

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 1, 2004 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; Teresa Meier, Deputy City Clerk.

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

READING OF THE MINUTES

NEWMAN Having been appointed to read the minutes of the City Council proceedings of February 23, 2004, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF ZKZ INCORPORATED DBA THE OFFICE FOR A CLASS I LIQUOR LICENSE (SPIRITS, WINE, BEER, ON-SALE) AT 640 W. PROSPECTOR, SUITE 200; MANAGER APPLICATION OF BRENT A. ZYWIEC FOR ZKZ INCORPORATED DBA THE OFFICE AT 640 W. PROSPECTOR, SUITE 200 - Michael Rierden, 645 M Street, Suite 200, took oath and came forward representing the applicants and asking for approval.

Brent A. Zywiec, 2605 SW 14th Street, took oath and came forward for approval and stated he registered for the Responsible Hospitality Council training for March 11, 2004.

Shane Zywiec, no address given, took oath and came forward for approval and to answer any questions.

John Massie, 2627 SW 14th Street, came forward in support.

Tony Curtis, 600 Tower Road, President of the Yankee Hill Association, came forward in opposition.

Annette McRoy, Council Member, asked the applicants what type of facility this establishment will be?

Brent A. Zywiec stated that it will be a gentlemen's club. Further discussion followed.

This matter was taken under advisement.

APPLICATION OF 1339 "O" STREET, INC. DBA BROTHERS EST. 1967 FOR A CLASS C LIQUOR LICENSE (SPIRITS, WINE, BEER, ON & OFF SALE) AT 1339 "O" STREET; MANAGER APPLICATION OF KEVIN J. BLAZEK FOR 1339 "O" STREET, INC. DBA BROTHERS EST. 1967 AT 1339 "O" STREET - Charlie Humble, 301 S 13th Street, Suite 400, took oath and came forward representing the applicants and asked for approval.

Marc Fortney, 1938 Summit Drive, LaCrosse, WI, took oath and came forward as one of the owner's of the facility and asked for approval. Further discussion followed.

Eric Fortney, 1365 Walnut Grove, Plymouth, MN, took oath and came forward as one of the owner's of the facility and asked for approval. Further discussion followed.

Kevin Blazek, 222 Jay Street, Apartment 208, took oath and came forward as the manager of the facility and to answer any questions of the Council. Further discussion followed.

Bob Valentine, 2666 Park Avenue, came forward to express his opinion of why he feels the applicants are choosing Lincoln to build their facility, which he feels it is based on Lincoln being a big drinking town.

This matter was taken under advisement.

APPLICATION OF ALTA VISTA LLC DBA DISH BISTRO & BAR FOR A CLASS C LIQUOR LICENSE (SPIRITS, WINE, BEER, ON & OFF SALE) AT 1100 "O" STREET; MANAGER APPLICATION OF JASON C. BALCOM FOR ALTA VISTA LLC DBA DISH BISTRO & BAR AT 1100 "O" STREET - Glen Friendt, 3433 Cape Charles Road West, took oath and came forward as the owner of the facility and to ask for approval.

Jason Malcolm, no address given, took oath and came forward as the manager of the facility and to answer any questions of the council.

Jon Camp, Council Member, asked Mr. Friendt if this will this impact his duties as a member of the City Council.

Mr. Friendt stated that it would not.
Mr. Camp asked if this facility would be smoking or nonsmoking.
Mr. Friendt replied that it would be a non-smoking facility.
This matter was taken under advisement.

VACATION 03014 - VACATING A PORTION OF THE EAST WEST ALLEY FROM VACATED SOUTH 26TH STREET TO SOUTH 27TH STREET, BETWEEN N AND "O" STREETS - Michael Rierden, 645 M Street, Suite 200, came forward on behalf of the applicants asking for approval of this item. Further discussion followed.

Nicole Fleck-Tooze, Special Projects Administrator of Public Works and Utilities, came forward to answer questions of the Council regarding this matter. Further discussion followed.

Dana Roper, City Attorney, came forward to answer questions of the Council regarding this matter. Further discussion followed.

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

This matter was taken under advisement.

VACATION 03019 - VACATING A PORTION OF WHITEWATER LANE AT NORTH 15TH STREET - Rick Onnen, Engineering Design Consultants, 2200 Fletcher Avenue, Suite 105, came forward asking for approval on this item and to answer any questions. Further discussion followed.

This matter was taken under advisement.

VACATION 03022 - VACATING A PORTION OF THE ALLEY ADJACENT TO ROCK N ROLL RUNZA GENERALLY LOCATED AT 14TH AND P STREETS - Rutt Harris, no address given, with Runza National, came forward for approval of this item and to answer questions. Further discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 79HP - APPLICATION OF THE ALPHA XI DELTA BUILDING ASSOCIATION TO DESIGNATE THE ALPHA XI DELTA SORORITY HOUSE AT 1619 R STREET AS A LANDMARK - Ed Zimmer, Planning Department, came forward for approval of this item and to answer any questions.

This matter was taken under advisement.

CHANGE OF ZONE 80HP - APPLICATION OF MICHAEL AND CAROL JAMES TO DESIGNATE THE R..O. STAKE HOUSE AT 145 S. 28TH STREET AS A LANDMARK - Ed Zimmer, Planning Department, came forward for approval and showed a slide show of the designated land and house of this applicant. Further discussion followed.

Glenn Cekal, 1420 C Street, came forward in approval of this item and to express his opinion of the process of approving historical designations. Further discussion followed.

This matter was taken under advisement.

APPROVING A LEASE AGREEMENT BETWEEN NEBRASKA GOLF & TURF, NEBRASKA NATIONAL BANK, AND THE CITY FOR THE LEASE OF 225 GOLF CARS AND 14 UTILITY VEHICLES FOR USE BY THE CITY PARKS AND RECREATION DEPARTMENT;

APPROVING A LEASE AGREEMENT BETWEEN NEBRASKA NATIONAL BANK, AND THE CITY FOR GOLF COURSE AND PARK MAINTENANCE EQUIPMENT AT HOLMES AND MAHONEY GOLF COURSES - Steve Hiller, Parks and Recreation Department, came forward for approval and to answer any questions.

COOK Moved to continue the 2nd reading and Public Hearing of Bill #04-35 & Bill #04-36 to next week on 3/8/04.

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

APPOINTING JEANNINE FALTER, BETHINA MOORE, AND BARBARA A. RAMSEY TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION FOR TERMS EXPIRING JANUARY 1, 2006, JANUARY 1, 2006, AND JANUARY 1, 2005, RESPECTIVELY - Bob Valentine, 2660 Park Avenue, came forward in opposition of this item and expressed his opinion on how there should be more stay-at-home mother's representing the Lincoln-Lancaster Women's Commission. Further discussion followed.

