

**DIRECTOR'S MEETING
MONDAY, FEBRUARY 11, 2002 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. NEWS ADVISORY - RE: The 2002 City of Lincoln-Lancaster County Directory listing the phone numbers for local government employees is now available for \$5.00 from the CIC (See Release).
2. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For January (See Release).

II. CITY CLERK

III. CORRESPONDENCE

A. COUNCIL REQUESTS

ANNETTE McROY

1. Request to LTC Dale R. Vrana Jr., Nebraska Military Department - RE: Problem with the low flying jets and helicopters that fly directly over the residential areas at very low altitudes - Olympic Heights (Sent Letter) (RFI#91-1/15/02). — **1.) RECEIVED RESPONSE FROM JOHN WOOD, EXECUTIVE DIRECTOR, LINCOLN AIRPORT AUTHORITY ON RFI#91 - 1/17/02 — 2.) SEE RESPONSE FROM ROGER P. LEMPKE, MAJOR GENERAL, NEBRASKA NATIONAL GUARD, THE ADJUTANT GENERAL RECEIVED ON RFI#91 - 1/28/02**
2. OUTSTANDING Request to Building & Safety Department/ **LPD** - RE: Rental Property, Code Violations, Parking Issues (RFI#92 - 1/22/02). — **1.) SEE RESPONSE FROM JOHN BOIES, BUILDING & SAFETY DEPARTMENT RECEIVED ON RFI#92 - 1/25/02**
3. Request to Planning/Building & Safety/Urban Development/Parks & Rec. - RE: The development behind West Lincoln Park 2 (RFI#94 - 1/22/02). — **1.) SEE RESPONSE FROM RAY HILL, PLANNING DEPARTMENT RECEIVED ON RFI#94 - 1/25/02 — 2.) SEE RESPONSE FROM CHUCK ZIMMERMAN, BUILDING & SAFETY DEPARTMENT RECEIVED ON RFI#94 - 1/28/02 — 3.) SEE RESPONSE FROM MARK CANNEY, PARKS & RECREATION, RECEIVED ON RFI #94 - 01-29-02**

4. Request to Dana Roper, City Attorney - RE: The City Ordinance that deals with parking cars on the street for longer than 24 hours, can it be amended (RFI#95 - 1/30/02). — **1.) SEE RESPONSE FROM DANA ROPER, CITY ATTORNEY RECEIVED ON RFI#95 - 2/5/02**
5. Request to Urban Development Department/Mayor's Office - RE: The Antelope Valley project's community development - grant money (RFI#96 - 1/30/02)
6. Request to Lynn Johnson, Parks & Recreation Director - RE: A large old tree in Trago Park (RFI#97 - 1/30/02)

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1. **OUTSTANDING** Request to Allan Abbott, Public Works & Utilities Director - RE: Retaining wall and ground cover at 835 & 841 Sage Circle (RFI#72 - 1/11/02)
2. Request to Don Herz, Finance Director - RE: Letter from Dale Gruntorad (RFI#73 - 2/01/02)
3. E-Mail from Kerry Petersen, Ph.D., Vice President, Business Development and Intellectual Property, LI-COR Biosciences to Jon Camp – RE: Parker's Landing (See E-Mail).

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1. **OUTSTANDING** Request to Lin Quenzer, Ombudsman - RE: The flying patterns & times of the Air National Guard and the effect on a citizen of northwest Lincoln (RFI#36 - 1/14/02). — **1.) SEE RESPONSE FROM COLONEL, ROBERT B. BAILEY, AIR COMMANDER, NEBRASKA AIR NATIONAL GUARD RECEIVED ON RFI#36 - 1/24/02 — 2.) SEE RESPONSE FROM ROGER P. LEMPKE, MAJOR GENERAL, NEBRASKA NATIONAL GUARD, THE ADJUTANT GENERAL RECEIVED ON RFI#36 - 1/28/02**
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3. **OUTSTANDING** Request to Marc Wullschleger, Urban Development Director - RE: Improvements at 27th & Vine (RFI#38 - 1/22/02)
4. Request to Allan Abbott, Public Works & Utilities Director - RE: Question regarding unpaved alleyways (RFI#41 - 1/28/02). — **1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#41 - 2/7/02**

