

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, OCTOBER 16, 2006 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chair Newman; Council Members: Camp, Cook, Eschliman, Marvin, McRoy, Svoboda; City Clerk, Joan E. Ross; Absent: None. Council Member Eschliman left the meeting at 3:30 p.m.

Council Chair Newman 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 October 9, 2006, reported having done so, found same correct.

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

PUBLIC HEARING

AMENDING CHAPTER 8.12 OF THE LINCOLN MUNICIPAL CODE ENTITLED CHILD CARE FACILITIES TO UPDATE THE PROVISIONS SPECIFICALLY GOVERNING THE OPERATION OF SMALL FAMILY CHILD CARE HOMES INCLUDING REQUIRING TRAINING IN FIRST AID/CPR, DISEASE PREVENTION AND INJURY PREVENTION; PROHIBITING SMOKING IN THE HOME AT ALL TIMES; MODIFYING RECORD REVIEW PERMIT DENIALS; ADOPTING NEW OPERATIONAL REGULATIONS; CLARIFYING ENFORCEMENT PROVISIONS; AND CLARIFYING ENFORCEMENT PROVISIONS TO ASSURE DUE PROCESS;

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE ENTITLED EARLY CHILDHOOD PROGRAMS TO UPDATE THE PROVISIONS OF THE CHAPTER TO REQUIRE TRAINING IN INJURY AND DISEASE PREVENTION AND SAFE FOOD HANDLING, CREATE PERMIT FEES, ADOPT NEW OPERATIONAL REGULATIONS, AND CLARIFY ENFORCEMENT PROVISIONS TO ASSURE DUE PROCESS;

UPDATING AND AMENDING THE RULES AND REGULATIONS FOR THE CARE OF CHILDREN AND THE OPERATION OF SMALL FAMILY CHILD CARE HOMES ADOPTED PURSUANT TO LINCOLN MUNICIPAL CODE 8.12 TO ADDRESS ISSUES WHICH POSE HEALTH AND SAFETY RISKS TO YOUNG CHILDREN IN HOME BASED CHILD CARE. (ACTION DATE: 10/23/06)- Scott Holmes, Environmental Division of Health Dept., came forward to explain the intention of these amendments and to answer questions. Discussion followed.

Mary Benes, Director of Fingerprint Child Development Center, came forward to express appreciation for the support and guidance the Health Department gives her and the Center and is in support of the new regulations.

Lezlie Petty, Director of Agape Daycare, came forward in support of the new regulations and to express gratitude for the support and guidance given by the Health Department.

Scott Holmes, came forward to clarify some comments made.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF SEPTEMBER 16 - 31, 2006 - Chris Andersen, 3421 Prairieview Dr., came forward to explain his claim which was denied and request the claim be reconsidered.

Jim Peschong, Asst. Chief of Police, came forward stating the Police Department would resolve this issue.

Dana Roper, City Attorney, came forward to explain the reason for denial. Discussion followed.

This matter was taken under advisement.

ASSESSING NUISANCE ABATEMENT COSTS ASSOCIATED WITH THE CLEARING OF PUBLIC NUISANCES BY THE HEALTH DEPARTMENT TO THE FOLLOWING BENEFITTED PROPERTIES: 4642 BANCROFT, 6145 S. 28TH, 2741 N. COTNER, 230 REDWOOD, 5845 LEIGHTON, 2040 S. 18TH, 307 E, 2803 HOLDREGE, 1600 N. 70TH, 1341 N. 22ND, 4642 BANCROFT, 5935 TANGEMAN, OUTLOT A STETTINGER ADDITION, 353 N. 56TH, 2001 S. 18TH, 901 N. 23RD, 6540 PLATTE, 2102 N. 31ST, 659 S. 19TH, 901 N. 23RD, 2910 ORCHARD, AND 1444 PEACH - Scott Holmes, Environmental Division of Health Dept., came forward to explain the procedure and to answer questions.

Danny Walker, 427 "E" Street, came forward with a complaint on property at 307 E Street.

Larry Wallman, owner of property at 2910 Orchard, came forward in opposition to the cleanup fee.

Scott Holmes, Health Dept., came forward to explain the procedure and to answer questions. Discussion followed.

This matter was taken under advisement.

