

**DIRECTOR'S MEETING  
MONDAY, DECEMBER 3, 2001 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. NEWS ADVISORY - RE: Mayor Don Wesely will present the End Hunger Awards at 9:15 a.m., Tuesday, November 20<sup>th</sup> (Council received their copies on 11/19/01) (See Release).
- \*2. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For October (See Release).
- \*3. NEWS RELEASE - RE: Mayor Presents "End Hunger" Awards (See Release).
- \*4. NEWS ADVISORY - RE: Mayor Don Wesely will help dedicate StarTran's 20 new low-floor accessible buses at 10:00 a.m., Wednesday, November 21<sup>st</sup> (See Release).
- 5. NEWS ADVISORY - RE: Mayor Don Wesely and Fire Chief Mike Spadt will provide an update on ambulance service at a news conference at 9:30 a.m., Thursday, November 29<sup>th</sup> (See Release).
- 6. NEWS RELEASE - RE: Separation Of Yard Waste Ends December 1<sup>st</sup> (See Release).
- 7. NEWS RELEASE - RE: City To Recycle Trees For 15<sup>th</sup> Year (See Release).

**II. CITY CLERK**

- \*1. Material from City Clerk Joan Ross - RE: Resolution – #20 (On the Agenda for 11/26/01) (See Resolution).
- \*2. Letter from Ron E. Ross, P.E., President, Ross Engineering Inc. (brought into Council Office by City Clerk Joan Ross) – RE: Carroll M5 Industrial Park - Preliminary Plat No. 01007 - No. 26<sup>th</sup> Street and Cleveland Avenue - REI Project No. 128301-B (On the Agenda for 11/26/01) (See Letter).

### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS

##### ANNETTE McROY

1. OUTSTANDING Request to Public Works & Utilities Department - RE: When will Sherwood Drive be surfaced (RFI#82 - 11/9/01)
2. OUTSTANDING Request to Public Works & Utilities Department - RE: Two Things – Semi Trucks not using the new and improved “X” Street & the Sidewalk from the North Bottoms to Oak Lake scheduled for completion (RFI#83 - 11/9/01)
3. Request to Public Works & Utilities Department/Urban Development Department - RE: “R” Street concerns (RFI#84 - 11/26/01)

##### JONATHAN COOK

1. OUTSTANDING Request to Public Works & Utilities Department - RE: Van Dorn Street, 33<sup>rd</sup> to 40<sup>th</sup> Streets - Speed Limit, Parking, and Arterial Status (RFI#59 - 10/18/01)
2. OUTSTANDING Request to Public Works & Utilities Department, Jim Visger - RE: Extending width of paving for walking area (RFI#61 - 11/5/01)
3. Request to Health Department/Police Department - RE: Response to dog barking complaints (RFI#62 - 11/26/01)

##### TERRY WERNER

1. OUTSTANDING Request to Law Department - RE: What sort of procedure would it take to add to the Wheel Tax? (RFI#29 - 10/30/01)
2. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works & Utilities Department - RE: Train Complaint (RFI#30 - 10/30/01). — **1.) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#30 - 11/26/01**
3. Information from Terry Werner to Council - RE: Cigarette butt litter (See attached information).

## **KEN SVOBODA**

1. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works & Utilities Director - RE: Storm channel drainage at 26<sup>th</sup> & Superior (RFI#6 - 11/07/01). — **1.) SEE RESPONSE FROM CHARLES BAKER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#6 - 11/26/01**

## **COLEEN SENG**

1. Request to Public Works, StarTran - RE: Problems with the Taxi Service provided by the Handivan Services (RFI#878 - 11/19/01)
2. Request to Public Works & Utilities Department - RE: Curb repair at 67<sup>th</sup> - 68<sup>th</sup> & Adams (RFI#879 - 11/19/01)

## **JON CAMP**

1. Letter from Shirley McDaniel to Jon Camp - RE: Complaint with regard to the parking meters on Saturday morning (See Letter).

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **FINANCE/CITY TREASURER**

- \*1. Material from Don Herz & Melinda L. Jones - RE: Resolution & Finance Department Treasurer Of Lincoln, Nebraska Investments Purchased Between November 13 and November 16, 2001.
2. Material from Don Herz & Melinda J. Jones - RE: Resolution & Finance Department treasurer Of Lincoln, Nebraska Investments Purchased Between November 19 and November 21, 2001.
3. Material from Joan E. Ross, City Clerk & Melinda J. Jones, City Treasurer – RE: Monthly City Cash Report & City of Lincoln-Pledged Collateral Statement - October 31, 2001.

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Clean Sweep Kids Win First Place National Award - Star City Holiday Parade Litter Free Effort Best In The Nation (See Release).
2. NEWS RELEASE - RE: 185 Volunteers Make Star City Holiday Parade Litter Free (See Release).

## **LIBRARY**

- \*1. Director's Report - Lincoln City Libraries - Statistical Report - Monthly Categorical Report - Fund Balances - October 2001.

## **PLANNING**

- \*1. Annexation by Ordinance - Effective Date: November 20, 2001 - Ordinance No. 17927 - 275.63 Acres.

## **PLANNING COMMISSION FINAL ACTION . . . . .**

1. Special Permit No. 1582A (Amendment to wireless facility fall zone - No. 69<sup>th</sup> & Seward Avenue - Resolution No. PC-00722.
2. Special Permit No. 1947 (Wireless facility - northeast of 33<sup>rd</sup> & "O" Streets) Resolution No. PC-00723.
3. Special Permit No. 1949 (Child Care Facility -3341 Pioneers Blvd.) Resolution No. PC-00724.
4. Special Permit No. 1950 (Wireless rooftop antenna - Union Bank - 6801 South 27<sup>th</sup> Street) Resolution No. PC-00725.
5. Final Plat No. 01030 - Corrected Hartland Homes East 4<sup>th</sup> Addition (So. 84<sup>th</sup> & Old Cheney Road) Resolution No. PC-00726.

