

THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, JUNE 30, 2003 AT 5:30 P.M.

The Meeting was called to order at 5:34 p.m. Present: Council Chairperson Camp; Council Members: Friendt, McRoy, Newman, Svoboda, Werner; Joan Ross, City Clerk. Absent: Cook.

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

READING OF THE MINUTES

MCROY Having been appointed to read the minutes of the City Council proceedings of June 23, 2003, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF 1515-23 MARKET ST., INC. DBA BEST WESTERN AIRPORT INN FOR A CLASS C LIQUOR LICENSE AT 3200 N.W. 12TH STREET;  
MANAGER APPLICATION OF STEVEN MICHAEL RUDOLPH FOR 1515-23 MARKET ST., INC. DBA BEST WESTERN AIRPORT INN AT 3200 N.W. 12TH STREET - Steven M. Rudolph, 3200 N.W. 12<sup>th</sup> St., took the oath & came forward to answer any questions.

This matter was taken under advisement.

APPLICATION OF PRA INC. DBA MISTY'S STEAKHOUSE & BREWERY FOR A CLASS C/L LIQUOR AND CATERING LICENSE AT 200 N. 11TH STREET;  
MANAGER APPLICATION OF CHAD W. CARLSON FOR PRA INC. DBA MISTY'S STEAKHOUSE & BREWERY AT 200 N. 11TH STREET - Reynold McMean, 5010 S. 72<sup>nd</sup> St. & Chad W. Carlson, 1540 W. Garfield Cr., took the oath & came forward to answer any questions.

Glenn Friendt, Council Member, asked if they intended to continue the brewery?

Mr. McMean answered yes.

This matter was taken under advisement.

SPECIAL PERMIT 228J - APPLICATION OF LARRY AND GAY NELSON TO REDUCE THE FRONT YARD SETBACK FROM 19.5 FEET TO 15 FEET ON PROPERTY GENERALLY LOCATED AT 472 WEST LAKESHORE DRIVE - Gay Nelson, 2130 S. Canterbury Lane, came forward to answer any questions.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Toni Thomas, 1657 S. Cotner Blvd., came forward as owner of property at 1762 N. 27<sup>th</sup> Street to request that something be done about the flooding in this area.

Nicole Fleck-Tooze, Public Works & Utilities Dept., stated the City was addressing the drainage problems in Lincoln and are looking at a paving solution.

This matter was taken under advisement.

Craig Groat, 4935 Huntington Avenue, came forward to comment on the city having a manager rather than a mayor. He read an article titled "Can We Afford A Municipal Manager?".

This matter was taken under advisement.

Ed Patterson, 2108 Q Street, spoke about the Antelope Creek and Salt Creek flooding problems.

This matter was taken under advisement.

James Cloud, 1502 N. Spruce, Wahoo, NE, came forward as owner of property in Lincoln at 1743 - 1745 N. 28<sup>th</sup> Street. He complained that the garbage sits around the dumpsters. He is concerned about the garbage service. Discussion followed.

This matter was taken under advisement.

Danny Walker, 427 E St., requested something be done about the

traffic congestion and parking problems around Park Middle School during the summer school session.

This matter was taken under advisement.

Glen Cekal, 1420 C St., complained about the garbage problems in Lincoln, and suggested that property owners of single family & duplex property be charged a license fee.

This matter was taken under advisement.

Sam Wineberg, 416 E Street, requested the traffic congestion & parking problems around Park Middle School and Cooper Park be corrected.

This matter was taken under advisement.

Mike Morosin, 2055 S St., stated he didn't feel that there was a plan to relocate the people in the Antelope Valley Project area. Substandard housing is being offered so he wants his house to be moved.

This matter was taken under advisement.

