

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 6, 2007 AT 2:30 P.M.**

The Meeting was called to order at 2:30 p.m. Present: Council Chair Marvin; Council Members: Camp, Cook, Emery, Eschliman, Spatz, Svoboda; City Clerk, Joan E. Ross.

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

READING OF THE MINUTES

ESCHLIMAN Having been appointed to read the minutes of the City Council proceedings of July 30, 2007, reported having done so, found same correct.

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

PUBLIC HEARING - NONE

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

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required) - NONE

PUBLIC HEARING RESOLUTIONS - NONE

PETITIONS & COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 07041 - App. of Yasufuku USA, Inc. for a Change of Zone from I-2 Industrial Park District to I-1 Industrial District, on property generally located at NW 12th Street and W. Commerce Way.

Change of Zone No. 07043 - Req. by the Director of Planning amending Section 27.67.030 of the Lincoln Municipal Code relating to general parking conditions.

Change of Zone No. 07044 - App. of Olsson Associates for a Change of Zone from Ag Agricultural District to R-4 Residential District on property generally located at N. 84th Street and Leighton Avenue.

Change of Zone No. 07045 - App. of Realty Trust Group, for a Change of Zone from R-3 Residential District in a Planned Unit Development to B-2 Planned Neighborhood Business District on property generally located at the northwest corner of S. 84th Street and Old Cheney Road.

Change of Zone No. 07046 - App. of Mark Hunzeker, amending Title 27 of the Lincoln Municipal Code relating to zoning by adding a new Section 27.03.525 to define restaurant; and amending, adding and repealing various sections relating to alcohol sales and parking requirements.

Special Permit No. 06032A - App. of Kari Neth, for an amendment for a private school in the I-1 Industrial District on property generally located at S. 48th Street and Rentworth Drive.

Special Permit No. 07030 - App. of Okinawan Karate School, to allow a private school in the I-1 Industrial District on property generally located at S. 9th Street and Pioneers Boulevard.

Special Permit No. 07032 - App. of Radix, Inc., for a Christian based youth athletic club and semi public building on property generally located at SW 14th Street and Wittstruck Road.

MISCELLANEOUS BUSINESS - NONE

REPORTS OF CITY OFFICERS

LINCOLN AIRPORT AUTHORITY RESOLUTION NO. 490 STATING THAT NO TAX LEVY SHOULD BE MADE FOR AIRPORT PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (54-2)

CLERK'S LETTER & MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JULY 16, 2007 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

CHANGE OF ZONE 07018 - APPLICATION OF HAMPTON ENTERPRISES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT, FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY AND FOR APPROVAL OF A DEVELOPMENT PLAN FOR APPROXIMATELY 78 DWELLING UNITS AND APPROXIMATELY 258,000 SQUARE FEET OF OFFICE AND COMMERCIAL SPACE IN THE UNDERLYING R-3 ZONED AREA, ON PROPERTY GENERALLY LOCATED AT S. 84TH AND GLYNOAKS DRIVE - CLERK read an ordinance, introduced by John Spatz, 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 TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY ADDING A NEW SECTION 27.03.555 TO DEFINE THE TERM "SOCIAL HALL"; BY AMENDING SECTIONS 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030, 27.43.030, AND 27.45.025 TO ALLOW SOCIAL HALLS AS PERMITTED CONDITIONAL USES IN THE B-1, B-2, B-3, B-5, H-2, H-3, AND H-4 ZONING DISTRICTS, RESPECTIVELY, AND TO ESTABLISH CONDITIONS THEREFOR - CLERK read an ordinance, introduced by John Spatz, amending Title 27 of the Lincoln Municipal Code relating to the Zoning Code by adding a new section numbered 27.03.555 to define the term "social hall"; by amending Sections 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030, 27.43.030, and 27.45.025 to allow social halls as permitted conditional uses in the B-1, B-2, B-3, B-5, H-2, H-3, and H-4 zoning districts, respectively, and to establish conditions therefor; and repealing Sections 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030, 27.43.030, 27.45.025, 27.67.040 and Figure 27.67.040 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND GOODWILL INDUSTRIES FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by John Spatz, accepting and approving a Sublease Agreement between the City of Lincoln, Nebraska and Goodwill Industries for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of January 1, 2007 through December 31, 2008 whereby the City of Lincoln is subleasing space to Vocational Rehabilitation Services, Department of Education, at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH (WHERE APPROPRIATE) BETWEEN PROJECTS WITHIN SEVERAL FUNDS WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT - CLERK read an ordinance, introduced by John Spatz, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Street Construction/Vehicle Tax Fund, Water Construction Fund, and Sanitary Sewer Construction Fund within the Public Works & Utilities Department, the first time.