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

- \*1. E-Mail from Scott Opfer to Kathy Weins, Salt Valley View Neighborhood - RE: Warlick & Old Cheney (See E-Mail).
- \*2. Memo from Steve Masters - RE: Negotiations on Moving the Water Reservoir from 84<sup>th</sup> & Hwy 2 (See Memo).
- 3. Public Works & Utilities Advisory - RE: Sign Advisory (See Advisory).
- 4. Reports from Scott Opfer - RE: 1999-2000 Final Reports on the Traffic Studies, Evaluations and Intelligent Transportation Systems (ITS) Planning for Lincoln's Arterial Street System (Council copies placed in their Thursday packets on 11/29/01) (Copy of the Reports on file in the City Council Office).

## **WEED CONTROL AUTHORITY**

1. Combined Weed Program - City Of Lincoln - November 2001 Monthly Report - Noxious Weed Control Authority.

### **C. MISCELLANEOUS**

- \*1. E-Mail from David T. Bentz - RE: A recent discovery of his about an apparently new policy adopted between the Lincoln Police Department and Animal Control Office (See E-Mail).
- \*2. E-Mail from Tony Braga, Consumer Advocate - RE: Equity of Access (See E-Mail).
- \*3. E-Mail from Jim Johnson - RE: Thanks to all seven of you for your spirited debate on redistricting (See E-Mail).
- \*4. E-Mail from Peggy Struwe, President of the Hawley Area Neighborhood Association - RE: Redistricting (See E-Mail).
- \*5. E-Mail from Dan Haase - RE: Council v. Citizen Werner (See E-Mail).
- \*6. Three E-Mail's - RE: Citizens comments regarding Terry Werner's choice of subject matter at his news conference (See E-Mail's).
- \*7. Letter from Brandon Chrastil - RE: The Salt Creek Tiger Beetle (See Letter).
8. Letter from Walter Hutchison, President - Hutchison Beverages Inc. - DBA Popeyes - RE: Yesterday 25 to 30 used car dealers joined the West "O" Business Association and passed a proposal to have that organization go on record endorsing the special permit to eliminate any setback for cars for sale - this would apply to all dealers on West "O" (See Letters).
9. Letter from Gregory S. Nielsen, Treasurer, Southfork Homeowners Association, Buckley, Sitzman & Nielsen, Certified Public Accountants – RE: The letter of October 30, 2001 from Roger A. Figard regarding the damages done to the property of Southfork Homeowners Association by the 70<sup>th</sup> Street widening project is a feeble attempt to deny culpability (See Letter).
10. E-Mail from Gerald & JoAnn Bartek - RE: Pine Lake Neighborhood - Opposed to the annexation , but wish to be accepted into the City with the stub roads remaining closed (See E-Mail).

11. Letter from Cy Miller to the Members of the Lincoln/Lancaster County Transportation Task Force — RE: Respectfully submitting the following thoughts for you to ponder as you consider the growth of Lincoln, the future movement of traffic and public transportation needs (See Letter).
12. Material from Bob McDowell, Owner, A-1 Pawn Shop (Letter also from other Lincoln Pawnbrokers) – RE: Hereby request the LMC, Section 5.34.050, and Section 5.42.070, be restored to the original language prior to the July 30, 2001 action by the Lincoln City Council, which allows pawn shops forms to be legibly written in ink, and which is identical to Nebraska State Statutes (See Material).
13. E-Mail from Lisa J. Good - RE: Found the site with the “zoning” regarding property at 3023 Arlington (See E-Mail).
14. E-Mail from Lyle Bigley - RE: Has a lot of concerns about increase in traffic on Superior Street (See E-Mail).
15. E-Mail from Lyle Bigley - RE: Has a question about eminent domain (See E-Mail).

#### **IV. DIRECTORS**

#### **V. CITY COUNCIL MEMBERS**

#### **VI. ADJOURNMENT**

**\*HELD OVER FROM NOVEMBER 26, 2001.**



**DIRECTOR'S MEETING  
MINUTES  
MONDAY, DECEMBER 3, 2001  
CONFERENCE ROOM 113**

**Council Members Present:** Annette McRoy, Chair; Jonathan Cook, Vice-Chair; Coleen Seng, Jon Camp, Ken Svoboda, Glenn Friendt, Terry Werner.

**Others Present:** Mayor Don Wesely, Mark Bowen, Ann Harrell, Amy Tejral, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Mark Andersen, Lincoln Journal Star Representative.

**I. MAYOR**

Mayor Don Wesely stated to Council that first, he passed out to them a correspondence dealing with the LB 692 funds. Mayor Wesely stated to Council that these funds are from the tobacco settlement account that they had set up some years ago with legislature and now they are in the position to start releasing some of that money. Mayor Wesely stated to Council that this has been discussed by the Health Board and they have a strategy on how they would like to spend the money, which is outlined in the material that he handed out to them. [Copy of this material is on file in the City Council Office] Mayor Wesely stated to Council that his response to it is to 'okay' that strategy and what he would like to do is sometime after the 1<sup>st</sup> of the year, he would like to have Bruce Dart come in and talk about where they are going with it. Mayor Wesely indicated to Council that he thinks it would be helpful to them, so he is asking to have a Pre-Council Meeting on this issue to discuss it further with them. Ms. McRoy stated to Mayor Wesely that she thinks it is on their schedule. Mayor Wesely stated to Ms. McRoy okay.