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

## COUNCIL ACTION

### LIQUOR RESOLUTIONS

APPLICATION OF 1515-23 MARKET ST., INC. DBA BEST WESTERN AIRPORT INN FOR A CLASS C LIQUOR LICENSE AT 3200 N.W. 12TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82172 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 1515-23 Market St., Inc. dba "Best Western Airport Inn" for a Class "C" liquor license at 3200 N.W. 12th Street, Lincoln, Nebraska, for the license period ending October 31, 2003, 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 Ken Svoboda

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

MANAGER APPLICATION OF STEVEN MICHAEL RUDOLPH FOR 1515-23 MARKET ST., INC. DBA BEST WESTERN AIRPORT INN AT 3200 N.W. 12TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82173 WHEREAS, 1515-23 Market St., Inc. dba "Best Western Airport Inn" located at 3200 N.W. 12th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Steven Michael Rudolph be named manager;

WHEREAS, Steven Michael Rudolph 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 Steven Michael Rudolph 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 Ken Svoboda

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

APPLICATION OF PRA INC. DBA MISTY'S STEAKHOUSE & BREWERY FOR A CLASS C/L LIQUOR AND CATERING LICENSE AT 200 N. 11TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its

adoption for approval:

A-82174 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 PRA Inc. dba Misty's Steakhouse & Brewery for a Class "C/L" liquor and catering license at 200 N. 11th Street, Lincoln, Nebraska, for the license period ending October 31, 2003, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

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

MANAGER APPLICATION OF CHAD W. CARLSON FOR PRA INC. DBA MISTY'S STEAKHOUSE & BREWERY AT 200 N. 11TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82175 WHEREAS, PRA Inc. dba "Misty's Steakhouse & Brewery" located at 200 N. 11th Street, Lincoln, Nebraska has been approved for a Retail Class "C/L" liquor and catering license, and now requests that Chad W. Carlson be named manager;

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

Introduced by Glenn Friendt

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

#### ORDINANCES - 2ND READING

CREATING ALLEY PAVING DISTRICT NO. 362 IN THE EAST/WEST ALLEY FROM 48<sup>TH</sup> TO 49<sup>TH</sup> STREETS BETWEEN LOWELL AND MEREDETH AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read the following ordinance, introduced by Glenn Friendt, creating Alley Paving District No. 362 in the east/west alley from 48<sup>th</sup> to 49<sup>th</sup> Streets between Lowell and Meredith and assessing the costs thereof against the benefitted properties, the second.

#### RESOLUTIONS

SPECIAL PERMIT 228J - APPLICATION OF LARRY AND GAY NELSON TO REDUCE THE FRONT YARD SETBACK FROM 19.5 FEET TO 15 FEET ON PROPERTY GENERALLY LOCATED AT 472 WEST LAKESHORE DRIVE - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82176 WHEREAS, Larry and Gay Nelson have submitted an application designated as Special Permit No. 228J for authority to amend the Capitol Beach West Community Unit Plan to reduce the front yard setback from 19.5 feet to 15 feet in order to construct a new dwelling unit with a garage which projects into the existing front yard setback on property located at 472 West Lakeshore Drive, and legally described to wit:

Lot 41, Block 1, Capitol Beach West, and Lot 196 I.T.

located in the Northeast Quarter of Section 21,

Township 10 North, Range 6 East of the 6th P.M.,

Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this dwelling unit with a garage 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 Larry and Gay Nelson, hereinafter referred to as "Permittee", to construct a new dwelling unit with a garage on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said dwelling unit and garage be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a reduction in the front yard from 19.5 feet to 15 feet, but not less than 22 feet from garage to curb.

2. Before receiving building permits, the construction plans must conform to the approved plans.

3. Before occupying this dwelling unit all development and construction must conform to the approved plans.

4. The site plans approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Annette McRoy

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND COUNTY TO COOPERATE IN PROVIDING A RECEPTIONIST TO SERVE BOTH THE CITY COUNCIL AND THE LANCASTER COUNTY BOARD - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82177 WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska and the County of Lancaster provide services to the City Council and Lancaster County Commissioners; and

WHEREAS, the City of Lincoln, Nebraska and Lancaster County, Nebraska desire to cooperate in providing a receptionist to serve both the City Council and Lancaster County Commissioners by sharing in the cost for provision of receptionist services.