5. Request to Lynn Johnson, Parks & Recreation Director - RE: Question regarding entrance signs at Pioneers Park (RFI#42 - 1/28/02)
6. Request to Chief Tom Casady, Police - RE: Crime Clearance Rates (RFI#43 - 1/28/02). — **1.) SEE RESPONSE FROM POLICE DEPARTMENT RECEIVED ON RFI#43 - 2/4/02**
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10. Request to Allan Abbott, Public Works & Utilities Director - RE: Intersection at 56th & “R” Streets (RFI#47 - 2/4/02)
11. Request to Georgia Glass, Personnel Director - RE: Manager Training (RFI#48 - 2/6/02)

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1. ~~OUTSTANDING~~ Request to Law Department / Building & Safety Department - RE: The signs at the new business on 48th & Cornhusker Hwy (RFI#880 - 1/15/02) **1.) RESPONSE FROM MIKE PETERSEN, BUILDING & SAFETY DEPT, RECEIVED ON RFI #880 - 01/29/02 — 2.) SEE RESPONSE FROM JOEL PEDERSEN, CITY LAW DEPARTMENT RECEIVED ON RFI#880 - 2/4/02**
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B. DIRECTORS AND DEPARTMENT HEADS

FINANCE/CITY TREASURER

1. Material from Don Herz & Melinda J. Jones - RE: Resolution & Finance Department Treasurer Of Lincoln, Nebraska Investments Purchased Between January 28 And February 1, 2002.

HEALTH DEPARTMENT

1. NEWS RELEASE - RE: 2002 Public Health Award Nominations (See Release).

PLANNING

1. Letter to Jason Reynolds from Thomas C. Huston, For the Firm, Law Offices of Cline, Williams, Wright, Johnson & Oldfather, L.L.P. - RE: Street and Alley Vacation No. 01018 - vacating portions of North 8th Street & R Street (See Letter).
2. Report from Kathleen Sellman - RE: Comprehensive Plan Draft - Transmittal of Draft Plan (Council copies of this Report placed in their Thursday packet on 2/7/02) (Copy of this Report on file in the City Council Office).
3. Material from Jean Walker - RE: Change of Zone No. 3354 (Bill No. 02-15) (R-4 to R-2 - South 30th & Franklin Streets) (See Material).
4. Material from Kathleen Sellman - RE: Change of Zone No. 3350 (Proposed Text Amendment to Title 27 of the Lincoln Municipal Code) (See Material).

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Memo from Margaret Remmenga - RE: Water & Wastewater Rate Schedules (See Memo).
2. Response Letter from Harry Kroos to Lorrie Benson - RE: The status of completion of a bike path to the new library and park facilities along South 14th Street (See Letter).

REAL ESTATE DIVISION

1. InterOffice Memo from Clinton Thomas - RE: Vacation of West Greenfield Street from NW 10th Street north 75 Street (See Memo).

