

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 5, 2007 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.

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

COOK Having been appointed to read the minutes of the City Council proceedings of February 26, 2007, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF FU SHUN, INC. DBA IMPERIAL PALACE FOR A CLASS I LIQUOR LICENSE AT 701 N. 27TH STREET;

MANAGER APPLICATION OF XIANG GUAN FOR FU SHUN, INC. DBA IMPERIAL PALACE AT 701 N. 27TH STREET - Sidney H. Sweet, 4220 S. 33rd St., Ste F, attorney representing Fu Shun, Inc., took oath and came forward to answer questions.

Xiang Guan, Manager for Imperial Palace, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF FOODMART II, INC. DBA IGA MARKET PLACE FOR A CLASS D LIQUOR LICENSE AT 4646 W. HUNTINGTON AVE.;

MANAGER APPLICATION OF PETER CLARKE FOR FOODMART II, INC. DBA IGA MARKET PLACE AT 4646 W. HUNTINGTON AVE. - Peter Clarke, Manager of Foodmart II, Inc. took oath and came forward to answer questions.

This matter was taken under advisement.

REPEALING ORDINANCE NO. 18841 CREATING PAVING/RE-PAVING DISTRICT NO. 01 IN NORTH 50TH STREET BETWEEN O AND R STREETS, DUE TO THE LACK OF MAJORITY PETITION - Jon Camp, Council Member, asked Nicole Fleck-Tooze of Public Works & Utilities to come forward to answer questions.

Nicole Fleck-Tooze, Public Works & Utilities, came forward to answer questions. Discussion followed.

Richard Esquivel, 733 W. Cumings Street, came forward to question why HyVee was given money to complete 50th Street.

This matter was taken under advisement.

CHANGE OF ZONE 07004 - AMENDING SECTION 27.69.220 OF THE LINCOLN MUNICIPAL CODE TO REVISE REGULATIONS FOR COMPLEX OR SUBDIVISION AREA IDENTIFICATION SIGNS - Ray Hill, Planning Department, came forward to explain the reason for the proposed amended Section 27.69.220 of the Lincoln Municipal Code.

Danny Walker, 427 "E" Street, came forward to ask who will pay for the additional work by Planning Dept. Discussion followed.

Marvin Krout, Director of Planning Dept., came forward to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 07003 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED N. 84TH STREET AND HAVELOCK AVENUE - Marvin Krout, Director of Planning Department, stated this request was initiated by Planning staff and came forward to explain the proposed amendment to the Lincoln Municipal Code.

This matter was taken under advisement.

MISC. 06012 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LAND SUBDIVISION ORDINANCE BY AMENDING SECTION 26.11.032 TO DELETE THE FILING DEADLINE BEFORE A PRELIMINARY PLAT MAY BE SCHEDULED ON THE PLANNING COMMISSION AGENDA; AND BY AMENDING SECTIONS 26.11.037, 26.11.060 AND 26.31.010 TO PROVIDE THAT ALL APPLICATIONS WHICH HAVE BEEN PLACED ON PENDING BY THE SUBDIVIDER SHALL AUTOMATICALLY EXPIRE ONE YEAR THEREAFTER UNLESS THE SUBDIVIDER REQUESTS THE APPLICATION BE REMOVED FROM PENDING PRIOR TO THE EXPIRATION DATE. (RELATED ITEMS: 07-33, 07-32);

CHANGE OF ZONE 06062 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTIONS 27.27.080, 27.28.090, 27.31.100, 27.37.070, AND 27.51.100 RELATING TO THE O-3 OFFICE PARK DISTRICT, R-T RESIDENTIAL TRANSITION DISTRICT, B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT, B-5 PLANNED REGIONAL BUSINESS DISTRICT, I-3 EMPLOYMENT CENTER DISTRICT, RESPECTIVELY; AMENDING SECTION 27.60.040 RELATING TO PLANNED UNIT DEVELOPMENTS; AMENDING SECTION 27.63.020 RELATING TO SPECIAL PERMITS; AMENDING SECTION 27.65.030 RELATING TO COMMUNITY UNIT PLANS; AND AMENDING SECTION 27.81.040 RELATING TO AMENDMENTS TO THE ZONING CODE; TO PROVIDE THAT ALL APPLICATIONS WHICH HAVE BEEN PLACED ON PENDING BY THE APPLICANT SHALL AUTOMATICALLY EXPIRE ONE YEAR THEREAFTER UNLESS THE APPLICANT REQUESTS THE APPLICATION BE REMOVED FROM PENDING PRIOR TO THE EXPIRATION DATE. (RELATED ITEMS: 07-33, 07-32) - Ray Hill, Planning Department, stated this amendment is to give the Counter Planner more time to get ready for meetings on Friday. Discussion followed.

