

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, APRIL 21, 2008 AT 1:30 P.M.**

The Meeting was called to order at 1:30 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

CAMP Having been appointed to read the minutes of the City Council proceedings of April 14, 2008 reported having done so, found same correct.

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

MAYOR'S AWARD OF EXCELLENCE

Mayor Beutler presented the Mayor's Award of Excellence for the month of March to a team from Public Works & Utilities/Wastewater Division, Steve Groesser, Jim Stolley, and Tim Watts, in the category of productivity and safety. They were nominated for designing a mounting system to connect a small scraper blade to a bucket on a small utility tractor which made for an efficient & effective way of removing snow. It has also made it safer because of the tractor cab.

Jim Stolley, Tim Watts, & Steve Groesser each came forward to express their thanks.

Brian Kramer, Superintendent of Wastewater Collection, expressed his appreciation for the team always doing their best day in and day out.

PUBLIC HEARING

APPLICATION OF LUEDTKE-THORSON INVESTMENTS INC. DBA SUITE 1 PUB & PIZZA FOR A CLASS C LIQUOR LICENSE AT 311 N. 8TH STREET;
MANAGER APPLICATION OF SCOTT L. THORSON FOR LUEDTKE-THORSON INVESTMENTS INC. DBA SUITE 1 PUB & PIZZA AT 311 N. 8TH STREET - Mike Rierden, 645 "M" Street, Suite 200, took the oath and came forward on behalf of Luedtke-Thorson Investments, Inc. to answer questions and stated the applicants have taken the Responsible Hospitality Course.

Scott Thorson, no address given, took the oath and explained this business will be a family establishment offering Chicago style pizza with a full bar.

Adam Luedtke, no address given, took the oath and stated their Chicago style pizza restaurant will have an outdoor patio as well.

Mr. Thorson responded to Council question of past violations stating it is behind him as he is married and has a family now.

Russ Fosler, Lincoln Police Dept., responded to Council's question stating he does not have a problem with this application as Mr. Thorson has not had any alcohol related infractions for the past six years and this is an eating establishment not just a straight liquor establishment.

This matter was taken under advisement.

APPLICATION OF U.R. ROCKIN, INC. DBA THE ROCK OF LINCOLN FOR A CLASS C LIQUOR LICENSE AT 2137 CORNHUSKER HIGHWAY;
MANAGER APPLICATION OF RONALD TEGTMEIER FOR U.R. ROCKIN, INC. DBA THE ROCK OF LINCOLN AT 2137 CORNHUSKER HIGHWAY - Daniel Klaus, 1201 Lincoln Mall, Ste. 102, Rembolt Ludtke LLP, took the oath and came forward representing U.R. Rockin, Inc. and Ronald Tegtmeier, to answer questions and state Mr. Tegtmeier has had extensive experience in the industry. The managers have completed the Responsible Hospitality course.

Ron Tegtmeier, no address given, took oath and was available for questioning. He responded to a compliment of the good job of cleaning up and operating his current establishment, Uncle Ron's, which was previously Royal Grove.

This matter was taken under advisement.

AMENDING CHAPTER 2.54 OF THE LINCOLN MUNICIPAL CODE RELATING TO CONFLICTS OF INTEREST OF OFFICERS AND EMPLOYEES TO DECLARE THE POLICY OF THE CHAPTER; TO REVISE THE DEFINITION OF IMMEDIATE FAMILY; TO ADOPT STANDARDS FOR ETHICAL CONDUCT OF OFFICERS AND EMPLOYEES, INCLUDING GENERAL PRINCIPALS RELATING TO FINANCIAL INTERESTS, USE OF INFORMATION, STATUS, OR PROPERTY FOR PRIVATE GAIN, AND CONTRACTING WITH THE CITY; TO REQUIRE CANDIDATES FOR OFFICE TO DISCLOSE EXISTING OR PENDING CONTRACTUAL RELATIONSHIPS WITH THE CITY; TO DECLARE INTERESTS IN CONTRACTS BY REVISING LANGUAGE,

POSTING OF INFORMATION ON WEBSITES, TO REQUIRE ADDITIONAL INFORMATION ON DISCLOSURES, TO EXTEND BID DEADLINES, AND TO REQUIRE COUNCIL APPROVAL OF SUCH CONTRACTS. (3/31/08 - CON'T ON 1ST READING; TO HAVE P.H. 4/14/08) (4/7/08 - CON'T. 1ST READING TO 4/14/08) - Fred Hoke, Director of Government Affairs for the Home Builders Assn., came forward in approval of the proposed amended ordinance.