STARTRAN

1. Memo from Connie Thoreson - RE: Responses to StarTran 2002 Town Hall Issues (See Memo).

C. MISCELLANEOUS

1. E-Mail w/Office response from Terrie Sampson, Lamplighter Montessori School - RE: They are compiling a database about capital cities.
2. Letter from Dick Fifer - RE: Wind Turbines (See Letter).
3. Letter from Dennis P. Crawford, Attorney at Law – RE: Notice Of Claim Pursuant To Political Subdivisions Tort Claims Act – They represent Allen Hall this claim arose out of a motor vehicle accident that occurred on January 31, 2002, at the intersection of 33rd & “O” Streets (See Letter).
4. Letter from Theresa & Robert Blomstrom - RE: They are in the process of trying to re-zone their neighborhood from R-4 to R-2 –Antelope Park Neighborhood (See Letter).
5. E-Mail from Brian Edwards - RE: A note to applaud your three votes (Jan. 28th) related to the proposed bar/dance club on “O” Street (See E-Mail).
6. Letter from Richard B. Campbell, President, Northwoods Plaza - RE: Starting a development (See Letter).
7. E-Mail from Ruth Wenzl Gerber - RE: Change of Zone No. 3349 (See E-Mail).
8. Letter from Arta Smith - RE: Antelope Park Neighborhood - Zone Change for the designated area from R-4 to R-2 in order that the present integrity may be maintained (See Letter).
9. Letter & Material from Bevan B. Alvey, President, Pine Lake Neighborhood Association – RE: Pine Lake Roads (See Material).
10. REPORT - RE: Antelope Park Neighborhood Association - Sustaining Tradition, Character and Values (Council copies of this Report placed in their Thursday packet on 2/7/02) (Copy of this Report is on file in the City Council Office).

11. 1 Format Letter from Christine Shatzer - RE: In Support of allowing underage piercing (See Letter).
12. Letter from Bill & Cletia Price - RE: Application for a change of zoning in the Antelope Park Neighborhood (See Letter).
13. E-Mail from Barbara Ludemann - RE: In Support of the zoning change #3354 (See E-Mail).

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

**DIRECTOR'S MEETING
MINUTES
MONDAY, FEBRUARY 11, 2002
CONFERENCE ROOM 113**

Council Members Present: Annette McRoy, Chair (arrived late); Jonathan Cook, Vice-Chair; Coleen Seng, Ken Svoboda, Glenn Friendt, Terry Werner.

Council Members Absent: Jon Camp.

Others Present: Mayor Don Wesely, Mark Bowen, Ann Harrell, Amy Tejral, 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 Nate Jenkins, Lincoln Journal Star Representative.

[Ms. McRoy, Absent – Mr. Cook, Vice-Chair conducted the Director's Meeting for Ms. McRoy, Chair]

I. MAYOR

Mayor Don Wesely stated to Council that first off, they had the Lincoln Celebration yesterday and they were very excited about it. Mayor Wesely stated to Council that they had Fritz Klein from Springfield, Illinois who impersonated Lincoln and he did a nice job. Mayor Wesely stated to Council that it went well and they had a nice turn out.

Mayor Don Wesely stated to Council that "GoodYear" has met and they should hear something about the future of that plant this week. Mayor Wesely stated to Council that they have been working hard in trying to get help in the message that the Labor Management needs to cooperate and communicate and see if there's some means by which that operation can stay. Mayor Wesely stated to Council that "GoodYear" announced on Friday some serious losses last year and additional cuts in employees, so the overall status is not a good one for "GoodYear". Mayor Wesely stated to Council that they are not sure what successes they might have, but they're making the effort anyway to try and maintain those jobs.

Mayor Don Wesely stated to Council that they probably saw the announcement on "Ameritas" that their expansion is a great success story and Paul Brooke is taking shape and that's a great addition as well. Mayor Wesely stated to Council that this is good news, so they are really pleased about this announcement over the weekend.

Mayor Don Wesely stated to Council that they have been meeting and will be meeting with our Congressional Delegation to talk about Federal issues and funding. Mayor Wesely stated to Council that they probably saw the article and perhaps the Editorial this morning about the Federal road funding and the potential cut backs and it is a significant cut. Mayor Wesely stated to Council that as a result of it this does have an impact on the amount that they've received, which is a million dollars at this point and that's a million dollars less than what they had expected from the State and Federal Government. But, what really is bad about the cut is that it will make it even harder to get newer projects like Antelope Valley and South Beltway funded. So, they are working with their Congressional Delegation to try and see if they can't get funding lined up and then they will report all of those projects just so they know.

