

**DIRECTOR'S MEETING
MONDAY, DECEMBER 10, 2001 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 9:15 a.m. Tuesday, December 4th (See Release).
2. NEWS RELEASE - RE: Mayor Calls For More "Snow Buddies" To Volunteer - Red Cross matches shovelers with those needing help (See Release).
3. NEWS RELEASE - RE: Public Works Crews Ready For Snow And Ice (See Release).
4. NEWS RELEASE - RE: Mayor Outlines Steps To Make Intersections Safer (See Release).
5. NEWS RELEASE - RE: The Lincoln Police Department will conduct its annual Holiday D.W.I. Project through the month of December this year (See Release).
6. NEWS RELEASE - RE: Mayor Announces Use Of Tobacco Settlement Funds (See Release).

II. CITY CLERK

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). — **1.) SEE RESPONSE FROM JIM VISGER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#82 - 11/30/01**
2. OUTSTANDING Request to Public Works & Utilities Department/Urban Development Department - RE: "R" Street concerns (RFI#84 - 11/26/01)
3. Request to Public Works & Utilities Department - RE: Adams at NW 48th Street be paved & the semi-truck noise (RFI#85 - 12/04/01)
4. Request to Public Works & Utilities Department/Planning Department - RE: Traffic problems on Superior Street (RFI#86 - 12/06/01)

JONATHAN COOK

1. ~~OUTSTANDING~~ Request to Public Works & Utilities Department - RE: Van Dorn Street, 33rd to 40th Streets - Speed Limit, Parking, and Arterial Status (RFI#59 - 10/18/01). — **1.) SEE RESPONSE FROM AL LEE, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#59 - 11/30/01**
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). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DIRECTOR RECEIVED ON RFI#62 - 11/30/01**

COLEEN SENG

1. Request to Public Works, StarTran - RE: Problems with the Taxi Service provided by the Handivan Services (RFI#878 - 11/19/01). — **1.) SEE RESPONSE FROM JOHNNIE L. SHOWALTER, STARTRAN RECEIVED ON RFI#878 - 12/04/01**
2. OUTSTANDING Request to Public Works & Utilities Department - RE: Curb repair at 67th - 68th & Adams (RFI#879 - 11/19/01)

GLENN FRIENDT

1. Request to Don Herz, Finance Director - RE: Parking ticket activity and revenue for first quarter 2001-02 (RFI#9 - 12/05/01)
2. Material from Glenn Friendt – RE: Mr. Werner’s “What Are They Afraid Of” Web Site Posting (See Material).

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE

1. Material from Don Herz - RE: City of Lincoln - EMS Cash Receipts/Expenditure Data - FY 2001-02 (See Material).

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Response Letter from Charles W. Baker to Rodney & Kathleen Kush - RE: 4451 North 26th Street (See Letter).

REAL ESTATE DIVISION

1. InterOffice Memo from Clinton W. Thomas - RE: Vacation of East - West Alley, 1st Street to 2nd Street, Block 64, Original Plat of Lincoln (See Memo).

C. MISCELLANEOUS

1. Letter from David D. Zwart, For the Firm, Law Offices Of Baylor, Evnen, Curtiss, Gruit & Witt – RE: Carroll M5 Industrial Park, Preliminary Plat No. 01007 – No. 26th Street & Cleveland Avenue (See Letter).
2. Faxed Letter from Ron E. Ross, P.E., President, Ross Engineering, Inc. – RE: Carroll M5 Industrial Park - Preliminary Plat No. 01007 - No. 26th Street & Cleveland Avenue (See Letter).
3. Letter from Peter Bleed, President, Preservation Association of Lincoln to Don Klima, Director, Office of Planning and Review, Advisory Council on Historic Preservation – RE: Proposed South and East Beltway (See Letter).
4. E-Mail from Lyle Bigley - RE: Traffic problems on Superior Street (See E-Mail).

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

**DIRECTOR'S MEETING
MINUTES
MONDAY, DECEMBER 10, 2001
CONFERENCE ROOM 113**

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

Council Members Absent: Glenn Friendt, Terry Werner.

Others Present: Mayor Don Wesely, Mark Bowen, 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 and Tammy Grammer, City Council Staff.