Marvin Krout, Director of Planning Dept., came forward to answer questions.

This matter was taken under advisement.

DIRECTING THE SUBMISSION OF A PROPOSED GENERAL OBLIGATION BOND ISSUE FOR CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S STORM SEWER AND DRAINAGE SYSTEM AT THE MAY 1, 2007 CITY GENERAL ELECTION. (2/26/05 - P.H. & ACTION CON'T. 1 WK TO 3/5/07)-Nicole Fleck-Tooze, Public Works & Utilities, came forward to present the proposed general obligation bond.

Trish Owens, Chamber of Commerce, came forward in support. Discussion followed.

Coby Mach, LIBA, came forward to express LIBA's concerns of the proposed bond issue. Discussion followed.

Peter Katt, representing LIBA, came forward to state LIBA identified \$2.5 million not needed and requested the amount of the bond be lowered. Discussion followed.

John Cambridge, 3454 Grimsby Lane, came forward in support. Discussion followed.

Bob Wolf, 2672 S. 13th Street, came forward as an engineer in Lincoln in support. Discussion followed.

Steve Larrick, 925 S. 8th Street, came forward in support. Discussion followed.

Ed Patterson, 700 N. 24th Street, came forward in support.

Foster Collins, 2100 Calvert Street, came forward in support. Discussion followed.

Richard Esquivel, 733 W. Cuming, came forward with questions.

Nicole Fleck-Tooze, Public Works & Utilities, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

DIRECTING THE CABLE TELEVISION ADVISORY BOARD TO CONDUCT A PERFORMANCE EVALUATION OF TIME WARNER CABLE PURSUANT TO THE CITY'S CABLE TELEVISION FRANCHISE AGREEMENT - Beth Scarborough, Time Warner Cable, came forward to explain the issues with their Navigator software. Discussion followed.

Ed Patterson, 700 W. 24th Street, came forward to provide his input.

Will Kerns, 2409 Sewell St., came forward to express his dissatisfaction with Time Warner and the Navigator software. Discussion followed.

Diane Pratt, 5441 Pawnee, came forward to request compensation for the difficulties they have had with Time Warner's new software.

Agnes Adams, 822 Dale Drive, came forward to express dissatisfaction of the new software of Time Warner. Discussion followed.

Harley Horton, 2231 W. Millstone Rd., came forward to express dissatisfaction of the Navigator software. Discussion followed.

Danny Walker, 427 "E" Street, came forward to ask why it is necessary to subscribe to Basic Tier to get Channel 5.

Doug Meek, 5420 N. 13th Street, expressed dissatisfaction with customer service and the Navigator software.

Steve Huggenberger, City Asst. Attorney, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPROVING THE CITY'S APPLICATION FOR GRANT ASSISTANCE FROM THE SAFE ROUTES TO SCHOOL PROGRAM TO REPLACE "WALK/DON'T WALK" PEDESTRIAN SIGNAL INDICATIONS WITH "COUNTDOWN" PEDESTRIAN INDICATIONS THROUGHOUT THE CITY AT SPECIFIED LOCATIONS Scott Opfer, Public Works & Utilities, stated this is a grant application to the Department of Roads for \$31,000. The grant will reimburse the City when the signals are replaced. Discussion followed.

Danny Walker, 427 "E" Street, stated the crossing light at 17th and South Street does not allow enough time to cross the street.

This matter was taken under advisement.

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ARTICLE IV, SECTION 12 AND ARTICLE VII, SECTION 2 OF THE CHARTER RELATING TO THE DUTIES OF THE MAYOR AND THE POWERS AND DUTIES OF THE PURCHASING DIVISION, RESPECTIVELY, TO PROVIDE CONTRACTS UP TO \$50,000.00 MAY BE APPROVED BY THE MAYOR AND CONTRACTS GREATER THAN \$50,000.00 MUST BE FORMALLY BID, AND TO REPLACE OUTDATED LANGUAGE - Bill Austin, Erickson & Sederstrom, came forward as the Chair of the Board of Review for the Zucker Report to discuss the proposed Charter amendment.

Vince Mejer, City/County Purchasing Agent, came forward in opposition. He suggested that instead of amending the Charter, Public Works Department be given the purchasing authority up to \$50,000 on certain contracts. Discussion followed.

Dana Roper, City Attorney, came forward to answer questions. Discussion followed.

Danny Walker, 427 "E" Street, came forward in favor of keeping the monetary amount as low as possible. Discussion followed.

This matter was taken under advisement.

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

TOOK BREAK 4:50 P.M.

RECONVENED 5:14 P.M.