APPROVING A TRANSFER OF FUNDS WITHIN THE PARKS & RECREATION DEPARTMENT CAPITAL IMPROVEMENT PROGRAM - CLERK read an ordinance, introduced by John Spatz, approving the transfer of unspent and unencumbered appropriations and between certain capital improvement projects within the Parks and Recreation Department, the first time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

COMP. PLAN CONFORMANCE 07013 - DECLARING APPROXIMATELY 1.3 ACRES OF PROPERTY GENERALLY LOCATED AT S. 67TH STREET AND PIONEERS BLVD. AS SURPLUS. (RELATED ITEMS: 07-111, 07-112, 07R-133) - CLERK read an ordinance, introduced by Doug Emery, declaring the City-owned property generally located at South 67th Street and Pioneers Boulevard as surplus and authorizing the sale thereof, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered #18965, is recorded in Ordinance Book #26, Page

CHANGE OF ZONE 07034 - APPLICATION OF ONE VISTA, LLC FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO O-3 OFFICE PARK DISTRICT ON APPROXIMATELY 1.3 ACRES GENERALLY LOCATED AT S. 67TH STREET AND PIONEERS BLVD. (RELATED ITEMS: 07-111, 07-112, 07R-133) - CLERK read an ordinance, introduced by Doug Emery, 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 second time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered #18966, is recorded in Ordinance Book #26, Page

USE PERMIT 106B - APPLICATION OF ONE VISTA, LLC, TO AMEND USE PERMIT 106B TO ADD APPROXIMATELY 60,000 SQ. FT. OF ADDITIONAL FLOOR AREA WITH AN ADJUSTMENT TO THE REQUIRED PARKING AND THE FRONT YARD SETBACK ALONG PIONEERS BLVD., ON PROPERTY GENERALLY LOCATED AT 65TH AND PIONEERS BLVD. (RELATED ITEMS: 07-111, 07-112, 07R-133) - PRIOR to reading:

COOK Moved to amend Bill No. 07R-133 as follows:
1. On page 3, line 4, delete the phrase "complies with City Design Standards" and substitute the following in lieu thereof: "exceeds the City Design Standard requirements of Chapter 3.5, Section 7.1 Parking Lots and Parking Areas, and Section 7.6 Required Yards, Open Space Areas, Malls and Around Proposed Buildings".

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

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

A-84472 WHEREAS, One Vista, LLC has submitted an application in accordance with Sections 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 106B to add approximately 60,000 sq. ft. of additional floor area with requested adjustments to the required parking and the front yard setback along Pioneers Boulevard, on property generally located at 65th Street and Pioneers Boulevard, and legally described as:

Lots 1 and 2, Talent Plus Addition, and Lot 126 I.T. in the Southeast Quarter of Section 4, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

and

That part of Lot 127 I.T., located in the Southwest Quarter of the Southeast Quarter of Section 4, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southeast corner of Lot 126 I.T. in said Southwest Quarter, said point being on the north right-of-way line of Pioneers Boulevard; thence westerly on said north right-of-way line, on an assigned bearing of south 89 degrees 48 minutes 43 seconds west, a distance of 100.00 feet, to the point of beginning; thence continuing westerly on said right-of-way line, south 89 degrees 48 minutes 43 seconds west, 479.63 feet; thence northeasterly, north 46 degrees 47 minutes 50 seconds east, 350.70 feet, to a point on the west line of said Lot 126 I.T.; thence southeasterly on said west line, south 43 degrees 12 minutes 10 seconds east, 327.20 feet to the point of beginning;

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the development within the use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of One Vista, LLC, hereinafter referred to as

