

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, MARCH 13, 2006 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chair Svoboda; Council Members: Camp, Cook, Eschliman, Marvin, McRoy, Newman; City Clerk, Joan E. Ross.

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

**READING OF THE MINUTES**

MCROY Having been appointed to read the minutes of the City Council proceedings of March 6, 2006, reported having done so, found same correct.

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

**MAYORS AWARD OF EXCELLENCE**

Mayor Seng presented the Mayor's Annual Award of Excellence for 2005 to Officer Jason Brownell from the Lincoln Police Department, in the category of Safety and Productivity.

Chief Casady came forward to congratulate Mr. Brownell on his great contribution to the City especially in his work with youth at Lincoln High, special assignments and bringing on-the-job enthusiasm to work every day.

**PUBLIC HEARING**

APPLICATION OF FOUR SONS, INC. DBA HAVELOCK SOCIAL HALL FOR A CLASS I LIQUOR LICENSE AT 4538 N. 62ND STREET;

MANAGER APPLICATION OF TODD J. CORLISS FOR FOUR SONS, INC. DBA HAVELOCK SOCIAL HALL AT 4538 N. 62ND STREET - Todd J. Corliss, 4538 N. 62<sup>nd</sup> St., took oath and came forward to answer questions.

This matter was taken under advisement.

APPROVING PLAYMAKERS AT 640 WEST PROSPECTOR AS A KENO SATELLITE SITE;  
APPROVING LANCASTER'S AT 3800 OLD CHENEY ROAD AS A KENO SATELLITE SITE;  
APPROVING SPIKES BEACH BAR & GRILLE AT 2300 JUDSON AS A KENO SATELLITE SITE -

John Hewitt, representing Big Red Keno, came forward to answer questions of Council. Discussion followed.

Stephen Griffith, 1212 S. 23<sup>rd</sup> St., minister at St. Paul United Methodist Church, came forward on behalf of Lincoln's 18 United Methodist Churches in opposition to the Keno site applications.

Mike Morosin, 2055 S St., came forward to make neutral comments.

This matter was taken under advisement.

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

**COUNCIL ACTION**

**LIQUOR RESOLUTIONS**

APPLICATION OF FOUR SONS, INC. DBA HAVELOCK SOCIAL HALL FOR A CLASS I LIQUOR LICENSE AT 4538 N. 62ND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83771 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 Four Sons, Inc. dba Havelock Social Hall for a Class "I" liquor license at 4538 N. 62nd Street, Lincoln, Nebraska, for the license period ending April 30, 2006, be approved with the condition

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF TODD J. CORLISS FOR FOUR SONS, INC. DBA HAVELOCK SOCIAL HALL AT 4538 N. 62ND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83772 WHEREAS, Four Sons, Inc. dba Havelock Social Hall located at 4538 N. 62nd Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Todd J. Corliss be named manager;

WHEREAS, Todd J. Corliss 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 Todd J. Corliss be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

**ORDINANCES - 2<sup>ND</sup> READING - NONE**

**RESOLUTIONS**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 16 - 28, 2006 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83773 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 March 1, 2006, 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>
Allied Insurance (Claim No. 26E5779)	\$ 2,085.89	Mary R. Cota \$350.00
Clarence Threats as Husband and Personal Representative of the Estate of Penny R. Threats	1,000,000.00	

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

Introduced by Annette McRoy

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

APPROVING PLAYMAKERS AT 640 WEST PROSPECTOR AS A KENO SATELLITE SITE - PRIOR to reading:

ESCHLIMAN Moved to place Bill No. 06R-39 on pending indefinitely.

Seconded by McRoy & **LOST** by the following vote: AYES: Cook, Eschliman; NAYS: Camp, Marvin, McRoy, Newman, Svoboda.

COOK Moved to have Bill No. 06R-39 delayed with public hearing and action in one week to 3/20/06.

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

APPROVING LANCASTER'S AT 3800 OLD CHENEY ROAD AS A KENO SATELLITE SITE -  
PRIOR to reading:

ESCHLIMAN Moved to place Bill No. 06R-40 on pending indefinitely.  
Seconded by McRoy & **LOST** by the following vote: AYES: Cook,  
Eschliman; NAYS: Camp, Marvin, McRoy, Newman, Svoboda.

COOK Moved to have Bill No. 06R-40 delayed with public hearing and  
action in one week to 3/20/06.  
Seconded by Eschliman & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin; NAYS: McRoy, Newman, Svoboda.

APPROVING SPIKES BEACH BAR & GRILLE AT 2300 JUDSON AS A KENO SATELLITE SITE -  
PRIOR to reading:

ESCHLIMAN Moved to place Bill No. 06R-41 on pending indefinitely.  
Seconded by McRoy & **LOST** by the following vote: AYES: Cook,  
Eschliman; NAYS: Camp, Marvin, McRoy, Newman, Svoboda.

COOK Moved to have Bill No. 06R-41 delayed with public hearing and  
action in one week to 3/20/06.  
Seconded by Eschliman & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin; NAYS: McRoy, Newman, Svoboda.

