the project area; and (d) other impacts the City Council hereby determines to be relevant to the consideration of costs and benefits arising from the redevelopment project.

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

That, pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the Amendments attached hereto as Exhibit "A" are hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

BE IT FURTHER RESOLVED that the Urban Development Director or his authorized representative is hereby authorized and directed to take all steps necessary to implement the provisions of said Amendments.

BE IT STILL FURTHER RESOLVED that the Urban Development Director, or her authorized representative, is hereby authorized and directed to contact the owners and tenants of those properties listed in said Amendments for the purpose of negotiation of contracts or options for the acquisition of all interests in said real estate in accordance with the land acquisition procedures of the City of Lincoln; and to take all steps necessary for the acquisition of said property by purchase, if possible, or by condemnation if necessary.

BE IT STILL FURTHER RESOLVED that the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents for the authorization to provide necessary funds, including Community Improvement Financing in accordance with the provisions of the Community Development Law, to finance necessary and appropriate public acquisitions, improvements, and activities set forth in said Amendments to the Lincoln Center Redevelopment Plan.

BE IT STILL FURTHER RESOLVED that it is intended that this resolution and the modifications adopted herein are supplemental hereto

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the findings, approvals, and authorizations set forth in Resolution No. A-81780.

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MAY 1 - 15, 2003 - PRIOR to reading:

SVOBODA Moved to amend Bill No. 03R-134 by removing Tim Rowland from the list of Denied claims for the reason that the claimant has withdrawn his claim.

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

CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82120 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 15, 2003, 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 OR SETTLED</u>
Tim McCarty		NAS*	James Harman \$ 2,500.00
Tim Rowland	\$1,012.93		Ralph & MaryLou Wiegert 750.00
Hollie Wilson	169.80		Steve Speidel 22.31
			Thomas D. Johnson 301.20
			David B. Bishop 54.15
			Daniel P. Thompson Jr. 60.15
			Theodore Wilcox 17,000.00

* No Amount Specified

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

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

SETTING THE HEARING DATE OF MONDAY, JUNE 16, 2003 @ 1:30 P.M. FOR THE APPLICATION OF KRAMER ENTERPRISES, INC. DBA LANCASTER'S FOR AN ADDITION TO PREMISES OF A BEER GARDEN MEASURING APPROX. 19' X 23' TO THE NORTH, LOCATED AT 3800 OLD CHENEY ROAD - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82121 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., June 16, 2003, 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 Kramer Enterprises, Inc. dba "Lancaster's" for an addition of a beer garden approximately 19' x 23' to the north at 3800 Old Cheney Road.

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

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

SETTING THE HEARING DATE OF MONDAY, JUNE 16, 2003 @ 1:30 P.M. FOR THE APPLICATION OF SUMMIT PROPERTIES, LLC DBA "SIDELINES DELI" FOR A CLASS J LIQUOR LICENSE AT 1000 SAUNDERS AVENUE - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82122 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., June 16, 2003, 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 Summit

Properties, LLC dba "Sidelines Deli" for a Class "J" Liquor License at 1000 Saunders Avenue.

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

Introduced by Annette McRoy

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

SETTING THE HEARING DATE OF MONDAY, JUNE 16, 2003 @ 1:30 P.M. FOR THE APPLICATION OF METTLEN, INC. DBA "JAX" FOR A CLASS C LIQUOR LICENSE AT 2711 SOUTH 48TH STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82123 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., June 16, 2003, 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 Mettlen, Inc. dba "Jax" for a Class "C" Liquor License at 2711 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 Annette McRoy

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

APPROVING THE HUB HALL HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN HIGHWAY 15, INC., CHARLES GARY GATELY, TRUSTEE, AND THE CITY OF LINCOLN OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 142 ACRES OF LAND GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND NORTH OF HOLDREGE STREET. (IN CONNECTION W/03R-108, 03R-109, 03-70, 03-71) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T W/ ACTION 2 WKS TO 6/2/03)- PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.

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

SPECIAL PERMIT 1995 - APPLICATION OF HUBERT H. HALL TO DEVELOP HUB HALL HEIGHTS COMMUNITY UNIT PLAN FOR 869 DWELLING UNITS ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET. (IN CONNECTION W/03-70, 03-71, 03R-109, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T W/ACTION 2 WKS TO 6/2/03) - PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.