"Permittee", to add approximately 60,000 sq. ft. of additional floor area and to adjust the required parking and the front yard setback along Pioneers Boulevard, on the property legally described above be and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and operation of said development be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an additional 60,000 square feet of office floor area with an adjustment to reduce the required parking from 200 to 147 spaces, and an adjustment to reduce the front setback along Pioneers Blvd from 20' to 13'.
2. The City Council approves associated request, Change of Zone 07033.
3. Upon approval of the use permit by the City Council, the developer shall cause to be prepared and submitted to the Planning Department 5 copies of the revised site plan showing the following revisions before receiving building permits.
 - a. Remove the notes on the site plan and in the General Notes section stating that parking will be provided in compliance with LMC, and replace with a note that includes approved floor area amounts and numbers of parking spaces, and that clearly indicates the parking adjustments that have been granted.
 - b. Show required right-of-way dedication along Pioneers Blvd.
 - c. Revise the legend to include a symbol for the building envelopes as shown on the site plan.
 - d. Revise the legal description to reflect current lots. Correct the title block to state 'Use Permit Drawing 106B'.
 - f. Storm water calculations showing how the storm water control area functions to the satisfaction of Public Works and Utilities.
 - g. Show easements per the 6/5/07 L.E.S. review.
 - h. A lighting plan which complies with City Design Standards. Applicant shall provide a copy of its proposed lighting plan to the Hyde Executive Board for its review, comment and suggestions.
 - i. A landscape plan that ~~complies with City Design Standards~~ exceeds the City Design Standard requirements of Chapter 3.5, Section 7.1 Parking Lots and Parking Areas, and Section 7.6 Required Yards, Open Space Areas, Malls and Around Proposed Buildings and is available to neighboring residents for their comments and suggestions.
4. The construction plans shall comply with the approved plans.
5. Before occupying the new office building all development and construction shall have been completed in compliance with the approved plans.
6. All privately-owned improvements shall be permanently maintained by the owner.
7. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
8. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.
9. The Applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the use permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Applicant.
10. 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 Doug Emery

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

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER A AND C (LCEA) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "A", and "C"; and repealing Ordinance No. 18780, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18967**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER B (ATU) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges profeced by the letter "B"; and repealing Ordinance No. 18781, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18968**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER E (EXCLUDED) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "E"; and repealing Ordinance No. 18782, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18969**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER F (IAFF) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "F" and repealing Ordinance No. 18783, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18970**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER M (MANAGEMENT) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "M"; and repealing Ordinance No. 18784, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18971**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER N (PAGE) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "N"; and repealing Ordinance No. 18785, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18972**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER P (LPU) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "P"; and repealing Ordinance No. 18786, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18973**, is recorded in Ordinance Book #26, Page

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER X (EXCLUDED) - CLERK read an ordinance, introduced by Doug Emery, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X" and repealing Ordinance No. 18787, passed by the City Council on August 14, 2006, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18974**, is recorded in Ordinance Book #26, Page

AMENDING SECTION 2.76.380 OF THE LINCOLN MUNICIPAL CODE, SICK LEAVE WITH PAY, TO CHANGE THE AMOUNT OF ACCUMULATED SICK LEAVE TO BE PAID UPON RETIREMENT, DEATH OR REDUCTION IN FORCE FOR AN EMPLOYEE WHOSE PAY RANGE IS PREFIXED BY THE LETTER N OR X FROM ONE-FOURTH TO ONE-THIRD - CLERK read an ordinance, introduced by Doug Emery, amending Section 2.76.380 of the Lincoln Municipal Code relating to Sick Leave with Pay to revise the amount of accumulated sick leave to be paid upon retirement, death or reduction in force for an employee with a pay range prefixed by "N" or "X" from one-fourth to one-third; and repealing Section 2.76.380 of the Lincoln Municipal Code as hitherto existing, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered **#18975**, is recorded in Ordinance Book #26, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to August 13, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on August 13, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

ADJOURNMENT 2:44 P.M.

RECONVENED 2:45 P.M.

ONE AND SIX YEAR STREET & HIGHWAY PROGRAM HEARING

Chairperson Marvin: This evening, the Lincoln City Council is holding a public hearing on the One and Six Year Streets and Highways Program. For the record, we are assembled in the City Council Chambers, Lincoln, Nebraska. The date is August 6, 2007, the time is 2:45 p.m. A recording of the hearing and proceeding is being made. Present and conducting this hearing are City Council Members: Jonathan Cook, Jon Camp, Robin Eschliman, Doug Emery, John Spatz, Ken Svoboda, and myself, Dan Marvin, Chairperson.

This Public Hearing is held each year to fulfill State Statutory requirements and also serves as the Public Hearing for the City's Capital Improvements Program. It should be noted that the C.I.P. is a "Funding" document only. The One Year Program lists projects proposed for final design, right-of-way acquisition, construction or study during Fiscal Year 2008. The Second through Sixth Year (FY 2009-2013) Program lists those projects which are in some phase of development or will enter the street planning process. All projects were identified on the Public Hearing Notice, advertised in the Lincoln Journal Star on Sunday, July 22, 2007. Also, this notice was placed on the City's website starting on July 2, 2007, as well as on Channel 5.