APPROVING AN AGREEMENT BETWEEN THE CITY AND STATE DEPT. OF ROADS TO IDENTIFY A  
CORRIDOR FOR A LINEAR PARK ON THE NORTH SIDE OF THE SOUTH BELTWAY  
BETWEEN 27TH AND 84TH STREETS. (3/6/06 - P.H. W/ACTION CON'T. TO  
3/13/06) - PRIOR to reading:

COOK Moved to place Bill No. 06R-34 on pending with continued Public  
Hearing & Action on 5/15/06.  
Seconded by Marvin & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

**PETITIONS AND COMMUNICATIONS - NONE**

**REPORTS OF CITY OFFICERS**

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR  
MONTH OF FEBRUARY 2006 - CLERK presented said report which was placed on  
file in the Office of the City Clerk. (8-71)

**ORDINANCES - 1<sup>ST</sup> READING**

CHANGE OF ZONE 04005 - APPLICATION OF THE SOUTHEAST RURAL FIRE DEPARTMENT FOR  
A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO P PUBLIC  
USE DISTRICT ON PROPERTY GENERALLY LOCATED AT 7700 PINE LAKE ROAD -  
CLERK read an ordinance, introduced by Patte Newman, 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 06007 - APPLICATION OF WILLIAM A. PETERSON FOR A CHANGE OF ZONE  
FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT  
ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 84TH STREET AND  
WAVERLY ROAD - CLERK read an ordinance, introduced by Patte Newman,  
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 06010 - APPLICATION OF HOLDREGE INVESTORS AND UNIVERSITY PARK  
CONGREGATION OF JEHOVAH'S WITNESSES FOR A CHANGE OF ZONE FROM O-3  
OFFICE PARK DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON  
PROPERTY GENERALLY LOCATED AT 84TH AND HOLDREGE STREETS - CLERK read an  
ordinance, introduced by Patte Newman, 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.

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ANNEXATION 05019 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 41.7 ACRES OF PROPERTY GENERALLY LOCATED AT HIGHWAY 34 AND FALLBROOK BOULEVARD. (RELATED ITEMS: 06-30, 06-31) - CLERK read an ordinance, introduced by Patte Newman, 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 a 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 05085 - APPLICATION OF NEBCO, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD, FROM R-3 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD, FROM O-3 OFFICE PARK DISTRICT TO O-3 OFFICE PARK DISTRICT PUD, FROM B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD, AND FROM R-3 RESIDENTIAL DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD, ON PROPERTY GENERALLY LOCATED AT HIGHWAY 34 AND FALLBROOK BOULEVARD, FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE AND CITY OF LINCOLN DESIGN STANDARDS TO ALLOW APPROXIMATELY 1,767 DWELLING UNITS AND APPROXIMATELY 680,000 SQUARE FEET OF COMMERCIAL USES. (RELATED ITEMS: 06-30, 06-31) - CLERK read an ordinance, introduced by Patte Newman, 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.

AMENDING THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 24.42 TO ADOPT REQUIREMENTS FOR THE INSPECTION OF ON-SITE WATER SUPPLY SYSTEMS AND ON-SITE WASTEWATER TREATMENT SYSTEMS PRIOR TO THE SALE, TRANSFER, OR CONVEYANCE OF PROPERTY - CLERK read an ordinance, introduced by Patte Newman, amending Title 24 of the Lincoln Municipal Code, Plumbing and Sewers, to regulate on-site systems to include on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer, or conveyance of property within the City of Lincoln and the three mile area by adding a new section numbered 24.42.010 to establish the purpose of this ordinance; adding a new section numbered 24.42.020 to define terms used in the ordinance; adding a new section numbered 24.42.030 to require inspections of on-site systems prior to the sale, transfer, or conveyance of property and exceptions to the inspection requirements; adding a new section numbered 24.42.040 to define the inspection requirements of on-site wastewater treatment systems; adding a new section numbered 24.42.050 to define inspection of on-site water supply systems; adding a new section numbered 24.42.060 to define the requirements of inspection reports; adding a new section numbered 24.42.070 to identify the review of the inspection reports and issuance of determination letters; adding a new section numbered 24.42.080 to allow entry for purposes of inspection and enforcement; adding a new section numbered 24.42.090 to create Property Transfer Inspector permits; adding new section numbered 24.42.100 to require Property Transfer Inspectors to maintain insurance; adding a new section numbered 24.42.110 to create permit fees and inspection report review fees; adding a new section numbered 24.42.120 to require a person to have a permit in order to do inspections; adding new section numbered 24.42.130 to establish the procedures for suspension or revocation of a permit; adding a new section numbered 24.42.140 to establish the procedures for the reinstatement of a suspended or revoked permit; adding a new section numbered 24.42.150 to establish enforcement hearings; adding a new section numbered 24.42.160 to establish notice and service provisions; adding a new section numbered 24.42.170 to provide penalties for violations of this chapter; adding a new section numbered 24.42.180 to protect other sections should one section become invalid; and adding a new section numbered 24.42.190 to state the effective date of the ordinance and to provide an effective date for penalties against an owner of an on-site system, the first time.