Mayor Don Wesely stated to Council that the Olympics started and yesterday they sent some of our finest to help with it and he would like to have Fire Chief Mike Spadt talk about it. Chief Spadt stated to Council that he's happy to announce that Nebraska's Task Force One is on the ground with Virginia Beach Task Force One at Salt Lake City. Chief Spadt stated to Council that they left yesterday about 10:00 a.m. and arrived; and their first mission was to set up their base of operation and put together a rapid response to [inaudible]. Chief Spadt stated to Council that he wanted to let them know that nobody was invited, that FEMA wanted to keep it a secret as to when they were departing and when they were in the air, so the media and elected officials didn't know about it. Mayor Wesely stated that they are proud of the Fire Personnel and the private sector and indicated that they also have some bus drivers there. Allan Abbott stated to Mayor Wesely that's correct.

Mayor Don Wesely stated to Council that the Malone Center has been on their minds now for a number of months and the decisions last week opened up opportunities to try to rebuild it. Mayor Wesely stated to Council that there will be a meeting this week to discuss their options and they will want to talk with Ms. Seng and the JBC. Mayor Wesely stated to Council that with the new board there is an opportunity to build a relationship and so they will see if they can start it back up from the difficulties that they faced here. So, they are hoping to set up a meeting this week to discuss it with United Way, JBC and any other potential clients on rebuilding the Malone Center.

1. NEWS ADVISORY - RE: The 2002 City of Lincoln-Lancaster County Directory listing the phone numbers for local government employees is now available for \$5.00 from the CIC. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For January. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council that in regards to Items 1 & 2 [Application of Brackhan Dance Directive L.L.C. dba “The DelRay Ballroom” for a Class “T” liquor license at 817 ‘R’ Street & Manager application of Shelley Kristine Brackhan for Brackhan Dance Directive L.L.C. dba “The DelRay Ballroom” at 817 ‘R’ Street] she would like to call these two items together.

City Clerk Joan Ross stated to Council that they probably received the same two faxed letters that she did in regards to Items 5 & 7 [Change of Zone 3354-Application of Antelope Park Neighborhood Association for a change of zone from R-4 Residential and P Public Use to R-2 Residential on property generally located at South 30th Street and Cable Avenue; and Change of Zone 3349-Application of the Planning Director for a change of zone from P Public Use to R-4 Residential on property generally located at 3023 Arlington Avenue, east of the intersection of Arlington Avenue and Jefferson Avenue] that is on their Agenda for today. City Clerk Joan Ross stated to Council that these two items are not related, but yet they are in the same area and apparently Mark Hunzeker is the new attorney on it and he would like to continue the Public Hearing on these two items to February 25th. Mr. Cook stated to City Clerk Joan Ross that since these two items do involve some of the same land that it might be appropriate that these items be called together today and on February 25th. City Clerk Joan Ross stated to Mr. Cook ‘yes’ and indicated that’s what she was going to follow up and say for the Public Hearing today that she had intended to do that. Mr. Cook stated to City Clerk Joan Ross okay. Mr. Cook stated to City Clerk Joan Ross that he doesn’t know what the Council’s pleasure would be, but it might be appropriate to just hold over and open the Public Hearing to February 25th and also have Action on February 25th.

City Clerk Joan Ross stated to Council that they have the three items relating to Mooberry and Parker’s Landing preliminary plat and Mark Hunzeker has also asked for a delay on it for Public Hearing to February 25th. City Clerk Joan Ross stated to Council that may be they can move it to March 4th because they are going to have a lot on the February 25th Agenda. City Clerk Joan Ross stated to Council that for the February 25th evening Council Meeting that it is going to be a busy night because they don’t have a meeting on February 18th [Presidents’ Day]. Mr. Svoboda stated that this will also be where they discuss the connector roads between Pine Lake. Mr. Cook stated to Mr. Svoboda that’s correct. City Clerk Joan Ross asked Council to let her know on what they decide to do.

