

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, APRIL 24, 2006 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Svoboda; Council Members: Camp, Cook, Marvin, McRoy, Newman; City Clerk, Joan E. Ross; Eschliman absent.

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

READING OF THE MINUTES

MCROY Having been appointed to read the minutes of the City Council proceedings of April 17, 2006, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF WHITEHEAD OIL CO. DBA U-STOP FOR A CLASS D LIQUOR LICENSE AT 3280 SUPERIOR STREET;

MANAGER APPLICATION OF BARBARA EHRISMAN FOR WHITEHEAD OIL CO. DBA U-STOP AT 3280 SUPERIOR STREET - Mark Whitehead, owner of Whitehead Oil Co., and Barbara Ehrisman, 2830 Kucera Dr., took the oath and came forward to answer questions.

This matter was taken under advisement.

MANAGER APPLICATION OF REBECCA TARTER FOR WHITEHEAD OIL CO. DBA U-STOP AT 942 S. 27TH STREET - Rebecca Tarter, 1825 Prospect, took the oath and came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING THE SUBLEASE AND LEASE AGREEMENT BETWEEN THE CITY, UNIVERSITY OF NEBRASKA, NEBCO, AND THE NEBRASKA SCHOOL ACTIVITIES ASSOCIATION FOR THE LEASE OF SPACE BY THE NEBRASKA SCHOOL ACTIVITIES ASSOCIATION IN HAYMARKET PARK - Joel Pedersen, Assistant City Attorney, came forward to explain the lease and answer any questions.

Jim Tenopir, 8230 Beechwood Dr., Exec. Dir. of the Nebraska School Activities Assoc., came forward in support.

Steve Johnson, 2546 S. 48th St., Exec. Dir. of the Nebraska Coaches Assoc., came forward in support.

Wally McNaught, 21901 Woodland Hills Cir., Eagle, President of Nebraska High School Sports Hall of Fame, came forward in support.

Wendy Birdsall, 1135 M Street, Suite 200, Interim President of the Lincoln Chamber of Commerce, and appearing on behalf of the Convention and Visitors Bureau, came forward in support. Discussion followed.

Charlie Meyer, 1815 Y St., Treasurer of NEBCO, President of Lincoln Saltdogs, and appearing as Past Chair of the Downtown Lincoln Association, came forward in support. Discussion followed.

Mr. Pedersen came forward to answer questions regarding the renewal process. Discussion followed.

This matter was taken under advisement.

APPROVING AN EIGHT-YEAR EXTENSION OF THE FRANCHISE AGREEMENT BETWEEN THE CITY AND AQUILA FOR THE PROVISION OF NATURAL GAS SERVICES TO LINCOLN - Joel Pedersen, Assistant City Attorney, came forward to explain the extension and to answer any questions.

Alan Hersch, with Aquila, 1600 Windhoek Dr., came forward to answer questions. Discussion followed.

Don Nordell, Aquila Manager of Operations, 1600 Windhoek Dr., came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH, (WHERE APPROPRIATE) BETWEEN PROJECTS WITHIN THE SANITARY LANDFILL FUND - Margaret Remmenga, Public Works Business Manager, came forward to answer any questions.

This matter was taken under advisement.

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CHANGE OF ZONE 05082 - APPLICATION OF SIERRA INVESTMENTS, LLC, FOR A CHANGE OF ZONE FROM R-6 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 21ST AND K STREETS - Tony Hillhouse, Employee and Officer of Glenn's CarStar Body Shop, 2121 P St., came forward in support of the change of zone to relocate their business as their client base is in the central downtown area.

Laura Bell, Commercial Real Estate broker with Commercial Realty Group, 3721 Timberline Court, came forward in support.

Allen Hillhouse, Manager of Glenn's CarStar Body Shop, 12401 West Denton Road, came forward in support.

Bruce Bailey, Design Associates, 1609 N Street, came forward in support. Discussion followed.

Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing the applicant to explain the change of zone. Discussion followed.

Glenn Hillhouse, owner of Glenn's CarStar Body Shop, 2121 P Street, came forward in support.

Nicole Fleck-Tooze, Public Works & Utilities, came forward with concerns of access issues. Discussion followed.

Mr. Hunzeker came forward in rebuttal to explain the access to the business. Discussion followed.

This matter was taken under advisement.

VACATION 05012 - VACATING THE EAST/WEST ALLEY FROM NORTH 33RD TO NORTH 34TH STREETS, BETWEEN O AND P STREETS - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing B & J Partnership to use a portion of the alley for their project. Discussion followed.

This matter was taken under advisement.