AMENDING TITLE 5 OF THE LINCOLN MUNICIPAL CODE RELATING TO LICENSES AND REGULATIONS BY AMENDING OR REPEALING SECTIONS WITHIN CHAPTER 5.41, SALVAGING, RECYCLING AND COMPOSTING OPERATIONS, TO DELETE PROVISIONS RELATING TO SALVAGING OPERATIONS AND TO MAKE CHAPTER 5.41 APPLY ONLY TO RECYCLING AND COMPOSTING OPERATIONS; ADDING A NEW CHAPTER 5.43 ENTITLED SALVAGE DEALERS AND SALVAGE COLLECTORS TO ESTABLISH AND RELOCATE PROVISIONS DEALING WITH SALVAGING OPERATIONS PREVIOUSLY FOUND IN CHAPTER 5.41. (8/14/06 - P.H. & ACTION CON'T. TO 9/11/06) (9/11/06 - P.H. & ACTION CON'T. TO 10/9/06) (10/9/06 - P.H. & ACTION CON'T. TO 10/16/06)- Rick Hoppe, Aide to Mayor Seng, came forward to give an overview of the proposed Substitute Ordinance. Discussion followed.

Jim Peschong, Asst. Chief of Police, came forward in favor of the substitute ordinance. Discussion followed.

Jerry Boyce, 4631 S 67th Street, Boyce Construction Inc., came forward in support.

Dan Andre, 6615 Sundance Dr., Andre Concrete Company, came forward in support.

Fred Hoke, 721 Driftwood Dr., representing the Home Builders Association came forward in support. Discussion followed.

Russell Miller, 341 S 52nd Street, came forward in opposition. Discussion followed.

Don Wesely, 5300 Leighton, came forward representing Alter Trading Corporation in opposition to the 72 hour hold of salvage. Discussion followed.

Steve Mulinex, 6310 Durango Ct., facility manager for Alter Trading Corporation, came forward in opposition to the required 72 hour hold. Discussion followed.

Bob Ellis, 5144 Hamilton Ct, Davenport, IA, Vice President and General Counsel for Alter Trading Corporation, came forward to reiterate the disapproval of the 72 hour hold on salvage which could be costly to the business. Discussion followed.

Scott Dye, 1500 Woodmen Tower, Omaha, NE, came forward as the outside counsel for Alter Trading Corporation, with a request to delay action to continue discussion of this ordinance.

Danny Walker, 427 "E" Street, came forward with questions.

David J. Borsuk, Sadoff & Rudoy Industries, P.O. Box 1138, Fond du Lac, WI, representing their operation at 5510 N. 39th St. in Air Park, came forward in opposition to the 72 hour hold and the penalty phase. Discussion followed.

Chris Zegar, Recycling Enterprises, 28405 Sedalia Dr., came forward in opposition.

TOOK BREAK 4:25 P.M.

RECONVENED 4:41 P.M.

Rick Hoppe, Aide to Mayor Seng, came forward for rebuttal.

Margaret Blatchford, Asst. City Attorney, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

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

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

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

CHANGE OF ZONE 06061 - APPLICATION OF KAPPA HOUSE CORPORATION OF DELTA DELTA DELTA SORORITY TO DESIGNATE THE DELTA DELTA DELTA SORORITY HOUSE AT 1601 R STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Robin Eschliman, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

AMENDING CHAPTER 8.12 OF THE LINCOLN MUNICIPAL CODE ENTITLED CHILD CARE FACILITIES TO UPDATE THE PROVISIONS SPECIFICALLY GOVERNING THE OPERATION OF SMALL FAMILY CHILD CARE HOMES INCLUDING REQUIRING TRAINING IN FIRST AID/CPR, DISEASE PREVENTION AND INJURY PREVENTION; PROHIBITING SMOKING IN THE HOME AT ALL TIMES; MODIFYING RECORD REVIEW PERMIT DENIALS; ADOPTING NEW OPERATIONAL REGULATIONS; CLARIFYING ENFORCEMENT PROVISIONS; AND CLARIFYING ENFORCEMENT PROVISIONS TO ASSURE DUE PROCESS - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 8.12 of the Lincoln Municipal Code entitled Child Care Facilities to update the provisions specifically governing the operation of small family child care homes including requiring training in first aid/CPR, disease prevention and injury prevention; prohibiting smoking in the home at all times; modifying record review permit denials; adopting new operational regulations; clarifying enforcement provisions; and clarifying enforcement provisions to assure due process, the second time.