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF FU SHUN, INC. DBA IMPERIAL PALACE FOR A CLASS I LIQUOR LICENSE AT 701 N. 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84263 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 Fu Shun, Inc. dba Imperial Palace for a Class "I" liquor license at 701 N. 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2007, 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MANAGER APPLICATION OF XIANG GUAN FOR FU SHUN, INC. DBA IMPERIAL PALACE AT 701 N. 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84264 WHEREAS, Fu Shun, Inc. dba Imperial Palace located at 701 N. 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Xiang Guan be named manager;

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

APPLICATION OF FOODMART II, INC. DBA IGA MARKET PLACE FOR A CLASS D LIQUOR LICENSE AT 4646 W. HUNTINGTON AVE. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval: A-84265 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 Foodmart II, Inc. dba IGA Market Place for a Class "D" liquor license at 4646 W. Huntington Ave., Lincoln, Nebraska, for the license period ending April 30, 2007, 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, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MANAGER APPLICATION OF PETER CLARKE FOR FOODMART II, INC. DBA IGA MARKET PLACE AT 4646 W. HUNTINGTON AVE. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-84266 WHEREAS, Foodmart II, Inc. dba IGA Market Place located at 4646 W. Huntington Ave., Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Peter Clarke be named manager; WHEREAS, Peter Clarke 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 Peter Clarke 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 Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

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

REPEALING ORDINANCE NO. 18841 CREATING PAVING/RE-PAVING DISTRICT NO. 01 IN NORTH 50TH STREET BETWEEN O AND R STREETS, DUE TO THE LACK OF MAJORITY PETITION - CLERK read an ordinance, introduced by Jonathan Cook, repealing Ordinance No. 18841 which created Re-Paving/Paving District No. 01, which district included all that portion of North 50th Street lying between the North curblines of "O" Street, North approximately 800 +/- feet; describing the benefitted property and providing for the payment of the cost thereof, the second time.

CHANGE OF ZONE 07004 - AMENDING SECTION 27.69.220 OF THE LINCOLN MUNICIPAL CODE TO REVISE REGULATIONS FOR COMPLEX OR SUBDIVISION AREA IDENTIFICATION SIGNS - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 27.69.220 of the Lincoln Municipal Code relating to area signs for complexes or subdivision areas to revise regulations for complex or subdivision area identification signs; and repealing Section 27.69.220 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 07003 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED N. 84TH STREET AND HAVELOCK AVENUE - 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 second time.

MISC. 06012 - AMENDING TITLE 26 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LAND SUBDIVISION ORDINANCE BY AMENDING SECTION 26.11.032 TO DELETE THE FILING DEADLINE BEFORE A PRELIMINARY PLAT MAY BE SCHEDULED ON THE PLANNING COMMISSION AGENDA; AND BY AMENDING SECTIONS 26.11.037, 26.11.060 AND 26.31.010 TO PROVIDE THAT ALL APPLICATIONS WHICH HAVE BEEN PLACED ON PENDING BY THE SUBDIVIDER SHALL AUTOMATICALLY EXPIRE ONE YEAR THEREAFTER UNLESS THE SUBDIVIDER REQUESTS THE APPLICATION BE REMOVED FROM PENDING PRIOR TO THE EXPIRATION DATE. (RELATED ITEMS: 07-33, 07-32) - CLERK read an ordinance, introduced by Jonathan Cook, amending Title 26 of the Lincoln Municipal Code relating to the Land Subdivision Ordinance by amending Section 26.11.032 to delete the filing deadline before a preliminary plat may be scheduled on the Planning Commission agenda; and by amending Sections 26.11.037, 26.11.060 and 26.31.010 to provide that all applications which have been placed on pending by the subdivider shall automatically expire one year thereafter unless the subdivider requests the application be removed from pending prior to the expiration date; and repealing Sections 26.11.032, 26.11.037, 26.11.060, and 26.31.010 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 06062 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO ZONING BY AMENDING SECTIONS 27.27.080, 27.28.090, 27.31.100, 27.37.070, AND 27.51.100 RELATING TO THE O-3 OFFICE PARK DISTRICT, R-T RESIDENTIAL TRANSITION DISTRICT, B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT, B-5 PLANNED REGIONAL BUSINESS DISTRICT, I-3 EMPLOYMENT CENTER DISTRICT, RESPECTIVELY; AMENDING SECTION 27.60.040 RELATING TO PLANNED UNIT DEVELOPMENTS; AMENDING SECTION 27.63.020 RELATING TO SPECIAL PERMITS; AMENDING SECTION 27.65.030 RELATING TO COMMUNITY UNIT PLANS; AND AMENDING SECTION 27.81.040 RELATING TO AMENDMENTS TO THE ZONING CODE; TO PROVIDE THAT ALL APPLICATIONS WHICH HAVE BEEN PLACED ON PENDING BY THE APPLICANT SHALL AUTOMATICALLY EXPIRE ONE YEAR THEREAFTER UNLESS THE APPLICANT REQUESTS THE APPLICATION BE REMOVED FROM PENDING PRIOR TO THE EXPIRATION DATE. (RELATED ITEMS: 07-33, 07-32) - CLERK read an ordinance, introduced by Jonathan Cook, amending Title 27 of the Lincoln Municipal Code relating to Zoning by amending Sections 27.27.080, 27.28.090, 27.31.100, 27.37.070, and 27.51.100 relating to the O-3 Office Park District, R-T Residential Transition District, B-2 Planned Neighborhood Business District, B-5 Planned Regional Business District, I-3 Employment Center District, respectively, by amending said sections to provide that all applications which have been placed on pending by the applicant shall automatically expire one year thereafter unless the applicant requests the application be removed from pending prior to the expiration date; amending Section 27.60.040 relating to Planned Unit Developments to provide that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending; amending Section 27.63.020 relating to Special Permits to provide that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending; amending Section 27.65.030 relating to Community Unit Plans to provide that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending; and amending Section 27.81.040 relating to amendments to the Zoning Code to provide that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending; and repealing Sections 27.27.080, 27.28.090, 27.31.100, 27.37.070, 27.51.100, 27.60.040, 27.63.020, 27.65.030 and 27.81.040 of the Lincoln Municipal Code as hitherto existing, the second time.