City Clerk Joan Ross stated to Council that in regards to Item 32 [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 Avenue from N. 47th Street to N. 50th Street] that’s on Pending, they had a request to get this item moving forward for Public Hearing on February 25th.

City Clerk Joan Ross stated to Council that she was advised by the Public Works & Utilities Department that they would like to have them make a vote today on Item 33 [Creating Water District No. 1185 in Marlborough and Oaks Hollow Drive, Stevens Ridge Estates] as well. City Clerk Joan Ross stated to Council that they would like to move this item off the Pending list for Public Hearing on February 25th because this will tie in with Items 18 & 19 [Creating Water District No. ____ in Marlborough Road within Stevens Ridge Estates; and Creating Water District No. ____ in Oaks Hollow within Stevens Ridge Estates], which is under 1st Reading, so they will have this on February 25th as well.

City Clerk Joan Ross stated to Council that on the Miscellaneous Referral, there's two items that need to have a hearing date set and the one is on the automatic liquor license renewal for "Russ's Market #21" at 1550 S. Coddington due to the filing of written protests to such liquor license renewal. City Clerk Joan Ross stated to Council that they had four protests so due to that they have to set a Public Hearing date, which she would like to set it for March 11th, so they get a timely hearing on it because they are in the renewal process right now. City Clerk Joan Ross stated to Council that the letters were sent to her, but she also advised and sent copies to the Liquor Commission and she gave them copies as well, which was passed out to them with the Miscellaneous Referral.

III. CORRESPONDENCE

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Mr. Svoboda stated to City Clerk Joan Ross that he noticed the protest for the liquor license renewal for "Russ's Market" at S. Coddington has three from the same address and he was wondering about it. City Clerk Joan Ross stated to Mr. Svoboda that she got an opinion from Joel Pedersen on it and he said 'yes' they're in the same household, but they are considered three. Mr. Svoboda asked City Clerk Joan Ross if they have any clarification whether they are of legal age or does it even matter. Dana Roper stated to Mr. Svoboda that 'yes' it does matter. Mr. Svoboda stated to Mr. Roper okay and 'thanked' him. City Clerk Joan Ross asked Mr. Roper if she should follow up with them and question them. Mr. Roper stated to City Clerk Joan Ross

that he thinks on the protest form from the Liquor Commission that it says you have to be a certain age. City Clerk Joan Ross stated to Mr. Roper so the Liquor Commission will follow up on it and asked Mr. Roper if she should follow up on it as well. Mr. Roper stated to City Clerk Joan Ross that 'yes' the Liquor Commission will follow up on it and stated 'no' that she doesn't need to do it. City Clerk Joan Ross stated to Mr. Roper so set the hearing date. Mr. Roper stated to City Clerk Joan Ross 'yes'. Mr. Svoboda stated that what he is attempting to do is save off some bad press for an area that's badly needed out there and they just had the grand opening for it a few months ago and now all of the sudden they are potentially getting bad press from one household per say and from one other resident out in that neighborhood.

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4. Material from Kathleen Sellman - RE: Change of Zone No. 3350 (Proposed Text Amendment to Title 27 of the Lincoln Municipal Code). — Mr. Cook stated that this Change of Zone-3350 is the application from the car dealers, not the Planning Department, which was sent back to the Planning Commission.

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Memo from Margaret Remmenga - RE: Water & Wastewater Rate Schedules. — Mr. Cook stated that it looks like they finally have something scheduled for it on February 25th.
2. Response Letter from Harry Kroos to Lorrie Benson - RE: The status of completion of a bike path to the new library and park facilities along South 14th Street. — Mr. Cook stated that there's one question that he still has on this issue and asked if there's anyway to do some interim steps such as gravel or something else that is off the road that isn't an expensive improvements, but allows some place for people to walk or bike. Nicole Fleck-Tooze stated to Mr. Cook that she thinks the concern was that until the street improvements are made that because of the grades and the ditch that there's really not a good way to address it. Ms. Tooze stated to Mr. Cook that she thinks Jim Visger was planning to get some information to them in response to that portion of it. Mr. Cook stated to Ms. Tooze okay. Ms. Tooze stated to Mr. Cook that she will check with Mr. Visger and make sure that an explanation is coming to them.