Mayor Don Wesely stated to Council that he thinks a Pre-Council Meeting in January regarding the Ambulance Services will be in order. Mayor Wesely stated to Council that they did announce last week that the Ambulance Service has achieved the standards on response time and had reached a 94% response time in 8 minutes or less and like wise their bill collection rate is over 73%. Mayor Wesely stated to Council that they have also hired a Collection Agency, which they'll add to it and they will be on staff here in the next few weeks. So, they are glad to have a chance to come back and go over it with them. Discussion continued with Council and Mayor Wesely on this issue with comments and questions from the Council. After discussion, Council decided that they would like to have two separate Pre-Council Meetings: – #1.) Pre-Council Meeting regarding Ambulance Service and #2.) Pre-Council Meeting regarding the Audit and Financial issue. Mayor Wesely stated to Council that would be great, what ever they want to do is fine with him. Ms. McRoy asked Tammy Grammer to make a note for Joan Ray about scheduling these two separate Pre-Council Meetings on these two issues after the 1<sup>st</sup> of the year. Ms. Grammer stated to Ms. McRoy that she will let Joan [Ray]



know.

Mayor Don Wesely stated to Council that this morning he talked about the “Rococo” event and on December 19<sup>th</sup> [Wednesday] from 4:00 p.m. to 6:00 p.m. is a DLA event. Mayor Wesely stated to Council that they have also asked for a separate event for just Elected Officials. So, they were asking about December 12<sup>th</sup> [Wednesday] from 5:00 p.m. to 7:00 p.m., if Council would be available to attend this special event at the “Rococo”. [Most of the Council Members indicated to Mayor Wesely that December 12<sup>th</sup> would work out for them, but Mr. Friendt stated that he will not be able to attend]. Mayor Wesely stated to Council that he thinks they will like it a lot and indicated that the County Board and the State Senators will be invited as well. Mayor Wesely stated to Council that they will get a formal invite within the next few days for this event.

Mayor Don Wesely stated to Council that at this point the Congress has money in for Antelope Valley that Congressman Bereuter and Senator Ralston have been working on, which is \$1.6 million. Mayor Wesely stated to Council that they had asked for \$2.6 million, so it’s less than what they had hoped for, but with the budget situation they’re still glad to have the help. Mayor Wesely stated to Council that there’s also \$700,000, which had previously been appropriated and so that puts them over \$2 million for the year, which is really substantial.

Mayor Don Wesely stated to Council that they unveiled StarTran’s 20 new low-floor accessible buses and they’re pretty impressive.

Mayor Don Wesely stated to Council that they also had an “End Hunger” Award and he wanted to note that Wende Baker got the lifetime achievement award. Mayor Wesely stated to Council that Wende [Baker] is really spectacular and she has done such a good job for them. Mayor Wesely stated to Council that Scott Young is taking over and he’ll be a great representative too.

Mayor Don Wesely stated to Council that they received some correspondences and one of them deals with the Pawnbroker’s and if they don’t mind, he would like Jim Peschong to come and discuss this issue with them. Mayor Wesely stated to Council that as they recall, they passed an Ordinance change, which required more clarity in the forms that they fill out and there’s some objection to it. Mayor Wesely stated to Council that he thought Jim [Peschong] could shed some light on this issue. Mayor Wesely asked Jim Peschong to come up and discuss this issue with Council. [Jim Peschong passed out some example forms to Council to take a look at] Mr. Peschong went over the example forms that he passed out to them. Mr. Peschong stated to Council that they do have one Pawnbroker who has chosen not to type the slips and he has received a couple of citations and he’s working on that through the Court system from the City Attorney’s Office. Mr.

Peschong stated to Council that they had a problem on handwriting and readability of it, so now they have to type it, so they can read it and know what it is that they do have or that's being pawned. Mr. Peschong stated to Council that it has been a real problem for them for years and they researched around on it from other States. Mr. Werner stated that he would like to bring this forth and hear from the Pawn dealers and asked Mr. Peschong if he would be willing to come to the Public testimony and present this information again. Mr. Peschong stated to Mr. Werner 'yes'. Ms. McRoy asked Dana Roper how would they reconsider this because it hasn't been a year yet. Mr. Roper stated to Ms. McRoy that they would have to have a hearing on it. Mr. Roper stated to Ms. McRoy that a Pre-Council Meeting might be the most appropriate thing because it's the law now. Mr. Roper indicated to Ms. McRoy that they could amend the law and have it up for Public Hearing because it is signed and effective, so they can't reconsider it now that they would have to start over on it and a Pre-Council would be a logical way to do that. Discussion continued with Council and Jim Peschong on this issue with comments and questions from the Council. After an extended discussion, Mayor Wesely stated to Council that they still support this policy change and they think it is working. Ms. McRoy stated that she will call them.

Mayor Don Wesely stated to Council that the Star City Parade is on Saturday and hopefully the weather will hold up for them.

Mayor Don Wesely stated to Council that he did have a chance to go to the announcement of the new State Fair Manager and he comes on board in January. Mayor Wesely stated to Council that he would like to bring him by to met with them at their convenience. Mayor Wesely commented to Council that he has a lot of hope for him, that he seems very sharp and honest. Mayor Wesely stated to Council that he has been in Tulsa for many years at the State Fair and they have a different deal and indicated that they have State Fairs, but they have the Tulsa State Fair and the Open City State Fair. Mayor Wesely stated to Council that he ran the Tulsa State Fair and ran a year-around operation, but he had a 430,000 square foot building and that's just unbelievable. Mayor Wesely stated to Council that he sounds very interested in partnering with the City, the University and the State. Mayor Wesely stated to Council the moment he gets back in January, he had already asked about a chance to met with them. Ms. McRoy stated to Mayor Wesely okay.