ORDINANCES - 3<sup>RD</sup> READING & RESOLUTIONS FOR ACTION

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER M BY CREATING THE JOB CLASSIFICATION OF "GIS PROGRAM MANAGER" - CLERK read an ordinance, introduced by Dan Marvin, amending Section 1 of Ordinance No. 18479 passed December 13, 2004, as amended by Ordinance No. 18674 passed February 6, 2006, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M," by creating the job classification of GIS Program Manager, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18679**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06004 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING ORDINANCE, BY AMENDING SECTION 27.67.040(D)(3) TO ADJUST THE PARKING REQUIREMENTS FOR MINI-WAREHOUSING - CLERK read an ordinance, introduced by Dan Marvin, amending Section 27.67.040 of the Lincoln Municipal Code relating to Parking Requirements; Special Conditions to adjust the parking for miniwarehousing; and repealing Section 27.67.040 of the Lincoln Municipal code as hitherto existing, the third time.

NEWMAN Moved to amend Bill No. 06-20 in the following manner:

1. On page 2, line 21, delete the phrase "Bowling alleys" and insert in lieu thereof the phrase "Public bowling centers."

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

MARVIN Moved to pass the ordinance as amended.

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

The ordinance, being numbered **#18680**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06005 - APPLICATION OF JOHN WRAGGE FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO O-2 SUBURBAN OFFICE DISTRICT ON PROPERTY GENERALLY LOCATED AT S. 39TH STREET AND NORMAL BLVD. - CLERK read an ordinance, introduced by Dan Marvin, 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.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18681**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 06006 - APPLICATION OF CHARLESTON HEIGHTS LLC FOR A CHANGE OF ZONE FROM H-4 GENERAL COMMERCIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTH AND EAST OF S.W. 27TH STREET AND WEST A STREET - CLERK read an ordinance, introduced by Dan Marvin, 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.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18682**, is recorded in Ordinance Book #25, Page

CREATING A BUSINESS IMPROVEMENT DISTRICT IN AN AREA GENERALLY BOUNDED BY 9<sup>TH</sup> STREET TO CENTENNIAL MALL AND L STREET TO THE MID-BLOCK BETWEEN Q AND R STREETS (CORE OVERLAY DISTRICT) - CLERK read an ordinance, introduced by Dan Marvin, creating a business improvement district under the authority of the Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.) to be known as the Core Business Improvement District Overlay bounded roughly by Centennial Mall, M, 9<sup>th</sup>, and Q Streets for the purpose of providing specified work and improvements in the downtown area of the City of Lincoln, Nebraska; providing special assessments to be imposed within the district based upon the benefits conferred; providing maximum limits upon such assessments; and providing a sunset of August 31, 2016, the third time.

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MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18683**, is recorded in Ordinance Book #25, Page

CREATING A BUSINESS IMPROVEMENT DISTRICT IN AN AREA GENERALLY BOUNDED BY 6<sup>TH</sup> STREET TO 17TH STREET AND R STREET TO THE MID-BLOCK BETWEEN LINCOLN MALL AND H STREET (DOWNTOWN BUSINESS IMPROVEMENT DISTRICT) - CLERK read an ordinance, introduced by Dan Marvin, creating a business improvement district under the authority of the Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.) to be known as the Downtown Business Improvement District bounded roughly by H, 6<sup>th</sup>, R, and 17<sup>th</sup> Streets for the purpose of providing specified work and improvements in the downtown area of the City of Lincoln, Nebraska; providing for special assessments to be imposed within the district based upon the benefits conferred; providing maximum limits upon such assessments; and providing a sunset of August 31, 2016, the third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18684**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 04066 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTIONS 27.26.080, 27.31.090, 27.37.060, 27.39.070, 27.41.080, 27.43.080, 27.45.070, 27.47.070, 27.49.080, AND 27.51.090 TO REDUCE THE REQUIRED FRONT YARD IN THE B-2, B-5, H-1, H-2, H-3, H-4, I-2, AND I-3 ZONING DISTRICTS TO 20 FEET, AND TO PROVIDE IN THE O-2, B-2, B-5, H-4, I-1, I-2, AND I-3 DISTRICTS THAT ANY DRIVEWAYS WHICH INTERSECT THE FRONT YARD SHALL BE PERPENDICULAR TO THE STREET; BY AMENDING SECTION 27.67.030 TO ELIMINATE PARKING IN THE FRONT YARD IN THE I-2 ZONING DISTRICT; AND BY AMENDING SECTIONS 27.29.080, 27.33.080, 27.39.070, 27.41.080, AND 27.43.080 TO REQUIRE A SIX-FOOT LANDSCAPE STRIP ON EACH SIDE OF A LOT ABUTTING A PUBLIC STREET OR PRIVATE ROADWAY IN THE B-1, B-3, H-1, H-2, AND H-3 ZONING DISTRICTS; BY AMENDING SECTION 27.71.030 TO ELIMINATE DRIVEWAYS IN THE FRONT AND SIDE YARDS WHEN USED TO PROVIDE ACCESS TO GASOLINE PUMP ISLANDS, TO ELIMINATE DRIVEWAYS IN FRONT AND SIDE YARDS IN THE B-1, H-1, H-2, OR H-3 ZONING DISTRICTS, AND TO ELIMINATE VEHICLE STACKING FOR DRIVE-IN FACILITIES WITHIN THE REQUIRED SIDE YARD; BY REPEALING SECTION 27.71.035 TO ELIMINATE GASOLINE PUMPS IN THE FRONT YARD; BY ADDING NEW SECTIONS NUMBERED 27.26.065, 27.27.055, 27.28.065, 27.29.065, 27.31.075, 27.33.065, 27.37.045, 27.39.055, 27.41.065, 27.43.065, 27.45.055, 27.47.055, 27.49.065, AND 27.51.075 TO ADD PEDESTRIAN CIRCULATION REGULATIONS IN THE O-2, O-3, R-T, B-1, B-2, B-3, B-5, H-1, H-2, H-3, H-4, I-1, I-2, AND I-3 ZONING DISTRICTS, RESPECTIVELY; BY AMENDING SECTIONS 27.63.080 AND 27.63.200 TO REQUIRE HEALTH CARE FACILITIES AND CLUBS TO CONSTRUCT ON-SITE PEDESTRIAN CIRCULATION SIDEWALK SYSTEMS; AMENDING SECTION 27.81.010 TO CLARIFY THAT NO BUILDING SHALL BE ERECTED, ENLARGED OR RECONSTRUCTED NOR SHALL ANY STRUCTURE OR LAND BE USED EXCEPT IN CONFORMANCE WITH THE DESIGN STANDARDS FOR ZONING REGULATIONS AND TO GOVERN PEDESTRIAN CIRCULATION (RELATED ITEMS: 06-5, 06R-9, 06-6) (1/23/06 - CON'T. 2ND READING W/P.H. FOR 5 WKS. TO 2/27/06) (2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