REAL ESTATE DIVISION

1. InterOffice Memo from Clinton Thomas - RE: Vacation of West Greenfield Street from NW 10th Street north 75 Street. — NOTED WITHOUT COMMENTS

STARTRAN

1. Memo from Connie Thoreson - RE: Responses to StarTran 2002 Town Hall Issues. — NOTED WITHOUT COMMENTS

C. MISCELLANEOUS

1. E-Mail w/Office response from Terrie Sampson, Lamplighter Montessori School - RE: They are compiling a database about capital cities. — NOTED WITHOUT COMMENTS
2. Letter from Dick Fifer - RE: Wind Turbines. — NOTED WITHOUT COMMENTS

3. Letter from Dennis P. Crawford, Attorney at Law – RE: Notice Of Claim Pursuant To Political Subdivisions Tort Claims Act – They represent Allen Hall this claim arose out of a motor vehicle accident that occurred on January 31, 2002, at the intersection of 33rd & “O” Streets. — Mr. Cook commented that someone is suing them and the Law Department has a copy of this letter.
4. Letter from Theresa & Robert Blomstrom - RE: They are in the process of trying to re-zone their neighborhood from R-4 to R-2 –Antelope Park Neighborhood. — NOTED WITHOUT COMMENTS
5. E-Mail from Brian Edwards - RE: A note to applaud your three votes (Jan. 28th) related to the proposed bar/dance club on “O” Street. — NOTED WITHOUT COMMENTS
6. Letter from Richard B. Campbell, President, Northwoods Plaza - RE: Starting a development. — Mr. Cook stated that may be this letter needs to be referred to a department for a response. Ms. Seng stated to Mr. Cook that she thinks the letter was also sent to somebody else. Mr. Cook stated to Ms. Seng that he will take a look at it. [A Letter was also sent to Ray Hill, L/L County Planning Department]
7. E-Mail from Ruth Wenzl Gerber - RE: Change of Zone No. 3349. — NOTED WITHOUT COMMENTS
8. Letter from Arta Smith - RE: Antelope Park Neighborhood - Zone Change for the designated area from R-4 to R-2 in order that the present integrity may be maintained. — NOTED WITHOUT COMMENTS
9. Letter & Material from Bevan B. Alvey, President, Pine Lake Neighborhood Association – RE: Pine Lake Roads. — NOTED WITHOUT COMMENTS
10. REPORT - RE: Antelope Park Neighborhood Association - Sustaining Tradition, Character and Values (Council copies of this Report placed in their Thursday packet on 2/7/02) (Copy of this Report is on file in the City Council Office). — NOTED WITHOUT COMMENTS
11. 1 Format Letter from Christine Shatzer - RE: In Support of allowing underage piercing. — NOTED WITHOUT COMMENTS
12. Letter from Bill & Cletia Price - RE: Application for a change of zoning in the Antelope Park Neighborhood. — NOTED WITHOUT COMMENTS
13. E-Mail from Barbara Ludemann - RE: In Support of the zoning change #3354. — NOTED WITHOUT COMMENTS

ADDENDUM (for February 11th)

I. MAYOR

1. NEWS ADVISORY - RE: Members of the media are invited to cover all the Abraham Lincoln Celebration events from Noon to 5:30 p.m., Sunday, February 10th at the Lied Center for Performing Arts. — Mayor Don Wesely mentioned this event during his comments to Council under “I. Mayor”. (See that discussion)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS

JON CAMP

1. Letter from DeLoyd Larsen, President, Edenton Homeowners’ Association to Jon Camp - RE: Seeking help with the restoration of the eroded banks of the drainage channel extending east from the culvert at 70th Street to beyond the footbridge. — Mr. Cook asked if Mr. Camp sent this letter to the Public Works & Utilities Department regarding the drainage channel on 70th Street. Allan Abbott stated to Mr. Cook that the letter went to him. Mr. Cook stated to Mr. Abbott okay.