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

APPROVING AND ACCEPTING THE PRELIMINARY PLAT OF HUB HALL HEIGHTS FOR 356 LOTS AND 5 OUTLOTS WITH WAIVERS TO MODIFY THE LAND SUBDIVISION ORDINANCE TO ALLOW BLOCK LENGTHS TO EXCEED STANDARDS AND PERMIT DOUBLE FRONTAGE LOTS, ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET.(IN CONNECTION W/03-70, 03-71, 03R-108, 03R-110) (5/5/03 - P.H. CON'T. & ACTION DELAYED 2 WKS TO 5/19/03) (5/19/03 - P.H. CON'T & ACTION DELAYED 2 WKS TO 6/2/03) (ACTION DELAYED ONE WEEK TO 6/9/03, 6-1; SVOBODA DISSENTING) - PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.

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

APPROVING THE PINECREST CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND PATRICK MOOBERRY RELATING TO THE ANNEXATION OF APPROXIMATELY 50 ACRES OF PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03-77, 03R-116, 03R-117) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03) - PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.

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

SPECIAL PERMIT 1991 - APPLICATION OF PATRICK MOOBERRY TO DEVELOP PINECREST COMMUNITY UNIT PLAN CONSISTING OF 288 DWELLING UNITS, WITH WAIVERS TO THE REQUIRED RECREATION FACILITY, LOT WIDTH, LOT AREA, REDUCTION OF THE FRONT YARD SETBACK, CLUSTER DENSITY FOR THE MULTI-FAMILY AREA, AND TO ALLOW A MAXIMUM HEIGHT OF 40' ON LOT 1, BLOCK 1 IN THE MULTI-FAMILY AREA, ON PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD.

(IN CONNECTION W/03-77, 03R-117, 03R-123) (5/19/03 - P.H. CON'T & ACTION

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DELAYED TO 6/2/03) (ACTION DELAYED ONE WEEK TO 6/9/03, 4-3; CAMP, MCROY, SVOBODA DISSENTING)- PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.
Seconded by Friendt & carried by the following vote: AYES: Cook, Friendt, Newman, Werner; NAYS: Camp, McRoy, Svoboda.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF PINECREST CONSISTING OF 201 LOTS, WITH WAIVERS OF THE DESIGN STANDARDS TO EXCEED SANITARY SEWER DEPTH AND FLOWS, MODIFICATION OF THE LAND SUBDIVISION ORDINANCE TO PERMIT NON-PERPENDICULAR LOT LINES, TO EXCEED LOT WIDTH-TO-DEPTH RATIO, TO ELIMINATE THE STREET CONNECTION TO THE WEST, TO ALLOW BLOCK LENGTHS LONGER THAN 1320 FEET, AND TO WAIVE THE REQUIRED PEDESTRIAN WAYS AND DETENTION REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (IN CONNECTION W/03-77, 03R-123, 03R-116) (5/19/03 - P.H. CON'T & ACTION DELAYED TO 6/2/03) - PRIOR to reading:

COOK Moved to delay action on Bill No. 03R-110 for one week to 6/9/03.
Seconded by Friendt & carried by the following vote: AYES: Cook, Friendt, Newman, Werner; NAYS: Camp, McRoy, Svoboda.

AMENDING THE LINCOLN DESIGN STANDARDS TO REVISE THE LAND SIZE THRESHOLD AT WHICH APPROVED EROSION AND SEDIMENT CONTROL PLANS ARE REQUIRED FROM TWO ACRES TO ONE ACRE, AND TO CLARIFY PROVISIONS RELATED TO SEDIMENT IN THE PUBLIC RIGHT-OF-WAY. (IN CONNECTION W/03-80, 03-81) (5/19/03 - ACTION DELAYED 2 WKS TO 6/2/03)- CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-82127 WHEREAS, the City of Lincoln has previously adopted the City of Lincoln Design Standards by Resolution No. A-80518; and
WHEREAS, a text change to the Design Standards is necessary under the National Pollutant Discharge Elimination System (NPDES) to revise the requirement to obtain approval of an erosion and sediment control plan prior to land disturbance by reducing the land size threshold at which an approved plan is required from two acres to one acre and to clarify provisions related to sediment in the public right-of-way.