This Public Hearing is being held so citizens will have an opportunity to express their views on this proposed program. In addition, citizens have 10 Days after the hearing to submit any statements or exhibits to the Public Works Department. Therefore, all statements and exhibits received on or before, August 16th, 2007 will become a part of the Public Hearing record. These statements should be forwarded to Roger Figard, City Public Works Department, Engineering Services, 531 Westgate Boulevard, Suite 100, Lincoln, Nebraska 68528.

This Public Hearing is divided into three parts. First, City Staff will present information related to the program. The Second Part of the hearing is for your participation. We are here to receive input from you. Part Three of the hearing will be my closing statement.

At this time I would like to call upon Public Works & Utilities Staff to present information relating to this program.

Roger Figard: I am with the Public Works & Utilities Dept. and will address the Tentative Construction Schedules.

As stated earlier by Councilman Marvin, this Public Hearing is held each year to fulfill State Statutory Requirement, which ensures that an integrated system of public roads is provided for the general welfare of the state, counties and municipalities. The program is administered by the State Board of Public Roads Classifications and Standards. With the passage of LB 277, MPO (Metropolitan Planning Organizations), such as the City of Lincoln, can now submit their annual report in lieu of a One and Six Year Program. This helps to eliminate redundant work/programs for the MPOs.

Our proposed MPO annual report and the Capital Improvement Program for Fiscal Years 2008 thru 2013 reflects an average annual expenditure of nearly 34.7 million dollars. This average annual expenditure is comprised of \$18.9 million dollars of City revenues, \$7 million in highway allocation bonds, \$8.2 million in federal aid and \$6 million in other funds (includes State/Federal, Train Mile Tax, Railroad Transportation Safety District and unknown).

The One Year Program for Fiscal Year 2008 lists projects proposed for final design, right-of-way acquisition, construction or engineering study. These projects include:

Antelope Valley Phase 1 Project - "P" and "Q" Street Bridges.
Antelope Valley Phase 1 Project - "N" Street Bridge.
Antelope Valley Phase 1 Project - "O" Street Bridge and Road.
Antelope Valley Phase 1 Project - "East Leg" of the Big "X"
Antelope Valley Phase 1 Project - "J" Street Bridge.
Antelope Valley Phase 1 Project - South Street Bridge.
Antelope Valley Phase 1 Project - North/south Road, "K" Street to North of "Q" Street.
Antelope Valley Phase 1 Project - North/south Road, North of "Q" Street to "Y" Street.
Antelope Valley Phase 2 Project - Channel Wall
Antelope Valley Phase 3 Project - Channel Wall
Antelope Valley Phase 1 Project - Planning/Coordination
Antelope Valley Phase 1 Project - Planning/Design
South Beltway
East Beltway

Harris Overpass Replacement
SW 40th Viaduct
Alvo Street from NW 12th to NW 1st Streets
Pine Lake Road, 84th to 98th Streets
East Adams Street from 75th to 87th Streets
98th Street from Hwy 2 to Pine Lake Road
W. Adams Street from NW 56th to NW 48th Streets

The One Year Program also includes projects which continue thru the entire six year program: 'Intelligent Transportation Infrastructure Improvements, Traffic Optimization, and Management'; 'Safety and Operational Improvements'; 'Modify, Replace, or install Traffic Signal Equipment and Communication Links'; 'Studies, Preliminary Engineering and Right-Of-Way Acquisition'; 'Upgrade Built Environment and Traffic Calming'; 'Misc. Engineering, Construction and Computer Records'; 'Sidewalk Maintenance and Repair'; Arterial Rehabilitation and Intersection Projects'; 'Residential Rehabilitation and Intersection Projects'.

The Second through Sixth Year Program (Fiscal Years 2009-2013) identifies projects that are in some phase of development or will enter the street planning process. These projects include:

Antelope Valley Phase 1 Project - "N" Street Bridge.
Antelope Valley Phase 1 Project - "O" Street Bridge and Road.
Antelope Valley Phase 1 Project - "East Leg" of the Big "X"
Antelope Valley Phase 1 Project - "J" Street Bridge.
Antelope Valley Phase 1 Project - South Street Bridge.
Antelope Valley Phase 1 Project - North/south Road, "K" Street to North of "Q" Street.
Antelope Valley Phase 1 Project - North/south Road, North of "Q" Street to "Y" Street.
Antelope Valley Phase 3 Project - Channel Wall
Antelope Valley Phase 1 Project - Planning/Coordination
Antelope Valley Phase 1 Project - Planning/Design
South Beltway
East Beltway
SW 40th Viaduct
East Adams Street from 75th to 87th Streets
W. Adams Street from NW 56th to NW 48th Streets
N 14th Street from Superior to Alvo
33rd and BNSF Railroad (south of Cornhusker)
18th and Holdrege (OL&B Railroad)

This FY 2008 thru 2013 Streets and Highways Program, which is also the C.I.P. and the T.I.P., was earlier voted on by the Planning Commission on May 16th, 2007.