Bonnie Coffey, Lincoln Women's Commission, came forward to answer questions of the council. Further discussion followed.

Lela Shanks, 2761 Randolph Street, came forward to speak on behalf of herself as a stay-at-home mother and expressed her opinion of Mr. Valentine's statements. Further discussion followed.

Glenn Cekal, 1420 C Street, came forward to express his opinion of Mr. Valentine's statements.

This matter was taken under advisement.

USE PERMIT 106A - APPLICATION OF ONE VISTA LLC TO AMEND USE PERMIT 106 TO INCLUDE ADDITIONAL LAND, RELOCATE ACCESS, PROVIDE A PRIVATE ROADWAY, ADD A SIGN, AND DECREASE THE REQUIRED PARKING FROM 148 TO 80 STALLS, ON PROPERTY GENERALLY LOCATED AT 65TH STREET AND PIONEERS BLVD - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward asking for approval on behalf of the applicant and to answer any questions. Further discussion followed.

This matter was taken under advisement.

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ART. IV, SEC. 7 TO PROVIDE THAT AN INDEPENDENT COMMITTEE COMPOSED OF CITIZENS WITH EXPERTISE IN BUSINESS, LEGAL, GOVERNMENTAL, AND PERSONNEL MATTERS, APPOINTED BY THE MAYOR, SHALL MAKE A RECOMMENDATION AS TO THE APPROPRIATE SALARY OF THE CITY COUNCIL MEMBERS, INCLUDING BENEFITS, AND TO FURTHER PROVIDE THAT SUCH RECOMMENDATION MAY BE APPROVED AS PART OF THE ANNUAL BUDGET RESOLUTION, PROVIDED THAT NO INCREASE IN SALARY SHALL TAKE EFFECT UNTIL AFTER THE SUCCEEDING CITY GENERAL ELECTION - Dana Roper, City Attorney, was asked to come forward to answer questions of the Council. Further discussion followed.

Bob Valentine, 2660 Park Avenue, came forward in support and to express his opinion on the salary of the City Council members.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF FEBRUARY 1 - 15, 2004 - Nathan Thomas, 2835 Fletcher Avenue, Apartment 79, came forward to appeal the denial of his claim. Further discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 3429 - APPLICATION OF WILLIAM KREIN FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-T RESIDENTIAL TRANSITION DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD;
SPECIAL PERMIT 1713B - APPLICATION OF WILLIAM KREIN TO AMEND THE BOUNDARIES OF ASPEN 3RD ADDITION COMMUNITY UNIT PLAN AND ADD TEN RESIDENTIAL LOTS FOR A TOTAL OF 205 SINGLE FAMILY, TOWNHOUSE, AND MULTI-FAMILY UNITS ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD;
USE PERMIT 155 - APPLICATION OF WILLIAM KREIN TO CONSTRUCT NINE 5,000 SQ. FT. OFFICE BUILDINGS ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD;

COOK Moved to place Bill Number's 04-13, 04R-12 & 04R-13 on pending with no date certain.

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

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE BY CREATING A NEW CHAPTER 2.81 TO PROVIDE FOR LIVING WAGE OF AT LEAST 110% OF THE FEDERAL POVERTY GUIDELINE FOR A FAMILY OF FOUR, OR 100% OF THE FEDERAL POVERTY GUIDELINE IF DESCRIBED HEALTH INSURANCE BENEFITS ARE PAID BY THE EMPLOYER, TO BE ADJUSTED JULY 1 OF EACH YEAR HEREAFTER - Lela Shanks, 2761 Randolph Street, came forward in support.

Scott Miller, 7041 Woody Creek Lane, President of Telesis Inc., came forward in opposition. Further discussion followed.

Carol Yoakum, 1145 Rose Street, Apartment A, came forward in support.

Cassandra Stauduhar, 5631 S. 48th Street, Suite 220, came forward on behalf of Attorney Ward F. Hoppe in opposition. Further discussion followed.

Rick Carter, 740 Rutland Drive, Apartment 805, came forward on behalf of Human Services Federation Association in support. Further discussion followed.

Tom Lorenz, 226 Centennial Mall South, Executive Director of Pershing Center, came forward in opposition. Further discussion followed.

Clint Burge, 5701 S. 112th Street, on behalf of International Brotherhood of Electrical Workers, came forward in support. Further discussion followed.

John Cederberg, 1248 "O" Street, Suite 760, came forward in opposition and he also left a letter with the Deputy Clerk with corrections to his letter that he submitted last week. Further discussion followed.

Jerry Gulizia, 3612 Worthington Avenue, President of International Brotherhood of Electrical Workers, came forward in support. Further discussion followed.

****TOOK BREAK 4:30 P.M.**

RECONVENED 4:45 P.M.**

Ian Russell, 540 N. 16th Street, Room 209, University of Nebraska student, came forward in support.

Charlie Claus, 8411 Pinedale Avenue, representing the Lincoln Independent Business Association, came forward in opposition.

Bob Valentine, 2666 Park Avenue, came forward in opposition. Further discussion followed.

The Deputy Clerk read a letter submitted by Barry Ruben, the Executive Director of the Nebraska Democrats, which he submitted on behalf of the Nebraska Democratic Party in support of this ordinance.

Milo Mumgaard, 4931 Bunker Hill Road, Executive Director of Nebraska Appleseed, came forward for rebuttal. Further discussion followed.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Steve Flanders, 6420 East Shore Drive, came forward to discuss the topic of construction of water meters for residential construction.

Nicole Fleck-Tooze, Special Projects Administrator of Public Works and Utilities, came forward to answer questions of the Council regarding this matter.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF ZKZ INCORPORATED DBA THE OFFICE FOR A CLASS I LIQUOR LICENSE (SPIRITS, WINE, BEER, ON-SALE) AT 640 W. PROSPECTOR, SUITE 200 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for denial:

A-82594 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 ZKZ Incorporated dba The Office for a Class "I" liquor license for the license period ending April 30, 2004, at 640 W. Prospector, suite 200, Lincoln, Nebraska, be refused for the following reasons:

1. The City Council has determined that the existing population of the City of Lincoln and the projected population growth of the City of Lincoln and within the area to be served are inadequate to support the proposed license.

2. The City Council has determined that the existing licenses are adequately serving the area.

3. The City Council has determined that issuance of the license would not be compatible with the nature of the neighborhood.