APPEAL OF BOB AND VICKI ROKEY AND LARRY SCHMIEDING FROM THE PLANNING COMMISSION APPROVAL OF PRELIMINARY PLAT 06002 SCHWORER ADDITION FOR FOUR (4) LOTS FOR COMMERCIAL DEVELOPMENT, WITH WAIVERS OF THE TIME FRAME FOR IMPROVEMENTS AND POSTING OF SURETIES AND WAIVER OF THE STORMWATER DETENTION REQUIREMENTS, IN PROPERTY GENERALLY LOCATED AT NORTH 33RD AND SUPERIOR STREETS - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing the applicant requesting for deferral of one week.

This matter was taken under advisement.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR THE STATE TO UNDERTAKE THE CONSTRUCTION INSPECTION FOR THE PROJECT AND TO OBLIGATE FEDERAL FUNDS ON PROPERTY GENERALLY LOCATED AT SOUTH 14TH STREET AND HIGHWAY 2 - Nicole Fleck-Tooze, Public Works & Utilities, came forward to answer any questions. Discussion followed.

This matter was taken under advisement.

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

TOOK BREAK 7:40 P.M.

RECONVENED 7:47 P.M.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF WHITEHEAD OIL CO. DBA U-STOP FOR A CLASS D LIQUOR LICENSE AT 3280 SUPERIOR STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83825 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 Whitehead Oil Co. dba U-Stop for a Class "D" liquor license at 3280 Superior Street, Lincoln, Nebraska, for the license period ending April 30, 2006, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF BARBARA EHRISMAN FOR WHITEHEAD OIL CO. DBA U-STOP AT 3280 SUPERIOR STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83826 WHEREAS, Whitehead Oil Co. dba U-Stop located at 3280 Superior Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Barbara Ehrisman be named manager; WHEREAS, Barbara Ehrisman 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 Barbara Ehrisman be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF REBECCA TARTER FOR WHITEHEAD OIL CO. DBA U-STOP AT 942 S. 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83827 WHEREAS, Whitehead Oil Co. dba U-Stop located at 942 S. 27th Street, Lincoln, Nebraska has been approved for a Retail Class "B" liquor license, and now requests that Rebecca Tarter be named manager; WHEREAS, Rebecca Tarter 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 Rebecca Tarter be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

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

APPROVING THE SUBLEASE AND LEASE AGREEMENT BETWEEN THE CITY, UNIVERSITY OF NEBRASKA, NEBCO, AND THE NEBRASKA SCHOOL ACTIVITIES ASSOCIATION FOR THE LEASE OF SPACE BY THE NEBRASKA SCHOOL ACTIVITIES ASSOCIATION IN HAYMARKET PARK - CLERK read an ordinance, introduced by Annette McRoy, accepting and approving a Sublease and Lease Agreement between the City of Lincoln, University of Nebraska, NEBCO and the Nebraska School Activities Association for the lease of space by the Nebraska School Activities Association at Haymarket Park, near 6th and Charleston Streets, Lincoln, Lancaster County, Nebraska commencing April 1, 2006 for a Sublease term coinciding with the Lease for the Ballpark Facilities and a Lease in the event the Ballpark Facilities Lease is early terminated, allowing the NSAA facilities on the space up to September 30, 2035, coinciding with the full term of the Ballpark Facilities Lease, the second time.

APPROVING AN EIGHT-YEAR EXTENSION OF THE FRANCHISE AGREEMENT BETWEEN THE CITY AND AQUILA FOR THE PROVISION OF NATURAL GAS SERVICES TO LINCOLN - CLERK read an ordinance, introduced by Annette McRoy, whereas, under the City Charter and authority under the laws of the State of Nebraska (See: Neb. Rev. Stat. § 15-222, See Also: Neb. Rev. Stat. § 19-4603, Repealed, Laws 2003, LB 790, effective May 31, 2003), the City of Lincoln is authorized to negotiate with and enter into franchise agreements with private utility companies to, among other things, locate improvements in the public rights-of-way for purposes of providing utility services including natural gas services to citizens of the City, the second time.

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH, (WHERE APPROPRIATE) BETWEEN PROJECTS WITHIN THE SANITARY LANDFILL FUND - CLERK read an ordinance, introduced by Annette McRoy, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Sanitary Landfill Fund, the second time.

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CHANGE OF ZONE 05082 - APPLICATION OF SIERRA INVESTMENTS, LLC, FOR A CHANGE OF ZONE FROM R-6 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 21ST AND K STREETS - CLERK read an ordinance, introduced by Annette McRoy, 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.

