

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, APRIL 12, 2004 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Vice Chairperson Werner; Council Members: Cook, Friendt, Newman, Svoboda; Teresa Meier, Deputy City Clerk; Absent: Council Chairperson Camp and Council Member McRoy.

Council Vice Chairperson 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 April 5, 2004, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF BURNSY'S INC. DBA CATERING ON THE BLVD. FOR A CLASS I LIQUOR LICENSE AT 2602 PARK BLVD;

MANAGER APPLICATION OF MICHAEL F. BURNS FOR BURNSY'S INC. DBA CATERING ON THE BLVD. AT 2602 PARK BLVD - Michael Burns, 1301 Lincoln Mall, Apt. 1201, took oath and came forward for approval.

David Martin, 6165 South Street, came forward in opposition. Further discussion followed.

Rick Peo, Chief Assistant City Attorney, came forward to answer questions of the Council. Further discussion followed.

Mr. Burns, came forward for rebuttal. Further discussion followed. This matter was taken under advisement.

APPLICATION OF ROBOT VENUS, INC. DBA BACIAM I FOR A CLASS C (SPIRITS, WINE, & BEER, ON- & OFF-SALE) LIQUOR LICENSE AT 301 N. 8TH STREET;

MANAGER APPLICATION OF SHANNON M. RAYMER FOR ROBOT VENUS, INC. DBA BACIAM I AT 301 N. 8TH STREET - Jason Napels, 1724 L. Street, Apt. 1B, took oath and came forward for approval.

Shannon Raymer, 1830 E Street, Apt. 5, took oath and came forward for approval.

This matter was taken under advisement.

APPLICATION OF CCW, LLC DBA HUHOT MONGOLIAN GRILL FOR A CLASS J (WINE & BEER, ON-SALE) LIQUOR LICENSE AT 201 N. 66TH STREET;

MANAGER APPLICATION OF LUKE E. WILSON FOR CCW, LLC DBA HUHOT MONGOLIAN GRILL AT 201 N. 66TH STREET - Luke Wilson, 422 S, 159th Street, took oath and came forward for approval.

This matter was taken under advisement.

APPLICATION OF SALEM OIL COMPANY DBA YANKEE HILL AMOCO FOR A CLASS B (BEER, OFF-SALE) AND CLASS K (WINE, OFF-SALE) LIQUOR LICENSE AT 630 W. PROSPECTOR COURT;

MANAGER APPLICATION OF JEFFREY J. SCOTT FOR SALEM OIL COMPANY DBA YANKEE HILL AMOCO AT 630 W. PROSPECTOR COURT - Chuck Salem, 2825 Stratford Avenue, took oath and came forward for approval on behalf of the applicant.

Jeffrey Scott, 1500 Irving, took oath and came forward for approval.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A MID-WEEK PUBLIC MARKET IN THE AREA LOCATED AT 12TH STREET FROM Q TO R STREET AND R STREET FROM 12TH TO 13TH STREETS FROM JUNE 1, 2004 THROUGH JUNE 29, 2004;

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P STREET - Ron Cane, Program Monitor with Urban Development, came forward requesting 2nd and 3rd reading on this item. Further discussion followed.

This matter was taken under advisement.

ACCEPTING AND APPROVING CITY'S CERTIFICATIONS AS LANDLORD IN THE ESTOPPEL CERTIFICATE AND CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF THE FIRST AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT - BURNHAM YATES CONFERENCE CENTER FROM CORNHUSKER SQUARE LIMITED PARTNERSHIP TO SHUBH HOTELS LINCOLN, L.L.C. OR ITS AFFILIATES;

APPROVING THE SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT - BURNHAM YATES CONFERENCE CENTER - Mike Morosin, 2055 "S" Street, came forward and asked for clarification on the Second Amendment.

Rick Peo, Chief Assistant City Attorney, came forward to give a description of the Second Amendment.

This matter was taken under advisement.

SPECIAL PERMIT 730638B - APPLICATION OF WEST POINT, L.L.C TO EXPAND AN EXISTING PARKING LOT IN A RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 55TH STREET AND SAYLOR STREET - Brian Carstens, 601 Old Cheney Road, Suite C, came forward on behalf of West Point LLC for approval.