I. MAYOR

Mayor Don Wesely stated to Council that they had a great weekend. Mayor Wesely commented to Council that he doesn't know if they had a better day than Saturday in the City of Lincoln and stated that the Star City Parade probably set a record for attendance this year. Mayor Wesely stated to Council that it was just huge and the temperature was tolerable and it was a nice sunny day. Mayor Wesely stated to Council that it started out great and it followed up with the Heisman announcement and the LSU victory, which now has lead to the Rose Bowl. Mayor Wesely stated to Council the final four is our VolleyBall Team, and both our men's and women's Basketball Teams won and our Hockey Team won, so it was a pretty good day. Mayor Wesely commented to Council that this is really terrific and so it was a great weekend and very nice.

Mayor Don Wesely stated to Council that they are set for the "Rococo" Reception for Wednesday [December 12th] and he doesn't think they have actually received the invites yet, but they are supposed to be getting them today. Mayor Wesely stated to Council that the City Director's are also going to be invited to it, so it will be City Council, County Board, City Director's and County Organizations.

Mayor Wesely stated to Council that it also looks like they solved their sound problems and he thinks they have it taken care of, so he is really pleased about that.

Mayor Don Wesely stated to Council that he knows later on the Director's Agenda there is a letter on the dog barking problem after hours and they received a response from Bruce Dart and they will be getting a response from Chief Casady. Mayor Wesely stated to Council that they will be sitting down next month to try and talk about some strategy on this issue.

Mayor Don Wesely stated to Council that the Budget Retreat is coming up next week and they talked about what topics they want on it and stated that they are looking forward to it. Ms. McRoy asked Mayor Wesely if they will be able to get the Budget material before the Retreat. Mayor Wesely stated to Ms. McRoy that he hopes so and asked Don Herz about it. Don Herz stated that he thinks they will have it done, that it is getting finalized right now. Mayor Wesely stated to Ms. McRoy that they are working on it, so he hopes they can get the material before they sit down.

Mayor Don Wesely stated to Council that they will be getting from the Law Department a contract that they've been talking to the Airport Authority about writing and prosecution of tickets out there, which is part of their spirit initiative. Mayor Wesely stated to Council so he is asking that when they get this item that they put it on the Agenda for Monday [December 17th] and hopefully try to get a vote on it. Mayor Wesely stated to Council that it is a very small matter, that it is like a \$6,000 contract, but it would help the situation out there and they're a little anxious to clarify it.

Mayor Don Wesely stated to Council that they also have the issue of Eminent Domain request on the Mega Plex project and their interest is to have this authority in place and ask for their support on it. Mayor Wesely stated to Council that there is negotiations going on and their hope is that it actually won't be necessary, but things are moving along on it and at a certain point they need to be able to move forward and so they would much appreciate it.

Mayor Don Wesely stated to Council that they also saw in the News Advisories some of the things going on and the "Snow Buddies" Program is one that the Red Cross puts together to help people who can't shovel their own snow. Mayor Wesely stated to Council that they have over \$3 million in the budget for snow operations and every day that it doesn't snow, that's money in the bank.

Mayor Wesely stated to Council that they also put some initiative on a couple of those bad intersections and the Drunk Driving initiative by the Police Department has already had some pretty significant drunk driving arrests. Mayor Wesely stated to Council so they are pleased that they are making this effort as well.

Mayor Wesely stated to Council that the Kuklin pool initiative has already raised \$30,000 for it and they hope to raise another \$18,000 by the end of January. Mayor Wesely stated to Council that there is a lot of support for that money and they are really pleased about it. Mayor Wesely stated to Council that this will enhance operation and they have already put money back into the budget for the operation. Mayor Wesely indicated to Council that this will do things like free passes for low-income kids, free swimming lessons and so they can put up some sun-shades because there's really no place to go for some shade when it really gets hot. Mayor Wesely commented to Council that they feel really good about it.

Marc Wullschleger introduced Jeff Cole to everyone. Mr. Wullschleger stated to Council that Jeff [Cole] just started with the Urban Development Department and he will be assisting Dallas [McGee]. Mr. Wullschleger indicated to Council that Jeff [Cole] primarily will be working on Downtown issues. Mr. Wullschleger stated to Council that if they recognize Jeff [Cole], that he is from the Lincoln Public Schools Foundation. Council welcomed Jeff Cole aboard.

1. NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 9:15 a.m. Tuesday, December 4th. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Calls For More “Snow Buddies” To Volunteer - Red Cross matches shovelers with those needing help. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)
3. NEWS RELEASE - RE: Public Works Crews Ready For Snow And Ice. — NO COMMENTS
4. NEWS RELEASE - RE: Mayor Outlines Steps To Make Intersections Safer. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)
5. NEWS RELEASE - RE: The Lincoln Police Department will conduct its annual Holiday DWI Project through the month of December this year. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)
6. NEWS RELEASE - RE: Mayor Announces Use Of Tobacco Settlement Funds. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council that in addition to the Mayor’s request to have an item on Introduction, Public Hearing and Action on December 17th, that she also has an additional item from the Public Works & Utilities Department for the same thing to approve a contract involving the expenditures of money from appropriations of more than one year for a water project and that’s for the water reservoir at 84th & Highway 2. City Clerk Joan Ross stated to Council that she thought at the Formal Council Meeting today towards the end of the voting session they probably ought to vote on both of these contracts to waive the rules and move forward with Introduction, Public Hearing and Action on December 17th. City Clerk Joan Ross stated to Council that if they have questions on the request from Public Works that Nicole Fleck-Tooze is here.

Nicole Fleck-Tooze stated to Council that the bids were received on this project on December 5th and they usually start to award the contract within 30 days. Ms. Tooze stated to Council that the two weeks they don't meet this month is the reason for this request to allow them to take Action on it.

City Clerk Joan Ross stated to Council that in regards to Items 1 & 2 [Application of JV, Inc. dba "Azteca Mexican Restaurant" for a Class "I" liquor license at 500 West Gate Blvd. & Manager application of Joy Lynn Vidaurre for JV, Inc. dba "Azteca Mexican Restaurant" at 500 West Gate Blvd.] she will call these two items together.

City Clerk Joan Ross stated to Council that they have four setting hearing dates, but she is waiting to hear from Inspector Russ Fosler at LPD because on Items 14 & 15 apparently there's a problem with the financing package and if that doesn't come through for him, he is going to withdrawal these two items. So, they may have a withdrawal on these two items, but they still don't know for sure yet.

City Clerk Joan Ross stated to Council that on Item 25, they have a correction on "Ordinances-3rd Reading & Resolutions Action Only" that it should actually be "Ordinances-3rd Reading".

City Clerk Joan Ross stated to Council that in regards to Item 43 [Approving the Intent to Create a Business Improvement District in the University Place Redevelopment Project Area, generally located at N. 48th Street from Colby Street to the half block north of Adams Street, and St. Paul Ave. from N. 47th Street to N. 50th Street] they have a request to place this item on Pending because they are not quite ready to go forward with it, so they will have this at the Formal Council Meeting as well.

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). — **1.) SEE RESPONSE FROM JIM VISGER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#82 - 11/30/01.** — Ms. McRoy 'thanked' the Public Works & Utilities Department for the response to this Request For Information (#82). Ms. McRoy stated that it was like the street was paved right after she wrote this Request For Information and she appreciates the letter going back to them because they were wondering all summer when it was going to happen.

2. OUTSTANDING Request to Public Works & Utilities Department/Urban Development Department - RE: "R" Street concerns (RFI#84 - 11/26/01). — NO COMMENTS
3. Request to Public Works & Utilities Department - RE: Adams at NW 48th Street be paved & the semi-truck noise (RFI#85 - 12/04/01). — NO COMMENTS
4. Request to Public Works & Utilities Department/Planning Department - RE: Traffic problems on Superior Street (RFI#86 - 12/06/01). — NO COMMENTS

JONATHAN COOK

1. ~~OUTSTANDING~~ Request to Public Works & Utilities Department - RE: Van Dorn Street, 33rd to 40th Streets - Speed Limit, Parking, and Arterial Status (RFI#59 - 10/18/01). — **1.) SEE RESPONSE FROM AL LEE, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#59 - 11/30/01.** — NO COMMENTS
2. OUTSTANDING Request to Public Works & Utilities Department, Jim Visger - RE: Extending width of paving for walking area (RFI#61 - 11/5/01). — Nicole Fleck-Tooze stated to Mr. Cook that on this Request For Information (#61) they are working, but they are having some internal confusion on who would be best to respond to it. But, they are working on getting an answer to him on this Request For Information and apologized for the delay on it. Mr. Cook stated to Ms. Tooze okay.
3. Request to Health Department/Police Department - RE: Response to dog barking complaints (RFI#62 - 11/26/01). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DIRECTOR RECEIVED ON RFI#62 - 11/30/01.** — Mayor Don Wesely discussed this issue during his comments to Council under "I. Mayor". (See that discussion)

COLEEN SENG

1. Request to Public Works, StarTran - RE: Problems with the Taxi Service provided by the Handivan Services (RFI#878 - 11/19/01). — **1.) SEE RESPONSE FROM JOHNNIE L. SHOWALTER, STARTRAN RECEIVED ON RFI#878 - 12/04/01.** — Mayor Don Wesely stated to Ms. Seng that if he could follow up on this Request For Information regarding the Taxi Service issue, that this has been a problem for along time and the Public Service Commission regulates it and so he did follow up on this matter and a complaint would be more [inaudible]. Ms. Seng stated to Mayor Wesely that she hopes they do it. Ms. McRoy and Ms. Seng asked Mayor Wesely if they can file the complaint and Ms.