COOK Moved to delay action on Bill No. 06-5 for one week to 3/20/06.

Seconded by Newman.

ESCHLIMAN Moved a friendly amendment to ask Planning Dept. to draft a substitute ordinance containing all of the amendments. Failed for lack of a second. Discussion followed with the City Attorney being requested to draft a substitute ordinance to contain all of the amendments.

Cook's original motion to delay action one week was carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

CLERK Read an ordinance, introduced by Annette McRoy, amending Title 27 of the Lincoln Municipal Code relating to Zoning by amending Sections 27.26.080, 27.31.090, 27.37.060, 27.39.070, 27.41.080, 27.43.080, 27.45.070, 27.47.070, 27.49.080, and 27.51.090 to reduce the required front yard in the B-2, B-5, H-1, H-2, H-3, H-4, I-2, and I-3 zoning districts to 20 feet, and to provide in the O-2, B-2, B-5, H-4, I-1, I-2, and I-3 districts that any driveways which intersect the front yard shall be perpendicular to the street; by amending Section 27.67.030 to eliminate parking in the front yard in the I-2 zoning district; and by amending Sections 27.29.080, 27.33.080, 27.39.070, 27.41.080, and 27.43.080 to require a six-foot landscape strip on each side of a lot

abutting a public street or private roadway in the B-1, B-3, H-1, H-2, and H-3 zoning districts; by amending Section 27.71.030 to eliminate driveways in the front and side yards when used to provide access to gasoline pump islands, to eliminate driveways in front and side yards in the B-1, H-1, H-2, or H-3 zoning districts, and to eliminate vehicle stacking for drive-in facilities within the required side yard; by repealing Section 27.71.035 to eliminate gasoline pumps in the front yard; by adding new Sections numbered 27.26.065, 27.27.055, 27.28.065, 27.29.065, 27.31.075, 27.33.065, 27.37.045, 27.39.055, 27.41.065, 27.43.065, 27.45.055, 27.47.055, 27.49.065, and 27.51.075 to add pedestrian circulation regulations in the O-2, O-3, R-T, B-1, B-2, B-3, B-5, H-1, H-2, H-3, H-4, I-1, I-2, and I-3 zoning districts, respectively; by amending Sections 27.63.080 and 27.63.200 to require health care facilities and clubs to construct on-site pedestrian circulation sidewalk systems; amending Section 27.81.010 to clarify that no building shall be erected, enlarged or reconstructed nor shall any structure or land be used except in conformance with the Design Standards for Zoning Regulations and to govern pedestrian circulation; and repealing Sections 27.26.080, 27.29.080, 27.31.090, 27.33.080, 27.37.060, 27.39.070, 27.41.080, 27.43.080, 27.45.070, 27.47.070, 27.49.080, 27.51.090, 27.63.080, 27.63.200, 27.67.030, 27.71.030 and 27.81.010 of the Lincoln Municipal Code as hitherto existing, the third time.