4. The applicant has not demonstrated the propriety of the issuance of such license.

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

Introduced by Jonathan Cook

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

MANAGER APPLICATION OF BRENT A. ZYWIEC FOR ZKZ INCORPORATED DBA THE OFFICE AT 640 W. PROSPECTOR, SUITE 200 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for denial:

A-82595 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 Brent A. Zywiec as manager of ZKZ Incorporated dba "The Office" located at 640 W. Prospector, Suite 200, Lincoln, Nebraska, be denied. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jonathan Cook

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

APPLICATION OF 1339 "O" STREET, INC. DBA BROTHERS EST. 1967 FOR A CLASS C LIQUOR LICENSE (SPIRITS, WINE, BEER, ON & OFF SALE) AT 1339 "O" STREET - DEPUTY CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82596 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 1339 "O" Street, Inc. dba Brothers Est. 1967 for a Class "C" liquor license at 1339 O Street, Lincoln, Nebraska, for the license period ending October 31, 2004, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

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

MANAGER APPLICATION OF KEVIN J. BLAZEK FOR 1339 "O" STREET, INC. DBA BROTHERS EST. 1967 AT 1339 "O" STREET - DEPUTY CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82597 WHEREAS, 1339 "O" Street, Inc. dba Brothers Est. 1967 located at 1339 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Kevin J. Blazek be named manager;

WHEREAS, Kevin J. Blazek appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Kevin J. Blazek be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

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

APPLICATION OF ALTA VISTA LLC DBA DISH BISTRO & BAR FOR A CLASS C LIQUOR LICENSE (SPIRITS, WINE, BEER, ON & OFF SALE) AT 1100 "O" STREET - DEPUTY CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82598 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 Alta Vista LLC dba Dish Bistro & Bar for a Class "C" liquor license at 1100 O Street, Lincoln, Nebraska, for the license period ending October 31, 2004, be approved with the condition that the

premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

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

MANAGER APPLICATION OF JASON C. BALCOM FOR ALTA VISTA LLC DBA DISH BISTRO & BAR AT 1100 "O" STREET - DEPUTY CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82599 WHEREAS, Alta Vista LLC dba Dish Bistro & Bar located at 1100 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Jason C. Balcom be named manager; WHEREAS, Jason C. Balcom appears to be a fit and proper person to manage said business.

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

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jason C. Balcom be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

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

ORDINANCES - 2ND READING

VACATION 03014 - VACATING A PORTION OF THE EAST WEST ALLEY FROM VACATED SOUTH 26TH STREET TO SOUTH 27TH STREET, BETWEEN N AND O STREETS - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance vacating a portion of the east west alley from vacated South 26th Street to South 27th Street, between N and O Streets, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATION 03019 - VACATING A PORTION OF WHITEWATER LANE AT NORTH 15TH STREET. (REQUEST 2ND & 3RD READINGS 3/1/04) - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance vacating a portion of Whitewater Lane near North 15th Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATION 03022 - VACATING A PORTION OF THE ALLEY ADJACENT TO ROCK N ROLL RUNZA GENERALLY LOCATED AT 14TH AND P STREETS - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance vacating a portion of the alley adjacent to Rock 'N Roll Runza generally located at 14th and P Streets, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

CHANGE OF ZONE 79HP - APPLICATION OF THE ALPHA XI DELTA BUILDING ASSOCIATION TO DESIGNATE THE ALPHA XI DELTA SORORITY HOUSE AT 1619 R STREET AS A LANDMARK - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

CHANGE OF ZONE 80HP - APPLICATION OF MICHAEL AND CAROL JAMES TO DESIGNATE THE R.O. STAKE HOUSE AT 145 S. 28TH STREET AS A LANDMARK - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

STREET NAME CHANGE 04001 - RENAMING SOUTH 23RD STREET IN STONE RIDGE ESTATES 2ND ADDITION AND TAMARIN RIDGE ADDITION AS HEREL STREET EXTENDING TO VAVRINA LANE - DEPUTY CLERK read an ordinance, introduced by Glenn Friendt, an ordinance changing the name of South 23rd Street, located north of Vavrina Lane in Stone Ridge Estates 2nd Addition and Tamarin Ridge Addition, to Herel Street, as recommended by the Street Name Committee, the second time.

APPROVING A LEASE AGREEMENT BETWEEN NEBRASKA GOLF & TURF, NEBRASKA NATIONAL BANK, AND THE CITY FOR THE LEASE OF 225 GOLF CARS AND 14 UTILITY VEHICLES FOR USE BY THE CITY PARKS AND RECREATION DEPARTMENT - PRIOR to reading:

COOK Moved to continue the 2nd Reading and Public Hearing of Bill #04-35 to next week on 3/8/04.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

DEPUTY CLERK Read an ordinance, introduced by Glenn Friendt, an ordinance approving a Lease Agreement between Nebraska Golf & Turf, Nebraska National Bank, and the City for the lease of 225 golf cars and 14 utility vehicles for use by the City Parks and Recreation Department, the second time.

APPROVING A LEASE AGREEMENT BETWEEN NEBRASKA NATIONAL BANK, AND THE CITY FOR GOLF COURSE AND PARK MAINTENANCE EQUIPMENT AT HOLMES AND MAHONEY GOLF COURSES - PRIOR to reading:

COOK Moved to continue the 2nd Reading and Public Hearing of Bill #04-36 to next week on 3/8/04.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

DEPUTY CLERK Read an ordinance, introduced by Glenn Friendt, an ordinance approving a Lease Agreement between Nebraska National Bank, and the City for golf course and park maintenance equipment at Holmes and Mahoney Golf Courses, the second time.

RESOLUTIONS

REAPPOINTING ROD ARMSTRONG, JAMES SCHULTZ, JIM LANGTRY, AND SHANNON IDEUS TO THE GOVERNMENT ACCESS AND INFORMATION COMMITTEE FOR TERMS EXPIRING JANUARY 1, 2006, JANUARY 1, 2006, JANUARY 1, 2005, AND JANUARY 1, 2005, RESPECTIVELY - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82600 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of the following people to the Government Access and Information Committee for terms as set out below is hereby approved.

Name:	Term Expires:
Rod Armstrong	January 1, 2006
James Schultz	January 1, 2006
Jim Langtry	January 1, 2005
Shannon Ideus	January 1, 2005

Introduced by Annette McRoy

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

APPOINTING TRISH OWEN TO THE GOVERNMENT ACCESS AND INFORMATION COMMITTEE FOR A ONE-YEAR TERM EXPIRING JANUARY 1, 2005 - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82601 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Trish Owen to the Government Access and Information Committee for a one-year term expiring January 1, 2005 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.