B. DIRECTORS AND DEPARTMENT HEADS

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Memo & Material from Ben Higgins - RE: Upcoming Sediment and Erosion Control Workshops. — NOTED WITHOUT COMMENTS

C. MISCELLANEOUS

1. Letter from Duane Grantski - RE: The stub roads at 80th Street and Northshore Drive to extend into our area. — NOTED WITHOUT COMMENTS
2. Letter from Dewey R. Andersen - RE: That the City is considering purchasing a half acre parcel of land to expand the Edenton South Park. — NOTED WITHOUT COMMENTS

3. Faxed Letter from Mark A. Hunzeker, For the Firm - RE: Change of Zone #3337 and Parker's Landing Preliminary Plat (Bill No. 02-8 and 02R-4) - Mooberry. — Mr. Cook stated that they discussed this issue earlier. (See that discussion under "II. City Clerk")
4. Faxed Letter from Mark A. Hunzeker, For the Firm - RE: Change of Zone #3354 & Change of Zone #3349 – (Bill No. 02-15 and 02-18) – Silvercrest. — Mr. Cook stated that they discussed this issue earlier. (See that discussion under "II. City Clerk")
5. E-Mail - RE: Star City Shores bridges - paint still peeling. — Mr. Cook stated that they have an E-Mail from someone who is still concerned about the peeling paint on the Star City Shores bridge and it said that they still haven't received a response on it or they are saying that nothing has been done on it yet. Mr. Cook stated that also attached to this recent E-Mail was a copy of their memo from December of 2000 on this issue. Mr. Cook stated that he will pass this letter along for someone to follow up on it. Ann Harrell stated to Mr. Cook that she has dealt with this gentleman periodically in that period of time and informed him that it has turned into a legal matter between the City and the original installers, so that's kind of where it stands, but that's not always a satisfactory answer. Mr. Cook asked Ms. Harrell how long ago did she have contact with him. Ms. Harrell stated to Mr. Cook that it has been quite a little while ago, that she hasn't heard anything about it lately, so Dana Roper said that he would follow up and check on the status of the case. Mr. Cook stated to Ms. Harrell okay and 'thanked' her.

IV. DIRECTORS

LAW DEPARTMENT - City Attorney Dana Roper stated to Council that FYI, on Friday the Supreme Court had issued three decisions involving the City of Lincoln. Mr. Roper stated to Council that two involved water, that Margaret Blatchford was defending an application by Saunders County saying that the City was in violation of their Zoning Permit and that was remanded to the Water Department, the State and the Natural Resources. Mr. Roper stated to Council that the second one was on their diversion of water out at the Platte to recharge the wells and Saunders County had said that they should be involved in it and the Supreme Court said that they should not and so this application is now ready for a determination of the State. Mr. Roper stated to Council that they had worked out an agreement with the other NRD's up and down the Platte, so this is now ready for a decision by the State. Mr. Roper stated to Council that the third one involved the Constitutionality of an Ordinance- 'Failure to follow the lawful order of a Police Officer'. Mr. Roper stated to Council that a gentleman wanting to participate in a DWI arrest from the sidewalk and the officer told him three times to move along and he choose not to and he was ticketed. Mr. Roper stated that the officer approached him, he raised his

fists in the air and eventually a block later he was arrested and charged. Mr. Roper stated to Council that it went to County Court and he was fined \$100.00 and that was appealed in the firm and the Supreme Court unanimously said the Ordinance was Constitutional and the conviction was Constitutional. Mr. Roper stated to Council that John McQuinn and Steve Huggenberger was on the big water suit. Mr. Roper stated to Council that also earlier in the week, Connor Reuter got Judge Urbom to agree that just to all of the Elected Officials and the Appointed Officials should be dismissed from the John Ways lawsuit, so they only have the City left and may be with another motion they can get them out.