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

That the City of Lincoln Design Standards, adopted by the City Council on November 6, 2000 by Resolution No. A-80518, be and the same are hereby amended as follows:

1. Amending Chapter 2.05 "Stormwater Drainage Design Standards" by revising the land size threshold at which approved erosion and sediment control plans are required from two acres to one acre, and to clarify provisions related to sediment in the public right-of-way, as shown on Attachment "A which is attached hereto and incorporated herein by reference.

Introduced by Glenn Friendt

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

PETITIONS & COMMUNICATIONS

THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING DEPT.:

Change of Zone No. 3406 - App. of Jerry Joyce, to allow for additional parking for existing building on property located at 81st & "O" Street.

Change of Zone No. 3410 - App. of Ridge Development Co. and Southview, Inc. to allow automobile/truck wash facilities as an approved use within a planned service commercial development, on property located at 27th Street and Yankee Hill Road.

Special Permit No. 228J - App. of Larry and Gay Nelson for a reduction of front yard setback on property located at 472 West Lakeshore Drive.

Special Permit No. 2018 - App. of Gerald D. McCracken to exceed maximum height limit to erect a 100' flag pole, on property located at 84th Street & Hwy. #6.

Special Permit No. 2021 - App. of Brian D. Carstens, representing Truax Homes to develop an early childhood care facility for 100 children on property located at 6021 South 56th Street.

REPORTS OF CITY OFFICERS

INVESTMENT OF FUNDS FOR THE WEEK OF MAY 19 THROUGH MAY 23, 2003 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82124 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.

Introduced by Annette McRoy

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

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED APRIL, 2003 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82125 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended April 20, 2003, \$174,280.00 was earned from the 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 Annette McRoy

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

INVESTMENT OF FUNDS FOR THE WEEK OF MAY 12, THRU MAY 16, 2003 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82126 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.

Introduced by Annette McRoy

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

SETTING THE HEARING DATE OF MONDAY, JUNE 23, 2003 @ 10:00 A.M. ON THE BOARD OF EQUALIZATION SPECIAL ASSESSMENT GROUP I - CLERK requested approval to set the hearing date of Monday, June 23, 2003 @ 10:00 a.m. on the Board of Equalization Special Assessment Group I.

SVOBODA So moved.

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

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON MAY 12, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON MAY 19, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT OF CITY TREASURER OF MONTHLY CASH ON HAND AT THE END OF APRIL, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

REPORT OF CITY TREASURER OF FRANCHISE TAX FROM AQUILA FOR THE MONTH OF APRIL, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT OF CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF APRIL, 2003: WWC LICENSE LLC; USA PAGING, LLC; NORSTAN NETWORK SERVICES, INC.; SPRINT SPECTRUM, L.P.; NOS COMMUNICATIONS, INC.; TRI-M COMMUNICATIONS, INC.; NETWORK BILLINGS SYSTEMS, LLC; NEXTEL WEST CORP.; ATT WIRELESS PCS LLC; VARTEC TELECOM, INC.; BIG PLANET,

INC.; I-LINK COMMUNICATIONS, INC.; GUARANTEED PHONE SERVICE; NPCR, INC.; OCMC, INC.; D & D COMMUNICATIONS, INC.; AND ATS MOBILE

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TELEPHONE CO., INC. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

QUARTERLY FINANCIAL REPORT OF LINCOLN ELECTRIC SYSTEM FOR THE PERIOD JANUARY 1, 2003 THROUGH MARCH 31, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. (40)

ORDINANCES - 1ST READING

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO LEAVES OF ABSENCE WITHOUT PAY TO REFLECT CURRENT PROCEDURES AND TO DISABILITY RETIREMENT TO MAKE THE PROVISIONS CONSISTENT WITH THE AMERITAS PLAN DOCUMENT - CLERK read an ordinance, introduced by Annette McRoy, amending Section 2.76.400 of the Lincoln Municipal Code relating to leaves of absence without pay to reflect current procedures; amending Section 2.76.505 of the Lincoln Municipal Code relating to disability retirement to make the provisions consistent with the Ameritas plan document; and repealing Sections 2.76.400 and 2.76.505 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING ORDINANCE NO. 18048 RELATING TO PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER E BY AMENDING THE PAY RANGE FOR THE JOB CLASSIFICATION OF EXECUTIVE SECRETARY - CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18048 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "E" by amending the pay range for the job classification of "Executive Secretary", the first time.