This matter was taken under advisement.

WAIVING THE RIGHT OF THE CITY TO OBJECT TO THE VALIDITY OF THE CONVEYANCE OF LOT 1, BLOCK 1, NBC BANK ADDITION, EXCEPT THE EAST 142 FEET THEREOF, FROM WELLS FARGO BANK TO HASTINGS STATE BANK ON THE GROUNDS THAT THE CONVEYANCE FAILED TO COMPLY WITH THE REQUIREMENTS RELATING TO SUBDIVISION APPROVAL - Rick Peo, Chief Assistant City Attorney, came forward to answer questions of the Council regarding this item. Further discussion followed.

This matter was taken under advisement.

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 - Lynn Johnson, Director of Parks & Recreation Department, came forward for approval and also requested that the Public Hearing be continued for one week to 4/19/04 also with action on that day. Further discussion followed.

Bob Norris, 2730 Sheridan Blvd, came forward in opposition. Further discussion followed.

Mike Morosin, 2055 "S" Street, came forward and expressed his opinion of the importance of the up-keeping of boulevards.

This matter was taken under advisement.

APPLICATION OF DLH, INC. DBA COACHES SPORTS BAR & GRILL FOR A CLASS I (SPIRITS, WINE, BEER, ON SALE) LIQUOR LICENSE AT 640 W. PROSPECTOR COURT;

MANAGER APPLICATION OF DUANE L. HARTMAN FOR DLH, INC. DBA COACHES SPORTS BAR & GRILL AT 640 W. PROSPECTOR COURT - Peter Katt, 1045 Lincoln Mall, Suite 200, came forward for approval on behalf of the applicant.

Duane Hartman, 6230 South 31st Street, came forward for approval. Further discussion followed.

Dave Sutko, 5210 NW 7th Street, owner of Spikes Beach volleyball, came forward in support. Further discussion followed.

Mr. Katt and Mr. Hartman, came forward for rebuttal. Further discussion followed.

This matter was taken under advisement.

WAIVING CITY COUNCIL RULES AND PLACING AN EMERGENCY RESOLUTION CONCERNING A SEWER LINE REPLACEMENT LOCATED IN GLENWOOD CIRCLE NEAR WEDGEWOOD LAKE (PROJECT 700405) ON THE CITY COUNCIL AGENDA FOR PUBLIC HEARING AND ACTION THIS DAY 4/12/04 -

COOK Moved to waive City Council rules and place item on Agenda as Item 26a with Public Hearing and Action on this day.

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

TOOK BREAK 2:45 P.M.

RECONVENED 2:55 P.M.

MISCELLANEOUS BUSINESS

Mike Morosin, 2055 "S" Street, came forward and expressed his concerns regarding how compacted his neighborhood area is. He suggested that the City Council take a look at that issue.

This matter was taken under advisement.

Frank Delgado, 3325 "P" Street, came forward and expressed his concerns regarding the City Council Holidays. He suggested that the City Council stagger the night meeting to every other Monday instead of only having the night meeting on the last Monday of the month. Further discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF BURNSY'S INC. DBA CATERING ON THE BLVD. FOR A CLASS I LIQUOR LICENSE AT 2602 PARK BLVD - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82690 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 Burnsy's Inc. dba Catering on the Blvd. for a Class "I" liquor license at 2602 Park Blvd., Lincoln, Nebraska, for the license period ending April 30, 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

MANAGER APPLICATION OF MICHAEL F. BURNS FOR BURNSY'S INC. DBA CATERING ON THE BLVD. AT 2602 PARK BLVD - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82691 WHEREAS, Burnsy's Inc. dba Catering on the Blvd. located at 2602 Park Blvd., Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Michael F. Burns be named manager; WHEREAS, Michael F. Burns 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 Michael F. Burns 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