APPOINTING JEANNINE FALTER, BETHINA MOORE, AND BARBARA A. RAMSEY TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION FOR TERMS EXPIRING JANUARY 1, 2006, JANUARY 1, 2006, AND JANUARY 1, 2005, RESPECTIVELY - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82602 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jeannine Falter, Bethina Moore and Barbara A. Ramsey to the Lincoln-Lancaster Women's Commission for terms expiring January 1, 2006, January 1, 2006, and January 1, 2005, respective, 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.

AUTHORIZING THE FILING OF APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FINANCIAL ASSISTANCE DURING FISCAL YEAR 2004 - 2005 - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82603 A resolution authorizing the filing of applications with the United States Department of Transportation for financial assistance during Fiscal Year 2004-2005 (September 1, 2004 - August 31, 2005) under the Urban Mass Transportation Act of 1964, as amended.

RECITALS

I

The Secretary of Transportation is authorized to make grants for mass transportation projects.

II

A contract between the City of Lincoln and the United States Department of Transportation for financial assistance will impose certain obligations upon the City of Lincoln as an applicant for funding, including the provision by it of the local share of project costs.

III

It is required by the United States Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder.

IV

It is the goal of the City of Lincoln, Nebraska, as an applicant, that minority business enterprises be utilized to the fullest extent possible in connection with these projects, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the Mayor is authorized to execute and file applications on behalf of the City of Lincoln with the United States Department of Transportation for financial assistance to aid in the financing of planning and technical studies, research, or capital assistance projects, or both, pursuant to Sections 3, 3(a) (1) (c), 4(1), 6, 8 and 9 of the Urban Mass Transportation Act of 1964, as amended.

2. That the Mayor is authorized to execute and file with such applications an assurance or any other document required by the United States Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Mayor is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

4. That the City's Director of Public Works & Utilities is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the financial assistance.

5. That the Mayor is authorized to execute grant agreements, and amendments and addendums thereto, on behalf of the City of Lincoln with the United States Department of Transportation, and such other documents as may be necessary, for aid in the financing of the planning and capital assistance program of projects.

Introduced by Annette McRoy

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

USE PERMIT 106A - APPLICATION OF ONE VISTA LLC TO AMEND USE PERMIT 106 TO INCLUDE ADDITIONAL LAND, RELOCATE ACCESS, PROVIDE A PRIVATE ROADWAY, ADD A SIGN, AND DECREASE THE REQUIRED PARKING FROM 148 TO 80 STALLS, ON PROPERTY GENERALLY LOCATED AT 65TH STREET AND PIONEERS BLVD - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82604 WHEREAS, One Vista, L.L.C. has submitted an application in accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 106A for authority to amend Use Permit 106

to include additional land, relocate access, add a sign and decrease the required parking from 148 stalls to 80 stalls on property generally located at 65th Street and Pioneers Blvd., and legally described to wit:

Lot 79 I.T. and the remaining portion of Lot 80 I.T., located in the Southeast Quarter of Section 4, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this 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 One Vista, L.L.C., hereinafter referred to as "Permittee", to amend Use Permit 106 to include additional land, relocate access, add a sign and decrease the required parking from 148 stalls to 80 stalls on the property legally described above be and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and operation of said office building be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an increase in land area, the relocation of access to Pioneers Boulevard, a sign location, and a reduction in the required number of parking stalls from 148 to 80, provided prior to the Building and Safety Department issuing a change in occupancy the then applicable minimum required parking stalls shall have been constructed.

2. Before receiving building permits:

- a. The Permittee must submit an acceptable, revised and reproducible final plan and five copies.
- b. The construction plans must conform to the approved plans.
- c. Final plats within the area of this use permit must be approved by the City.

3. 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 this use 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 this use 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 this use 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 as 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 Annette McRoy

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

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ART. IV, SEC. 7 TO PROVIDE THAT AN INDEPENDENT COMMITTEE COMPOSED OF CITIZENS WITH EXPERTISE IN BUSINESS, LEGAL, GOVERNMENTAL, AND PERSONNEL MATTERS, APPOINTED BY THE MAYOR, SHALL MAKE A RECOMMENDATION AS TO THE APPROPRIATE SALARY OF THE CITY COUNCIL MEMBERS, INCLUDING BENEFITS, AND TO FURTHER PROVIDE THAT SUCH RECOMMENDATION MAY BE APPROVED AS PART OF THE ANNUAL BUDGET RESOLUTION, PROVIDED THAT NO INCREASE IN SALARY SHALL TAKE EFFECT UNTIL AFTER THE SUCCEEDING CITY GENERAL ELECTION - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82593 WHEREAS, under the provisions of Article XI, Section 4, of the Constitution of the State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified electors at an election proposed by the City Council of the City of Lincoln, Nebraska:

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

1. That at the primary election to be held on Tuesday, the eleventh day of May, 2004, there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the following proposed amendment to the Charter of the City of Lincoln:

CHARTER AMENDMENT

Amend Article IV Section 7 of the Charter to provide that an independent committee of citizens with expertise in business, legal, governmental, and personnel matters, appointed by the mayor, shall make a recommendation as to the appropriate salary of the city council members, including benefits, and to further provide that such recommendation may be approved as part of the annual budget resolution, provided that no change in salary shall take effect until after the succeeding city general election.

Sec. 7. Compensation. ~~Effective May 15, 1995,~~
~~each member of the city council shall receive an~~
~~annual salary of not more than twelve thousand dollars~~
~~(\$12,000.00). An independent committee of citizens~~
~~with expertise in business, legal, governmental, and~~
~~personnel matters, appointed by the mayor, shall make~~
~~a recommendation as to the appropriate salary of the~~
~~city council members, including benefits. Such~~
~~recommendation may be approved as part of the annual~~
~~budget resolution, provided that no change in salary~~
~~shall take effect until after the succeeding city~~
~~general election.~~ The annual salary of the mayor for
each term of office shall be established by resolution
of the city council adopted not later than the first
day of January immediately preceding the beginning of
a new mayoral term of office. Neither the mayor nor
any of the councilmen ~~members~~ shall be eligible to
hold any other paid office or employment in the city
government.

Said amendment shall be submitted to the qualified electors as a Charter amendment of Article IV, Section 7 on the ballot and shall be printed on said ballot in the following form:

"CHARTER AMENDMENT -- AMEND ARTICLE IV, SECTION 7 OF THE CHARTER TO PROVIDE THAT AN INDEPENDENT COMMITTEE OF CITIZENS WITH EXPERTISE IN BUSINESS, LEGAL, GOVERNMENTAL, AND PERSONNEL MATTERS, APPOINTED BY THE MAYOR, SHALL MAKE A RECOMMENDATION AS TO THE APPROPRIATE SALARY OF THE CITY COUNCIL MEMBERS, INCLUDING BENEFITS, AND TO FURTHER PROVIDE THAT SUCH RECOMMENDATION MAY BE APPROVED AS PART OF THE ANNUAL BUDGET RESOLUTION, PROVIDED THAT NO CHANGE IN SALARY SHALL TAKE EFFECT UNTIL AFTER THE FOLLOWING CITY GENERAL ELECTION.