AMENDING ORDINANCE 18047 RELATING TO THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER A BY CREATING THE JOB CLASSIFICATION OF ASSISTANT SANITARY ENGINEER AND DELETING THE JOB CLASSIFICATIONS OF PROGRAM SUPERVISOR, ASST. CHIEF - DIVISION OF ENVIRONMENTAL HEALTH, AND STAFF DEVELOPMENT COORDINATOR - CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18047 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A" by creating the job classification of "Assistant Sanitary Engineer" and deleting the job classifications of "Program Supervisor," "Asst. Chief - Division of Environmental Health," and "Staff Development Coordinator", the first time.

APPROVING THE AMENDED AND RESTATED PLAN DOCUMENT FOR THE 457 DEFERRED COMPENSATION PLAN WITH AMERITAS, AS REVISED FOR IRS COMPLIANCE - CLERK read an ordinance, introduced by Annette McRoy, approving the amended and restated City of Lincoln 457 Deferred Compensation Plan administered by Ameritas Life Insurance Corp. to update said Plan, to comply with the amendments to Section 457 of the Internal Revenue Code, and to provide that as a governmental plan, all the assets of the plan will be held for the exclusive benefit of the participants and their beneficiaries, the first time.

REPEALING ORDINANCE NO. 17993 WHICH CREATED RE-PAVING DISTRICT NO. 154 IN SAUNDERS AVE., 12TH ST. TO 14TH STREET - CLERK read the ordinance, introduced by Annette McRoy, repealing Ordinance No. 17993 which created Re-paving District No. 154, which Paving district included all that portion of Saunders Avenue, 12th St. to 14th St. describing the benefitted property and providing for the payment of the cost thereof, the first time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 46.22 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF SOUTH 56TH STREET AND YANKEE HILL ROAD. (IN CONNECTION W/03-91, 03R-141, 03R-142)- CLERK read an ordinance, introduced by Annette McRoy, amending the corporate limits of the City by annexing approximately 46.22 acres of property generally located northeast of the intersection of South 56th Street and Yankee Hill Road, the first time.

CHANGE OF ZONE NO. 3362 - APPLICATION OF RIDGE DEVELOPMENT COMPANY FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF SOUTH 56TH STREET AND

YANKEE HILL ROAD. (IN CONNECTION W/03-90, 03R-141, 03R-142) - CLERK read an ordinance, introduced by Annette McRoy, 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.

CHANGE OF ZONE NO. 3290 - APPLICATION OF CARL R. SCHMIDT FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT OLD CHENEY ROAD AND FRONTIER ROAD. (IN CONNECTION W/03R-145) - CLERK read an ordinance, introduced by Annette McRoy, 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

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 142 ACRES OF PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET - PRIOR to reading:

COOK Moved to delay action for one week to 6/9/03.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Werner; NAYS: Svoboda.

CLERK Read the following ordinance, introduced by Ken Svoboda, amending the Corporate Limits of the City by annexing approximately 142 acres of property generally located northeast of N.W. 48th Street and W. Holdrege Street, the third time.

CHANGE OF ZONE 3390 - APPLICATION OF HUBERT H. HALL FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHEAST OF N.W. 48TH STREET AND W. HOLDREGE STREET - PRIOR to reading:

COOK Moved to delay action for one week to 6/9/03.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Werner; NAYS: Svoboda.