APPLICATION OF ROBOT VENUS, INC. DBA BACIAMI FOR A CLASS C (SPIRITS, WINE, & BEER, ON- & OFF-SALE) LIQUOR LICENSE AT 301 N. 8TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82692 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 Robot Venus, Inc. dba Baciame for a Class "C" liquor license at 301 N. 8th 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

MANAGER APPLICATION OF SHANNON M. RAYMER FOR ROBOT VENUS, INC. DBA BACIAM I AT 301 N. 8TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82693 WHEREAS, Robot Venus, Inc. dba Baciami located at 301 N. 8th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Shannon M. Raymer be named manager;

WHEREAS, Shannon M. Raymer 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 Shannon M. Raymer 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

APPLICATION OF CCW, LLC DBA HUHOT MONGOLIAN GRILL FOR A CLASS J (WINE & BEER, ON-SALE) LIQUOR LICENSE AT 201 N. 66TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82694 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 CCW, LLC dba Huhot Mongolian Grill for a Class "J" liquor license at 201 N. 66th Street, Lincoln, Nebraska, for the license period ending April 30, 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

MANAGER APPLICATION OF LUKE E. WILSON FOR CCW, LLC DBA HUHOT MONGOLIAN GRILL AT 201 N. 66TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82695 WHEREAS, CCW, LLC dba Huhot Mongolian Grill located at 201 N. 66th Street, Lincoln, Nebraska has been approved for a Retail Class "J" liquor license, and now requests that Luke E. Wilson be named manager;

WHEREAS, Luke E. Wilson 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 Luke E. Wilson 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: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

APPLICATION OF NASH FINCH COMPANY DBA SUNMART #025 FOR A LIQUOR CATERING
LICENSE AT 1340 WEST O STREET - PRIOR to reading:

COOK Moved to delay Public Hearing and Action for one week to 4/19/04.
Seconded by Svoboda & carried by the following vote: AYES: Cook,
Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

APPLICATION OF SALEM OIL COMPANY DBA YANKEE HILL AMOCO FOR A CLASS B (BEER,
OFF-SALE) AND CLASS K (WINE, OFF-SALE) LIQUOR LICENSE AT 630 W.
PROSPECTOR COURT - CLERK read the following resolution, introduced by
Glenn Friendt, who moved its adoption for approval:

A-82696 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 Salem Oil Company Oil dba Yankee Hill Amoco for a Class
"B" liquor license at 630 W. Prospector Court, Lincoln, Nebraska, for
the license period ending April 30, 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: Cook,
Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

MANAGER APPLICATION OF JEFFREY J. SCOTT FOR SALEM OIL COMPANY DBA YANKEE HILL
AMOCO AT 630 W. PROSPECTOR COURT - CLERK read the following resolution,
introduced by Glenn Friendt, who moved its adoption for approval:

A-82697 WHEREAS, Salem Oil Company dba Yankee Hill Amoco located at 630 W.
Prospector Court, Lincoln, Nebraska has been approved for a Retail Class
"B" liquor license, and now requests that Jeffrey J. Scott be named
manager;

WHEREAS, Jeffrey J. Scott 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 Jeffrey J.
Scott 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: Cook,
Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

APPLICATION OF DLH, INC. DBA COACHES SPORTS BAR & GRILL FOR A CLASS I
(SPIRITS, WINE, BEER, ON SALE) LIQUOR LICENSE AT 640 W. PROSPECTOR
COURT - PRIOR to reading:

FRIENDT Moved to reconsider the denial.

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

The resolution, having **LOST**, was assigned the File #38-4468 & was placed on
file in the Office of the City Clerk.

CLERK Read the following resolution, introduced by Glenn Friendt, who
moved its adoption for approval:

A-82708 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 DLH, Inc. dba Coaches Sports Bar & Grill for a Class "I"
liquor license at 640 W. Prospector Court, Lincoln, Nebraska, for the
license period ending April 30, 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:
Friendt, Newman, Svoboda, Werner; NAYS: Cook; ABSENT: Camp and McRoy.

MANAGER APPLICATION OF DUANE L. HARTMAN FOR DLH, INC. DBA COACHES SPORTS BAR & GRILL AT 640 W. PROSPECTOR COURT - PRIOR to reading:

FRIENDT Moved to reconsider the denial.