Chairperson Marvin: Any questions of the Staff -- by the Council? -- If not, we have reached the Second Part of this Public Hearing. During this segment of the Hearing all interested parties who would like to present a statement, comment, or ask questions pertaining to this proposed program may do so. In presenting your statement, you may do so in one of several ways. Your statement may be entirely oral, you may have a prepared written statement -- which you may read; or if you have a written statement and do not wish to read it into the record, you may simply give the statement to the City Clerk. It will be included as part of the official hearing record.

Because a record of this hearing must be kept, it is requested that when you come forward to comment -- you sign the sign-up sheet, then state your name and address -- and please spell your last name. Now anyone interested in making a statement on this program may do so.

Is there anyone else who would like to make a statement on this Program?

Do any of the Council Members wish to comment?

If there are no other comments -- I will make some concluding remarks.

Let me remind you that statements or exhibits received on or before August 16th, 2007 will become a part of this hearing record.

The information received at this hearing and during the comment period will be evaluated by the Public Works Department, and subsequently by the City Council. Final action will be taken by City Council resolution adopting the C.I.P. Budget.

It is now 2:51 p.m., and the Public Hearing is closed.

**2007-08 MAYOR'S RECOMMENDED ANNUAL OPERATING BUDGET
& CAPITAL IMPROVEMENT PROGRAM FY-2007/08 - 2012/13**

Nancy Intermill, 4010 B St., representing the League of Women Voters, came forward in support of the Women's Commission.

Rick Hoppe, Admin. Aide to the Mayor, came forward to address some issues regarding the Aging Department budget. He said he met with YMCA representatives to talk about alternatives for the continuation of services provided by Lifetime Health. The YMCA is interested in filling some but not all of the programs being offered. Other service providers may be able to fill the void. In future discussions, the Aging Dept. is to be involved. The Mayor is willing to work with the Council on using transitional funding to help implement the change. New providers may need to implement change themselves in order to provide services. Mr. Hoppe also clarified that noon time meals at the three ActivAge Centers that are proposed to be cut from the budget will be continued at other Centers with transportation provided. Discussion followed.

Lloyd Hitchcock, 2600 S. 52nd St., came forward in favor of the Calvert Center. Discussion followed.

Niels C. Wodder, 2909 Jameson N., came forward in support of aging programs. Discussion followed.

Ethel D. Fairchild, 6001 Kenwood Circle, came forward in support of aging programs. Discussion followed.

Mark Potter, 4241 N. 61st St., came forward in support of Lifetime Health. Discussion followed.

Nancy Castillo, 5434 Betty Blvd., came forward in support of the Calvert Center. Discussion followed.

Reba Schafer, 4840 S. 65th St., came forward in support of aging programs. Discussion followed.

Claire Royal, 2926 Q St., came forward in support of the Malone Center. Discussion followed.

Joyce Perry, 2122 Alexander, came forward in support of aging programs.

Don Tilley, 4533 Starr, came forward in support of aging programs. Discussion followed.

Josephine Foutz, 737 N. 22nd #203, came forward in support of aging programs. Discussion followed.

Lois Newman, 2441 N. 44th #5, came forward in support of Lifetime Health.

Vera Salmon, 5011 Starling Dr., came forward in support of libraries. Discussion followed.

Leola Bullock, 4210 N. 73rd, came forward in support of the Maxey Center. Discussion followed.

Alice Stillahn, 740 W. Fairfield, came forward in support of aging services stating the Belmont Center helped bring back her health.

Lela Shanks, 2761 Randolph St., came forward with budget suggestions.

Bonnie Eckery, 6607 Sundance Dr., came forward in support of Lifetime Health programs. Discussion followed.

Richard Halvorsen, 6311 Inverness Rd., came forward in support of libraries and trees through Parks & Recreation.

Russell Miller, 341 S. 52nd St., came forward in support of the Police Department.