Craig Groat, no address given, read from the Lincoln Charter Code of Ethics voted in by the voters in 1992. He feels the City Council has been in violation ever since. He stated he has researched the Code of Ethics in other cities which their typical good quality Code of Ethics ranges 30 to 70 pages in length in comparison to the Lincoln City Code of Ethics which is about 5% of what it should be.

Donald R. Stading, Keating, O'Gara, Nedved & Peter, 530 S. 13th St., Ste. 100, was a member of the Charter Revision Commission, however, did not appear before the City Council as a committee member. He expressed his opinion that the problem is more control over contracts with the City, therefore, provisions should be incorporated in the Ordinance (Municipal Code) rather than the Charter. He feels both can be accomplished by the proposed ordinance amendment.

Danny Walker, 427 "E" Street, stated if there is nothing to hide then nothing was wrong with the original Charter amendment. He feels if a person is representing his business then that person should not run for office.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY, COUNTY AND BRYAN LGH MEDICAL CENTER TO OBTAIN DISCOUNTED FEES AND EXTENDED TERMS FOR BLOOD BORNE PATHOGENS TESTING AND DISCOUNTED FEES AND EXTENDED TERMS FOR THE TREATMENT OF WORKERS COMPENSATION INJURIES AND ILLNESSES FOR A FOUR YEAR TERM FROM JANUARY 1, 2008 THROUGH DECEMBER 31, 2011 - John Hendry, City Attorney, did not have information to answer Council's question as to whether this was put out on a proposal basis for the possibility of other hospitals submitting their applications.

This matter was taken under advisement.

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

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING LARRY M. BROWN AND KEITH E. FICKENSCHER TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR THREE-YEAR TERMS EXPIRING NOVEMBER 1, 2010 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84822 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Larry M. Brown and Keith E. Fickenschcer to the Veterans Memorial Garden Advisory Council for three-year terms expiring November 1, 2010, is hereby approved.

Introduced by Jon Camp

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

APPOINTING EMILY CASPER TO THE COMMUNITY FORESTRY ADVISORY BOARD TO FILL AN UNEXPIRED TERM EXPIRING AUGUST 17, 2008 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84823 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Emily Casper to the Community Forestry Advisory Board to fill an unexpired term expiring August 17, 2008, is hereby approved.

Introduced by Jon Camp

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

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS MARCH 31, 2008 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2008 AT 1:30 P.M. FOR THE APPLICATION OF BOX AWESOME LLC DBA BOX AWESOME FOR AN ADDITION TO PREMISE A BASEMENT AREA APPROXIMATELY 130 FT. X 25 FT. LOCATED AT 815 O STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84824 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2008 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Box Awesome, LLC dba Box Awesome for a basement addition to premises approximately 130 ft. x 25 ft. located at 815 O street.

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

Introduced by Jonathan Cook

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

SETTING THE HEARING DATE OF MONDAY, MAY 5, 2008 AT 1:30 P.M. FOR THE APPLICATION OF ALLEY, INC. DBA THE ALLEY FOR AN ADDITION OF AN L-SHAPED BEER GARDEN 23 FT. X 14 FT. TO THE NORTHEAST SIDE OF THEIR CURRENTLY LICENSED PREMISES LOCATED AT 1029 - 1031 M STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84825 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., May 5, 2008 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Alley, Inc. DbA The Alley for an addition to premises of an L shaped beer garden 23 ft. x 44 ft. to the northeast of licensed premises located at 1029 - 1031 M Street.

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

Introduced by Jonathan Cook

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

MISCELLANEOUS BUSINESS - NONE

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF MONTE FROEHLICH FOR OLD FEDERAL PLACE LIMITED LIABILITY COMPANY DBA THE GRAND MANSE AT 129 NORTH 10TH STREET - PRIOR to reading: CAMP Moved to delay resolution for one week with continued public hearing on April 28, 2008.