Seconded by Svoboda & **LOST** by the following vote: AYES: Cook;

NAYS: Friendt, Newman, Svoboda, Werner; ABSENT: Camp and McRoy.

The resolution, having **LOST**, was assigned the File #38-4469 & was placed on file in the Office of the City Clerk.

CLERK Read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82709 WHEREAS, DLH, Inc. dba Coaches Sports Bar & Grill located at 640 W. Prospector Court, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now request that Duane L. Hartman be named manager;

WHEREAS, Duane L. Hartman 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 Duane L. Hartman 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:

Friendt, Newman, Svoboda, Werner; NAYS: Cook; ABSENT: Camp and McRoy.

ORDINANCES - 2ND READING

APPROVING A CONTRACT BETWEEN THE CITY AND THE DOWNTOWN LINCOLN ASSOCIATION TO OPERATE AND REGULATE A MID-WEEK PUBLIC MARKET IM THE AREA LOCATED AT 12TH STREET FROM Q TO R STREET FROM 12TH TO 13TH STREETS FROM JUNE 1, 2004 THROUGH JUNE 29, 2004 - CLERK read an ordinance, introduced by Glenn Friendt, accepting and approving the Contract between the City of Lincoln, Nebraska and Downtown Lincoln Association for establishment and regulation of a Tuesday public market in the Marketplace area, 12th Street from Q to R Streets and R Street from 12th to 13th Streets, from June 1, 2004 through June 29, 2004, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

APPROVING A CONTRACT BETWEEN THE CITY AND LINCOLN HAYMARKET DEVELOPMENT CORP. TO OPERATE AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P - PRIOR to reading:

SVOBODA Moved to waive Council rules to have Action on this day.

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

CLERK Read an ordinance, introduced by Glenn Friendt, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th to 8th Streets, from May 1, 2004 through October 30, 2004, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

FRIENDT Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Cook,

Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

The ordinance, being numbered #18336, is recorded in Ordinance Book #25.

ACCEPTING AND APPROVING CITY'S CERTIFICATIONS AS LANDLORD IN THE ESTOPPEL CERTIFICATE AND CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF THE FIRST AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT - BURNHAM YATES CONFERENCE CENTER FROM CORNHUSKER SQUARE LIMITED PARTNERSHIP TO SHUBH HOTELS LINCOLN, LLC OR ITS AFFILIATES - PRIOR to reading:

SVOBODA Moved to waive Council rules to have Action on this day.

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

CLERK Read an ordinance, introduced by Glenn Friendt, accepting and approving the City's certifications as landlord in the Estoppel Certificate and consenting tot eh Assignment and Assumption of the First

Amended and Restated Lease and Operating Agreement - Burnham Yates Conference Center from Cornhusker Square Limited Partnership to SHUBH Hotels Lincoln, LLC or its affiliates, the second time.

FRIENDT Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy. The ordinance, being numbered **#18337**, is recorded in Ordinance Book #25.

APPROVING THE SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT - BURNHAM YATES CONFERENCE CENTER - PRIOR to reading:

SVOBODA Moved to waive Council rules to have Action on this day.

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

CLERK Read an ordinance, introduced by Glenn Friendt, accepting and approving the Second Amendment to First Amended and Restated Lease and Operating Agreement - Burnham Yates Conference Center granting the Lessee, Cornhusker Square Limited Partnership, the right to encumber its interest in the Lease and its Leasehold estate in the Conference Center under one or more mortgages and to assign the Lease or Leasehold estate in the premises as collateral security for such mortgager and to provide rights to said mortgagees under the Lease, the second time.

FRIENDT Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy. The ordinance, being numbered **#18338**, is recorded in Ordinance Book #25.

RESOLUTIONS

REAPPOINTING TERRY WERNER TO THE UTILITY BILLING CHECK-OFF PROGRAM BOARD (LINCOLN CARES PROGRAM) FOR A ONE-YEAR TERM EXPIRING AUGUST 31, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82698 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Terry Werner to the Utility Billing Check-Off Program Board for a one-year term expiring August 31, 2004 is hereby approved.