Seng commented that she doesn't think they can do it. Mayor Wesely stated that well 'no' because it would be the person who knows it first hand and commented that he thinks it is a problem in the City. Ms. McRoy asked Mayor Wesely if StarTran has a contract with the Taxi Service. Mayor Wesely stated to Ms. McRoy 'yes', they have some relationship with them and commented that he doesn't see Allan [Abbott] right now. [Allan Abbott was not present at this time] But, if they want, they can do something about it, that they could have somebody come in from the Taxi Companies and have them explain what's going on because this is a problem. Mayor Wesely stated to Council that they just sub-contract it out, that it's not their responsibility. Mayor Wesely stated to Council if they wanted to do something about it, that they could call them and ask them to come in and talk to them about what's happening. Mayor Wesely stated to Council that he is suggesting that they may want to bring them in and just have a conversation with them. Ms. McRoy asked Mayor Wesely than do they have a Pre-Council Meeting on it. Mayor Wesely indicated to Ms. McRoy that would be a good thing and stated to Ms. McRoy to work with StarTran on setting up the Pre-Council Meeting for it.

2. **OUTSTANDING Request to Public Works & Utilities Department - RE: Curb repair at 67th - 68th & Adams (RFI#879 - 11/19/01).** — Ms. Seng stated that she hasn't seen anything on this Request For Information (RFI#879) yet. Nicole Fleck-Tooze stated to Ms. Seng that Jim [Visger] did go out and look at it and they determined that they need to replace about 160 feet of the curb lane. Ms. Tooze indicated to Ms. Seng that half of it was replaced last week and half will be replaced this week. Ms. Tooze indicated to Ms. Seng that she believes they did get back with the gentleman who asked about it, but they will make sure that somebody got back with him. Ms. Seng stated to Ms. Tooze that he will be so happy.

GLENN FRIENDT

1. **Request to Don Herz, Finance Director - RE: Parking ticket activity and revenue for first quarter 2001-02 (RFI#9 - 12/05/01).** — GLENN FRIENDT ABSENT - NO COMMENTS
2. **Material from Glenn Friendt – RE: Mr. Werner's "What Are They Afraid Of" Web Site Posting.** — GLENN FRIENDT ABSENT - NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE

1. Material from Don Herz - RE: City of Lincoln - EMS Cash Receipts/Expenditure Data - FY 2001-02. — NOTED WITHOUT COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Response Letter from Charles W. Baker to Rodney & Kathleen Kush - RE: 4451 North 26th Street. — Ms. McRoy stated that she believes this is a sewage drainage problem and indicated that she knows this summer she had a couple of neighborhood people talking about this area. Ms. McRoy indicated that she thinks they have until January 1st to have a plan together and asked Nicole Fleck-Tooze if this was correct. Nicole Fleck-Tooze stated to Ms. McRoy 'yes', that Mr. Baker let them know that it is a private responsibility and hopes that they will take care of it.

REAL ESTATE DIVISION

1. InterOffice Memo from Clinton W. Thomas - RE: Vacation of East - West Alley, 1st Street to 2nd Street, Block 64, Original Plat of Lincoln. — NOTED WITHOUT COMMENTS

C. MISCELLANEOUS

1. Letter from David D. Zwart, For the Firm, Law Offices Of Baylor, Evnen, Curtiss, Grimit & Witt – RE: Carroll M5 Industrial Park, Preliminary Plat No. 01007 – No. 26th Street & Cleveland Avenue. — Ms. McRoy stated that this is the 90 day agreement that they talked about last week.
2. Faxed Letter from Ron E. Ross, P.E., President, Ross Engineering, Inc. – RE: Carroll M5 Industrial Park - Preliminary Plat No. 01007 - No. 26th Street & Cleveland Avenue. — Ms. McRoy stated that this issue is on their Agenda to be reconsidered. City Clerk Joan Ross stated to Ms. McRoy that it would be for Action on December 17th. Ms. McRoy stated to City Clerk Joan Ross okay. Nicole Fleck-Tooze stated to Council that they are in support of the waivers for the stormwater detention and reduction of the minimum centerline radius for curves, but they did not support the waiver of the sidewalks.