VACATION 05012 - VACATING THE EAST/WEST ALLEY FROM NORTH 33RD TO NORTH 34TH STREETS, BETWEEN O AND P STREETS - CLERK read an ordinance, introduced by Annette McRoy, vacating the east/west alley from North 33rd to North 34th Streets between O and P Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

RESOLUTIONS

APPEAL OF BOB AND VICKI ROKEBY AND LARRY SCHMIEDING FROM THE PLANNING COMMISSION APPROVAL OF PRELIMINARY PLAT 06002 SCHWORER ADDITION FOR FOUR (4) LOTS FOR COMMERCIAL DEVELOPMENT, WITH WAIVERS OF THE TIME FRAME FOR IMPROVEMENTS AND POSTING OF SURETIES AND WAIVER OF THE STORMWATER DETENTION REQUIREMENTS, IN PROPERTY GENERALLY LOCATED AT NORTH 33RD AND SUPERIOR STREETS - PRIOR to reading:

COOK Moved to delay Public Hearing & Action for one week to 5/01/06.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ROADS FOR THE STATE TO UNDERTAKE THE CONSTRUCTION INSPECTION FOR THE PROJECT AND TO OBLIGATE FEDERAL FUNDS ON PROPERTY GENERALLY LOCATED AT SOUTH 14TH STREET AND HIGHWAY 2 - PRIOR to reading:

NEWMAN Moved to amend Bill No. 06R-78 in the following manner:
1. On page 1, line 4, delete the words "for the construction inspection for the project and".

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

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

A-83828 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Supplemental Agreement No. 1 between the City of Lincoln and the State of Nebraska Department of Roads for Project No. STPP-5221(2), State CN-12742, ~~for the construction inspection for the project and~~ to obligate Federal funds for the Intersection Safety Improvement Project at South 14th Street and Highway 2, in accordance with the terms and conditions contained in said Agreement, 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 return the executed copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Annette McRoy

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

PETITIONS AND COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MAY 8, 2006 AT 1:30 P.M. FOR THE APP. OF CETAK'S GOURMET MEATS & SAUSAGES, INC. DBA CETAK'S GOURMET MEATS & SAUSAGES FOR A CLASS D LIQUOR LICENSE AT 4107 PIONEER WOODS DRIVE, SUITE 104 - CLERK read the following resolution, introduced by Patte Newman, who moved its adoption for approval:

A-83829 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 8, 2006, 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 the Class "D" Liquor License Application of Cetak's Gourmet Meats & Sausages, Inc. dba Cetak's Gourmet Meats & Sausages located at 4107 Pioneer Woods Drive, Suite 104.

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

Introduced by Patte Newman

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

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPT.:

Change of Zone No. 06019 - App. of City Attorney to amend Title 27 of the Lincoln Municipal Code by amending Sections 27.61.090 and 27.63.280.
Special Permit No. 06025 - App. of Mike and Lynn Price, for the operation of a tree service on property generally located at S. 68th Street and Bennet Road.
Special Permit No. 06026 - App. of Verizon Wireless, for a 105 ft. tall wireless facility on property generally located at N. 84th Street and Holdrege Street.
Special Permit No. 06027 - App. of Lincoln Housing Authority for Prairie Crossing Community Unit Plan for approximately 76 dwelling units on property generally located at S. 33rd Street and Grainger Parkway.
Use Permit No. 06004 - App. of Olsson Associates for approximately 224,000 sq. ft. of commercial floor area, with requests to waive internal yard setbacks and to permit ground signs for the individual site buildings to be more than 30 ft. from the building, on property generally located at S. 40th Street and Yankee Hill Road.

REPORTS OF CITY OFFICERS

REAPPOINTING LARRY HUDKINS, TONY MESSINEO, HENA ROY, AND ED SCHNEIDER TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2009 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83830 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Larry Hudkins, Tony Messineo, Hena Roy, and Ed Schneider to the Lincoln-Lancaster County Board for three-year terms expiring April 15, 2009, is hereby approved.

Introduced by Annette McRoy

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON APRIL 10, 2006 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

ANNUAL REPORT FOR THE YEAR OF 2005 PREPARED BY LAW DEPARTMENT - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS

APPROVING THE DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY AND B&J PARTNERSHIP RELATING TO THE DEVELOPMENT OF PROPERTY GENERALLY LOCATED ON THE BLOCK BOUNDED BY 9TH, 10TH, HILL AND VAN DORN STREETS. (Related Items: 06R-86, 06-65) (Action Date: 5/8/06).