MISC. 04015 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS CHAPTER 1.00 - REQUEST FOR WAIVER PROCEDURE, TO REVISE SECTION 1 TO ONLY REQUIRE THAT IMPROVEMENTS SUBSTANTIALLY CONFORM TO DESIGN STANDARDS, TO REVISE SECTION 2 TO ALLOW THE PLANNING DIRECTOR TO APPROVE REQUESTS FOR WAIVERS FROM THE DESIGN STANDARDS, BY ADDING A NEW SECTION 2.1.1 TO PROVIDE FOR AN APPEAL TO THE PLANNING COMMISSION FROM ACTION OF THE PLANNING DIRECTOR APPROVING OR DENYING A REQUEST FOR WAIVER FROM DESIGN STANDARDS, TO REVISE SECTION 2.1.2 TO PROVIDE FOR AN APPEAL TO THE CITY COUNCIL FROM ACTION OF THE PLANNING COMMISSION APPROVING OR DENYING A REQUEST FOR WAIVER OF THE DESIGN STANDARDS, BY REPEALING SECTION 2.2 IN ITS ENTIRETY; AMENDING CHAPTER 3.45 - DESIGN STANDARDS FOR PARKING LOTS, TO REVISE SECTION 3.6 TO PROVIDE THAT PARKING LOTS SHALL BE SCREENED IN ACCORDANCE WITH SECTION 7.1 OF CHAPTER 3.50 OF THE CITY OF LINCOLN DESIGN STANDARDS; AMENDING CHAPTER 3.50 - DESIGN STANDARDS FOR SCREENING AND LANDSCAPING TO REVISE SECTION 3 TO REQUIRE THE LANDSCAPE PLAN TO INCLUDE THE MATURE HEIGHT AND SPREAD OF PLANT MATERIAL AND ITS SIZE AT PLANTING, TO DELETE THE PROVISION REGARDING THE OPACITY OF THE SCREEN, AND TO DELETE THE PROVISION THAT NO SCREENING IS REQUIRED IF THE DISTANCE BETWEEN THE LOT LINE AND THE BUILDING IS LESS THAN FIVE FEET; TO REVISE SECTION 4 TO MODIFY THE SCREENING OF SALVAGE YARDS AND SCRAP PROCESSING OPERATIONS AND TO REQUIRE THE INSTALLATION OF PLANT MATERIALS TO BE BY A CERTIFIED LANDSCAPE CONTRACTOR; TO REVISE SECTION 7.1 TO AMEND THE TITLE TO INCLUDE DRIVING AISLES, TO DELETE THE PROVISION ALLOWING REDUCTION OF SCREENING REQUIREMENTS FOR PARKING LOTS WHICH ARE SET BACK FROM THE LOT LINE TO EXCLUDE DRIVEWAY THROATS AND DRIVEWAY CURB CUTS FROM THE REQUIRED SCREEN, TO ELIMINATE THE PROVISION ALLOWING THE DESIGN SPREAD OF DECIDUOUS TREES TO BE USED FOR A PORTION OF THE REQUIRED SCREEN, TO REQUIRE THE PARKING LOT ADJACENT TO A PUBLIC STREET TO BE SCREENED AT LEAST 90% RATHER THAN 60%, AND TO ELIMINATE PROVISIONS REQUIRING THE PLANTING OF A DECIDUOUS TREE WHEN THERE IS LESS THAN FIVE FEET BETWEEN THE PARKING LOT AND THE STREET; TO ADD LANDSCAPE REQUIREMENTS FOR PARKING LOTS WHICH EXCEED 6,000 SQUARE FEET OF PAVED AREA; TO REVISE SECTION 7.3 TO AMEND THE TITLE TO MAKE IT NOT APPLICABLE TO COMMUNITY UNIT PLANS AND TO MAKE IT APPLICABLE TO USE PERMITS; TO REVISE SECTION 7.4 TO MAKE IT APPLICABLE ONLY TO MAJOR STREETS RATHER THAN ALL PUBLIC STREETS, TO INCREASE THE SCREEN FROM 50% TO 60% AND TO REQUIRE THE SCREEN TO GO TO 10 FEET ABOVE THE SURFACE ELEVATION RATHER THAN 6 FEET, AND TO PROVIDE THAT FENCES USED FOR A SCREEN, THEY MUST BE USED IN CONJUNCTION WITH PLANTS; TO REVISE SECTION 7.5 TO ALSO MAKE ITS PROVISIONS APPLY TO THE H-1 AND I-3 ZONING DISTRICTS; TO REVISE SECTION 7.6 TO REDUCE THE NUMBER OF REQUIRED TREES; TO ADD A NEW SECTION 7.11 TO REQUIRE SCREENING FOR REFUSE AREAS, RECYCLING BINS, OPEN STORAGE, LOADING AREAS, AND GROUND-LEVEL MECHANICAL EQUIPMENT AND TO PROVIDE A SCREENING STANDARD; TO REVISE SECTION 8 TO REQUIRE A GUARANTEE FOR THE INSTALLATION OF LANDSCAPING IF NOT INSTALLED BY THE TIME OF THE FINAL BUILDING INSPECTION; AND TO DELETE THE PROVISION ALLOWING THE PLANNING DIRECTOR TO MAKE ADMINISTRATIVE ADJUSTMENTS; AMENDING TITLE 4, MISCELLANEOUS DESIGN STANDARDS, TO ADD A NEW CHAPTER 4.20 ENTITLED "DESIGN STANDARDS FOR LANDSCAPING, STREETSCAPES, MEDIANS, BOULEVARDS, ROUNDABOUT, AND MAJOR STREETS" TO PROVIDE STANDARDS RELATING TO SUCH

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LANDSCAPING INCLUDING GENERAL PROVISIONS, LANDSCAPING PLAN REQUIREMENTS, SITE PREPARATION, PLANT SELECTION AND PLACEMENT, PLANTING, APPROVED TREE LIST FOR NON-PAVED PLANTING STRIPS, MEDIANS, CUL-DE-SAC CIRCLES, ROUNDABOUTS, BOULEVARDS, AND MAJOR STREETS, TREE CHARACTERISTICS, AND SHRUB CHARACTERISTICS (RELATED ITEMS: 06-5, 06R-9, 06-6) (ACTION DATE: 1/30/06) (1/23/06 - CON'T. 2ND READING W/P.H. FOR 5 WKS. TO 2/27/06) (2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

COOK Moved to delay action on Bill No. 06R-9 for one week to 3/20/06.  
Seconded by Newman.