Discussion continued with comments and questions from Council for Nicole Fleck-Tooze on this issue. After discussion, Nicole Fleck-Tooze stated to Mr. Camp that they will take another look at it.

3. Letter from Peter Bleed, President, Preservation Association of Lincoln to Don Klima, Director, Office of Planning and Review, Advisory Council on Historic Preservation – RE: Proposed South and East Beltway. — NOTED WITHOUT COMMENTS

4. E-Mail from Lyle Bigley - RE: Traffic problems on Superior Street. — Ms. McRoy stated that she sent this E-Mail through as a Request For Information because they had received two E-Mail's last week regarding Superior Street and was from the same gentleman. So, she asked staff to send this E-Mail through as a RFI and have it catch up with the other two E-Mail's, so they could address everything in one letter instead of spreading all three E-Mail's out. Nicole Fleck-Tooze stated to Ms. McRoy that Roger Figard is working on a response for this RFI, so she will ask him to add in this portion. Allan Abbott stated to Ms. McRoy that he knows Jim Visger has talked to this gentleman a few times. Discussion continued with Council and Allan Abbott on this issue and with comments from the Council.

[Mr. Cook, Vice-Chair read through the Director's Addendum (for December 10th) for Ms. McRoy, Chair]

ADDENDUM

I. MAYOR

1. NEWS RELEASE - RE: Work To Close Lanes At 27th & "O" Streets (Council copies placed in their Thursday packets on 12/06/01). — Ms. McRoy stated that she has a question for the Public Works & Utilities Department about the closure of the lanes on 27th & "O" Street regarding the new type of striping that they are putting down and asked what type of new striping are they putting down. Allan Abbott stated to Ms. McRoy that they are trying a different kind of striping for the pedestrian crossing and what they are doing is cutting some grooves in and then putting the paint and the tape in, instead of just putting it on top in hopes that it will last a little longer. Mr. Abbott indicated to Ms. McRoy that they are going to try and work around the rush hours as much as possible, but that's what is happening.

2. NEWS RELEASE - RE: 5 City-TV To Air Pearl Harbor Remembrance Ceremony (Council copies placed in their Thursday packets on 12/06/01). — NOTED WITHOUT COMMENTS

3. NEWS ADVISORY - RE: Mayor Don Wesely will kick off the Kuklin Kids Campaign to raise funds for swimming pool activities at a news conference at 10:30 a.m. Friday, December 7th (Council copies placed in their Thursday packets on 12/06/01). — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)
4. NEWS RELEASE - RE: Mayor Kicks Off Kuklin Kids Campaign. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS - NONE

B. DIRECTORS AND DEPARTMENT HEADS

FIRE DEPARTMENT

1. Memo from Chief Spadt - RE: Journal Star Article dated 12/06/01. — Mayor Don Wesely stated to Council if he could follow up on this issue and he hopes that they have had a chance to look at it. Mayor Wesely stated to Council that the important message here is that the Fire Department has been working very closely with the medical community and concerns that were raised by some he thinks have already been addressed through the program and placed. Mayor Wesely commented to Council again, that he reemphasizes that when they have a concern rather than raising it through the newspaper that it would be better to raise it directly within a department or with him. Discussion continued on this issue with Mayor Wesely. After discussion, Mayor Wesely stated that they are doing an outstanding job and again they emphasize to make the community satisfied the work is being done. Mr. Camp stated to Mayor Wesely what he and Ken [Svoboda] [inaudible] and fully explained on what they had raised from a fiscal standard point and than also the fact that 80% of the paramedics haven't meet the requirement standards this year and so he just had a concern there from a legal liability, if there was some accident. Mr. Camp stated that his concern is about the legal liability for the City, if something goes wrong. Further, discussion continued with Council, Mayor Wesely and Fire Chief Spadt on this issue and with comments and questions from the Council.