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

That the Interlocal Agreement between the City of Lincoln, Nebraska and Lancaster County, Nebraska, attached hereto as Exhibit "A", in connection with sharing the costs of a receptionist, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Interlocal Agreement to Kerry Eagan, Lancaster County Commissioner's Office for filing with the County.

Introduced by Annette McRoy

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JUNE 1 - 15, 2003 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82178 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 June 16, 2003, 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>	
Jackie Glenn	\$ 372.57	Russell S. Timmerman	\$ 700.85
Jason Clark	1,050.00	Leslie L. Holmes & Larry Holmes	
Crispin S. Mayers Jr.	672.78	on behalf of LeAnn M. Holmes	2,500.00
Sheriece Sadberry	300.00	Lee Young	778.72
Lori Miller	81.13	Susan E. Waldron	20.00
Lois E. Gowler	100.00	Carolyn Phelps & Rodney C. Phelps	136.79
Gary Schwendiman	100.00	Ayars & Ayars, Inc.	174.17
		Summer P. Thomason	50,000.00

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

SETTING THE HEARING DATE OF MONDAY, JULY 14, 2003 AT 1:30 P.M. FOR APP. OF RED ROBIN INTERNATIONAL, INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS AND SPIRITS FOR A CLASS "I" LIQUOR LICENSE AT 2707 PINE LAKE ROAD - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82179 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., July 14, 2003, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10h St., Lincoln, NE, for the App. of Red Robin International, Inc. dba "Red Robin America's Gourmet Burgers and Spirits" for a Class "I" liquor license at 2707 Pine Lake Road.

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

Introduced by Annette McRoy

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

SETTING THE HEARING DATE OF MONDAY, JULY 14, 2003 AT 1:30 P.M. FOR APP. OF LEVY PREMIUM FOOD SERVICE LTD DBA LEVY RESTAURANT FOR A LIQUOR CATERING LICENSE AT HAYMARKET PARK, 403 LINE DRIVE CIRCLE - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82180 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., July 14, 2003, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10h St., Lincoln, NE, for the App. of Levy Premium Food Service, LTD dba "Levy Restaurant" for a liquor catering license at Haymarket Park, 403 Line Drive Circle.

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

Introduced by Annette McRoy

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

SETTING THE HEARING DATE OF MONDAY, JULY 14, 2003 AT 1:30 P.M. FOR APP. OF VALENTINO'S INC. FOR A DELETION TO CURRENT PREMISES OF APPROX. 20' X 45' AT 232 N 13<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82181 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., July 14, 2003, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City

Building, 555 S. 10h St., Lincoln, NE, for the App. of Valentino's Inc. for a deletion of 20' x 45' to current premises at 232 N. 13<sup>th</sup> Street.

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

Introduced by Annette McRoy

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

PETITIONS & COMMUNICATIONS

FORMAL PETITION TO VACATE PUBLIC WAY AT SOUTH 22<sup>ND</sup> STREET FROM NORTH LINE OF WESLEY DRIVE TO 120.00 FEET NORTH OF THE NORTH LINE OF WESLEY DRIVE SUBMITTED BY THOMAS L. & DEBORAH P. FOLSOM AND SUSAN G. & DONALD R. BROUSE - CLERK presented said report which was placed on file in the Office of the City Clerk.

THE FOLLOWING WERE REFERRED TO PLANNING DEPT.

PRE-EXISTING SPECIAL PERMIT 29A - APP. OF DUANE HARTMAN INVESTMENTS INC. FOR AN INTERIOR EXPANSION OF PREMISE AREA FOR OFF PREMISE SALE OF ALCOHOL FROM THE WEST END OF THE BUILDING TO COVER ENTIRE BUILDING @ 640 WEST PROSPECTOR COURT.