Mayor Don Wesely stated to Council the last thing he wanted to do is update them on an item that's on the Agenda, which is the Eminent Domain issue on the Mega-Plex Project. Mayor Wesely stated to Council that they have Douglas Theaters and the developer working out hopefully agreeing to the purchase through that process and that communication is occurring, but they felt in light of the time [inaudible] that they have to take precautionary steps of asking for the moratorium review to be sure in case things don't go. Mayor Wesely stated to Council that things look good now, but you never

know, so that's why this is back and commented again that things haven't gone bad that things are still going well, but just in case they have any problems with it.

- \*1. NEWS ADVISORY - RE: Mayor Don Wesely will present the End Hunger Awards at 9:15 a.m., Tuesday, November 20<sup>th</sup> (Council received their copies on 11/19/01). — NO COMMENTS
- \*2. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For October. — NO COMMENTS
- \*3. NEWS RELEASE - RE: Mayor Presents "End Hunger" Awards. — Mayor Don Wesely mentioned this award during his comments to Council under "I. Mayor". (See that discussion)
- \*4. NEWS ADVISORY - RE: Mayor Don Wesely will help dedicate StarTran's 20 new low-floor accessible buses at 10:00 a.m., Wednesday, November 21<sup>st</sup>. — Mayor Don Wesely mentioned this issue during his comments to Council under "I. Mayor". (See that discussion)
- 5. NEWS ADVISORY - RE: Mayor Don Wesely and Fire Chief Mike Spadt will provide an update on ambulance service at a news conference at 9:30 a.m., Thursday, November 29<sup>th</sup>. — Mayor Don Wesely discussed this issue during his comments to Council under "I. Mayor". (See that discussion).
- 6. NEWS RELEASE - RE: Separation Of Yard Waste Ends December 1<sup>st</sup>. — NO COMMENTS
- 7. NEWS RELEASE - RE: City To Recycle Trees For 15<sup>th</sup> Year. — NO COMMENTS

## **II. CITY CLERK**

City Clerk Joan Ross stated to Council that she doesn't have anything on the Agenda to highlight for them, unless one of them saw something.

Ms. McRoy stated to City Clerk Joan Ross that they just talked about some items before the Director's Meeting that are on the Pending list that they want to delay the Public Hearing to December 17<sup>th</sup>. City Clerk Joan Ross stated to Ms. McRoy okay.

Ray Hill stated to Council that in regards to Item 3 [Vacating the south half of Pine Lake Road west of South 14<sup>th</sup> Street] that on the Fact Sheet it made reference to the fact that the north half of the Pine Lake Road was Pending before the City Council, which they probably recall the Council did vote on vacating only the south half of it and when they did the north half went away. So, if the north half wants to come back they'll have to come back through the process and stated that he just wanted to clarify that Fact Sheet

that the north half is not on their Pending list.

Nicole Fleck-Tooze stated to Council that in regards to Item 31 [Accepting and approving the preliminary plat of Carroll M5 Industrial Park with waivers of the required sidewalks, stormwater detention, and reduction of the minimum centerline radius for curves, on property generally located at North 27<sup>th</sup> Street and Cleveland Avenue] she just wanted to point out to them that the waivers that are before them for reconsideration are the waivers for the stormwater detention and reduction of the minimum centerline radius for curves which they supported and the waivers for the required sidewalks that they do not support.

Mr. Cook asked the Planning Department about an item on the Miscellaneous Referral Sheet regarding the Special Permit No. 1941- [Application of Gerhart Kebraei to be able to park business cars (used car dealership) up front for exposure to the public on property located at 29<sup>th</sup> & Cornhusker] and stated that he was wondering how this item relates to their Special Permit thing that they are dealing with when they talk about it at a Pre-Council Meeting.

Ray Hill stated to Mr. Cook that they are in the process of reviewing a Special Permit for parked vehicles in their front yard around 31<sup>st</sup> & Cornhusker. Mr. Cook asked Mr. Hill so this would be effective by a change, if they made one. Mr. Hill stated to Mr. Cook 'yes' in the new ones, but it depends upon when they would make the change.

[City Clerk Joan Ross comments inaudible - a lot of static background noise on tape, can't understand what she is saying]

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- \*2. Letter from Ron E. Ross, P.E., President, Ross Engineering Inc. (brought into Council Office by City Clerk Joan Ross) – RE: Carroll M5 Industrial Park - Preliminary Plat No. 01007 - No. 26<sup>th</sup> Street and Cleveland Avenue - REI Project No. 128301-B (On the Agenda for 11/26/01). — NO COMMENTS

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS**

##### **ANNETTE McROY**

1. OUTSTANDING Request to Public Works & Utilities Department - RE: When

will Sherwood Drive be surfaced (RFI#82 - 11/9/01). — NO COMMENTS

2. OUTSTANDING Request to Public Works & Utilities Department - RE: Two Things – Semi Trucks not using the new and improved “X” Street & the Sidewalk from the North Bottoms to Oak Lake scheduled for completion (RFI#83 - 11/9/01). — Ms. McRoy stated to Tammy Grammer that this Request For Information (#83) was answered through an E-Mail, so she can remove it from the Agenda. Ms. Grammer stated to Ms. McRoy okay.
3. Request to Public Works & Utilities Department/Urban Development Department - RE: “R” Street concerns (RFI#84 - 11/26/01). — NO COMMENTS

### **JONATHAN COOK**

1. OUTSTANDING Request to Public Works & Utilities Department - RE: Van Dorn Street, 33<sup>rd</sup> to 40<sup>th</sup> Streets - Speed Limit, Parking, and Arterial Status (RFI#59 - 10/18/01). — Mr. Cook stated that he is still waiting for responses to his Requests For Information (RFI#59, RFI#61 & RFI#62).
2. OUTSTANDING Request to Public Works & Utilities Department, Jim Visger - RE: Extending width of paving for walking area (RFI#61 - 11/5/01). — Mr. Cook mentioned this Request For Information (RFI#61) under “A. Council Requests - Jonathan Cook #1”.
3. Request to Health Department/Police Department - RE: Response to dog barking complaints (RFI#62 - 11/26/01). — Mr. Cook mentioned this Request For Information (RFI#62) under “A. Council Requests - Jonathan Cook #1”.