PUBLIC WORKS & UTILITIES DEPARTMENT

1. E-Mail & Pictures from Scott Opfer - RE: 2140 Sheridan Blvd. yew bushes. — NOTED WITHOUT COMMENTS
2. Response E-Mail from Allan Abbott to Robert Nefsky - RE: Notice to cut yew trees - 2140 Sheridan Blvd. — Mr. Cook stated that he appreciates this response letter that Allan Abbott sent back to Mr. Nefsky. Mr. Cook stated to Allan Abbott that he did speak with Mr. Nefsky and he was pleased with his memo and he thinks he does want to work with him to find some solution there. Mr. Abbott stated to Mr. Cook that Mr. Nefsky did write back to him and indicated that he was going to talk with his Arborist and than get back with him on the sidewalks. Mr. Abbott stated to Mr. Cook that they are still talking with each other. Mr. Cook stated to Mr. Abbott okay and ‘thanked’ him.

C. MISCELLANEOUS

1. Faxed Material from Jackie M. Ludden, Agent, Espresso 101, Mountain Manufacturing Company, Billings, Montana – RE: Building and Safety Plan Review Comments/Permit #B0101014 - Espresso 101. — Mr. Cook stated that he doesn’t understand this letter at all and asked someone to explain it to them. Mike Merwick stated to Council that they had some electrical code concerns on what they had installed and they are trying to work those things out with them right now. Mr. Merwick stated to Council that the Health Department and the Public Works & Utilities Department has also been involved with them. Mr. Merwick stated to Council that they have an unit sitting in town out on Cornhusker Highway that’s not permitted, so they are trying to work through all of these issues. Mr. Merwick stated to Council that they are trying to get them in business, that they are trying to work through the process to see if they can correct some of the electric problems that they have on it. Mr. Merwick stated to Council that they are bringing the “Espresso” from out of town [from Montana] and setting them up through out Lincoln.

Mr. Cook asked Mr. Merwick if there is any action that they should take on this matter. Mr. Merwick stated to Mr. Cook that they are taking the action and indicated that the Mayor also received one of these letters, so he will be responding to them and than they will send a copy of the response letter to Council. Mr. Merwick indicated to Council that “Espresso” can either appeal what they have told them or they will have to change one of the two things, so they are trying to work those things out right now with them. Mr. Cook asked Mr. Merwick how do they appeal it. Mr. Merwick stated to Mr. Cook through the Electrical Board of Appeals. Mr. Cook stated to Mr. Merwick okay. Mr. Merwick stated to Council that this has been going on for about 6 months on

different things and different issues and the Public Works & Utilities Department had issues with stacking in parking lots on where they put them. Mr. Merwick indicated to Council that they will try to resolve this issue in a timely manner and try to get them in business. Mr. Cook stated to Mr. Merwick okay and 'thanked' him.

2. Letter from Bob McDowell, A-1 Pawn to Lincoln PawnBrokers – RE: December 17th City Council Meeting - regarding the City ordinance disallowing written pawn shop forms. — Mr. Cook stated that this letter is about the Pawnbrokers will be at the Council Meeting on December 17th to explain their concerns to Council. Mr. Cook stated that may be staff members and the Police Department might want to be present for it.
3. Material from Ron Marquart, Marquart Natural Images - RE: Because code allows building in the floodplain is one reason why the Salt Creek Tiger Beetle is endangered. — Mr. Cook stated that he is curious about the note that was attached to this material, which said he had a 10 minute presentation and he was wondering for who does he have the presentation for. Mr. Cook asked if anybody knows what this means. Mayor Wesely stated to Mr. Cook that they have a Tiger Beetle Task Force that's been working on this and they will be ready to come back with some recommendations to them in the near future. Mayor Wesely stated to Council that at some point maybe they could invite him and they could have him do his presentation to the Task Force and see how it goes. Mayor Wesely stated to Mr. Cook that they will following up on this issue.

IV. DIRECTORS

FINANCE DEPARTMENT - Don Herz stated to Council that last Tuesday they had another sale for the Parking Garage Revenue Bonds for the Haymarket Garage and it went very well [\$6 million bonds for the garage]. Mr. Camp asked Mr. Herz what was the [inaudible] interest rate that he got on it. Mr. Herz indicated to Mr. Camp 3.15 to 4.75, so their average rate was around 4%.