SHALL ARTICLE IV, SECTION 7 OF THE CHARTER OF THE CITY OF LINCOLN BE AMENDED TO PROVIDE THAT AN INDEPENDENT COMMITTEE OF CITIZENS WITH EXPERTISE IN BUSINESS, LEGAL, GOVERNMENTAL, AND PERSONNEL MATTERS, APPOINTED BY THE MAYOR, WILL MAKE A RECOMMENDATION AS TO THE APPROPRIATE SALARY OF THE CITY COUNCIL MEMBERS, INCLUDING BENEFITS, AND TO FURTHER PROVIDE THAT SUCH RECOMMENDATION MAY BE APPROVED AS PART OF THE ANNUAL BUDGET RESOLUTION, PROVIDED THAT NO CHANGE IN SALARY SHALL TAKE EFFECT UNTIL AFTER THE FOLLOWING CITY GENERAL ELECTION?

VOTE FOR or AGAINST

G I vote FOR the proposed amendment.

G I vote AGAINST the proposed amendment."

2. That the City Clerk of the City of Lincoln is hereby directed to publish with her official certification, three times, and a week apart, the full text of the proposed amendment to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the primary election to be held in the City of Lincoln, Nebraska, on Tuesday, the eleventh day of May, 2004, there will

be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition, and to procure the necessary ballots and make all other necessary arrangements for the same.

Introduced by Annette McRoy

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF FEBRUARY 1 - 15, 2004 - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption. Seconded by Friendt.

COOK Moved to place the claims of Randall Heiliger and Nathan Thomas on Pending. Seconded by Newman. No vote.

COOK Amended his motion to delete lines 15 & 17. Seconded by Newman. No Vote.

SVOBODA Moved to separate the claims of Randall Heiliger and Nathan Thomas.

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

Final vote on removing claim of Randall Heiliger carried by the following: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

Final vote on removing claim of Nathan Thomas carried by the following: AYES: Camp, Cook, Friendt, Newman; NAYS: McRoy, Svoboda, Werner.

A-82605 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 February 17, 2004, 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>	
Norman & Janet Pavlish	\$ 1,000.00	Farm Bureau Insurance Co.	
Melissa Pavlish	250,000.00	(Lind Lawn Service, Insured)	\$ 800.00
Kelly Kath	NAS*	Scott Stovall	200.00
Patrick & Barb Orr	6,759.49	Angela Dietz	7,616.00
Bob McDowell/A-1 Pawn Shop	NAS*	W. Isaac Epperson	1,125.01
Randall Heiliger	1,200.79	Wallace Burgeson	502.18
David Weverka	NAS*	Paula S. Beckman	3,436.65
Nathan E. Thomas	NAS*	Harold Shuey	1,556.76
Greg Hynes	5,500.00	Matt Lyberis	622.00
		David & Kris Ficke	1,432.85
		State Farm Insurance Co.	
		(Robin & Trenton Baker)	6,000.00
		Lois Lockman	1,000.00

* 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

Final vote on remaining claims: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MARCH 15, 2004, AT 1:30 PM FOR APPLICATION OF PEKING PALACE LINCOLN INC. DBA PEKING PALACE FOR A CLASS J LIQUOR LICENSE AT 8341 "O" STREET - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82606 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 15, 2004, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for the Application of Peking Palace Lincoln Inc. dba Peking Palace for a Class J Liquor License at 8341 "O" Street.

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

Introduced by Annette McRoy

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

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SETTING THE HEARING DATE OF MONDAY, MARCH 15, 2004, AT 1:30 PM FOR APPLICATION OF MESAL ENTERPRISES LLC DBA ON THE GO FOR A CLASS B LIQUOR LICENSE AT 5240 SOUTH 48TH STREET - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82607 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 15, 2004, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE, for the Application of Mesal Enterprises LLC dba On the Go for a Class B Liquor License at 5240 South 48th Street.

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

Introduced by Annette McRoy

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

SPECIAL PERMIT 1713B - APPLICATION OF WILLIAM KREIN TO AMEND THE BOUNDARIES OF ASPEN 3RD ADDITION COMMUNITY UNIT PLAN AND ADD TEN RESIDENTIAL LOTS FOR A TOTAL OF 205 SINGLE FAMILY, TOWNHOUSE, AND MULTI-FAMILY UNITS ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD - PRIOR to reading:

COOK Moved to place Bill #04R-12 on pending with no date certain.

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

USE PERMIT 155 - APPLICATION OF WILLIAM KREIN TO CONSTRUCT NINE 5,000 SQ. FT. OFFICE BUILDINGS ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD - PRIOR to reading:

COOK Moved to place Bill #04R-13 on pending with no date certain.

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

PETITIONS & COMMUNICATIONS - NONE

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY COUNCIL ON FEBRUARY 23, 2004 - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER TELECOMMUNICATION OCCUPATION TAX FOR THE MONTH OF JANUARY, 2004: SPRINT SPECTRUM LP, D & D COMMUNICATIONS INC, TRI-M COMMUNICATIONS INC, ZONE TELECOM INC, ASSOCIATION ADMINISTRATORS INC, LDMI TELECOMMUNICATIONS INC, NOS COMMUNICATIONS INC, GTC TELECOM CORP, LIGHTYEAR COMMUNICATIONS INC, GLOBALCOM INC, WORLDXCHANGE CORP, AFFINITY

NETWORK INC, NEXTEL WEST CORP, TELCO DEVELOPMENT GROUP INC, TELECORP COMMUNICATIONS INC, ATT WIRELESS SERVICE, AND CELLULAR ONE - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JANUARY, 2004 FROM AQUILA - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REQUEST OF PUBLIC WORKS TO SET A PUBLIC HEARING DATE OF MONDAY, MARCH 29, 2004, AT 5:30 P.M. AND PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING - DEPUTY CLERK requested motion to approve a Public Hearing date of Monday, March 29, 2004 at 5:30P.M. and to place on formal agenda.

04-26 To provide authority to create an Alley Grading District in the north/south alley, North 58th to Touzalin Avenue, Gladstone Street to Judson Street.

04-27 To provide authority to create an Alley Graveling District in the north/south alley, North 58th to Touzalin Avenue, Gladstone Street to Judson Street.

04-31 To provide authority to create a Sewer District in Lazy Acres Subdivision, Mockingbird Lane North, South, East and West and assess the cost thereof against the benefitted properties.