AMENDING CHAPTER 8.14 OF THE LINCOLN MUNICIPAL CODE ENTITLED EARLY CHILDHOOD PROGRAMS TO UPDATE THE PROVISIONS OF THE CHAPTER TO REQUIRE TRAINING IN INJURY AND DISEASE PREVENTION AND SAFE FOOD HANDLING, CREATE PERMIT FEES, ADOPT NEW OPERATIONAL REGULATIONS, AND CLARIFY ENFORCEMENT PROVISIONS TO ASSURE DUE PROCESS - CLERK read an ordinance, introduced by Robin Eschliman, amending Chapter 8.14 of the Lincoln Municipal Code entitled Early Childhood Programs to update the provisions of the chapter to require training in injury and disease prevention and safe food handling, create permit fees, adopt new operational regulations, and clarify enforcement provisions to assure due process, the second time.

UPDATING AND AMENDING THE RULES AND REGULATIONS FOR THE CARE OF CHILDREN AND THE OPERATION OF SMALL FAMILY CHILD CARE HOMES ADOPTED PURSUANT TO LINCOLN MUNICIPAL CODE 8.12 TO ADDRESS ISSUES WHICH POSE HEALTH AND SAFETY RISKS TO YOUNG CHILDREN IN HOME BASED CHILD CARE. (ACTION DATE: 10/23/06)

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE PANAMA PRESBYTERIAN CHURCH FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 2ND AND PINE STREETS, PANAMA, NEBRASKA FOR A PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 - CLERK read an ordinance, introduced by Robin Eschliman, accepting and approving a Lease Agreement between the City of Lincoln and Panama Presbyterian Church for the lease of office space by the Lincoln Area Agency on Aging for its ActivAge Center program at 2nd and Pine Streets, Panama, NE for a term beginning September 1, 2006 through August 31, 2007, the second time.

RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF SEPTEMBER 16 - 31, 2006 - PRIOR to reading:

CAMP Moved to remove Chris Andersen from denied claims to be administratively resolved by the Lincoln Police Department.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

CLERK Read the following resolution, introduced by Svoboda for Eschliman, who moved its adoption:

A-84075 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 October 2, 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>
Chris Neemann	\$1,193.00	Richard Zierke	\$ 116.00
Mary E. Bono	107.00	State of Nebraska	971.28
Debra R. Arends	NAS*	Joe Wendler	7,504.36
Vu Do	1,093.68	David P. Krumland	300.00
Michelle Trembley	1,186.62	Mary Heyer	1,125.70

W. Chris Andersen	53.00	Geico (Andrea Deppe, Insured)	1,012.28
Cynthia Mohr	262.50	Kyle Lindeman	598.21
Jacob Bennett	63.00		

* No Amount Specified

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

Introduced by Robin Eschliman

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

ASSESSING NUISANCE ABATEMENT COSTS ASSOCIATED WITH THE CLEARING OF PUBLIC NUISANCES BY THE HEALTH DEPARTMENT TO THE FOLLOWING BENEFITTED PROPERTIES: 4642 BANCROFT, 6145 S. 28TH, 2741 N. COTNER, 230 REDWOOD, 5845 LEIGHTON, 2040 S. 18TH, 307 E, 2803 HOLDREGE, 1600 N. 70TH, 1341 N. 22ND, 4642 BANCROFT, 5935 TANGEMAN, OUTLOT A STETTINGER ADDITION, 353 N. 56TH, 2001 S. 18TH, 901 N. 23RD, 6540 PLATTE, 2102 N. 31ST, 659 S. 19TH, 901 N. 23RD, 2910 ORCHARD, AND 1444 PEACH - CLERK read the following resolution, introduced by Svoboda for Eschliman, who moved its adoption:
A-84076 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that:

Pursuant to Section 8.26.040 of the Lincoln Municipal Code, the premise clearance costs as shown on the list which is attached hereto, marked Exhibit "A" and made a part hereof by reference, are hereby assessed against the property set opposite each amount as shown thereon. Said assessments shall be delinquent from and after December 1, 2006 and draw interest as provided for in Neb. Rev. Stat. § 45-104.1 for assessments.

Introduced by Robin Eschliman

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

PUBLIC HEARING - ORDINANCES 3RD READING

AMENDING TITLE 5 OF THE LINCOLN MUNICIPAL CODE RELATING TO LICENSES AND REGULATIONS BY AMENDING OR REPEALING SECTIONS WITHIN CHAPTER 5.41, SALVAGING, RECYCLING AND COMPOSTING OPERATIONS, TO DELETE PROVISIONS RELATING TO SALVAGING OPERATIONS AND TO MAKE CHAPTER 5.41 APPLY ONLY TO RECYCLING AND COMPOSTING OPERATIONS; ADDING A NEW CHAPTER 5.43 ENTITLED SALVAGE DEALERS AND SALVAGE COLLECTORS TO ESTABLISH AND RELOCATE PROVISIONS DEALING WITH SALVAGING OPERATIONS PREVIOUSLY FOUND IN CHAPTER 5.41. (8/14/06 - P.H. & ACTION CON'T. TO 9/11/06) (9/11/06 - P.H. & ACTION CON'T. TO 10/9/06) (REQUEST TO CON'T. P.H. & ACTION TO 10/16/06) - PRIOR to reading:

CAMP Moved to delay action for four weeks to November 13, 2006.