PARKS & RECREATION DEPARTMENT - Lynn Johnson stated to Council that if they haven't seen Lincoln's newest activity yet, that they should go to Peter Pan Park because the State Park equipment is in place now. Mr. Johnson stated to Council that they are learning from this one and commented that the equipment isn't the quality they wished that it was and they are sort of working through those issues. Mr. Johnson stated to Council that it also has been recommended by Risk Management that they don't allow bicycles on it and so there's a little bit of conflict between the bicycle riders, the roller bladders and skateboarders. Mr. Johnson stated to Council that there is a tremendous

amount of use on it and if you go over there late afternoon a lot of times there is 50 to 60 kids using that facility. So, it has been very well received and the equipment looks like it is months old and it is days old, so you can see the kind of use that it is getting. Mr. Johnson stated that they have to wear helmets and it is posted and they have the rules up. Mr. Johnson stated to Council that he understands the Police was there enforcing the “No Bike” rule this weekend and they are still trying to work through that. Mr. Johnson stated to Council that if they haven’t seen it yet, it is pretty exciting. Ms. McRoy asked Mr. Johnson what if somebody gets hurt, which she is going back to Mr. Camp’s question on the liability of the City. Mr. Johnson stated to Ms. McRoy that it is posted and under the Recreational [inaudible] Law, that if they post it and the design is adequate and the site is well maintained [inaudible] the City doesn’t have significant liability that the user is accepting some risk just by using the equipment. Ms. McRoy commented to Mr. Johnson so it is posted, so they know. Mr. Johnson stated to Ms. McRoy that it is posted and that’s why Risk Management had recommended that they don’t allow bikes at all because of the [inaudible] and speed between the different users. Mr. Cook commented to Mr. Johnson that there’s “no” requirement for helmets, that they just say that they want them to use helmets and they don’t have a legal requirement on it. Mr. Johnson stated to Mr. Cook that they don’t have a legal requirement on it. Further, discussion continued with Council and Lynn Johnson on this issue and with comments and questions from the Council. After discussion, Mr. Johnson stated to Council that he will keep them posted on it. Ms. McRoy ‘thanked’ Mr. Johnson.

V. CITY COUNCIL MEMBERS

ANNETTE McROY

Ms. McRoy stated to Mike Merwick that over the weekend, starting Friday morning she noticed some green signs that said “Cricket Wireless” that were in the City right-of-way, especially on Cornhusker Highway, but she has noticed the signs in other areas as well. Mr. Merwick stated to Ms. McRoy that they will get all of the signs removed. Mr. Cook stated to Mr. Merwick regarding the “Cricket” signs and asked if it is illegal to put them up on private property. Mr. Merwick stated to Mr. Cook that the “Cricket” signs you can’t put up any place. Mr. Svoboda asked Mr. Merwick if the ones inside the property lines are illegal as well. Mr. Merwick stated to Mr. Svoboda that the “Cricket” signs you can’t advertise business in a residential area. Mr. Camp asked Mr. Merwick what about people who are advertising like a ‘yard sale’ or a type of ‘home base’ business, etc. Mr. Merwick stated to Mr. Camp that if they are in a residential area, that a sign advertising something is probably illegal. Mr. Merwick stated to Mr. Camp that they have a couple of them in court right now, which people are advertising simple things like

'Day Care Centers' and they asked them to remove the signs and they don't, so they prosecute them. Mr. Merwick stated that it depends on what zoning you are in and what's allowed, but in residential even things such as a simple "Day Care" sign you can't be posting outside. Mr. Camp asked Mr. Merwick what signs would be allowed in a residential area. Mr. Merwick stated to Mr. Camp that he is not sure, that he would have to take a look at it.

JONATHAN COOK

Mr. Cook stated that at "Home Depot" there are signs on the doors that say 'No Smoking' by City Ordinance and he was wondering what City Ordinance are they talking about. Bruce Dart stated to Mr. Cook the 'Clean Air Act'. Mr. Cook asked Mr. Dart if they are talking about inside the building and commented that it wasn't clear to him. Mr. Dart stated to Mr. Cook 'yes'. Mr. Cook stated to Mr. Dart so the 'Clean Indoor Air Act' effects private businesses in circumstances like this one. Mr. Dart stated to Mr. Cook that 'yes' it does. Mr. Cook commented to Mr. Dart so it doesn't effect obviously bars and restaurants. Mr. Cook stated to Mr. Dart so if it applies to "Home Depot", it applies to any retail establishment that is not a restaurant or a bar. Mr. Dart stated to Mr. Cook that's correct, basically any private business with exception of restaurants and bars. Mr. Cook stated to Mr. Dart okay.

Mr. Cook stated that he would like to talk with Marc Wullschleger after the Director's Meeting today and indicated that he doesn't need to talk to the Planning Department after the meeting.