Mayor Don Wesely stated to Council if he could follow up, he thinks it is really successful that Dana Roper and all of the good City Attorney's that they have has had a wonderful week. Mayor Wesely stated to Council that this Saunders County lawsuit is realistic and has been of issue for years, even prior to him coming into office. But, Saunders County at the last minute intervened and decided that they were upset about things and have really been tough to work with and it's been a very unfortunate situation. So, in having this issue resolved is a big step because now they go forward and finalize the water right and protect our well people in Ashland and all of that was just about to happen when this intervention occurred. Mayor Wesely stated to Council so he wants to compliment Dana [Roper] and his staff for their good work.

V. CITY COUNCIL MEMBERS

TERRY WERNER

Mr. Werner stated that he was wondering if they took a position on any of the LB-775 bill's and asked if anybody testified on these bills. Mayor Don Wesely stated to Mr. Werner 'no', not that he knows of.

COLEEN SENG - NO COMMENTS

GLENN FRIENDT - NO COMMENTS

ANNETTE McROY

Ms. McRoy stated that they had the ice storm and she doesn't know if they talked about it earlier, but some of the light signals are still covered with ice so you can either see half of it or you can't see it at all. Ms. McRoy stated that when she came home from work last night- northbound on 27th & Vine Street that you could only see half of the light signal and people were just sitting there because they couldn't see the other half of the signal to go. Ms. McRoy stated that she also noticed that on 21st & 'O' Street this morning that two out of the three little round things are still covered in ice and she commented that she

knows this is nit-picking. Ms. Seng commented that 9th & 'P' Street was another one this morning. Allan Abbott stated to Ms. McRoy that it is not nit-picking, he just doesn't know how they are going to get out there and get it off, but they will get it because it is dangerous when you come up and can't see what color the light is. Mr. Abbott stated to Ms. McRoy that they will take care of it.

Ms. McRoy asked if the City owned the Centrum Parking Garage. People stated to Ms. McRoy that 'yes' the City does own it. Ms. McRoy stated that she had a couple of people who work downtown and park there under revenue basis and they say that it smells. Ms. McRoy indicated that they told her that homeless people or who ever must use it for a restroom and they wanted to know how often it is cleaned. Ms. McRoy stated that may be she will send it through as a Request For Information because some of the downtown workers are upset because it smells. Allan Abbott commented to Ms. McRoy that unfortunately it is not an unusual problem. Mr. Abbott stated to Ms. McRoy that they will follow up on it.

Ms. McRoy stated that Corkey Ford over at the State and Human Services wanted her to 'thank' the Mayor's Office, Bruce [Dart] and the Parks & Recreation Department for their assistance in the Aids Awareness event Thursday night. Ms. McRoy stated that it turned out pretty well and he wanted her to 'thank' the three departments that helped out with it.

JON CAMP - ABSENT

KEN SVOBODA - NO COMMENTS

JONATHAN COOK

Mr. Cook stated that in regards to the "Popeyes" situation that he brought up last week that he was wondering if someone was checking on the parking lot deal over there. Mr. Cook stated that he didn't send a Request For Information through on it and asked if he should send through a RFI on it. Nicole Fleck-Tooze stated to Mr. Cook that she thinks they have it down, but she will check on it to make sure that they do and then get back with him on it. Mr. Cook asked Ms. Tooze to also make a carbon copy for Coleen [Seng]. Ms. Tooze stated to Mr. Cook okay.

VI. MEETING ADJOURNED AT 11:33 A.M.

dm021102/tjg