Wayne Boles, 128 N. 13th #506, came forward in support of the Women's Commission.

Bruce Bohrer, Chamber of Commerce, 1135 M St., came forward to comment on the budget. Discussion followed.

Mark Koller, Chamber of Commerce, 1135 M St., came forward to suggest utilizing a performance audit. Discussion followed.

Marie Hayden, 2756 Alpha, came forward in support of Lifetime Health.

Pat Shurs(sp), no address given, came forward in support of City transportation coverage.

Patrick J. Henry, 1460 Buckingham Dr., came forward in support of aging services.

Robert Reynolds, 4700 S. 47th St., came forward in support of the Fire Department.

Janice Hellerich, 1631 N. 26th Apt. #5, came forward to comment on various City issues and to support the Malone Center and Fire Dept.

Janice Gradwohl, 2925 Jackson Dr., came forward in support of Lifetime Health and keeping aging centers in place.

Tracy Corr, 1001 S. 37th St., came forward representing the Lincoln Neighborhood Alliance suggesting that dollars are put back into public service. Discussion followed.

Tami Soper, 440 W. Beal St., came forward in support of the Women's Commission. Discussion followed.

Mary Roseberry-Brown, 1423 F St., Friends of Wilderness Park Pres., came forward in opposition the Southwest Wastewater Facility.

Peter A. Dowben, 12251 Bobwhite Trail, came forward in opposition to the SWWF and in support of a centralization of the sewage system. Discussion followed.

TOOK BREAK 6:05 P.M.

RECONVENED 6:35 P.M.

Mike Carlin, 2700 Paddock Rd., came forward representing Friends of Wilderness Park, in opposition to the SWWF being included in the CIP.

Jackie Barnhardt, 1010 Sumner, came forward to oppose the SWWF in the CIP.

Dan Lutz, 3915 Apple St., came forward in opposition to the SWWF.

Lynn Moorner, 404 S. 27th, came forward in opposition to the SWWF. Discussion followed.

Betty Jean Holcomb Keller, 3310 Woodshire Pkwy., came forward in support of aging services stating that retired people are the real foundation of the City.

Gretchen Wagner, 6646 S. 86th, wife of a 8 yr. veteran of the police force, came forward in support of the Lincoln Police Department.

Kim McClintock, 6017 S. 42nd St., wife of a 10 yr. veteran of the police force, came forward in support of LPD.

Lisa Lannin-Clarke, 6600 West Shore, wife of a 16-yr. veteran of the police force, came forward in support of LPD. Discussion followed.

Sian Maxwell, 5300 NW 7th St., wife of a 9 yr. veteran of the police force, came forward in support of LPD. Discussion followed.

Tom McCormick, 1406 D St., came forward in opposition to the SWWF.

Coby Mach, Director of LIBA, came forward to recommend changes in the budget. Discussion followed.

Ron Ecklund, Member of the LIBA Board of Directors & Budget Monitoring Committee, came forward to answer questions. Discussion followed.

Bridget Christensen, 2300 Harwood, SECC educator in Sociology, came forward in support of the Women's Commission. Discussion followed.

Karen Hand, 6401 Concord Circle, Parks & Rec. Advisory Board Member, came forward to present concerns of decreasing maintenance expenses.

Dan Schlitt, 2600 C St., came forward to speak on a broad view of budget issues. Discussion followed.

Gary Bentrup, 3936 Dudley St., came forward in support of the Parks & Recreation Department.

Robert Smith, 1829 O St. #4, Community Forestry Advisory Committee Member, came forward in support of Parks & Rec. arborists and stated that Lincoln is one of only 62 communities named as Tree City USA.

Rosina Paolini, 1850 Dakota St., came forward in support of parks & trails and the youth sports programs.

Delrae Hirschman, 521 Leavitt Lane, came forward in support of funding the repair & maintenance of parks & recreation infrastructure as well as to ensure safe trails for bicycles, pedestrians, and school crossings.

Curt Donaldson, 2860 R St., Quality Parks & Trails Pres., came forward to comment that for next year, build a budget that is inflation plus growth.

Corinne Jacox, 1000 N. 81st St., came forward in opposition to cutting youth sports.

Austin Jacox, 1000 N. 81st St., came forward in opposition to cutting youth sports. Discussion followed.

This matter was taken under advisement.

ADJOURNMENT 9:06 P.M.

CAMP Moved to adjourn the City Council meeting of August 6, 2007.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
So ordered.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant

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