Introduced by Patte Newman

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

REAPPOINTING TERRY WERNER TO THE JOINT BUDGET COMMITTEE FOR A TWO-YEAR TERM EXPIRING AUGUST 31, 2005 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82699 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Terry Werner to the Joint Budget Committee for a two-year term expiring August 31, 2005 is hereby approved.

Introduced by Patte Newman

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

REAPPOINTING GLENN FRIENDT, JONATHAN COOK, AND KEN SVOBODA TO THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR ONE-YEAR TERMS EXPIRING AUGUST 31, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82700 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Glenn Friendt, Jonathan Cook, and Ken Svoboda to the Railroad Transportation Safety District for one-year terms expiring August 31, 2004 is hereby approved.

Introduced by Patte Newman

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

APPOINTING ANNETTE C. DURHAM TO THE LINCOLN HOUSING AUTHORITY BOARD TO FILL AN UNEXPIRED TERM EXPIRING JULY 1, 2005 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82701 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Annette C. Durham to the Lincoln Housing Authority Board to fill an unexpired term expiring July 1, 2005 is hereby approved.

Introduced by Patte Newman

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

APPOINTING CINDY M. WOSTREL TO THE COMMUNITY FORESTRY ADVISORY BOARD TO FILL AN UNEXPIRED TERM EXPIRING AUGUST 17, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82702 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Cindy M. Wostrel to the Community Forestry Advisory Board to fill an unexpired term expiring August 17, 2004 is hereby approved.

Introduced by Patte Newman

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

APPROVING A FOUR YEAR CONTRACT BETWEEN THE CITY AND VON BUSCH AND SONS REFUSE TO COLLECT RECYCLABLES DEPOSITED AT THE CITY-SPONSORED RECYCLING DROP-OFF SITES - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82703 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the four-year contract between the City of Lincoln and Von Busch and Sons Refuse for the collection of recyclable materials from City sponsored recycling drop-off sites under the terms and conditions as set forth in said contract, 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 the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one copy of the executed original contract to Gene Hanlon, Recycling Coordinator for the transmittal to Von Busch and Sons Refuse.

Introduced by Patte Newman

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

SPECIAL PERMIT 730638B - APPLICATION OF WEST POINT, L.L.C TO EXPAND AN EXISTING PARKING LOT IN A RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 55TH STREET AND SAYLOR STREET - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82704 WHEREAS, West Point, L.L.C. has submitted an application designated as Special Permit No. 730638B for authority to amend Special Permit 638A to expand an existing parking lot in a residential district on property located at S. 55th Street and Saylor Street, and legally described to wit:

Lots 3-6, Block 9, Second Addition to Normal and the east 128 feet of Lot 17, Woods Bros. Fairview Acres, located in the Northeast Quarter of Section 32, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this expansion of a parking lot 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 West Point, L.L.C., hereinafter referred to as "Permittee", to amend Special Permit 638A to expand an existing parking lot in a residential district, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that construction

and operation of said parking lot be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a parking lot in a residential district.
2. Before receiving building permits:
 - a. The Permittee must submit an acceptable, revised final plan and five copies.
 - b. The construction plans must conform to the approved plans.
 - c. Final plats within the area of this parking lot must be approved by the City.
3. 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.
4. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
5. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.
6. 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 Patte Newman

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

WAIVING THE RIGHT OF THE CITY TO OBJECT TO THE VALIDITY OF THE CONVEYANCE OF LOT 1, BLOCK 1, NBC BANK ADDITION, EXCEPT THE EAST 142 FEET THEREOF, FROM WELLS FARGO BANK TO HASTINGS STATE BANK ON THE GROUNDS THAT THE CONVEYANCE FAILED TO COMPLY WITH THE REQUIREMENTS RELATING TO SUBDIVISION APPROVAL - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82705 WHEREAS, in 1988 Wesley G. Bennett, the owner of Lots 1, 2, 3 and 10, Block 182, Havelock Addition, petitioned for the vacation of the east 12 feet of the north-south alley abutting Lots 1 and 2, and all of the north-south alley abutting Lots 3 and 10, Block 182, Havelock Addition; and