ESCHLIMAN Moved a friendly amendment to ask Planning Dept. to draft a substitute ordinance containing all the amendments. Failed for lack of a second. Discussion followed with the City Attorney being requested to draft a substitute ordinance to contain all of the amendments.

Cook's original motion to delay action one week was carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MISC. 05007 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LAND SUBDIVISION ORDINANCE BY AMENDING SECTION 26.23.040 TO MODIFY THE MINIMUM RIGHT-OF-WAY WIDTH FOR MAJOR STREETS AND TO PROVIDE TYPICAL CROSS-SECTION FIGURES FOR STREETS HAVING A WIDTH 120 FEET AND 130 FEET AND BY AMENDING SECTION 26.27.090 TO PROVIDE THAT TREES SHALL BE PLANTED IN THE PUBLIC RIGHT-OF-WAY ALONG MAJOR STREETS WHICH HAVE A MINIMUM OF 120 FEET OF RIGHT-OF-WAY (RELATED ITEMS: 06-5, 06R-9, 06-6) (1/23/06 - CON'T. 2ND READING W/P.H. FOR 5 WKS. TO 2/27/06) (2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

COOK Moved to delay action on Bill No. 06-6 for one week to 3/20/06.  
Seconded by Newman.

ESCHLIMAN Moved a friendly amendment to ask Planning Dept. to draft a substitute ordinance containing all the amendments. Failed for lack of a second. Discussion followed with the City Attorney being requested to draft a substitute ordinance to contain all of the amendments.

Cook's original motion to delay action one week was carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

CLERK Read an ordinance, introduced by Annette McRoy, amending Title 26 of the Lincoln Municipal Code relating to the Land Subdivision Ordinance by amending Section 26.23.040 to modify the minimum right-of-way width for major streets and to provide typical cross-section figures for streets having a width 120 feet and 130 feet; by amending Section 26.27.090 to provide that trees shall be planted in the public right-of-way along major streets which have a minimum of 120 feet of right-of-way; and repealing Sections 26.23.040 and 26.27.090 as hitherto existing, the third time.

CHANGE OF ZONE 05054A - APPLICATION OF PRAIRIE HOME BUILDERS FOR A CHANGE OF ZONE FROM AG TO R-3 PUD LOCATED NORTH OF ADAMS STREET; A CHANGE OF ZONE FROM AG TO B-2 PUD AND O-3 PUD LOCATED SOUTH OF ADAMS STREET; AND THE REQUESTED APPROVAL OF THE DEVELOPMENT PLAN FOR THE PRAIRIE VILLAGE NORTH PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED GENERALLY AT N 84TH AND ADAMS STREET. (RELATED ITEMS: 05-164, 05R-262, 05-165) (11/7/05 - P.H. CON'T. 3 WKS. TO 11/28/05) (ACTION DELAYED 2 WKS TO 12/12/05) (12/12/05 - ACTION DELAYED 1 WK TO 12/19/05) (12/19/05 - ACTION DELAYED 3 WKS. TO 1/9/06) (12/19/05 - BILL NO. 05-165 AMENDED TO BE SPLIT INTO 2 ORDINANCES) (1/9/06 - ACTION DELAYED 4 WKS. TO 2/6/06 & ITEMS TO BE RE-ORDERED ON THE AGENDA AS FOLLOWS: 05-165A, 05-165B, 05R-262, 05-164) (2/6/06 - ACTION DELAYED 3 WKS. TO 2/27/06)(2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - CLERK read an ordinance, introduced by Robin Eschliman, amending the City of Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, changing the boundaries of the districts established and shown on said City of Lincoln Zoning District Maps as provided in Section 27.05.020 of the Lincoln Municipal Code and approving the designation of the area hereinafter described as a planned unit development, the third time.

ESCHLIMAN Moved to pass the ordinance as read.

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

The ordinance, being numbered #18685, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05054B - APPLICATION OF PRAIRIE HOME BUILDERS FOR A CHANGE OF ZONE FROM AG TO R-5 PUD LOCATED NORTH OF ADAMS STREET; AND A CHANGE OF ZONE FROM AG TO B-2 PUD AND O-3 PUD LOCATED NORTH OF ADAMS STREET; AND THE REQUESTED APPROVAL OF THE DEVELOPMENT PLAN FOR THE PRAIRIE VILLAGE CENTER PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED GENERALLY AT N 84TH AND ADAMS STREET. (RELATED ITEMS: 05-164, 05R-262, 05-165) (11/7/05 - P.H. CON'T. 3 WKS. TO 11/28/05) (ACTION DELAYED 2 WKS TO 12/12/05) (12/12/05 - ACTION DELAYED 1 WK TO 12/19/05) (12/19/05 - ACTION DELAYED 3 WKS. TO 1/9/06) (12/19/05 - BILL NO. 05-165 AMENDED TO BE SPLIT INTO 2 ORDINANCES) (1/9/06 - ACTION DELAYED 4 WKS. TO 2/6/06 & ITEMS TO BE RE-ORDERED ON THE AGENDA AS FOLLOWS: 05-165A, 05-165B, 05R-262, 05-164) (2/6/06 - ACTION DELAYED 3 WKS. TO 2/27/06)(2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