CLERK Read the following ordinance, introduced by Ken Svoboda, for a change of Zone 3390, the application of Hubert H. Hall for a change of zone from AG Agricultural District to R-3 Residential District on property generally located northeast of N.W. 48th Street and W. Holdrege Street, the third time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROXIMATELY 50 ACRES OF PROPERTY GENERALLY LOCATED AT N. 14TH STREET AND MORTON ROAD. (In connection w/03R-123, 03R-116, 03R-117) - PRIOR to reading:

COOK Moved to delay action on Bill No. 03-77 for one week to 6/9/03.
Seconded by Friendt & carried by the following vote: AYES: Cook, Friendt, Newman, Werner; NAYS: Camp, McRoy, Svoboda.

CLERK read the following ordinance, introduced by Jon Camp, amending the corporate limits of the City by annexing approximately 50 acres of property generally located at N. 14th Street and Morton Road, the third time.

CHANGE OF ZONE 3403 - APPLICATION OF CORNHUSKER PLACE OF LINCOLN-LANCASTER COUNTY FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 7TH AND K STREETS - CLERK read the following resolution, introduced by Annette McRoy for Jon Camp who is now Chairperson, for a Change of Zone 3403, the application of Cornhusker Place of Lincoln-Lancaster County for a Change of Zone from I-1 Industrial District to B-4 Lincoln Center Business District on property generally located at South 7th and K Streets, the third time.

MCROY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

The ordinance, being numbered #18185, is recorded in Ordinance Book 25, Page

CHANGE OF ZONE 3405 - AMENDING SECTION 27.81.010 OF THE LINCOLN MUNICIPAL CODE -(THE ZONING ORDINANCE) TO REVISE THE LAND SIZE THRESHOLD AT WHICH APPROVED EROSION AND SEDIMENT CONTROL PLANS ARE REQUIRED FROM TWO ACRES

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TO ONE ACRE, AND TO CLARIFY PROVISIONS RELATED TO SEDIMENT IN THE PUBLIC RIGHT-OF-WAY. (In connection w/03-81, 03R-124) - CLERK read the following resolution, introduced by Annette McRoy for Jon Camp who is now chairperson, for a Change of Zone 34-5 - Amending Section 27.81.010 of the Lincoln Municipal Code - (The Zoning Ordinance) to revise the land size threshold at which approved erosion and sediment control plans are required from two acres to one acre, and to clarify provisions related to sediment in the public right-of-way, the third time.

MCROY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Svoboda, Werner; NAYS: None; ABSTAINS: Newman.
The ordinance, being numbered **#18186**, is recorded in Ordinance Book 25, Page

AMENDING SECTIONS 26.11.038, 26.23.190, 26.27.060, AND 26.31.040 OF THE LINCOLN MUNICIPAL CODE (THE LAND SUBDIVISION ORDINANCE) TO REVISE THE LAND SIZE THRESHOLD AT WHICH APPROVED EROSION AND SEDIMENT CONTROL PLANS ARE REQUIRED FROM TWO ACRES TO ONE ACRE, AND TO CLARIFY PROVISIONS RELATED TO SEDIMENT IN THE PUBLIC RIGHT-OF-WAY. - CLERK read the following ordinance, introduced by Annette McRoy for Jon Camp who is now chairperson, amending Sections 26.11.038, 26.23.190, 26.27.060 and 26.31.040 of the Lincoln Municipal Code (The Land Subdivision Ordinance) to revise the land size threshold at which approved erosion and sediment control plans are required from two acres to one acre, and to clarify provisions related to sediment in the public right-of-way, the third time.

MCROY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Svoboda, Werner; NAYS: None; ABSTAINS: Newman.
The ordinance, being numbered **#18187**, is recorded in Ordinance Book 25, Page

MISCELLANEOUS BUSINESS

PENDING -

SVOBODA Moved to extend the Pending List to June 9, 2003.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

SVOBODA Moved to approve the resolutions to have Public Hearing on June 9, 2003.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ADJOURNMENT

3:55 P.M.

COOK Moved to adjourn the City Council Meeting of June 2, 2003 excluding Items 71 and 72.
Seconded by Werner & **LOST** by the following vote: AYES: Cook, Newman, Werner; NAYS: Camp, Friendt, McRoy, Svoboda.

SVOBODA Moved to adjourn the City Council meeting of June 2, 2003.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
So ordered.

Joan Ross, City Clerk

Judy Roscoe, Senior Office Assistant