- 04-32 To provide authority to create a Water District in Lazy Acres Subdivision, Mockingbird Lane North, South, East and West and assess the cost thereof against the benefitted properties.
- 04-33 To provide authority to create a Paving District in Lazy Acres Subdivision, Mockingbird Lane North, South, East and West and assess the cost thereof against the benefitted properties.
- WERNER Moved to withdraw Bill #04-26 and 04-27.
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
- MCROY Moved to approve the Public Hearing date for Bill #04-31, 04-32, and 04-33.
Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ORDINANCES - 1ST READING

APPROVING TWO THREE-YEAR/5,000 HOUR LEASE AGREEMENTS WITH A BUYOUT OPTION BETWEEN THE CITY AND ELGIN SWEEPER COMPANY TO PROVIDE TWO FOUR-WHEELED STREET SWEEPERS FOR SWEEPING OF RESIDENTIAL AND ARTERIAL STREETS - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, approving two three-year lease agreements between the City of Lincoln, Nebraska and Elgin Sweeper Company for an Elgin Eagle "F" Street Sweepers for sweeping of residential and arterial streets, the first time.

AMENDING § 2.76.040 DEFINITIONS OF THE LINCOLN MUNICIPAL CODE TO ALLOW POLICE TRAINEES TO PARTICIPATE IN THE CITY'S HEALTH CARE PLAN - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending Section 2.76.040 of the Lincoln Municipal Code to amend the definition of "non-career service positions" to allow police trainees to participate in the City's health care plan; and repealing Section 2.76.040 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP PREFIXED BY THE LETTER A BY AMENDING THE PAY SCHEDULE FOR THE JOB CLASSIFICATIONS OF OPERATIONS QUALITY ASSURANCE COORDINATOR, PARK PLANNING ASSISTANT, STARTRAN HANDI-VAN SUPERVISOR, AND FOOD PRODUCTION MANAGER; AND CHANGING THE JOB TITLE OF ARBORIST III TO FORESTRY OPERATIONS SUPERVISOR AND ARBORIST IV TO CITY FORESTER - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18220 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 classifications of Operations Quality Assurance Coordinator, Park Planning Assistant, and StarTran Handi-Van Supervisor; by changing the title of the job classification Arborist III to Forestry Operations Supervisor and changing the title of the job classification Arborist IV to City Forester; and by amending the pay range of Food Production Manager from A0 to A04, the first time.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP PREFIXED BY THE LETTER N BY AMENDING THE PAY RANGE FOR THE JOB CLASSIFICATIONS OF COOK AND FOOD SERVICE WORKER - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending Section 1 of Ordinance No. 18217 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "N" by changing the pay range of the job classification of "Cook" (5435) from (N03) to (N05) and changing the pay range of the job classification "Food Service Workers" from (N01) to (N03), the first time.

ANNEXATION NO. 03002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 53.52 ACRES OF PROPERTY GENERALLY LOCATED EAST OF SOUTHEAST OF THE INTERSECTION OF SOUTH 84TH STREET AND HIGHWAY 2 - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 3411 - APPLICATION OF EIGER CORPORATION FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT AND AGR AGRICULTURAL RESIDENTIAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT AND B-5 PLANNED REGIONAL BUSINESS DISTRICT, ON PROPERTY GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SOUTH 84TH STREET AND HIGHWAY 2 - DEPUTY 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 04001 - AMENDING CHAPTER 27.82 OF THE LINCOLN MUNICIPAL CODE RELATING TO IMPACT FEES BY REVISING THE DEFINITION OF LOW-INCOME OWNER-OCCUPIED HOUSING; TO ADD ELIGIBILITY CRITERIA FOR LOW-INCOME OWNER-OCCUPIED HOUSING EXEMPTIONS FROM IMPACT FEES AND MODIFY THE PROVISIONS REGARDING WHEN A REQUEST FOR EXEMPTION MUST BE MADE; AND TO MODIFY THE PROVISIONS REGARDING APPROVAL OF OWNER-OCCUPIED LOW-INCOME HOUSING EXEMPTION AND REIMBURSEMENT OF IMPACT FEES PAID - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending Chapter 27.82 of the Lincoln Municipal Code relating to impact fees by amending Section 27.82.040 to revise the definition of "Low-to-Moderate-Income Owner-Occupied Housing", to delete the definitions of "Income Area, Low" and "Income Area, Moderate," to add a new definition for "Low-to-Moderate-Income Area", and to clarify the definition of "Low Income Rental Housing"; amending Section 27.82.060 to add eligibility criteria for Low-to-Moderate-Income Owner-Occupied Housing exemptions from Impact Fees and modifying the provisions regarding when a request for exemption must be made; amending Section 27.82.080 to modify the provisions regarding approval of Low-to-Moderate-Income Owner-Occupied Housing exemption and reimbursement of impact fees paid; and repealing Sections 27.82.040, 27.82.060, and 27.82.080 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 04003 - AMENDING SECTIONS 27.63.680 AND 27.63.685 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AND OFF THE PREMISES AS A PERMITTED SPECIAL USE; TO DELETE CITY COUNCIL WAIVERS OF THE SPECIAL CONDITIONS FOR SAID USES; TO DELETE THE PROVISION ALLOWING FOR MITIGATION OF ADVERSE EFFECTS APPROVED BY THE PLANNING DIRECTOR WHEN A LICENSED PREMISES IS LOCATED 100 FEET OR CLOSER TO CERTAIN LISTED USES; TO REQUIRE A LICENSED PREMISES TO BE LOCATED NO CLOSER THAN 100 FEET FROM A PARK, CHURCH, OR STATE MENTAL HEALTH INSTITUTION; TO DELETE THE REQUIREMENT THAT A LICENSED PREMISES BE LOCATED NO CLOSER THAN 100 FEET FROM RESIDENTIAL USES IN NONRESIDENTIAL DISTRICTS; AND TO DELETE PROVISIONS PROHIBITING APPROVAL OF THE SPECIAL PERMITS BY THE PLANNING COMMISSION - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending Sections 27.63.680 and 27.63.685 of the Lincoln Municipal Code relating to the sale of alcoholic beverages for consumption on the premises and off the premises as a permitted special use, respectively, to delete City Council waivers of the special conditions for said uses, to delete the provision allowing for mitigation of adverse effects approved by the Planning Director when an licensed premises is located 100 feet or closer to certain listed uses, to also require a licenses premises to be located no closer than 100 feet from a park, church, or state mental health institution, to delete the requirement that a licenses premise be located no closer than 100 feet from residential uses, and to delete provisions prohibiting approval of the special permits by the Planning Commission; and repealing Sections 27.63.680 and 27.63.685 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 04004 - APPLICATION OF BRIAN AND KYM PINKERTON FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL DISTRICT TO O-2 SUBURBAN OFFICE DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SOUTH 84TH STREET AND PIONEERS BOULEVARD - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning District Maps attached to and made apart of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 o the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ORDINANCES - 3RD READING