CHANGE OF ZONE 06012 - APPLICATION OF B&J PARTNERSHIP FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT AND O-2 SUBURBAN OFFICE DISTRICT TO B-1 LOCAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED ON THE BLOCK BOUNDED BY 9TH, 10TH, HILL AND VAN DORN STREETS - CLERK read an ordinance, introduced by Patte Newman, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 06017 - APPLICATION OF THE DIRECTOR OF URBAN DEVELOPMENT DEPARTMENT FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT, O-2 SUBURBAN OFFICE DISTRICT AND H-2 HIGHWAY BUSINESS DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SOUTH 48TH STREET AND O STREET - CLERK read an ordinance, introduced by Patte Newman, amending the Lincoln District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 06018 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.07.040 AND ADDING NEW SECTIONS 27.03.631 AND 27.63.770 TO DEFINE "TREE SERVICE" AND TO CREATE A SPECIAL PERMIT

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PROVISION IN THE AG AGRICULTURAL DISTRICT TO ALLOW THE LOCATION OF TREE SERVICE BUSINESS ON LAND LOCATED IN THE AG AGRICULTURAL DISTRICT UNDER CERTAIN CONDITIONS - CLERK read an ordinance, introduced by Patte Newman, amending Title 27 of the Lincoln Municipal Code by adding a new section numbered 27.03.633 to provide a definition for "tree service"; amending Section 27.07.040 to add tree service as a permitted special use in the AG Agriculture District; adding a new section numbered 27.63.770 to establish conditions for the approval of tree service as a special permitted use in the AG Agriculture District; and repealing Section 27.07.040 of the Lincoln Municipal Code as hitherto existing, the first time.

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

DECLARING LOTS 3 - 8, BLOCK 3, COTTAGE HOMES ADDITION AS SURPLUS PROPERTY GENERALLY LOCATED AT 15TH AND CLAREMONT STREETS - CLERK read an ordinance, introduced by Dan Marvin, declaring the City-owned property generally located at North 15th and Claremont Streets as surplus and authorizing the sale thereof, the third time.

MARVIN Moved to pass the ordinance as read.

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman. The ordinance, being numbered **#18720**, is recorded in Ordinance Book #25, Page

APPROVING THE HARRISON HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND DEVELOPMENTS UNLIMITED LLP RELATING TO THE ANNEXATION OF APPROXIMATELY 90.58 ACRES, GENERALLY LOCATED AT N. 91ST STREET AND LEIGHTON AVENUE. (RELATED ITEMS: 06R-72, 06-58, 06-59) - PRIOR to reading:

NEWMAN Moved to amend Bill No. 06R-72 by replacing the Harrison Heights Conditional Annexation and Zoning Agreement with the attached substitute Harrison Heights Conditional Annexation and Zoning Agreement.

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

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

A-83831 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled Harrison Heights Conditional Annexation and Zoning Agreement, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Developments Unlimited, LLP, outlining certain conditions and understandings relating to the annexation of approximately 90.58 acres of property generally located at North 89th Street and Leighton Avenue, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Annexation Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return two fully executed copies of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid by the Owner.

Introduced by Dan Marvin

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

ANNEXATION 05017 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 90.6 ACRES OF PROPERTY GENERALLY LOCATED AT 91ST STREET AND LEIGHTON AVENUE. (RELATED ITEMS: 06R-72, 06-58, 06-59) - 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 third time.

MARVIN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#18721**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05074 - APPLICATION OF RIDGE DEVELOPMENT COMPANY FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 91ST STREET AND LEIGHTON AVENUE. (RELATED ITEMS: 06R-72, 06-58, 06-59) - CLERK read an ordinance, introduced by

Dan Marvin, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

MARVIN Moved to pass the ordinance as read.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered #18722, is recorded in Ordinance Book #25, Page

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY LANDON OSBORNE FOR INSTALLATION OF A FENCE/WALL AT 1840 E STREET. (4/10/06 - ACTION DELAYED 1 WK TO 4/17/06) (4/17/06 - ACTION DELAYED 1 WK. TO 4/24/06) (REQUEST TO DELAY ACTION 1 WK. TO 5/1/06) (ACTION DELAYED FOR 1 WK. TO 5/01/06, 6-0) - PRIOR to reading:

COOK Moved to delay action on Bill No. 06R-66 for one week to 5/01/06.
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Marvin, McRoy, Newman, Svoboda; NAYS: None; ABSENT: Eschliman.

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to May 1, 2006.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on May 1, 2006.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

ADJOURNMENT 8:00 P.M.

CAMP Moved to adjourn the City Council meeting of April 24, 2006.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.
So ordered.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant

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