### **TERRY WERNER**

1. OUTSTANDING Request to Law Department - RE: What sort of procedure would it take to add to the Wheel Tax? (RFI#29 - 10/30/01). — Mr. Werner stated to Tammy Grammer that she can remove this Request For Information (#29) off of the Agenda. Ms. Grammer stated to Mr. Werner okay.
2. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works - RE: Train Complaint (RFI#30 - 10/30/01). - **1.) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#30 - 11/26/01.** -- Mr. Cook stated to Council that he also talked to Roger Figard about this problem. Mr. Cook stated that he thinks the time periods (7:00 a.m.- 9:00 a.m. & 4:00 p.m.-6:00 p.m.) that Roger Figard outlined in his letter are too narrow and if there are only four trains a week going on that track, surely they could schedule them for night times or at least late mornings or sometime when it is less

heavy traffic. Mr. Cook stated that he passed his thoughts onto Mr. Figard. Allan Abbott stated to Mr. Cook that he will check on it for him.

3. Information from Terry Werner to Council - RE: Cigarette butt litter. — NO COMMENTS

### **KEN SVOBODA**

1. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works & Utilities Director - RE: Storm channel drainage at 26<sup>th</sup> & Superior (RFI#6 - 11/07/01). — **1.) SEE RESPONSE FROM CHARLES BAKER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#6 - 11/26/01.** — Mr. Svoboda ‘thanked’ the Public Works & Utilities Department for addressing this issue for him. Mr. Svoboda stated to Tammy Grammer that she can remove this Request For Information (#6) off of the Agenda. Ms. Grammer stated to Mr. Svoboda okay.

### **COLEEN SENG**

1. Request to Public Works, StarTran - RE: Problems with the Taxi Service provided by the Handivan Services (RFI#878 - 11/19/01). — NO COMMENTS
2. Request to Public Works & Utilities Department - RE: Curb repair at 67<sup>th</sup> - 68<sup>th</sup> & Adams (RFI#879 - 11/19/01). — Ms. Seng stated to Allan Abbott that if this Request For Information (#879) has not already been answered, she would like him to have his most diplomatic writer correspond with this gentleman. Mr. Abbott stated to Ms. Seng okay.

### **JON CAMP**

1. Letter from Shirley McDaniel to Jon Camp - RE: Complaint with regard to the parking meters on Saturday morning. — NO COMMENTS

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **FINANCE/CITY TREASURER**

- \*1. Material from Don Herz & Melinda L. Jones - RE: Resolution & Finance Department Treasurer Of Lincoln, Nebraska Investments Purchased Between November 13 and November 16, 2001. — Mr. Camp stated to Don Herz that on the interest rates that they are receiving how is this stacking up against their budget and asked if they are starting to loss some of that interest on these reserves. Mr. Herz stated to Mr. Camp that it is clearly not as much as what they had

budgeted he doesn't know exactly how much, but in fact they will probably be sharing that information at the Council Budget Retreat Meeting. Mr. Camp stated to Mr. Herz okay.

2. Material from Don Herz & Melinda J. Jones - RE: Resolution & Finance Department treasurer Of Lincoln, Nebraska Investments Purchased Between November 19 and November 21, 2001. — (See discussion under "III. Correspondence-B. Directors and Department Heads - Finance/City Treasurer #\*1")
3. Material from Joan E. Ross, City Clerk & Melinda J. Jones, City Treasurer – RE: Monthly City Cash Report & City of Lincoln-Pledged Collateral Statement - October 31, 2001. — NOTED WITHOUT COMMENTS

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Clean Sweep Kids Win First Place National Award - Star City Holiday Parade Litter Free Effort Best In The Nation. — Ms. McRoy asked the Health Department if they wanted to talk about this award and stated that they will be performing on Saturday at the Star City Parade. Steve Beal stated to Council that's right, that in fact they will be in the parade on Saturday and Harry Heafer who heads up the "Keep Lincoln & Lancaster County Beautiful Program" has been doing a fantastic job over the years. Mr. Beal stated to Council that having the litter free event is part of the Star City Parade and as a result of that the Health Department's Program was submitted in and they received this National Recognition.
2. NEWS RELEASE - RE: 185 Volunteers Make Star City Holiday Parade Litter Free. — NO COMMENTS

### **LIBRARY**

- \*1. Director's Report - Lincoln City Libraries - Statistical Report - Monthly Categorical Report - Fund Balances - October 2001. — NOTED WITHOUT COMMENTS

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3. Special Permit No. 1949 (Child Care Facility -3341 Pioneers Blvd.) Resolution No. PC-00724. — NO COMMENTS
4. Special Permit No. 1950 (Wireless rooftop antenna - Union Bank - 6801 South 27<sup>th</sup> Street) Resolution No. PC-00725. — NO COMMENTS
5. Final Plat No. 01030 - Corrected Hartland Homes East 4<sup>th</sup> Addition (So. 84<sup>th</sup> & Old Cheney Road) Resolution No. PC-00726. — NO COMMENTS