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

APPLICATION OF LUEDTKE-THORSON INVESTMENTS INC. DBA SUITE 1 PUB & PIZZA FOR A CLASS C LIQUOR LICENSE AT 311 N. 8TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84826 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 Luedtke-Thorson Investments Inc. dba Suite 1 Pub & Pizza for a Class "C" liquor license at 311 N. 8th Street, Lincoln, Nebraska, for the license period ending October 31, 2008, be approved with the conditions that the applicant obtains a valid permit for the sidewalk café and that the premise complies in every respect with the conditions of its special permit and 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 Spatz & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

MANAGER APPLICATION OF SCOTT L. THORSON FOR LUEDTKE-THORSON INVESTMENTS INC. DBA SUITE 1 PUB & PIZZA AT 311 N. 8TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84827 WHEREAS, Luedtke-Thorson Investments Inc. dba Suite 1 Pub & Pizza located at 311 N. 8th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Scott L. Thorson be named manager;

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

APPLICATION OF U.R. ROCKIN, INC. DBA THE ROCK OF LINCOLN FOR A CLASS C LIQUOR LICENSE AT 2137 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84828 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 U.R. Rockin, Inc. dba The Rock of Lincoln for a Class "C" liquor license at 2137 Cornhusker Highway, Lincoln, Nebraska, for the license period ending October 31, 2008, 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 Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

MANAGER APPLICATION OF RONALD TEGTMEIER FOR U.R. ROCKIN, INC. DBA THE ROCK OF LINCOLN AT 2137 CORNHUSKER HIGHWAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84829 WHEREAS, U.R. Rockin, Inc. dba The Rock of Lincoln located at 2137 Cornhusker Highway, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Ronald Tegtmeier be named manager;

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

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING CHAPTER 2.54 OF THE LINCOLN MUNICIPAL CODE RELATING TO CONFLICTS OF INTEREST OF OFFICERS AND EMPLOYEES TO DECLARE THE POLICY OF THE CHAPTER; TO REVISE THE DEFINITION OF IMMEDIATE FAMILY; TO ADOPT STANDARDS FOR ETHICAL CONDUCT OF OFFICERS AND EMPLOYEES, INCLUDING GENERAL PRINCIPALS RELATING TO FINANCIAL INTERESTS, USE OF INFORMATION, STATUS, OR PROPERTY FOR PRIVATE GAIN, AND CONTRACTING WITH THE CITY; TO REQUIRE CANDIDATES FOR OFFICE TO DISCLOSE EXISTING OR PENDING CONTRACTUAL RELATIONSHIPS WITH THE CITY; TO DECLARE INTERESTS IN CONTRACTS BY REVISING LANGUAGE, POSTING OF INFORMATION ON WEBSITES, TO REQUIRE ADDITIONAL INFORMATION ON DISCLOSURES, TO EXTEND BID DEADLINES, AND TO REQUIRE COUNCIL APPROVAL OF SUCH CONTRACTS. (3/31/08 - CON'T ON 1ST READING; TO HAVE P.H. 4/14/08) (4/7/08 - CON'T. 1ST READING TO 4/14/08) - CLERK read an ordinance, introduced by John Spatz, amending Chapter 2.54 of the Lincoln Municipal Code relating to conflicts of interest of officers and employees to declare the policy of the Chapter; to revise the definition of immediate family; to adopt standards for ethical conduct of officers and employees, including general principals relating to financial interests, use of information, status, or property for private gain, and contracting with the City; to require candidates for office to disclose existing or pending contractual relationships with the City; to declare interests in contracts by revising language, posting of information on websites, to require additional information on disclosures, to extend bid deadlines, and to require Council approval of such contracts, the second time.

PUBLIC HEARING RESOLUTIONS

APPROVING AN AGREEMENT BETWEEN THE CITY, COUNTY AND BRYAN LGH MEDICAL CENTER TO OBTAIN DISCOUNTED FEES AND EXTENDED TERMS FOR BLOOD BORNE PATHOGENS TESTING AND DISCOUNTED FEES AND EXTENDED TERMS FOR THE TREATMENT OF WORKERS COMPENSATION INJURIES AND ILLNESSES FOR A FOUR YEAR TERM FROM JANUARY 1, 2008 THROUGH DECEMBER 31, 2011 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84830 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln, Lancaster County, and Bryan LGH Medical Center to obtain discounted fees and extended terms for blood borne pathogens testing and discounted fees and extended terms for the treatment of Workers Compensation injuries and illnesses, for a four-year term from January 1, 2008 through December 31, 2011, upon the terms and conditions set forth in said Agreement, which is attached hereto marked as Attachment "A", 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 fully executed copy of said Agreement to Susan Starcher for filing with Lancaster County and one fully executed copy to Bill Kostner, Risk Management, for transmittal to BryanLGH Medical Center.