MARVIN Moved to accept Substitute Amendment #2 to Bill No. 05-165B in the following manner:

1. On page 5, line 29, insert an open parentheses in front of the number "50,000."

2. On page 5, line 30, after the closed parentheses following the word "criteria", insert the following language: provided that no more than a total of 175,000 square feet, may be occupied in a single building. For the purposes of this square foot occupancy restriction, building shall include permanent outdoor sales and display areas.

3. On page 5, line 30, strike the first "~~and~~" and insert the words This approval also grants before the word "waivers."

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

NEWMAN Moved amendment #1 to Bill No. 05-165B in the following manner:

1. Delete the legal description beginning on page 1, line 29, through page 2, line 30, and insert in lieu thereof the following legal description:

A PORTION OF LOTS 28 & 29 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 28, ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF ADAMS STREET; THENCE ON SAID NORTH RIGHT-OF-WAY LINE, N89°22'23"W, 262.30 FEET; THENCE N45°25'41"W, 35.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH 84TH STREET; THENCE ON SAID EAST RIGHT-OF-WAY LINE, N00°10'17"E, 237.39 FEET; THENCE S89°49'12"E, 160.00 FEET; THENCE N53°09'24"E, 139.90 FEET; THENCE NORTHERLY ON A 253.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 169.53 FEET (LONG CHORD BEARS N19°01'31"W, 166.38 FEET); THENCE N00°10'17"E, 92.83 FEET; THENCE NORTHERLY ON A 303.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 79.09 FEET (LONG CHORD BEARS N07°38'58"E, 78.87 FEET); THENCE NORTHERLY ON A 1,510.38 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 162.06 FEET (LONG CHORD BEARS N18°12'05"E, 161.98 FEET); THENCE S73°14'41"E, 66.22 FEET; THENCE NORTHEASTERLY ON A 1,444.38 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 97.37 FEET (LONG CHORD BEARS N23°24'49"E, 97.36 FEET); THENCE S89°49'19"E, 507.35 FEET; THENCE S45°00'00"E, 382.37 FEET; THENCE SOUTHWESTERLY ON A 833.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 46.31 FEET (LONG CHORD BEARS S47°42'22"W, 46.30 FEET); THENCE SOUTHWESTERLY ON A 786.42 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 229.81 FEET (LONG CHORD BEARS S42°31'58"W, 228.99 FEET); THENCE SOUTHERLY ON A 850.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 443.93 FEET (LONG CHORD BEARS S15°33'15"W, 438.90 FEET); THENCE S00°35'33"W, 12.76 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ADAMS STREET; THENCE ON SAID NORTH RIGHT-OF-WAY LINE, N89°20'41"W, 565.21 FEET TO THE POINT OF BEGINNING, CONTAINING 714,346.96 SQUARE FEET (16.40 ACRES) MORE OR LESS.

2. Delete the legal description beginning on page 4, lines 1 through 29, and insert in lieu thereof the following legal description:

A PORTION OF LOTS 28 & 29 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF LOT 28, ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF ADAMS STREET; THENCE ON SAID NORTH RIGHT-OF-WAY LINE, N89°22'23"W, 262.30 FEET; THENCE N45°25'41"W, 35.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH 84TH STREET; THENCE ON SAID EAST RIGHT-OF-WAY LINE, N00°10'17"E, 237.39 FEET TO THE POINT OF BEGINNING; THENCE ON SAID EAST RIGHT-OF-WAY LINE, N00°10'17"E, 585.00 FEET; THENCE S89°49'12"E, 215.00 FEET; THENCE S73°14'41"E, 65.11 FEET; THENCE SOUTHERLY ON A 1,510.38 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 162.06 FEET (LONG CHORD BEARS S18°12'05"W, 161.98 FEET); THENCE SOUTHERLY ON A 303.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 79.09 FEET (LONG CHORD BEARS S07°38'58"W, 78.87 FEET); THENCE S00°10'17"W, 92.83 FEET; THENCE SOUTHERLY ON A 253.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 169.53 FEET (LONG CHORD BEARS S19°01'31"E, 166.38 FEET); THENCE S53°09'24"W, 139.90 FEET; THENCE N89°49'12"W, 160.00 FEET TO THE POINT OF BEGINNING, CONTAINING 135,593.14 SQUARE FEET (3.11 ACRES) MORE OR LESS.

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

CLERK Read an ordinance, introduced by Dan Marvin, amending the City of Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, changing the boundaries of the districts established and shown on said City of Lincoln Zoning District Maps as provided in Section 27.05.020 of the Lincoln Municipal Code and approving the designation of the area hereinafter described as a planned unit development, the third time.