WHEREAS, pursuant to said Petition to Vacate, the City Council passed Ordinance No 14946 on August 8, 1988 vacating said east 12 feet of the north-south alley abutting Lots 1 and 2, and all of the north-south alley abutting Lots 3 and 10, Block 182, Havelock Addition; and

WHEREAS, for some unknown reason, said vacated north-south alley, instead of being transferred to Wesley G. Bennett, was conveyed to National Bank of Commerce, although NBC was not the owner of any of the abutting properties; and

WHEREAS, following the conveyance, Wesley G. Bennett and National Bank of Commerce filed an application to approve the final plat of NBC Bank Addition consisting of Lot 1, Block 1. The final plat was approved on October 27, 1988; and

WHEREAS, during that same period of time, NBC Bank entered into a 99 year lease leasing that portion of Lot 1, Block 1, NBC Bank Addition, which was owned by Wesley Bennett; and

WHEREAS, ON May 28, 2003, Wells Fargo Bank, as successor to NBC Bank, transferred its interest in the 99 year lease to Hastings State Bank and sold its interest in Lot 1, Block 1, NBC Bank Addition to Hastings State Bank; and

WHEREAS, the conveyance to Hastings State Bank failed to comply with the requirements relating to subdivision approval; and

WHEREAS, in accordance with the provisions of Section 76-2,110, the City of Lincoln desires to waive its right to object to said conveyance in order to allow such conveyance to be fully valid; and

WHEREAS, Thomas J. Fitchett, on behalf of the Estate of Roberta K. Bennett, has requested the consent to the validity of said conveyance.

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

1. That the City of Lincoln waives its right to object to validity to the conveyance of Lot 1, Block 1, NBC Bank Addition, except the east 142 feet thereof from Wells Fargo Bank to Hastings State Bank, filed of record as Instrument # 2003-050729.
2. That the City Clerk is directed to record this Resolution with the Register of Deeds, filing fees to be paid in advance by Thomas J. Fitchett.

Introduced by Patte Newman

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MARCH 16 - 31, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82706 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 April 1, 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>	
Thomas J. Keller	\$ 145.00	Ben McCaslin	\$2,377.56
Rita Newell	122.00	Valerie Hansen	300.00
Pam Hansen	NAS*	Thomas D. & Billie L. Burch	1,020.83
Robin Derr	950.00	Dawn Wimes	562.60
Bob Norris	82.33	Kathrine Lavedas	74.90
Janice Coleman	25,000.00	Kathleen Smith	649.02
Jacki Rittscher	14.47	Michael J. Davidson	1,083.63
Randy Toothaker	81.00		
Renee Hartung	117.50		
Farmers Insurance (Claim #1003626691)	562.43		
Dan Sindelar	NAS*		
Delwyn L. Harnisch	NAS*		
Rick & Dianne Aksamit	33.61		

* 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 Patte Newman

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

APPROVING A FIVE-YEAR ADVERTISING AGREEMENT BETWEEN THE CITY AND BRISTOL WINDOWS FOR ADVERTISING RIGHTS ON THE ELECTRONIC MESSAGE SYSTEMS AT PERSHING MUNICIPAL AUDITORIUM AT 15TH AND N STREETS - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82707 WHEREAS, the City of Lincoln owns and operates Pershing Municipal Auditorium located at 226 Centennial Mall South in Lincoln, Nebraska; and

WHEREAS, two exterior animated programmable electronic message systems, and one interior animated programmable electronic message system are located at said auditorium; and

WHEREAS, Bristol Windows, Inc., 3220 Superior Street, Suite 16D, Lincoln, NE 68504, (402) 435-8815, wishes to acquire the right to display advertisements on said message systems and the City is willing to grant certain advertising rights to Bristol Windows, Inc.