Introduced by Jon Camp

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

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

CREATING AND ORDERING CONSTRUCTED SEWER DISTRICT NO. 1183 FOR AN 8-INCH DIAMETER SANITARY SEWER ALONG THE SOUTH SIDE OF L STREET FROM CHRISTENSEN COURT TO THE EAST APPROXIMATELY 170 FEET AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Jonathan Cook, creating Sewer District No. 1183, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

REPEALING ORDINANCE NO. 18907 CREATING ALLEY RE-PAVING DISTRICT NO. 48, IN THE EAST/WEST ALLEY, BETWEEN 17TH TO 18TH STREETS, O TO P STREETS DUE TO THE LACK OF MAJORITY PETITION - CLERK read an ordinance, introduced by Jonathan Cook, re-pealing Ordinance No. 18907 which created Alley Re-paving District No. 48, which Alley Re-paving District included all that portion of Kinney's "O" Street Addition, Block 30, Lot 01 South 71 feet, Lots 2 through 18 all in the Southwest Quarter of the South one half of Section 24, Township 10, Range 6 East of the Sixth Principle Meridian, in the City of Lincoln, Lancaster, County, Nebraska describing the benefitted property and providing for the payment of the cost thereof, the first time.

MISCELLANEOUS 05004 - APPLICATION OF CHRIST LUTHERAN CHURCH TO VACATE PORTIONS OF WOODS BROTHERS BRYAN SUMNER ACRES AND ADJACENT PUBLIC RIGHT-OF-WAY, GENERALLY LOCATED AT 43RD AND SUMNER STREETS - CLERK read an ordinance, introduced by Jonathan Cook, vacating portions of Woods Brothers Bryan Sumner Acres Addition and vacating the remaining portion of S. 43rd Street generally located at S. 43rd and Sumner Streets, Lincoln, Lancaster County, Nebraska, and retaining title thereto in the City of Lincoln, Nebraska, the first time.

CHANGE OF ZONE 08012HP - APPLICATION OF NEBRASKA STATE HISTORICAL SOCIETY FOUNDATION TO DESIGNATE THE LEWIS-SYFORD HOUSE AT 700 NORTH 16TH STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Jonathan Cook, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal code by designating certain property as a Landmark, the first time.

CHANGE OF ZONE 08013HP - APPLICATION OF SIGMA CHI BUILDING ASSOCIATION TO DESIGNATE THE SIGMA CHI FRATERNITY HOUSE AT 1510 VINE STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Jonathan Cook, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

CHANGE OF ZONE 08014HP - APPLICATION OF NEBRASKA ALPHA ALUMNI ASSOCIATION TO DESIGNATE THE PHI KAPPA PSI FRATERNITY HOUSE AT 1548 S STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Jonathan Cook, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

CHANGE OF ZONE 2751B - APPLICATION OF SFI PARTNERSHIP TO AMEND THE SIGN REGULATIONS FOR THE COMMERCIAL PORTION OF VAN DORN ACRES PLANNED UNIT DEVELOPMENT TO ALLOW AN ADDITIONAL GROUND SIGN AND A FREE-STANDING MENU BOARD ON PROPERTY GENERALLY LOCATED AT S. 84TH STREET AND VAN DORN STREET - CLERK read an ordinance, introduced by Jonathan Cook, amending the development plan for the Van Dorn Acres Planned Unit Development to amend the sign regulations for the commercial portion of the R-3 PUD to allow an additional ground sign, to reduce the minimum frontage requirement for a ground sign from 300 feet to 245 feet, and to allow menu boards in the R-3 Residential District, on property generally located at S. 84th Street and Van Dorn Street, the first time.

CHANGE OF ZONE 08010 - APPLICATION OF HUB HALL REAL ESTATE FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD TO DEVELOP UP TO 70,000 SQUARE FEET OF COMMERCIAL FLOOR AREA ON PROPERTY GENERALLY LOCATED AT N.W. 48TH STREET AND W. HOLDREGE 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 first time.

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

ANNEXATION NO. 08002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 64 ACRES OF PROPERTY GENERALLY LOCATED AT CORNHUSKER HIGHWAY AND FLETCHER AVENUE - CLERK read an ordinance, introduced by Ken Svoboda, 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.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19071**, is recorded in Ordinance Book #26, Page