RESOLUTIONS

DIRECTING THE SUBMISSION OF A PROPOSED GENERAL OBLIGATION BOND ISSUE FOR CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S STORM SEWER AND DRAINAGE SYSTEM AT THE MAY 1, 2007 CITY GENERAL ELECTION. (2/26/05 - P.H. & ACTION CON'T. 1 WK TO 3/5/07) - PRIOR to reading:

CAMP Moved to defer the vote on 07R-46 until the end of the voting session when further information will be brought forward.

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

MARVIN Moved to amend Bill No. 07R-46 on page 1, Section 1, paragraph b. by changing "not less than \$11,600,000" to \$8,300,000 and "not to exceed \$11,830,000" to \$8,500,000. Also, on page 2 on the Official Ballot change "not to exceed \$11,830,000" to not to exceed \$8,500,000.

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

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

A-84267 WHEREAS, in order to fund necessary improvements to and extensions of the City of Lincoln's existing storm water drainage and flood management system, and measures to achieve federal and state water quality standards, it is necessary to issue general obligation bonds and to levy a tax for the payment thereof; and

WHEREAS, it is in the best interests of the City to present the question of the issuance of such bonds and the levying of a tax to pay the same to the electors of the City at the city general election to be held by the City on Tuesday, May 1, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City as follows:

Section 1. The Council hereby finds and determines that:

a. It is necessary, desirable, advisable and in the best interests of the City to design, engineer, acquire, construct and/or furnish improvements to and extensions of its existing storm water drainage and flood management system, and measures to achieve federal and state water quality standards which improvements, extensions and measures (collectively, the Improvements) shall include, but shall not necessarily be limited to, some or all of the improvements, extensions and measures generally described in Attachment 1 appended hereto and made a part hereof by reference.

b. The estimated cost to the City of completing the Improvements will be not less than ~~\$11,600,000~~ \$8,300,000, and in order to finance the cost thereof, it will be necessary for the City to issue its general obligation bonds in the principal amount of not to exceed ~~\$11,830,000~~ \$8,500,000, such bonds to be dated at the time of their issuance, and to become due and payable on such dates, bear interest at such rates, and to have such other terms as may be fixed by the City at the time of their issuance.

c. It will be necessary to cause to be levied and collected annually a tax in addition to all other taxes upon the taxable property in the City sufficient to pay the principal and interest accruing on such general obligation bonds as the same become due.

d. It is in the best interests of the citizens of the City to present the question of the issuance of such general obligation bonds and the levying of a tax to pay the same to the duly qualified electors of the City at the city general election to be held on Tuesday, May 1, 2007.

Section 2. The following proposition shall be submitted to the qualified electors of the City at the city general election to be held on Tuesday, May 1, 2007.

(FORM OF BALLOT)

STORMWATER IMPROVEMENT BOND ISSUE

STATE OF NEBRASKA

CITY OF LINCOLN

OFFICIAL BALLOT

CITY GENERAL ELECTION - TUESDAY, MAY 1, 2007.