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

- \*1. E-Mail from Scott Opfer to Kathy Weins, Salt Valley View Neighborhood - RE: Warlick & Old Cheney. — NOTED WITHOUT COMMENTS
- \*2. Memo from Steve Masters - RE: Negotiations on Moving the Water Reservoir from 84<sup>th</sup> & Hwy 2. — NO COMMENTS
3. Public Works & Utilities Advisory - RE: Sign Advisory. — Mr. Cook stated to Allan Abbott that this is a ‘Sign Advisory’ and asked where does it go. Allan Abbott stated to Mr. Cook that this is handed out or put in the doorway, when they go through and there are signs in the right-of-way that they give this to the property owners. Mr. Abbott stated to Mr. Cook that they would put this advisory in the doorway, if the property owner wasn’t at home.  
 Mr. Camp stated to Allan Abbott that he brought up the issue of posters/flyers on poles in the downtown area and he talked to Mike Merwick about it. Mr. Camp asked Mr. Abbott if there’s a consideration on doing anything about all the signs around town on poles. Mr. Abbott stated to Mr. Camp ‘no’, that they can look into it.
4. Reports from Scott Opfer - RE: 1999-2000 Final Reports on the Traffic Studies, Evaluations and Intelligent Transportation Systems (ITS) Planning for Lincoln’s Arterial Street System (Council copies placed in their Thursday packets on 11/29/01) (Copy of the Reports on file in the City Council Office). — Ms. McRoy stated to Council that they got a report on this issue before about a month and a half ago and asked Council if they wanted another Pre-Council Meeting on the



Final Report. Council decided that they didn't need another Pre-Council Meeting on the Final Report.

## **WEED CONTROL AUTHORITY**

1. Combined Weed Program - City Of Lincoln - November 2001 Monthly Report - Noxious Weed Control Authority. — NOTED WITHOUT COMMENTS

## **C. MISCELLANEOUS**

- \*1. E-Mail from David T. Bentz - RE: A recent discovery of his about an apparently new policy adopted between the Lincoln Police Department and Animal Control Office. — Ms. McRoy stated that Mr. Cook did a Request For Information on this E-Mail. Mr. Cook stated that since this gentleman was in his district he sent through a Request For Information on it.
- \*2. E-Mail from Tony Braga, Consumer Advocate - RE: Equity of Access. — NOTED WITHOUT COMMENTS
- \*3. E-Mail from Jim Johnson - RE: Thanks to all seven of you for your spirited debate on redistricting. — NOTED WITHOUT COMMENTS
- \*4. E-Mail from Peggy Struwe, President of the Hawley Area Neighborhood Association - RE: Redistricting. — NOTED WITHOUT COMMENTS
- \*5. E-Mail from Dan Haase - RE: Council v. Citizen Werner. — NOTED WITHOUT COMMENTS
- \*6. Three E-Mail's - RE: Citizens comments regarding Terry Werner's choice of subject matter at his news conference. — Mr. Friendt asked Ms. McRoy why are these E-Mail's not listed separately. Ms. McRoy stated to Mr. Friendt that she thinks generally when correspondences are on the same subject they put them together. Tammy Grammer stated to Mr. Friendt that's correct, so that's why she listed these E-Mail's like this.
- \*7. Letter from Brandon Chrastil - RE: The Salt Creek Tiger Beetle. — Ms. McRoy stated that they have a Pre-Council Meeting scheduled for December 17<sup>th</sup> to discuss this issue. Ann Harrell asked Ms. McRoy if she could let her know the time of the Pre-Council Meeting because the members of the Committee would like to know. Ms. Harrell stated to Ms. McRoy that they meet on Wednesday and she wasn't sure if they would be finished setting the schedule for December 17<sup>th</sup>

by Wednesday morning. Ms. McRoy stated to Ms. Harrell that the Pre-Council schedule is pretty much set right now, unless they have something come in between now and Wednesday, but at this point and time she believes it is scheduled for 4:45 p.m. Ms. McRoy stated to Ms. Harrell that they had requested 15 minutes for it, but she can talk with Joan Ray about it. Ms. Harrell stated to Ms. McRoy okay. Discussion continued on this issue with comments and questions from the Council. After discussion, Ms. Harrell stated to Ms. McRoy that she thinks 30 minutes would be more appropriate for this Pre-Council Meeting. Ms. McRoy stated to Ms. Harrell okay, that she will let Joan Ray know.

8. Letter from Walter Hutchison, President - Hutchison Beverages Inc. - DBA Popeye's - RE: Yesterday 25 to 30 used car dealers joined the West "O" Business Association and passed a proposal to have that organization go on record endorsing the special permit to eliminate any setback for cars for sale - this would apply to all dealers on West "O". — Ms. McRoy stated that the Pre-Council Meeting on the H-3 Zoning is scheduled for December 10<sup>th</sup> after their AllTel Tour, so they want to make sure that they get back in time to have this discussion. Mr. Cook stated that he wanted to make sure that the Planning Department received a copy of this letter. Ray Hill stated to Mr. Cook that 'yes', they did receive a copy of this letter.
9. Letter from Gregory S. Nielsen, Treasurer, Southfork Homeowners Association, Buckley, Sitzman & Nielsen, Certified Public Accountants – RE: The letter of October 30, 2001 from Roger A. Figard regarding the damages done to the property of Southfork Homeowners Association by the 70<sup>th</sup> Street widening project is a feeble attempt to deny culpability. — Ms. McRoy asked Allan Abbott when are they going to resolve this issue because it appears that it has been going on for quite a while. Allan Abbott stated to Ms. McRoy the only thing that can be done is that Roger Figard is going to set up a meeting between him, the contractor and the Association and sit down and see if they can do it face-to-face instead of changing correspondence on it. Ms. McRoy asked Mr. Abbott to keep them updated on this issue. Mr. Abbott stated to Ms. McRoy okay.
10. E-Mail from Gerald & JoAnn Bartek - RE: Pine Lake Neighborhood - Opposed to the annexation , but wish to be accepted into the City with the stub roads remaining closed. — Ms. McRoy stated that they have received a couple of letters this week regarding this issue. Ms. McRoy asked Kathleen Sellman if the Comp. Plan Task Force has copies of the letters or should she forward the letters to her. Ms. Sellman stated to Ms. McRoy that she believes that they have copies of the letters. Ms. McRoy stated to Ms. Sellman okay.
11. Letter from Cy Miller to the Members of the Lincoln/Lancaster County Transportation Task Force — RE: Respectfully submitting the following thoughts

for you to ponder as you consider the growth of Lincoln, the future movement of traffic and public transportation needs. — NOTED WITHOUT COMMENTS