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

That the Advertising Agreement, which is attached hereto marked as Attachment "A" and made a part hereof by reference, by and between the City of Lincoln dba Pershing Municipal Auditorium and Bristol Windows, Inc., under which Bristol Windows, Inc. is granted certain interior and exterior advertising rights at Pershing Municipal Auditorium for a five-year period on the terms and conditions as set forth in said Agreement is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

The City Clerk is directed to transmit one fully executed copy of said Advertising Agreement to Thomas Lorenz, Manager of Pershing Municipal Auditorium, and one fully executed copy to Bristol Windows, Inc.

Introduced by Patte Newman

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

PETITIONS & COMMUNICATIONS

REQUEST OF PUBLIC WORKS DEPARTMENT TO SET A PUBLIC HEARING DATE OF MONDAY, APRIL 26, 2004, AT 1:30 P.M. AND TO PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

04-68 To provide authority to construct a 12 inch water main in South Folsom, West South Street south approximately 1,250 feet and assess the cost thereof against the benefitted properties.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON APRIL 5, 2004 - 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/FEBRUARY/MARCH, 2004: TOUCH 1 COMMUNICATIONS INC.; FEBRUARY, 2004: NEBRASKA TECHNOLOGY & TELECOMMUNICATIONS INC, ASSOCIATION ADMINISTRATORS INC, LDMI TELECOMMUNICATIONS INC, ALLTEL NEBRASKA INC, ALLTEL COMMUNICATIONS OF NEBRASKA INC, ALLTEL SYSTEMS OF THE MIDWEST INC - CLERK PRESENTED SAID REPORT WHICH WAS PLACED ON FILE IN THE OFFICE OF THE CITY CLERK. (20)

ANNUAL REPORT OF 2003 FROM CITY LAW DEPARTMENT - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR THE WEEK OF APRIL 5 THRU APRIL 9, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82711 BE IT 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 Patte Newman

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

INVESTMENT OF FUNDS FOR THE WEEK OF MARCH 29 THRU APRIL 2, 2004 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption:

A-82712 BE IT 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 Patte Newman

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

ORDINANCES - 1ST READING

CHANGE OF ZONE 04014 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.31.030 TO DELETE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF THE PREMISES AS PERMITTED USES; BY AMENDING SECTION 27.31.040 TO ADD SAID USES AS PERMITTED CONDITIONAL USES AND TO PROVIDE CONDITIONS OF APPROVAL IN THE B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT; BY AMENDING SECTION 27.37.020 TO DELETE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF THE PREMISES AS PERMITTED USES; BY AMENDING SECTION 27.37.025 TO ADD SAID USES AS PERMITTED CONDITIONAL

USES AND TO PROVIDE CONDITIONS OF APPROVAL IN THE B-5 PLANNED REGIONAL BUSINESS DISTRICT - CLERK read an ordinance, introduced by Patte Newman, amending Title 27 of the Lincoln Municipal Code to amend the conditions under which alcohol is allowed to be sold in the B-2 and B-5 zoning districts by amending Section 27.31.030 to delete the sale of alcoholic beverages for consumption on and off the premises as a permitted use in the B-2 Planned Neighborhood Business District; amending Section 27.31.040 to add said use as a permitted conditional use and to provide conditions of approval in the B-2 Regional Business District; amending Section 27.37.025 to add said use as a permitted conditional use and to provide conditions of approval in the B-5 Regional Business District; and repealing Sections 27.31.030, 27.31.040, 27.37.020 and 27.37.025 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 04016 - AMENDING SECTION 27.26.020 OF THE LINCOLN MUNICIPAL CODE TO ADD ADULT CARE CENTER AS A PERMITTED USE IN THE O-2 SUBURBAN OFFICE DISTRICT - CLERK read an ordinance, introduced by Patte Newman, amending Section 27.26.020 of the Lincoln Municipal Code to allow Adult Care Centers as a permitted use in the O-2 Suburban Office District; and repealing Section 27.26.020 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING THE TRANSFER OF UNSPENT AND UNENCUMBERED APPROPRIATIONS AND CASH BETWEEN CAPITAL IMPROVEMENT PROJECTS WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT, URBAN DEVELOPMENT DEPARTMENT, AND PARKS & RECREATION DEPARTMENT AND DESIGNATING THE FUNDING SOURCE FOR STREET PROJECTS TO BE FUNDED FROM THE RECENT ISSUANCE OF HIGHWAY ALLOCATION BONDS IN FY 04/05 AND TRANSFERRING DOLLARS MADE AVAILABLE TO THOSE PROJECTS TO OTHER STREET PROJECTS WITHIN THE DEPARTMENT OF PUBLIC WORKS & UTILITIES - CLERK read an ordinance, introduced Patte Newman, approving the transfer of unspent and unencumbered appropriations and cash (if any) between capital improvement projects and designation of funding sources for street projects due to the recent issuance of Highway Allocation Bonds within the Public Works and Utilities Department, Urban Development Department and Parks and Recreation Department, the first time.