MISCELLANEOUS NO. 08004 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO SUBDIVISIONS BY AMENDING SECTION 26.11.060 TO MODIFY WHEN AN APPLICATION FOR A FINAL PLAT SHALL AUTOMATICALLY EXPIRE AND BECOME NULL AND VOID; AMENDING SECTION 26.15.020 TO DELETE THE REQUIREMENT THAT AN AERIAL PHOTOGRAPH FROM THE LANCASTER COUNTY SOIL SURVEY MAPS DESIGNATING SOIL TYPES AND AN EXPLANATION ON HOW (1) THE ENGINEERING PROPERTIES, AND (2) THE PHYSICAL CHEMICAL AND WATER PROPERTIES OF THE SOIL WILL AFFECT THE PROPOSED DEVELOPMENT TO BE INCLUDED WITH THE PRELIMINARY PLAT AND FURTHER DELETING THE REQUIREMENT FOR A CERTIFICATION FROM A GEOTECHNICAL ENGINEER THAT THE SOIL DATA SUPPLIED IS STILL APPROPRIATE IF THE GRADING PLAN SHOWS MORE THAN A FIVE-FOOT CUT ON A SIGNIFICANT PART OF THE AREA OR A LARGE NUMBER OF BASEMENTS ARE ANTICIPATED - CLERK read an ordinance, introduced by Ken Svoboda, amending Title 26 of the Lincoln Municipal Code relating to subdivisions by amending Section 26.11.060 to modify when an application for a final plat shall automatically expire and become null and void; amending Section 26.15.020 to delete the requirement that an aerial photograph from the Lancaster County soil survey maps designating soil types and an explanation on how (1) the engineering properties, and (2) the physical chemical and water properties of the soil will affect the proposed development to be included with the preliminary plat and further deleting the requirement for a certification from a geotechnical engineer that the soil data supplied is still appropriate if the grading plan shows more than a five-foot cut on a significant part of the area or a large number of basements are anticipated; and repealing Sections 26.11.060 and 26.15.020 of the Lincoln Municipal Code as hitherto existing, the third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered **#19072**, is recorded in Ordinance Book #26, Page

APPROVING THE SALE OF CITY OWNED PROPERTIES LOCATED AT 1747, 1801, 1803, AND 1807 NORTH 24TH STREET AND 429 B STREET TO NEIGHBORWORKS-LINCOLN AND AFFORDABLE HOUSING INITIATIVE - CLERK read an ordinance, introduced by Ken Svoboda, authorizing the sale of City owned property at 1747, 1801, 1803, 1807 North 24th Street and 429 B Street, the third time.

SVOBODA Moved to pass the ordinance as read.
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered #19073, is recorded in Ordinance Book #26, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND SLICK GRAPHIX FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS LINCOLN INFORMATION FOR THE ELDERLY (LIFE) PROGRAM AT 370 FIFTH STREET, DAVID CITY, NEBRASKA - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Lease Agreement between the City of Lincoln and Jamie Sylvester dba Slick Graphix for the lease of office space by the Lincoln Area Agency on Aging for its Lincoln Information For the Elderly (LIFE) Program office located at 370 Fifth Street, David City, NE 68632, for a 12-month term from March 1, 2008 through February 28, 2009, the third time.

SVOBODA Moved to pass the ordinance as read.
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.
The ordinance, being numbered #19074, is recorded in Ordinance Book #26, Page

RECONSIDERED

CHANGE OF ZONE 08003 - APPLICATION OF OLDERBAK ENTERPRISES NORTH, LLC FOR A CHANGE OF ZONE FROM O-2 SUBURBAN OFFICE DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH AND MEREDETH STREET. (RELATED ITEMS: 08-17, 08R-65) -

SVOBODA Moved to reconsider Bill No. 08-17.
Seconded by Camp & **LOST** by the following vote: AYES: Camp, Spatz, Svoboda; NAYS: Cook, Emery, Eschliman, Marvin.

SPECIAL PERMIT 08007 - APPEAL OF KEITH SACKSCHEWSKY TO THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF THE APPLICATION OF OLDERBAK ENTERPRISES NORTH LLC TO EXPAND A NONCONFORMING USE TO INCREASE THE AREA WHERE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES IS ALLOWED, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 48TH STREET AND MEREDETH STREET. (RELATED ITEMS: 08-17, 08R-65) -

SVOBODA Moved to reconsider Bill No. 08R-65.
Seconded by Camp & **LOST** by the following vote: AYES: Camp, Spatz, Svoboda; NAYS: Cook, Emery, Eschliman, Marvin.

REGISTERED TO SPEAK SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to April 28, 2008.
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 April 28, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

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ADJOURNMENT 2:25 P.M.

CAMP Moved to adjourn the City Council meeting of April 21, 2008.
 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

Judy Roscoe, Senior Office Assistant