CHANGE OF ZONE 3429 - APPLICATION OF WILLIAM KREIN FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-T RESIDENTIAL TRANSITION DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND PINE LAKE ROAD - DEPUTY CLERK read an ordinance, introduced by Ken Svoboda, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

COOK Moved to place Bill #04-13 on pending with no date certain.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE BY CREATING A NEW CHAPTER 2.81 TO PROVIDE FOR LIVING WAGE OF AT LEAST 110% OF THE FEDERAL POVERTY GUIDELINE FOR A FAMILY OF FOUR, OR 100% OF THE FEDERAL POVERTY GUIDELINE IF DESCRIBED HEALTH INSURANCE BENEFITS ARE PAID BY THE EMPLOYER, TO BE ADJUSTED JULY 1 OF EACH YEAR HEREAFTER - DEPUTY CLERK read an ordinance, introduced by Terry Werner, amending Title 2 of the Lincoln Municipal Code relating to Officers Departments and Personnel by creating a new Chapter 2.81 to provide for a Living Wage of at least 110% of the federal poverty guideline for a family of our, or 100% of the federal poverty guideline if described health insurance benefits are paid by the employer, and mandating adjustments July 1 of each year hereafter, the third time.

WERNER Moved motion to Amend #1:
On page 10, line 10, after the word "interlocal", insert the following: "bid".
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

WERNER Moved motion to Amend #2:
On page 3, line 21, delete the word "permanent" and insert in lieu thereof the word "regular".
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

WERNER Moved motion to Amend #4:
1. On page 1, line 11, delete the comma and insert in lieu thereof the word "and".
2. On page 1, lines 12 and 13, add a period after the word "Government" and delete the following language: "and provides financial assistance for the purpose of promoting economic development and job growth."
3. From page 2, line 14 through page 3, line 8, delete the definition of "City financial assistance recipient (CFAR) in its entirety."
4. On page 3, line 12, after the semicolon, insert the word "or".
5. Beginning on page 3, line 13, after the semicolon, delete the all the language beginning "(3) as" through the period on line 19.'
6. On page 4, line 1, delete the words "City financial assistance recipient" and delete the comma after the word "contractor".
7. On page 4, line 2, add "or" before the word "subcontractor" and delete the word "or" after "subcontractor" and insert in lieu thereof the word "of".
8. On page 4, line 13, strike "(1)".
9. On page 4, line 14, strike the semicolon and insert a period, and strike the remainder of the definition of subcontractor through the period at the end of line 18.
10. Beginning on page 5, line 20, strike the entire paragraph running through the end of line 2 on page 6.
11. On page 7, line 4, strike the words "and financial assistance awarded".
12. On page 7, lines 14 and 15, after the words "A contract" on line 14, delete the following language: "or other documents regarding the financial assistance".
13. On page 8, line 6, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and" and delete the words "and CFARs".
14. On page 8, line 12 strike ", or CFAR".
15. On page 8, line 19, delete both occurrences of the words "or CFAR".
16. On page 9, line 2 delete the words "or CFAR".

17. On page 9, line 22, insert the word "or" after the first semicolon; add a period after the word "herein"; and delete the remainder of subsection (a) through the end of line 2 on page 10.
18. On page 10, line 17, delete the words "or financial assistance."
19. On page 10, lines 19 and 20, delete the words "and recipients of City financial assistance (as defined),".
20. On page 11, lines 2 and 3, delete the words "or financial assistance agreement".
21. On page 11, line 8, delete the words "and CFARs".
22. On page 11, line 12, delete the words "and CFARs".
23. On page 11, lines 15 and 16, delete the words "or any agreement between a CFAR and tenants/leaseholders".
24. On page 11, line 19, delete the words "or city financial assistance".
25. On page 11, line 17, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
26. On page 11, line 20, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
27. On page 10, line 17, delete the words "or financial assistance."
28. On page 10, lines 19 and 20, delete the words "and recipients of City financial assistance as defined,".
29. On page 11, lines 2 and 3, delete the words "or financial assistance agreement".
30. On page 11, line 8, delete the words "and CFARs".
31. On page 11, line 12, delete the words "and CFARs".
32. On page 11, line 17, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
33. On page 11, line 20, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
34. On page 12, line 21, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
35. On page 13, lines 3 and 4, delete the words "or city financial assistance,".
36. On page 13, line 8, delete the comma between "Contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and CFARs".
37. On page 13, line 19, delete the words "and financial assistance agreements".
38. On page 14, line 1, delete the comma between "contractors" and "subcontractors", and insert in lieu thereof the word "and"; and delete the words "and financial assistance recipients".
39. On page 14, line 3, delete the comma between "contractor" and "subcontractor", and insert in lieu thereof the word "or"; and delete the words "or CFARs".
40. On page 14, line 6, delete the comma between "contractor" and "subcontractor", and insert in lieu thereof the word "or"; and delete the words "or CFARs".
41. On page 14, line 10, delete the comma between "contract" and "subcontract", and insert in lieu thereof the word "or"; and delete the words "or financial assistance agreement".
42. On page 14, line 12, delete the words "or financial assistance".
43. On page 14, line 14, delete the comma between "contractor" and "subcontractor", and insert in lieu thereof the word "or"; and delete the words "or CFARs".
44. On page 16, line 16, delete the words "and City financial assistance".
45. On page 16, line 18, add the word "and" after the semicolon.
46. On page 16, Line 19, delete the semicolon and insert in lieu thereof a period; and delete the remainder of that sentence through the period on line 21.