ORDINANCES - 3RD READING

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND EXPERIENCE WORKS FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Sublease Agreement between the City of Lincoln and Experience Works for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of October 1, 2003 through June 30, 2004 whereby the City of Lincoln is subleasing space to Experience Works at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the third time.

COOK Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.
The ordinance, being numbered **#18339**, is recorded in Ordinance Book #25.

STREET NAME CHANGE 04002 - RENAMING FISCHER DRIVE TO COTSWOLD LANE IN HERITAGE LAKES 1ST ADDITION, GENERALLY LOCATED AT S. 95TH STREET AND PINE LAKE ROAD - CLERK read an ordinance, introduced by Jonathan Cook, changing the name of Fischer Drive to Cotswold Lane located in Heritage Lakes 1st Addition, generally located at S. 95th Street and Pine Lake Road, as recommended by the Street Name Committee, the third time.

COOK Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.
The ordinance, being numbered **#18340**, is recorded in Ordinance Book #25.

DECLARING APPROXIMATELY 14,000 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 17TH AND PROSPECT STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Jonathan Cook, declaring approximately 14,000 square feet of City-owned property generally located at 17th and Prospect Streets as surplus and authorizing the sale thereof, the third time.

COOK Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.
The ordinance, being numbered **#18341**, is recorded in Ordinance Book #25.

CHANGE OF ZONE 04008 - AMENDING SECTION 27.28.080 OF THE LINCOLN MUNICIPAL CODE TO REVISE THE PARKING REQUIREMENTS IN THE R-T RESIDENTIAL TRANSITION DISTRICT TO ALLOW PARKING LOTS CLOSER THAN 20 FEET TO A RESIDENTIAL DISTRICT WHEN ABUTTING A NON-RESIDENTIAL USE - PRIOR to reading:

COOK Moved to Amend No.1.
Seconded by Svoboda & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

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

CLERK Read an ordinance, introduced by Jonathan Cook, amending Section 27.28.080 of the Lincoln Municipal Code to revise the parking requirements in the R-T Residential Transition District to allow parking lots closer than 20 feet to a residential district when abutting a non-residential use; and repealing Section 27.28.080 of the Lincoln Municipal Code as hitherto existing, the third time.

The ordinance, being numbered #18342, is recorded in Ordinance Book #25.

CHANGE OF ZONE 04012 - APPLICATION OF HARTLAND HOMES, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S.W. 27TH STREET AND WEST SOUTH STREET - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

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

The ordinance, being numbered #18343, is recorded in Ordinance Book #25.

MISCELLANEOUS BUSINESS

PENDING -

SVOBODA Moved to extend the Pending List to April 19, 2004.
Seconded by Cook & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

UPCOMING RESOLUTIONS -

SVOBODA Moved to approve the resolutions to have Public Hearing on April 19, 2004.
Seconded by Cook & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.

ADJOURNMENT 3:30 P.M.

SVOBODA Moved to adjourn the City Council meeting of April 12, 2004.
Seconded by Cook & carried by the following vote: AYES: Cook, Friendt, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp and McRoy.
So ordered.

Teresa J. Meier, Deputy City Clerk

Jamie Neddenriep, Senior Office Assistant

REGULAR MEETING
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