GENERAL OBLIGATION BONDS

“SHALL THE CITY OF LINCOLN, NEBRASKA, ISSUE ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ~~\$11,830,000~~ \$8,500,000 FOR THE PURPOSE OF PAYING COSTS INCIDENT TO ENGINEERING, ACQUIRING, CONSTRUCTING AND/OR FURNISHING IMPROVEMENTS TO AND EXTENSIONS OF THE CITY’S STORMWATER DRAINAGE AND FLOOD MANAGEMENT SYSTEM AND MEASURES TO ACHIEVE STATE AND FEDERAL WATER QUALITY STANDARDS; SUCH BONDS TO BE DATED AT THE TIME OF THEIR ISSUANCE AND TO BECOME DUE AND PAYABLE ON SUCH DATES, BEAR INTEREST AT SUCH RATES, AND HAVE SUCH OTHER TERMS AS MAY BE FIXED BY THE CITY AT THE TIME OF THEIR ISSUANCE; AND
“SHALL THE CITY CAUSE TO BE LEVIED AND COLLECTED ANNUALLY A TAX IN ADDITION TO ALL OTHER TAXES UPON THE TAXABLE PROPERTY IN THE CITY SUFFICIENT IN RATE AND AMOUNT TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THE SAME BECOME DUE AND PAYABLE?”

VOTE FOR or AGAINST

- FOR said General Obligation Bonds and Tax Levy.
- AGAINST said General Obligation Bonds and Tax Levy.

Voters desiring to vote in favor of the proposition shall mark in the square opposite the words FOR said General Obligation Bonds and Tax Levy. Voters desiring to vote against the proposition shall mark in the square opposite the words “AGAINST said General Obligation Bonds and Tax Levy.”

Section 3. The Clerk shall cause a notice of such election to be given as provided by Article III, Section 1 of the Charter of the City; and the Mayor shall be and hereby is directed to proclaim and give notice that at the general election to be held by and in the City on Tuesday, May 1, 2007, there will be submitted to the qualified electors of the City, for adoption or rejection, the general obligation bond authorization question set forth in paragraph 2 hereof; and the Clerk is further directed to publish said proclamation as provided by law.

Section 4. Such city general election will be held in each election district within the City and at the polling places designated by the Election Commissioner of Lancaster County, Nebraska (the Election Commissioner).

Section 5. The Clerk is further directed to notify the Election Commissioner for such city general election and the general obligation bond authorization question set forth in Section 2 hereof, and to procure the necessary ballots and make all other necessary arrangements for the same.

Section 6. The polling places for such city general election shall be open from 8:00 a.m. to 8:00 p.m. on Tuesday, May 1, 2007, and a copy of the general obligation bond authorization question to be submitted shall be posted at each place of voting during the hours said polls are open.

Section 7. Such city general election shall be conducted in accordance with the Charter of the City and the laws of the State of Nebraska applicable to such elections for cities of the primary class, and the ballots shall be counted, the returns made, and the results canvassed as provided for by law, and all such steps shall be taken as are provided by law in the ascertainment of the results of said election.

Introduced by Jon Camp

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

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 1 - 15, 2007- CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84268 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 February 16, 2007, 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>	
State Farm Insurance (Claim No. 27-7735-503)	\$1,657.32	Richard Kister	\$10,000.00
Melissa Harrington	NAS*	Georgia Love	35.00
Ray Farley	240.00	George Veomett & Marilyn Veomett	2,600.00
Judith Koss	NAS*	Steve Zechmann	375.00
Dorisjune Craig	115.84	Jennifer Deaton	4,207.25
Amy R. Pigg	76.99	Bryan Brandenburgh	1,974.90
Rich Pfeiffer	60.00		
DeLoris A. McGinnis	NAS*		
Stuart Vculek	107.00		
Veronica Swim	NAS*		
Mark Lugin	70.98		

* 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 Jonathan Cook

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

DIRECTING THE CABLE TELEVISION ADVISORY BOARD TO CONDUCT A PERFORMANCE EVALUATION OF TIME WARNER CABLE PURSUANT TO THE CITY'S CABLE TELEVISION FRANCHISE AGREEMENT- CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84269 WHEREAS, the number of cable television customer complaints to the City has increased significantly since Time Warner Cable's decision to change its channel guide and DVR software last fall, dropping the contracted-for Passport service in favor of the company-created Navigator; and

WHEREAS, Time Warner Cable has not over the last several months been able to correct many of the technical difficulties with the Navigator service nor has it provided customers with any price reductions for the widespread failures and malfunctions; and

WHEREAS, Time Warner Cable is using Lincoln customers as test subjects for poorly engineered and poorly tested software; and

WHEREAS, Section 4.5 of the City's Cable Television Franchise Agreement with Time Warner Cable allows the City to hold Performance Evaluations; and

WHEREAS, the City has not yet held a Performance Evaluation related to the current cable television franchise.