Seconded by Svoboda.

COOK Moved to amend the motion to delay for one week with action only to October 23, 2006.

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

The final amended motion to delay was carried by the following vote: AYES: Cook, Marvin, McRoy, Newman; NAYS: Camp, Svoboda; ABSENT: Eschliman.

PETITIONS AND COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, OCTOBER 30, 2006 AT 5:30 P.M. FOR THE APPLICATION OF B & R STORES, INC. DBA RUSS'S MARKET #2 FOR A CLASS C LIQUOR LICENSE AT 130 N. 66TH STREET - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-84077 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., October 30, 2006 at 5:30 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 B & R Stores, Inc dba Russ's Market #2 for a Class C liquor license at 130 N. 66th Street.

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

Introduced by Dan Marvin

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

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 06066 - App. of Woods Park Neighborhood Assn. for a change from R-4 Residential to R-2 Residential, R-5 Residential to R-4 Residential and from R-6 Residential to R-4 Residential on all property generally located between 26th and 33rd Streets, from O Street to A Street.

Change of Zone 06067 - App. of J. Michael Rierden for a change from H-3 Highway Commercial to R-3 Residential on property generally located at N. 1st Street and Charleston Street.

Change of Zone 06068 - App. of Jim Hutchinson for a change from R-8 Residential to B-4 Lincoln Center Business District on property generally located at S. 18th Street and M Street.

Change of Zone 06069 - App of Hidden Valley Estates, LLC for a change from AG Agricultural to AGR Agricultural Residential on property located at S. 112th Street and Pine Lake Road.

Special Permit 1076A - App. of Big John's Billiards for an amendment to expand the area for the sale of alcohol for consumption on the premise and to allow the sale of alcohol for consumption off the premises on property located at 399 Sun Valley Boulevard.

Special Permit 06055 - App. of Sadoff & Rudoy Industries of Nebraska, Inc. for a salvage operation on property located at 5020 NW 39th Street.

Special Permit 06061 - App. of Hidden Valley Estates, LLC, Hidden Valley Estates C.U.P., for approximately 26 single family lots with requests to waive sidewalks, street trees, street lighting, landscape screening, block length, the preliminary plat and grading of future roads on property located at S. 112th Street and Pine Lake Road.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON OCTOBER 2, 2006 EXCEPT RESOLUTION A-84063 VETOED BY MAYOR - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY COUNCIL ON OCTOBER 9, 2006 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED AUGUST, 2006 - CLERK read the following resolution, introduced by Dan Marvin, who moved its adoption:

A-84078 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended August 31, 2006, \$611,532.42 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ration that such balance bears to the total of all fund balances.

Introduced by Dan Marvin

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

APPOINTING TAMARA WELLMANN TO THE STARTRAN ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING OCTOBER 20, 2009 - CLERK read the following resolution, introduced by Ken Svoboda for Robin Eschliman, who moved its adoption:
A-84079 BE IT RESOLVED by the City Council of the City of Lincoln,

Nebraska:

That the appointment of Tamara Wellman to the StarTran Advisory Board for a three-year term expiring October 20, 2009 is hereby approved.

Introduced by Robin Eschliman

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

SETTING A HEARING DATE OF MONDAY, NOVEMBER 6, 2006 AT 1:30 P.M. FOR THE BOARD OF EQUALIZATION FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, DOWNTOWN MAINTENANCE DISTRICT AND CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY - CLERK requested a motion to approve the setting the hearing date of Monday, November 6, 2006 at 1:30 p.m.

MARVIN So moved.

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

MAYOR'S VETO MESSAGE ON RESOLUTION NO. A-84063 - APPROVING A CONSENT DECREE BETWEEN DEVELOPMENTAL SERVICES OF NEBRASKA AND THE CITY OF LINCOLN TO RESOLVE A LAWSUIT IN THE UNITED STATES DISTRICT COURT IN CONNECTION WITH THE OPERATION OF HOUSING DEVELOPMENTALLY DISABLED PERSONS.

SVOBODA Moved to override the Mayor's veto.