USE PERMIT 123A - APP. OF DONALD LINSKOTT, LANDSTAR LLC, TO PERMIT A REAR YARD REDUCTION FROM 20 TO 17 FEET AT NORTH 33<sup>RD</sup> STREET AND NORTH 33<sup>RD</sup> CIRCLE.

USE PERMIT 151 - APP. AUSTIN REALTY INVESTMENTS FOR TWO OFFICE BUILDINGS AT 8030 AND 8100 O STREET.

SPECIAL PERMIT 1123B - APP. OF RON BUCHINSKI TO PROVIDE MEN'S SHELTER & PROVISION FOR FUTURE EXPANSION FOR PEOPLE'S CITY MISSION AT 110 Q STREET.

SPECIAL PERMIT 1965 - APP. OF HARTLAND HOMES INC. TO DEVELOP 13 SINGLE FAMILY LOTS, 74 TOWNHOME LOTS AND 2 OUTLOTS AT NORTHWEST 48<sup>TH</sup> STREET & WEST ADAMS STREET.

SPECIAL PERMIT 1992 - APP. OF PAT MOOBERRY, CASEYCO, INC. TO SUBDIVIDE FOR SINGLE FAMILY AT 70<sup>TH</sup> AND PINE LAKE ROAD (NORTHSHORE DRIVE).

SPECIAL PERMIT 1672B - APP. OF ALLTEL COMMUNICATIONS TO EXTEND & INSTALL ANTENNAS ON AN EXISTING COMMUNICATIONS TOWER AT 8101 ADAMS STREET.

CHANGE OF ZONE 3387 - APP. OF PAT MOOBERRY, CASEYCO, INC. TO CHANGE FROM AG TO R3 AT 70<sup>TH</sup> AND PINE LAKE ROAD (NORTHSHORE DRIVE).

CHANGE OF ZONE 3413 - APP. OF LANDON'S AND REGALTON NEIGHBORHOOD ASSN. TO CHANGE FROM R-4 TO R-2 GENERALLY LOCATED AT 24<sup>TH</sup> STREET BETWEEN SUPERIOR AND DODGE STREETS.

FORMAL PETITION TO VACATE PUBLIC WAY THE EAST-WEST ALLEY IN BLOCK 1, TRESTERS ADDITION FROM THE EAST LINE OF NORTH 26<sup>TH</sup> STREET TO THE WEST LINE OF NORTH 27<sup>TH</sup> STREET SUBMITTED BY THE CITY OF LINCOLN, NEBRASKA - CLERK presented said petition which was referred to the Law Dept.

FORMAL PETITION TO VACATE PUBLIC WAY THE EAST-WEST ALLEY IN BLOCK 1, TRESTERS ADDITION FROM THE EAST LINE OF NORTH 26<sup>TH</sup> STREET TO THE WEST LINE OF NORTH 27<sup>TH</sup> STREET SUBMITTED BY B & J PARTNERSHIP, LTD. - CLERK presented said petition which was referred to the Law Dept.

FORMAL PETITION FOR ORNAMENTAL LIGHTING DISTRICT 286 AT 27<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET AND VAN DORN STREET TO HIGH STREET SUBMITTED BY THOMAS R. WILMOTH - CLERK presented said petition which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON JUNE 23, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR THE WEEK OF JUNE 16 THROUGH JUNE 20, 2003 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-82182 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Annette McRoy

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

REPORT OF CITY TREASURER FOR TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF APRIL, 2003: NEBRASKA TECHNOLOGY & TELECOMM.; MAY, 2003: CELLULAR