JON CAMP - NO COMMENTS

KEN SVOBODA

Mr. Svoboda stated that he wants to 'thank' all of the departments that were involved with the Star City Holiday Parade. Mr. Svoboda stated that they all did an excellent job including the Urban Development who personally pushed a float for 10 blocks and 'thanked' Marc Wullschleger. [laughter] Mr. Svoboda indicated the question he has for the Public Works & Utilities Department and if they want to have Margaret Remmenga respond back to him that would be fine. Mr. Svoboda stated that he parked in the Carriage Park Garage on Saturday and they were parked fairly close to the top and it took 40 minutes to get out of the parking garage, which in fact wasn't that big of a deal. But, once they finally got to the point where they rounded down to where they could see the toll booth, there were only two lanes opened and by the time they got to a point where they were in line (in the middle booth) and they closed it down, so everybody had to

move over to the other one. Then to actually speed things up, which was kind of a big source of loss of revenue, that they were so frustrated by not being able to get people through they just opened up the gates and collected tickets and didn't collect any money. Mr. Svoboda stated that he was at the "Pearl Harbor" function the week before at the other City Parking Garage and they did event parking in advanced, so if you were going to "Pearl Harbor" you paid the \$2.00 or \$3.00 and than you quickly got out of the building without going through the toll booth. So, in the future maybe this is something they can consider a special event parking for the parade on that day, and also for July Jamm or any other days where people are coming in and out at a very quick period of time. Allan Abbott stated to Mr. Svoboda that he will check on it. Mr. Svoboda 'thanked' Mr. Abbott.

TERRY WERNER - ABSENT

COLEEN SENG

Ms. Seng stated that first of all, she wants to know if everybody in the back of the room can hear any better back there today. [People commented that 'yes', they can hear better]. Ms. Seng stated that they have a new system that was supposed to have been set up last week, and the County had it in one day and than they forgot about them, so it is back today.

Ms. Seng stated to Allan Abbott that she had a call from some man that was really up set with all the traffic on Cottonwood because 84th Street was closed. Ms. Seng stated to Mr. Abbott that he had not been to any of the meetings and he said he didn't know about any meetings and she told him that there were lots of meetings dealing with this issue and he had no idea that this was a big project. Ms. Seng stated to Mr. Abbott that he was mad because there was a lot of traffic on Cottonwood and so she told him to call Bruce Michaelson over at Schemmer's. Mr. Abbott stated to Ms. Seng that's fine.

Ms. Seng stated that she wanted to 'thank' Fire Chief Spadt who was out at her Citizen's Meeting this morning and they saw the slides on New York. Ms. Seng 'thanked' Fire Chief Spadt.

Mr. Camp commented that on what Ms. Seng brought up, there was an article on the residential barricades near 27th & "O" Street and he was at an event a couple of days ago and there were some people talking about it and they said that their neighborhood has similar problems. Mr. Camp asked if they need to look at this more and indicated that he has heard it both ways from people. Allan Abbott stated to Mr. Camp that he has also heard it both ways from people and has heard it quite loudly from both ways. Mr. Abbott stated to Mr. Camp that he is going to be at the Neighborhood Roundtable to talk about Traffic Calming and how to work

with the Neighborhood Associations.

Discussion continued with Council and Allan Abbott on this issue and with comments and questions from the Council. After discussion, Mr. Abbott stated to Council that 'yes', he thinks they have to take a look at some of them. Mr. Abbott commented to Council but the neighborhoods have to accept it and the traffic doesn't go away, that it just goes some where else and when it goes some where else, this is where people have a problem.

GLENN FRIENDT - ABSENT

Ms. McRoy stated that one other thing she just remembered was that in this mornings newspaper there was a Letter-to-the-Editor regarding Residential Parking on one-side. Allan Abbott stated to Ms. McRoy that is really why they allow parking on both sides of the street in residential areas is to slow people up. Ms. McRoy stated to Mr. Abbott that she didn't know if they wanted to respond to it. Mr. Abbott stated to Ms. McRoy that they will take a look at it. Discussion continued with Council and Allan Abbott on this issue and with comments from the Council. Ms. McRoy stated to Mr. Abbott okay and 'thanked' him.

Ms. McRoy reminded everyone that the Director's Meeting for next week will start at 3:00 p.m. [Monday, December 17th] and stated that if anybody has any questions that they can contact Joan Ray in the Council Office.

VI. MEETING ADJOURNED AT 11:56 A.M.

dm121001/tjg