MARVIN Moved to pass the ordinance as amended.

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

The ordinance, being numbered **#18686**, is recorded in Ordinance Book #25, Page

APPROVING THE PRAIRIE VILLAGE NORTH CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND DUBOIS LAND LLC, PRAIRIE VILLAGE NORTH LLC, PRAIRIE HOME BUILDERS INC., ROLAND GROUP LLC, AND FAITH EVANGELICAL LUTHERAN CHURCH, RELATING TO THE ANNEXATION OF APPROXIMATELY 149.09 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET AND THE USE OF SAID 149.09 ACRES ALONG WITH APPROXIMATELY 23 ACRES LOCATED AT THE SOUTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET UNDER A PLANNED UNIT DEVELOPMENT. (RELATED ITEMS: 05-164, 05R-262, 05-165) (11/7/05 - P.H. CON'T. 3 WKS. TO 11/28/05)(ACTION DELAYED 2 WKS TO 12/12/05) (12/12/05 - ACTION DELAYED 1 WK TO 12/19/05) (12/19/05 - ACTION DELAYED 3 WKS. TO 1/9/06) (1/9/06 - ACTION DELAYED 4 WKS. TO 2/6/06 & ITEMS TO BE RE-ORDERED ON THE AGENDA AS FOLLOWS: 05-165A, 05-165B, 05R-262, 05-164) (2/6/06 - ACTION DELAYED 3 WKS. TO 2/27/06) (2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

COOK Moved to place Bill No. 05R-262 on pending indefinitely.

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

ANNEXATION 05013 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 149.09 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND ADAMS STREET. (RELATED ITEMS: 05-164, 05R-262, 05-165) (11/7/05 - P.H. CON'T. 3 WKS. TO 11/28/05) (ACTION DELAYED 2 WKS TO 12/12/05) (12/12/05 - ACTION DELAYED 1 WK TO 12/19/05) (12/19/05 - ACTION DELAYED 3 WKS. TO 1/9/06) (1/9/06 - ACTION DELAYED 4 WKS. TO 2/6/06 & ITEMS TO BE RE-ORDERED ON THE AGENDA AS FOLLOWS: 05-165A, 05-165B, 05R-262, 05-164) (2/6/06 - ACTION DELAYED 3 WKS. TO 2/27/06)(2/27/06 - ACTION DELAYED 2 WKS. TO 3/13/06) - PRIOR to reading:

COOK Moved to place Bill No. 05-164 on pending indefinitely.  
Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

CLERK Read an ordinance, introduced by Robin Eschliman, 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 a 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 third time.

APPROVING A NON-EXCLUSIVE AWARD FOR DISCOUNTS OFF OF OFFICE DEPOT CATALOG PRICES PURSUANT TO THE U.S. COMMUNITIES PURCHASING ALLIANCE CONTRACT NO. 42595 FOR OFFICE PRODUCTS, EQUIPMENT, SUPPLIES AND RELATED ITEMS. (3/6/06 - ACTION DELAYED 1 WK TO 3/13/06)- CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-83774 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached participation program offered to the City of Lincoln, under the U.S. Communities Purchasing Alliance Contract No. 42595 for the purchase of office products, equipment, supplies and related items from Office Depot Business Services Division, at discounted prices, is hereby accepted.

The City Clerk is directed to return a copy of this Resolution to the Purchasing Department for their record.

Introduced by Dan Marvin

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

APPROVING A THREE-YEAR CONTRACT BETWEEN THE CITY AND THE LINCOLN JOURNAL STAR FOR PROVIDING LEGAL ADVERTISING AND PUBLISHING AND ALL OTHER VERBIAGE LEGALLY NECESSARY TO CONDUCT CITY OF LINCOLN BUSINESS. (3/6/06 - ACTION DELAYED 1 WK. TO 3/13/06) - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-83775 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the contract for legal advertising between the City of Lincoln, Nebraska and the Lincoln Journal Star to publish the City of Lincoln's legal advertising and other notices legally necessary to conduct City business, a copy of which is attached hereto, marked as Attachment "A" and made a part hereof by reference, is hereby approved and the Mayor is authorized to execute said Contract on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Contract to the Lincoln Journal Star.

Introduced by Dan Marvin

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

**REGISTERED TO SPEAK SESSION - NONE**

**OPEN MICROPHONE SESSION**

Richard Esquivel, 733 W. Cuming, came forward to comment about the cost of opening a business; secondly, Mr. Esquivel commented on the City salaries posted in the Lincoln Journal Star; and thirdly, Mr. Esquivel stated that TIFF financing funds projects with minimum wages but our tax dollars should afford higher wages by offering incentives.

This matter was taken under advisement.

**MISCELLANEOUS BUSINESS**

**PENDING -**

CAMP Moved to extend the Pending List to March 20, 2006.  
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP            Moved to approve the resolutions to have Public Hearing on  
March 20, 2006.  
                  Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

ADJOURNMENT 3:16 P.M.

CAMP            Moved to adjourn the City Council meeting of March 13, 2006.  
                  Seconded by McRoy & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.  
                  So ordered.

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Joan E. Ross, City Clerk

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Sandy L. Dubas, Senior Office Assistant