ONE, NEXTEL PARTNERS, ATT WIRELESS SERVICES, NEXTEL WEST CORP., LDMI TELECOMM., NOSVA LIMITED PARTNERSHIP, GLOBALCOM, INC., GTC TELECOM., INC., ASSOC. ADMINISTRATORS, COMDATA TELE SERVICES, ZONE TELECOM., INC. LIGHTYEAR COMM., GUARANTEED PHONE SERVICE, VARTEC TELECOMM., GLYPHICS COMM., WORLDXCHANGE CORP., BIG PLANET, INC., TELCO DEV., EXCEL TELECOMM., I-LINK COMM., NOS COMM., USA PAGING, LLC, TRI-M COMM., AFFINITY NETWORK, INC., ATS MOBILE TELEPHONE CO., OCMC, INC. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT OF CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF MAY, 2003 FROM AQUILA - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

LINCOLN ELECTRIC SYSTEM 2002 COMMUNITY SERVICE REPORT - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

NEBRASKA GIRLS AND TECHNOLOGY STATUS REPORT FROM THE LINCOLN LANCASTER WOMEN'S COMMISSION - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

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

RENAMING "K-MART DRIVE" LOCATED EAST OFF OF NORTH 27TH STREET NEAR CORNHUSKER HIGHWAY AS "KNOX STREET"- CLERK read an ordinance, introduced by Annette McRoy, changing the name of K-Mart Drive to Knox Street located east off of North 27<sup>th</sup> Street near Cornhusker Highway, as recommended by the Street Name Committee, the first time.

APPROVING A FIVE YEAR/5,000 HOUR LEASE AGREEMENT WITH A BUY-OUT OPTION BETWEEN THE CITY AND CATERPILLAR FINANCIAL SERVICES TO PROVIDE A 90-HORSE POWER CLASS BACKHOE LOADER FOR USE BY THE PUBLIC WORKS & UTILITIES WATER DIVISION IN CONSTRUCTION AND MAINTENANCE PROJECTS - CLERK read an ordinance, introduced by Annette McRoy, accepting and approving a five-year/5,000 hour lease agreement between the City of Lincoln, Nebraska and Caterpillar Financial Services Corporation for a 90 horse power class backhoe loader for use by the Public Works & Utilities Water Division, the first time.

APPROVING A FIVE YEAR/5,000 HOUR LEASE AGREEMENT WITH A BUY-OUT OPTION BETWEEN THE CITY AND CATERPILLAR FINANCIAL SERVICES TO PROVIDE A 90-HORSE POWER CLASS BACKHOE LOADER FOR USE BY THE PUBLIC WORKS & UTILITIES WASTEWATER/SOLID WASTE DIVISION IN CONSTRUCTION AND MAINTENANCE PROJECTS - CLERK read an ordinance, introduced by Annette McRoy, accepting and approving a five-year/5,000 hour lease agreement between the City of Lincoln, Nebraska and Caterpillar Financial Services Corporation for a 90 horse power class backhoe loader for use by the Public Works & Utilities Wastewater Division, the first time.

#### ORDINANCES - 3RD READING - NONE

#### MISCELLANEOUS BUSINESS

##### PENDING -

SVOBODA Moved to extend the Pending List to July 7, 2003.  
Seconded by Friendt & carried by the following vote: AYES: Camp, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Cook.

##### UPCOMING RESOLUTIONS -

SVOBODA Moved to approve the resolutions to have Public Hearing on July 7, 2003.  
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Cook.

SVOBODA Moved to approve the resolutions to have Joint City Council/County Commission Public Hearing on July 10, 2003 at 5:30 p.m.  
Seconded by Friendt & carried by the following vote: AYES: Camp,

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

**ADJOURNMENT**

**6:37 P.M.**

SVOBODA Moved to adjourn the City Council meeting of June 30, 2003.  
Seconded by Friendt & carried by the following vote: AYES: Camp,  
Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Cook.  
So ordered.

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Joan E. Ross, City Clerk

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Judy Roscoe, Senior Office Assistant