12. Material from Bob McDowell, Owner, A-1 Pawn Shop (Letter also from other Lincoln Pawnbrokers) – RE: Hereby request the LMC, Section 5.34.050, and Section 5.42.070, be restored to the original language prior to the July 30, 2001 action by the Lincoln City Council, which allows pawn shops forms to be legibly written in ink, and which is identical to Nebraska State Statutes. — Ms. McRoy stated that they discussed this issue earlier. Ms. McRoy stated that she will call them and ask them when they could come in as a unit to the Public Session of a Council Meeting. (See that discussion under “I. Mayor”)
13. E-Mail from Lisa J. Good - RE: Found the site with the “zoning” regarding property at 3023 Arlington. — Ms. McRoy asked if somebody could answer this E-Mail. Ray Hill stated to Ms. McRoy that they are checking on it, that he thinks this deals with some privately owned land that happened to be zoned ‘P’ and they have been working with Clint Thomas to figure out just where the City ownership is in that general area. Mr. Hill stated that if it is privately owned it will have to be rezoned and indicated that he talked to the City Attorney’s Office about it and they said that this would have to go through a change of zone process the same as any other change of zone to rezone it to a district, which will most likely be the same as doing a district as a surrounding land, which he believes is ‘R-2’ or ‘R-4’. Mr. Hill stated to Ms. McRoy that they are checking on it and hope to have it resolved. Marc Wullschleger stated to Ms. McRoy that they are going to follow up on this matter.
14. E-Mail from Lyle Bigley - RE: Has a lot of concerns about increase in traffic on Superior Street. — NOTED WITHOUT COMMENTS
15. E-Mail from Lyle Bigley - RE: Has a question about eminent domain. — Ms. McRoy asked Allan Abbott if someone from Traffic could answer this E-Mail. Ms. McRoy stated to Mr. Abbott that she talked to this gentleman before and so she thinks as Ms. Seng says they need a diplomatic writer. Mr. Abbott stated to Ms. McRoy that he hasn’t seen the E-Mail yet, but they will respond to it. Ms. McRoy stated to Mr. Abbott that there were two E-Mail’s along the same line. Mr. Abbott stated to Ms. McRoy okay. Ms. McRoy stated to Mr. Abbott that she would also like a copy of the response. Mr. Abbott stated to Ms. McRoy okay.

[Mr. Cook, Vice-Chair read through the Director's Addendum (for November 26<sup>th</sup>) for Ms. McRoy, Chair]

## **ADDENDUM - (For November 26<sup>th</sup> - evening Council Meeting)**

### **I. MAYOR**

1. NEWS RELEASE - RE: Mayor Announces Free Bus Rides For Parade - New low-floor buses also dedicated. — NOTED WITHOUT COMMENTS
2. NEWS ADVISORY - RE: Snow operation reports. — NOTED WITHOUT COMMENTS
3. NEWS RELEASE - RE: Traffic Accident Statistics For 2000 Released. — NOTED WITHOUT COMMENTS

### **II. CITY CLERK - NONE**

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS - NONE**

#### **B. DIRECTORS AND DEPARTMENT HEADS - NONE**

#### **C. MISCELLANEOUS**

1. Letter from Lela Knox Shanks to Lincoln Journal Star, Letter-to-the Editor – RE: To give full support to Councilman Terry Werner for his comprehensive statement (11/20/01) condemning the terrorist act of Sept. 11<sup>th</sup>. — NOTED WITHOUT COMMENTS
2. E-Mail from Sharon R. Nemeth - RE: 7 Council Districts. — NOTED WITHOUT COMMENTS
3. E-Mail from Daniel F. Moravec, Jr., M.D. & Margaret A. Moravec, M.D. – RE: Writing to express opposition to opening 80<sup>th</sup> Street and Northshore stub roads. — NOTED WITHOUT COMMENTS

[Mr. Cook, Vice-Chair read through the Director's Addendum (for December 3rd) for Ms. McRoy, Chair]

## **ADDENDUM - (For December 3rd)**

### **I. MAYOR**

1. NEWS RELEASE - RE: New School Speed Zone Lights Operational. — NOTED WITHOUT COMMENTS

### **II. CITY CLERK - NONE**

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS - NONE**

#### **B. DIRECTORS AND DEPARTMENT HEADS**

##### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Flu Immunization Now Available To All. — NOTED WITHOUT COMMENTS

#### **C. MISCELLANEOUS**

1. E-Mail from Alan Hersch - RE: LES Board Appointments. — NOTED WITHOUT COMMENTS

### **IV. DIRECTORS**

**CITIZEN INFORMATION CENTER** - Diane Gonzolas stated to Council that they are initiating a design change on the Website, which if it isn't up already, it will be soon. Ms. Gonzolas stated to Council that it is just some initiative design changes to update the look of it and they do have a group working on the context changes and those have not been done yet. Ms. Gonzolas stated to Council, so if they get on the Interline today and notice

that it is a little different that it is supposed to, but they should be able to find everything the way they used to find it. Ms. Gonzolas stated to Council the group that's working on it is looking at making it easier for people to find things on the Websites. Ms. Gonzolas stated to Council that they hope to have a complete process done by May, so for right now they do have a different look to it. Ms. Gonzolas stated to Council if they have any problems getting any where on the sites or any other problems with it, just give her a call and they will try to get it resolved.