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

1. That a Performance Evaluation pursuant to Section 4.5 of the Cable Television Franchise Agreement be conducted by the Cable Television Advisory Board as soon as that Board can schedule such evaluation.

2. That the City Law Department review the performance of Time Warner Cable related to any possible franchise violations, FCC violations, or any other regulatory infraction.

3. That the topics for the Performance Evaluation by the Cable Television Advisory Board shall include an examination of:

- a) the introduction of the Navigator service,
- b) the current status of the Navigator service,
- c) the efforts undertaken by Time Warner Cable to resolve the customer complaints related to the Navigator service,
- d) what should be done to fairly compensate customers for service failures, and
- e) any other technical or customer service issue as determined by the Cable Television Advisory Board.

4. That upon completion of the evaluation by the Cable Television Advisory Board and the review by the City Law Department, a report shall be made to the City Council of the findings of such evaluation and review, along with any recommendations.

5. That the City Clerk is directed to send a copy of this Resolution to Elizabeth Scarborough, President-Nebraska Division, Time Warner Entertainment - Advance/Newhouse Partnership, 5400 South 16th Street, Lincoln, Nebraska 68512.

Introduced by Jonathan Cook

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

APPROVING THE CITY'S APPLICATION FOR GRANT ASSISTANCE FROM THE SAFE ROUTES TO SCHOOL PROGRAM TO REPLACE "WALK/DON'T WALK" PEDESTRIAN SIGNAL INDICATIONS WITH "COUNTDOWN" PEDESTRIAN INDICATIONS THROUGHOUT THE CITY AT SPECIFIED LOCATIONS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84270 WHEREAS, the City of Lincoln, desires to apply for assistance in the form of a grant from the U.S. Department of Transportation's SAFE ROUTES TO SCHOOL PROGRAM for the purpose of implementing a city-wide plan to replace existing "WALK/DON'T WALK" pedestrian indications with new "Countdown" pedestrian indications at traffic signalized intersections/school crossings; and

WHEREAS, in the interest of providing for the safety and welfare of the pedestrians of the City of Lincoln, it is advisable that pedestrian countdown signal indications should be replaced at various locations around the City; and

WHEREAS, the City of Lincoln is willing to advance funds to finance the project until reimbursed by the grant from the U.S. Department of Transportation's SAFE ROUTES TO SCHOOL PROGRAM, and will be capable of operating, maintaining, and managing the completed project in a safe manner for public use; and

WHEREAS, the City of Lincoln will not undertake and advance funds to finance this project until the City's application for the grant from the SAFE ROUTES TO SCHOOL PROGRAM is approved by the U.S. Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that the City of Lincoln is authorized to apply for assistance from the SAFE ROUTES TO SCHOOL PROGRAM for the purpose of replacing 656 pedestrian signal indications with new "Countdown" indications throughout the City.

Introduced by Jonathan Cook

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

DIRECTING SUBMITTAL TO THE QUALIFIED ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ARTICLE IV, SECTION 12 AND ARTICLE VII, SECTION 2 OF THE CHARTER RELATING TO THE DUTIES OF THE MAYOR AND THE POWERS AND DUTIES OF THE PURCHASING DIVISION, RESPECTIVELY, TO PROVIDE CONTRACTS UP TO \$50,000.00 MAY BE APPROVED BY THE MAYOR AND CONTRACTS GREATER THAN \$50,000.00 MUST BE FORMALLY BID, AND TO REPLACE OUTDATED LANGUAGE - PRIOR to reading:

ESCHLIMAN Moved to change Bill No. 07R-57 by changing the amount of "\$50,000" to \$25,000 and to deal with employee abuse of the bid process through personnel regulations.

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

CLERK Read the following resolution, introduced by Jonathan Cook, who moved its adoption as amended:

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

The resolution, having **LOST**, was assigned the File #38-4551 & was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MARCH 26, 2007 AT 5:30 P.M. FOR THE APPLICATION OF LINCOLN HOLDINGS LTD DBA OSO BURRITO FOR A CLASS I LIQUOR LICENSE LOCATED AT 2840 S. 70TH STREET - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84271 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 26, 2007 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 Lincoln Holdings LTD dba OSO Burrrito for a Class I liquor license located at 2840 S. 70th Street.