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE FIRTH COMMUNITY CENTER FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 311 NEMAHA STREET, FIRTH, NE FOR A PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 - CLERK read an ordinance, introduced by Dan Marvin, accepting and approving a Lease Agreement between the City of Lincoln and Firth Community Center for the lease of office space by the Lincoln Area Agency on Aging for its ActivAge Center program at 311 Nemaha Street, Firth, NE for a term beginning September 1, 2006 through August 31, 2007, the first time.

STREET NAME CHANGE NO. 06008 - NAMING THE UNNAMED STREET ENTERING EAST CAMPUS AS "DAIRY STORE DRIVE" LOCATED NORTH OFF OF HOLDREGE STREET BETWEEN 37TH AND 38TH STREETS - CLERK read an ordinance, introduced by Dan Marvin, naming the unnamed street entering East Campus as "Dairy Store Drive" located north off of Holdrege Street between 37th and 38th Streets, as recommended by the Street Name Committee, the first time.

STREET NAME CHANGE NO. 06007 - RENAMING "SALT CREEK ROAD" AS "OX BOW ROAD" AND "ENTERPRISE CIRCLE" AS "OX BOW COURT" IN LANDMARK CORPORATE CENTER PRELIMINARY AND FINAL PLATS GENERALLY LOCATED AT N. 33RD STREET AND FOLKWAYS BOULEVARD - CLERK read an ordinance, introduced by Dan Marvin, changing the name of "Salt Creek Road" to "Ox Bow Road" and "Enterprise Circle" to "Ox Bow Court" located N. 33rd Street and Folkways Boulevard, as recommended by the Street Name Committee, the first time.

ANNEXATION NO. 06014 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 4.67 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET AND PENNSYLVANIA AVENUE. (RELATED ITEMS: 06-187, 06-188, 06R-204), - CLERK read an ordinance, introduced by Dan Marvin, 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 NO. 06053 - APPLICATION OF HARTLAND HOMES, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET AND PENNSYLVANIA AVENUE. (RELATED ITEMS: 06-187, 06-188, 06R-204) - 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 first time.

APPEAL OF HARTLAND HOMES INC. FROM THE CONDITIONS OF THE PLANNING COMMISSION APPROVAL OF SPECIAL PERMIT 5015A, FOR THE DEVELOPMENT OF HARTLAND'S GARDEN VALLEY COMMUNITY UNIT PLAN ON PROPERTY GENERALLY LOCATED NORTHWEST OF N. 14TH STREET AND PENNSYLVANIA AVENUE. (RELATED ITEMS: 06-187, 06-188, 06R-204) (ACTION DATE: 10/30/06).

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

CHANGE OF ZONE 06052 - AMENDING SECTION 27.65.020 OF THE LINCOLN MUNICIPAL CODE TO ADJUST THE MINIMUM COVERAGE AREA AND BONUS FOR AN AGRICULTURAL DISTRICT COMMUNITY UNIT PLAN, UTILIZING A COMMUNITY WASTEWATER SYSTEM IN THE BUILD-THROUGH AREA - PRIOR to reading:

MARVIN Moved to accept a substitute ordinance for Bill No. 06-176.

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

COOK Moved to amend the substitute ordinance Bill No. 06-176S on page 5, lines 1 through 4, delete the sentence that starts "for acreage community unit plans...".

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

CLERK Read an ordinance, introduced by Jon Camp, amending Sections 27.65.020 and 27.65.075 of the Lincoln Municipal Code to allow the same "bonus" provision to be taken for acreage developments with community sewer systems regardless of lot size and to clarify the number of future lots shown for build through, which would vary with the average site of the initial lots; and repealing Sections 27.65.020 and 27.65.075 of the Lincoln Municipal Code as hitherto existing, the third time.

The ordinance, being numbered #18829, is recorded in Ordinance Book #25, Page

APPROVING AN AGREEMENT BETWEEN THE CITY AND CLYDE MALONE COMMUNITY CENTER FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 2032 U STREET FOR A PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Lease Agreement between the City of Lincoln and Clyde Malone Community Center for the lease of office space by the Lincoln Area Agency on Aging for its ActivAge Center program at 2032 U Street, Lincoln, NE for a term beginning September 30, 2006 through August 31, 2007, the third time.

COOK Moved to pass the ordinance as read.

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

The ordinance, being numbered #18830, is recorded in Ordinance Book #25, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to October 23, 2006.

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

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UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on
October 23, 2006.
 Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

ADJOURNMENT 5:16 P.M.

CAMP Moved to adjourn the City Council meeting of October 16, 2006.
 Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
 So ordered.

Joan E. Ross, City Clerk, CMC

Judy Roscoe, Senior Office Assistant