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

- WERNER Moved motion to Amend #5:
1. On page 3, lines 21 and 22, delete the words "for the City".
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
- WERNER Moved motion to Amend #6:
1. On page 3, delete lines 3 through 8 (referring to tenants and leaseholders of a CFAR) in their entirety.
2. On page 3, lines 15 through 19, delete the following language: "; (4) by a service contractor of a CFAR and who expends at least half of his or her time on the premises of the CFAR and is directly involved with the funded project, program or property which is the subject of city financial assistance; or (5) not as a principal or independent contractor and expends at least half of his or her time on the contract or project that qualifies for CFAR".
3. On page 4, line 6 delete ": (1)".
4. On page 4, line 9, delete the semicolon and insert a period, and delete the remainder of that sentence through the period on line 10.
5. On page 4, line 13, delete "(1)".
6. On page 4, line 14, strike the semicolon and insert a period, and strike the remainder of the definition of subcontractor through the period at the end of line 18.
7. On page 11, line 12, delete "and CFARs".
8. On page 11, line 14, delete "or tenants/leaseholders".
9. On page 11, lines 15 and 16, delete the words "or any agreement between a CFAR and tenants/leaseholders".
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
- WERNER Moved motion to Amend #7:
1. On page 2, between lines 5 and 6, insert the following language: "The City finds that it is within its discretion to set a base wage rate for specified employees in furtherance of a legitimate public purpose and to define the term responsible bidder for purposes of the Lincoln City Charter and Nebraska law."
Seconded by Newman & carried by the following vote: AYES: Cook, McRoy, Newman, Werner; NAYS: Camp, Friendt, Svoboda.
- WERNER Moved motion to Amend #8:
1. On page 2, between lines 5 and 6, insert a new subparagraph (d) to read as follows: "(d) It is the intent of this ordinance to legislate minimum wages and health benefits of individuals that perform pursuant to a contract with the City as opposed to all employees of a party who has contracted with the City."
Seconded by Newman & carried by the following vote: AYES: Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: Camp.
- WERNER Moved motion to Amend #9:
1. On page 10, between 10 and 11, insert a new subparagraph (g)*** to read as follows: "(g) Any service contract which primarily benefits or involves physically or mentally disabled individuals or senior citizens (over 65 years of age)."
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
- CAMP Moved motion to Amend #10:
1. On page 5, line 2, section 2.81.030, subsection (a), delete "Wages." and insert in lieu thereof "Base Wage Rate.".
2. In Amendment #7 delete words "base wage rate" and insert in lieu thereof "Base Wage Rate".
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
- FRIENDT Moved to delay Public Hearing for one week to 3/8/04.
Seconded by Svoboda & lost by the following vote: AYES: Camp, Friendt, Svoboda; NAYS: Cook, McRoy, Newman, Werner.
- WERNER Moved to pass the ordinance as read.
Seconded by Newman & carried by the following vote: AYES: Cook, McRoy, Newman, Werner; NAYS: Camp, Friendt, Svoboda.
- The ordinance, being numbered #18308, is recorded in Ordinance Book #25.

AMENDING TITLE 12 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKS BY ADDING A NEW CHAPTER 12.22, ENHANCED MEDIAN ROUNDABOUT AND CUL-DE-SAC CENTER ISLAND LANDSCAPING, TO PROVIDE CONDITIONS FOR THE PLACEMENT OF ENHANCED LANDSCAPING IN MEDIAN ROUNDABOUT AND CUL-DE-SAC CENTER ISLAND AREA BY AN ABUTTING PROPERTY OWNER - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Title 12 of the Lincoln Municipal Code relating to Parks by adding a new Chapter 12.22, Enhanced Median, Roundabout, and

Cul-de-sac Center Island Landscaping, to provide conditions for the placement of enhanced landscaping in median, roundabout, and cul-de-sac center island areas by an abutting property owner, the third time.

COOK Moved to delay 3rd Reading on Bill #04-11 with Con't Public Hearing and Action to 4/5/04.

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

APPROVING THE AGREEMENT FOR ATTACHING ANTENNAS TO CITY TOWER AND OTHER APPURTENANCES BETWEEN THE CITY AND U.S. CELLULAR FOR THE PLACEMENT OF ANTENNAS FOR TELECOMMUNICATION USES ON THE TOWER GENERALLY LOCATED AT SOUTH 84TH AND SOUTH STREET - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, whereas, the City of Lincoln owns a tower on Lincoln Water System property, generally located at South 84th and South, which is generally used for telecommunication uses and associated ground space, the third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18309**, is recorded in Ordinance Book #25.

AMENDING CHAPTER 3.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO STREET IMPROVEMENT VEHICLE TAX TO CREATE THE RESIDENTIAL REHABILITATION FUND TO BE USED ONLY FOR THE PURPOSE OF REHABILITATING EXISTING RESIDENTIAL STREETS - PRIOR to reading:

FRIENDT Moved to continue 3rd Reading and to delay action on Bill #04-24 for one week to 3/8/04.

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

DEPUTY CLERK Read an ordinance, introduced by Jonathan Cook, amending Chapter 3.20 of the Lincoln Municipal Code relating to Street Improvement Vehicle Tax by adding a new section numbered 3.20.025 to add a definition for "rehabilitation"; adding a new section numbered 3.20.045 to add a definition for "residential street"; and amending Section 3.20.220 to create the "Residential Rehabilitation Fund" to be used only for the purpose of rehabilitating existing residential streets; and repealing Section 3.20.220 of the Lincoln Municipal Code as hitherto existing, the third time.

IMPACT FEE APPEAL

APPEAL OF IMPACT FEE DETERMINATION BY KELVIN KORVER FOR PROPERTY LOCATED AT SOUTH 91ST STREET AND HIGHWAY 2, LOTS 108 AND 109, I.T. LOCATED IN SECTION 23, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA - PRIOR to reading:

MCROY Moved to withdraw this item.

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

The appeal, having been **WITHDRAWN**, was assigned the File **#38-4459** & was placed on file in the Office of the City Clerk.

MISCELLANEOUS BUSINESS

PENDING -

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT TO ARTICLE IV, SECTION 7, TO ALLOW THE COUNCIL, BY ORDINANCE, TO CHANGE THE COMPENSATION OF COUNCIL MEMBERS AND TO PROVIDE THAT NO INCREASE IN COMPENSATION SHALL BECOME EFFECTIVE DURING THE COUNCIL TERM IN WHICH VOTED - PRIOR to reading:

COOK Moved to withdraw Bill #02R-20 from Pending.

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

The resolution, having been **WITHDRAWN**, was assigned the File **#38-4460** & was placed on file in the Office of the City Clerk.

AMENDING CHAPTER 4.62 OF THE LINCOLN MUNICIPAL CODE TO ESTABLISH A
POLICE AND FIRE PENSION PLAN BOARD OF TRUSTEES TO PROVIDE OVERSIGHT AND
DIRECTION WITH REGARD TO THE INVESTMENT OF THE ASSETS OF THE POLICE AND
FIRE PENSION PLANS - PRIOR to reading:

WERNER Moved to remove Bill #03-65 from Pending and to have Public
Hearing and Action on 3/15/04.
Seconded by Friendt & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

SVOBODA Moved to extend the Pending List to March 8, 2004.
Seconded by Cook & 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
March 8, 2004.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ADJOURNMENT 7:20 P.M.

SVOBODA Moved to adjourn the City Council meeting of March 1, 2004.
Seconded by Cook & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
So ordered.

Teresa J. Meier, Deputy Clerk

Jamie Neddenriep, Senior Office Assistant