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

Introduced by Robin Eschliman

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

SETTING THE HEARING DATE OF MONDAY, MARCH 26, 2007 AT 5:30 P.M. FOR THE APPLICATION OF STAR CITY HOCKEY, LLC LINCOLN STARS FOR A CLASS I LIQUOR LICENSE LOCATED AT 1800 STATE FAIR PARK DRIVE - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84272 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 26, 2007 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 Star City Hockey, LLC dba Lincoln Stars for a Class I liquor license located at 1800 State Fair Park Drive.

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

Introduced by Robin Eschliman

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

SETTING THE HEARING DATE OF MONDAY, MARCH 26, 2007 AT 5:30 P.M. FOR THE APPLICATION OF METRO DIVERSIFIED INC. DBA THE OFFICE GENTLEMEN'S CLUB FOR A CLASS C LIQUOR LICENSE LOCATED AT 640 W. PROSPECTOR COURT, SUITE 2 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84273 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 26, 2007 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 Metro Diversified, Inc. dba The Office Gentlemen's Club for a Class C liquor license located at 640 W. Prospector Court, Suite #2.

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

Introduced by Robin Eschliman

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

THE FOLLOWING HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 07008 - App. of Olsson Associates for a change from I-2 Industrial Park Dist. to B-1 Local Business Dist. on property located at NW 48th Street and W Adams Street.

Change of Zone 07009 - App. of Director of Planning for a change from P Public Use Dist. to R-1 Residential Dist. on property located at Sundance Drive and Campfire Circle.

Change of Zone 07010 - App. of Peter Katt for a change from AG Agricultural Dist. to AGR Agricultural Residential Dist. on property located at 134th Street and A Street.

MISCELLANEOUS REFERRALS - NONE

REPORTS OF CITY OFFICERS

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED JANUARY 31, 2007 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84274 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended January 31, 2007, \$600,870.23 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 ratio that such balance bears to the total of all fund balances.

Introduced by Robin Eschliman

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

THE CITY OF LINCOLN'S AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED AUGUST 31, 2006 - CLERK presented said report which was placed on file in the Office of the City Clerk. (3)

REPORT OF CITY TREASURER OF INVESTMENT ACTIVITY FOR THE FIRST QUARTER, FISCAL YEAR 2006-07 - CLERK read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84275 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the Investment Activity report and 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 Robin Eschliman

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

REAPPOINTING THOMAS SADDLER AND MARY ANNE WELLS TO THE URBAN DESIGN COMMITTEE FOR THREE-YEAR TERMS EXPIRING FEBRUARY 1, 2010 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84276 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Thomas Saddler and Mary Anne Wells to the Urban Design Committee for three-year terms expiring February 1, 2010, is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING JANICE DRIESBACH, KAREN HAND, ROBERT RIPLEY, AND JOE TIDBALL TO THE PARKS AND RECREATION ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING APRIL 27, 2010 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84277 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Janice Driesbach, Karen Hand, Robert Ripley, and Joe Tidball to the Parks and Recreation Advisory Board for three-year terms expiring April 27, 2010 is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING RUSS BAYER TO THE EMERGENCY MEDICAL SERVICES, INC. BOARD OF DIRECTORS FOR A THREE-YEAR TERM EXPIRING MARCH 28, 2010 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84278 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Russ Bayer to the Emergency Medical Services, Inc. Board of Directors for a three-year term expiring March 28, 2010 is hereby approved.

Introduced by Jonathan Cook

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

REAPPOINTING CHRISTI CHAVES TO THE EMERGENCY MEDICAL SERVICES, INC. BOARD OF DIRECTORS FOR A THREE-YEAR TERM EXPIRING MARCH 28, 2010 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-84279 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Christi Chaves to the Emergency Medical Services, Inc. Board of Directors for a three-year term expiring March 28, 2010 is hereby approved.

Introduced by Jonathan Cook

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

ORDINANCES - 1ST READING & RELATED RESOLUTIONS - NONE

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

AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT WITH UNION BANK & TRUST COMPANY, LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$6,000,000 FOR THE ACQUISITION BY THE CITY OF STREET LIGHTING EQUIPMENT - CLERK read an ordinance, introduced by Ken Svoboda, authorizing and approving a Lease-Purchase Agreement among the City, Union Bank & Trust Company, as Lessor, and Union Bank & Trust Company, as Registrar and Paying Agent, with respect to the purchase and installation of street light poles and related equipment; approving the issuance, sale and delivery by the Lessor of not to exceed \$6,000,000 aggregate principal amount of certificates of participation in such lease; fixing in part and providing for the fixing in part of certain provisions of the lease; and related matters, the third time.

SVOBODA Moved to pass the ordinance as read.