**URBAN DEVELOPMENT DEPARTMENT** - Marc Wullschleger stated to Council that he did pass around to them a Newsletter that they got from the Nebraska Department Of Labor. [Hand-out regarding Nebraska WorkForce Development - Department Of Labor-Nebraska Labor Area Summary-October 2001]. Marc Wullschleger went over the hand-out with Council. [Copy of this Newsletter is on file in the City Council Office]

**BUILDING & SAFETY DEPARTMENT** - Mike Merwick stated to Council that he has three things that came from the Council. Mr. Merwick stated to Council that one was about a problem with 1140 W. Harvest, that they dug a basement and didn't have it filled in and the wall was eroding. Mr. Merwick indicated to Council that they have taken care of it and the basement has been filled back in.

Mr. Merwick stated to Council that another one was about 7<sup>th</sup> & P Street on the junk cars behind the "Creamery" building. Mr. Merwick stated to Council that they have contacted the owner about the two old junk cars that they were storing there and the junk cars are going to be removed.

Mr. Merwick stated to Council that another one was about 58<sup>th</sup> & Seward on vacating the alley, which is on their Agenda for today. Mr. Merwick stated to Council that when they went about ½ a block away that at 58<sup>th</sup> & Seward the property has been fenced and indicated that the abutting property owner thought that once the street was vacated the property went back to them. Mr. Merwick stated to Council that they contacted the Public Works & Utilities Department and they are working with Lincoln Drywalls to get them to purchase that property from the City. Mr. Merwick stated to Council so these three things have been taken care of. Ms. McRoy 'thanked' Mr. Merwick for moving quickly on the W. Harvest issue and stated that she appreciates it.

**HEALTH DEPARTMENT** - Steve Beal stated to Council that the Board of Health will have their Annual Meeting on January 8<sup>th</sup> and they will get a special notice out to them about it. Mr. Beal stated to Council that they are not having the full blown big Public Health Conference at that time, that they will be having it during Public Health Week in April. Mr. Beal stated to Council that on January 8<sup>th</sup>, they will be having a discussion around Public Health Policy Issues and the Council, the County Board and the Mayor will

be invited to it. So, it will be a smaller group at that time in January with the larger Conference being held in April. Ms. McRoy 'thanked' Steve Beal for this information and stated that they look forward to their invitations.

## **V. CITY COUNCIL MEMBERS**

### **TERRY WERNER**

Mr. Werner stated to Dana Roper that he has a question about our Theater Policy and asked how vulnerable to a lawsuit is that policy if someone was to challenge it. Dana Roper stated to Mr. Werner that he's not sure, that he will take a look at it.

### **COLEEN SENG**

Ms. Seng stated that she wanted to tell the Planning Department 'Thank-You' for all of their work on the Comp. Plan., that a lot of them attended various meetings and the meetings were all good.

### **GLENN FRIENDT - NO COMMENTS**

### **JONATHAN COOK**

Mr. Cook stated that he has a question for the Public Works & Utilities Department about sidewalks. Mr. Cook stated to the Public Works & Utilities Department that they ordered in some sidewalks a year ago or so and someone had asked him about how many of the sidewalks have actually been put in. So, he was wondering how long of time do they give people and what do they do if they don't put them in and asked what's the procedure. Discussion continued with Council and Allan Abbott on this issue. After discussion, Mr. Cook asked Mr. Abbott if he could give them a listing of which sidewalks have been installed and which ones haven't been installed yet and what the status is on those projects. Mr. Abbott stated to Mr. Cook that 'yes', he can get them a list.

### **JON CAMP**

Mr. Camp stated to the Planning Department that there is a Cell Tower that may be coming up at 84<sup>th</sup> & South Street, that he would appreciate it if they would keep him posted on it. Kathleen Sellman stated to Mr. Camp that 'yes', they will make sure he knows about it.

Mr. Camp stated to Dana Roper and the Health Department that he really

appreciated all of their work on the Tattooing Legislation. Mr. Camp stated that they received another E-Mail from Donna Brophy regarding this issue. Mr. Camp stated that during the course of all of this activity he has been contacted by at least one Tattoo Piercing supporting the Legislation on it. Mr. Camp stated that Scott Holmes sent him something the other day and mentioned that it could take a long time, but he would like to really push it because he thinks there is a desire here to take some action and so he would like it not to get caught up in an Administrative delay. Mr. Camp asked Steve Beal to pass this information on. Mr. Beal stated to Mr. Camp that he will pass this information on.

Mr. Camp stated that he would like to also 'thank' the Law Department for the draft of Legislation on the semi trailers in neighborhoods that they have on their Agenda for 1<sup>st</sup> Reading today .

Mr. Camp 'thanked' Allan Abbott for his work with John Carlson and indicated that he appreciated it.

#### **KEN SVOBODA**

Mr. Svoboda stated to Dana Roper that apparently Rick Peo has been requested to review the H-3 Zoning changes or potential changes and asked Mr. Roper if Mr. Peo could get those to them as soon as possible, so that they have it in their Thursday packet prior to the Pre-Council Meeting. Mr. Svoboda stated to Mr. Roper that he would appreciate it.

#### **VI. MEETING ADJOURNED AT 12:07 P.M.**

**\*HELD OVER FROM NOVEMBER 26, 2001.**



dm120301/tjg