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

The ordinance, being numbered #18891, is recorded in Ordinance Book #25, Page

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A NORTH 56TH STREET AND ARBOR ROAD REDEVELOPMENT PLAN SUB-PROJECT AREA A TAX ALLOCATION BOND, SERIES 2007 IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$975,000 - CLERK read an ordinance, introduced by Jon Camp, AN ORDINANCE authorizing and providing for the issuance of a City of Lincoln, Nebraska Tax Allocation Bond, Series 2007, in a total principal amount not to exceed \$975,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within sub-project Area A in the City's North 56th Street and Arbor Road Redevelopment Plan, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bond; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bond as the same become due; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bond not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered #18892, is recorded in Ordinance Book #25, Page

APPROVING THE SALT CREEK 100-YEAR FLOODPRONE AREAS AND REVISED FLOODWAY AS THE BEST AVAILABLE INFORMATION FOR LOCAL FLOOD REGULATION PURPOSES. (RELATED ITEMS: 07R-45, 07-26) (ACTION DATE: 3/5/07)- CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-84280 WHEREAS, on May 10, 2004 the Lincoln City Council adopted Flood Standards for New Growth Areas; and

WHEREAS, on December 5, 2005 the Lincoln City Council adopted text changes to Flood Standards for Existing Urban Areas; and

WHEREAS, the Flood Standards for New Growth Areas and the Flood Standards for Existing Urban Areas identify the regulation of Floodprone Areas and revised Floodway as determined by hydrologic and hydraulic studies completed by the City of Lincoln or other governmental agency, or other acceptable source as approved by the City where this is the best available information; and

WHEREAS, the Mayor's Floodplain Task Force recommended "a new, comprehensive floodplain study and FEMA floodplain mapping effort" for Salt Creek; and

WHEREAS, the City is a Federal Emergency Management Agency (FEMA) cooperating technical partner and has contracted with a consultant to develop revised floodplain mapping for Salt Creek which is a cooperative effort of the City and the Lower Platte South Natural Resources District; and

WHEREAS, a licensed engineer has certified that the work was completed in compliance with the provisions contained in FEMA's Guidelines and Specifications for Flood Hazard Mapping Partners, and the City has submitted a Flood Insurance Rate Map Physical Map Revision application to FEMA for Salt Creek; and

WHEREAS, identifying the best available information is in the public interest and intended to protect the public health, safety, and welfare; and

WHEREAS, on March 5, 2007 the City Council adopted Ordinance No. 18893, revisions to Chapter 27.52 'Flood Regulations for Existing Urban Area', as a companion ordinance for the Salt Creek Floodprone Areas and revised Floodway to insure that the specified amount of flood storage in each Flood Storage Area as shown on Attachment 2, is preserved by limiting the percentage of allowable fill.

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

That the Salt Creek Floodprone Areas and revised Floodway, as shown on Attachments 1 and 2, are hereby adopted as the best available information and shall be utilized as the best available information in any circumstance where this information is more restrictive than the FEMA Floodplain or Floodway, until such time as the City of Lincoln adopts the revised FEMA Floodplain Map for Salt Creek.

Introduced by Jon Camp

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

CHANGE OF ZONE 07001 - AMENDING CHAPTER 27.52 OF THE LINCOLN MUNICIPAL CODE RELATING TO FLOOD REGULATIONS FOR EXISTING URBAN AREA BY AMENDING SECTION 27.52.020 TO ADD DEFINITIONS FOR 100-YEAR FLOOD ELEVATION, DEVELOPMENT AREA, FILL, FLOOD STORAGE AREA OR SALT CREEK FLOOD STORAGE AREA, PERCENTAGE OF ALLOWABLE FILL, AND SINGLE-FAMILY RESIDENTIAL BUILDING, AND BY ADDING A NEW SECTION 27.52.035 TO ADOPT STANDARDS FOR DEVELOPMENT WITHIN THE SALT CREEK FLOOD STORAGE AREAS. (RELATED ITEMS: 07R-45, 07-26) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.52 of the Lincoln Municipal Code relating to Flood Regulations for Existing Urban Area by amending Section 27.52.020 to add definitions for 100-year Flood Elevation, Development Area, Fill, Flood Storage Area or Salt Creek Flood Storage Area, Percentage of Allowable Fill, and Single-Family Residential Building; by adding a new section numbered 27.52.035 to adopt standards for development within the Salt Creek Flood Storage Areas; and by repealing Section 27.52.020 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.

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

The ordinance, being numbered #18893, 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 March 12, 2007.

Seconded by Cook & 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 March 12, 2007.

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

REGULAR MEETING
February 26, 2007
Page 150

ADJOURNMENT 5:49 P.M.

CAMP Moved to adjourn the City Council meeting of March 5, 2007.
 Seconded by Cook & carried by the following vote: AYES: Camp, Cook,
 Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.
 So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant