I. MAYOR


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A. COUNCIL REQUESTS

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1. Memo from Ken Svoboda to Dana Roper, City Attorney - RE: 5 City TV programming. (See Memo).

2. Response Memo from Steve Huggenberger, Assistant City Attorney to Ken Svoboda - RE: Candidate Forum on Channel 5. (See Memo)
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CITIZEN INFORMATION CENTER

*1. Memo from Diane Gonzolas - RE: Response to March 4th letter from Amy Cornelius-Jones regarding printing letterhead. (See Memo)

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1. Letter from Bernie Heier, Chairman of the Board to John L. Craig, Director State of Nebraska Department of Roads - RE: South Bypass Planning; Closure of Old Cheney Road at Highway 77. (See Letter)

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2. NEWS RELEASE - RE: Diazinon Pesticide Found Particularly Dangerous To Children And Pregnant Women. (See Release)
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*1. Interdepartmental Communication from Doug Thomas - RE: 2002 G.A.I.C. Accomplishments. (See Memo)

PLANNING

*1. Annexation by Ordinance - Ordinance No. 18145 - Effective Date: March 25, 2003 - 8.1 Acres.

PLANNING COMMISSION FINAL ACTION . . . .

*1. Final Plat No. 03003 - Ashley Heights 3rd Addition (N.W. 48th and north of W. Thatcher Lane) Resolution No. PC-00797.
*2. Final Plat No. 02046 - Thompson Creek Addition (South 56th Street and Union Hill Road) Resolution No. PC-00796.

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*1. Response Letter from Thomas S. Shafer to Steve Sypal - RE: Project 700777 - 84th Street from Kathy Lane to Cheney Ridge Road. (See Letter)

*2. Letter from Scott Opfer to Jack Tuma - RE: His desire to have the posted speed limit on Pine Lake Road between 56th & 70th Streets, lowered to 40 or 45 mph from its current posting of 50 mph. (See Letter)

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4. Response Letter from Chuck Godsey to Edward Schnabel - RE: Complaint concerning the “O” Street pothole repair. (See Letter)


C. MISCELLANEOUS

*1. Faxed Material from Tom Trainor, Trainor Plumbing, Master #44 - RE: The Proposed Lincoln City Plumbing Code, will becoming before you many Master Plumbers are not happy with some of the things as Proposed. (See Material)

*2. Lincoln-Lancaster County Food & Hunger Coalition - Annual Statistical Report - 2002 - Issued April 2003 - By: Lincoln Interfaith Council. (Copy of this Report is on file in the City Council Office)

3. E-Mail from Dan & Melissa Beecher - RE: Writing to express our strong support for the proposed Nebraska Tennis Center to be located at 84th & South Street. (See E-Mail)

4. E-Mail from Steven Z. Johnson - RE: Proposition 03-49 – Police Chief Casady’s proposal. (See E-Mail)
5. E-Mail from Steven W. Holman - RE: Proposed Ordinances - brought before the City Council by Police Chief Tom Casady. (See E-Mail)

6. Letter with 17 signatures from the Rape/Spouse Abuse Crisis Center - RE: Ordinance Item 03-49 - proposed by Police Chief Casady. (See Letter)

7. Letter & Material from David Anderson - RE: Apartment Inspections. (See Material)

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

I. MAYOR

Mayor Don Wesely stated to Council that he would like to talk first about some of the Economic news that they released last week and it’s on display out front in the hallway to emphasize the excellent news that they keep getting on the economic front. Mayor Wesely stated to Council what they found for the March numbers has continued to grow, the sales tax increase this time is 4.3%, which means for this fiscal year starting in September they found a 5.25% gross sales tax increase. Mayor Wesely stated to Council that it’s not a solid number, but with the reduction in the refunds that they give out their net sales tax revenue is up 11.75% over the course of about 10 months. Mayor Wesely stated to Council the bottom line is that their receipts on sales tax is about a little over a million & a half dollars over projection, so they go into the fiscal year, if this continues, in very healthy shape of solid economic showing in terms of the gross. Mayor Wesely stated to Council that it’s been this side that really helps them with the budget. [Copy of this News Release is on file in the City Council Office]

Mayor Wesely stated to Council that if they look at the material that they sent out, they’re also seeing the same numbers reflected in construction permits that the March numbers again are up this fiscal year. Mayor Wesely stated to Council that the value of construction permits issued this fiscal year is 54% higher than at this point last fiscal year, which is very significant. [Copy of this News Release is on file in the City Council Office]

Mayor Wesely stated to Council that also on the job site from 2001 to 2002 increased. Mayor Wesely noted to Council what you do is you average the monthly numbers, so you use that and that’s what the Labor Department uses as the average employment level year-to-year. Mayor Wesely stated to Council that the average employment level was 141,000 in 2001 and 148,000 in 2002, so an increase in jobs of 6,341. Mayor Wesely stated to Council that the January figure takes it even higher than that to 151,000, which means if that reflected the actual employment level over the course of 2003, they would see a 10,000 job increase in two years. [Copy of this News Release is on file in the City Council Office]
Mayor Wesely stated to Council the other thing that they sent out was an “CNN-Money Magazine” article from the web site called ‘Best and Worst Places For Jobs’ and the best place is that they’re ranked, he thinks some where like 22nd or something. Mayor Wesely stated to Council that a lot of these communities are much smaller than they are and if they look at the communities their size they are the 5th lowest in the Nation on their employment rates. Mayor Wesely commented that despite what ever else might be said the economy is strong in Lincoln and it continues to get stronger. Mayor Wesely stated to Council that if they want any more material on this issue they can get them some more on it. Discussion continued with Council, Mayor Wesely and Darl Naumann on this issue with comments and questions from the Council. [Copy of this News Release is on file in the City Council Office]

Mayor Don Wesely stated to Council that he knows the Crime package is up today and he certainly appreciates working with them on it.

Mayor Don Wesely stated to Council that they also have the voluntary water conservation in effect on April 1st and he thinks in their packets is a copy of the plans adopted by Executive Order. Mayor Wesely stated to Council that it’s mostly to get people in the habit of watering every other day and on the right days. Mayor Wesely indicated to Council that once they set their sprinklers or whatever and get into the habit, they think if they do need to go to a mandatory conservation it will be easier for everybody.

Mayor Don Wesely stated to Council that Bonnie Coffey has a report for them on the Community Learning Centers and the National Conferences held here last week. Bonnie Coffey stated to Council that the Public Education Network came into town last Wednesday, Thursday and Friday for a site visit and Lincoln knocked their socks off and commented that Lincoln is truly a national model for the Community Learning Centers. Then, on Saturday they held Community Conversations, which was a workshop for Community Learning Centers and the Neighborhood Associations to get together and learn what one another was doing. Ms. Coffey stated to Council that they had a 140 participants and 40 of them were kids, but they had to feed them anyways, so they counted their noses and “Valentino’s” provided the pizza and the lasagna for it. Ms. Coffey stated to Council that they had a really good turn out and some great interaction between the Neighborhood Associations and the Community Learning Centers.

Mayor Don Wesely stated to Council that Lynn Johnson has something for them on the Sunken Gardens. [Lynn Johnson handed-out to Council a brochure - RE: Polishing the Gem: Preserving Our National Treasure - Sunken Gardens] Lynn Johnson stated to Council that as they know, they’re in the process of organizing a campaign for renovations to Sunken Gardens and the Preservation Foundation is taking a led on the effort. Mr. Johnson stated to Council that he thought they might be interested in seeing the brochure that has been put together to help support the campaign. [Copy of the brochure is on file in the City Council Office]
Mayor Don Wesely stated to Council that Thursday is going to be kind of a big day for them and stated that first Larry Williams would like to tell them about the Fair Housing Conference. Larry Williams stated to Council that this Thursday, they will have their 2nd Fair Housing Conference at the Embassy Suites Hotel and this is in recognition of April, which nationwide is Fair Housing month. Mr. Williams stated to Council that they are very honored to have Mrs. Carolyn Peoples, who’s the Assistant Secretary for Fair Housing & Equal Opportunity out of the department of Housing & Urban Development to be their keynote speaker. Mr. Williams stated to Council that Ms. Peoples was just recently appointed that position back in September or November of last year by President Bush and she will be their keynote speaker along with a lot of concurrent sessions. Mr. Williams stated to Council that this is a record year for them that they have right at 300 people attending their Fair Housing Conference at the Embassy Suites. Mayor Wesely commented that’s great.

Mayor Don Wesely stated to Council that Steve Beal will also tell them a little bit about Thursday’s event for the Health Department. Steve Beal stated to Council that this Thursday is the Board of Health Annual Meeting, which is a big event for them and they’re having some speakers coming in. Mr. Beal stated to Council that they are having a speaker from Nashville and Davidson County, Tennessee-Dr. Stephanie Bailey, who runs the Metro Public Health Department in Nashville; Michael Samuelson, who is a National speaker on Health Promotion issues; and Marcia Murphy, who is a local Health Administrator in Clinton County, Missouri. Mr. Beal stated to Council that these three speakers are going to have a Community Forum from 12:30 p.m. to 2:00 p.m. that afternoon and then that night Dr. Stephanie Bailey will give our keynote at the University of Nebraska-Lincoln East Campus where they will have their dinner.


3. NEWS RELEASE - RE: City Begins Voluntary Water Conservation Today. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)

4. NEWS RELEASE - RE: Separation Of Grass And Leaves Starts Today. — NO COMMENTS

5. NEWS RELEASE - RE: Facts Show Lincoln Economy Strong And Growing. — Mayor Don Wesely mentioned this issue during his comments to Council under “I. Mayor”. (See that discussion)

6. NEWS RELEASE - RE: Demolition Of Building Scheduled For This Weekend.
II. CITY CLERK

City Clerk Joan Ross stated to Council that on their Agenda under ‘Public Hearing-Ordinances’ for Items 2 & 3 [Approving a contract between the City and the Lincoln Haymarket Development Corp. to operate and regulate a Saturday public market in the Haymarket area from May 3, 2003 through October 25, 2003; & Approving a contract between the City and the Downtown Lincoln Association to operate and regulate a Tuesday Open-Air Market in the area of 12th Street from Q to R Streets and R Street from 12th to 13th Streets from June 3, 2003 through June 24, 2003] can she call these two items together or do they prefer them to be called separate. Brief discussion continued with Council and City Clerk Joan Ross on this issue. Following the discussion, Council decided that they wanted these two items to be called separate. City Clerk Joan Ross stated to Council okay.

City Clerk Joan Ross stated to Council that they have some setting hearing dates, which one of them is at the bottom of page 2-Item 14 [Setting the Hearing date of Monday, April 21, 2003 at 5:30 p.m. for Application of Bag N Save Inc. dba “Bag N Save” for a Class “D” liquor license at 4615 Vine Street] and on page 3-Item 15 [Setting the Hearing date of Monday, April 21, 2003 at 5:30 p.m. for Application of Dmack, Inc. dba “Legends” for a Class “C” liquor license at 8300 Northwoods Drive] and then under ‘Miscellaneous Referrals’, she has a setting hearing date and so she will call these three items together.

City Clerk Joan Ross stated to Council that continuing on page 3, she just wants to remind them that they have a Motion-to-Amend that relates to the CBDG Funding.

City Clerk Joan Ross stated to Council that on page 4 in regards to the Grading & Graveling Districts, she thinks Nicole [Fleck-Tooze] had some comments to make at this time. Nicole Fleck-Tooze stated to Council that she just wanted to pass along two things relating to Items 21 & 22 regarding the Grading & Graveling Districts. Ms. Tooze stated to Council the first thing is to just let them know that in the past the way these districts have worked regardless of whether or not petitions were required that they brought forward was first an Ordinance for the creation of the district and followed up with a Resolution order in construction. But, now for these districts where no majority petition is required the language that orders construction is in bodied in the Ordinance creating the district. So, she just wanted the Council to be aware that if they vote to create the district today for the grading and graveling that there will be no follow up Resolution that comes forward to order it constructed because the language is in bodied within it and this would be true for anything coming forward in the future. Allan Abbott stated to Council that one of the reasons they have done this is that it appears like it is taking up time, but doesn’t need to be taken up for the Resolution portion, if they concluded with the
Ordinance. Mr. Abbott indicated to Council that again, if there’s no majority petitioner that it just seems like this was more of an efficient way of doing things rather than delay it for two weeks to have the Resolution come up and then have to vote on it again. Ms. Tooze stated to Council the new language that would do that was included in the original Ordinance that came forward for the Grading District, but was not for the Graveling District and that’s why they have the motion to amend for the graveling district to make it consistent with the grading.

Ms. Tooze stated to Council the second point relates to the question that came up at the Public Hearing last week on whether or not .... because a petitioner could just bring in as an alternative to creating the district that they could just bring in gravel themselves and pay for it and that’s not a possibility here. Ms. Tooze stated to Council that their policy on it is that once a district has been created or rather once an alley way has been quote opened by coming in and either grading or graveling in or paving the alley that then it can be maintained in that way and once the grading and graveling has been done it can be maintained by the applicant or whomever wanted to bring any additional gravel. But, the problem with that is that there would be a lot of draining issues that wouldn’t be addressed, if it’s just brought in. Ms. Tooze stated to Council that in their opinion if it’s going to get moved forward it should be done for the district. Mr. Friendt stated to Ms. Tooze that he is going to want to have her explain in the session the criteria that allows this combination of Ordinance in Resolutions. Ms. Tooze stated to Mr. Friendt ‘sure’, she would be glad too. Mr. Camp asked Ms. Tooze if they could get an estimated cost figures as she goes over it again to help them in the Public Hearing. Ms. Tooze stated to Mr. Camp ‘sure’.

City Clerk Joan Ross stated to Council that in regards to Item 27 [Amending Chapter 9.24 of the Lincoln Municipal Code to provide that it shall be unlawful for any person convicted of violating specified state and local theft offenses twice within ten years to pawn or sell any property to a pawnbroker or second-hand jewelry dealer within the City of Lincoln] she just wants to point out that they have a motion to amend, which was Terry’s [Werner].

City Clerk Joan Ross stated to Council that in regards to Item 28 [Amending Chapter 9.36 of the Lincoln Municipal Code relating to weapons to make it unlawful for any person to possess a firearm within the corporate limits or on any property of the City of Lincoln outside the corporate limits when that person has been convicted of violating specified state and local offenses within ten years; to make it unlawful for any person to keep a firearm in an unattended motor vehicle; and to provide a definition for the term “firearm”] they have three motions, one from Terry [Werner] and two from Ken [Svoboda].

*1. Letter from Harold W. Clarke, Director, Department of Correctional Services & Ken Fougeron, Administrator DAS/State Building Division brought into Council Office by City Clerk Joan Ross - RE: Paving District 03-41 Protest (State of Nebraska, Old Reformatory) West South Street (from SW 23rd to SW 27th) SW 27th Street (from West South Street to West A Street) - Item #17, 03-41.
[Note: Council Office also received an original copy of this letter in the morning mail on 3/26/03]. — Mr. Cook asked if they can assess the State for these districts and what is their power to assess. City Clerk Joan Ross stated to Mr. Cook that the letters went out by the Public Works & Utilities Department and asked Nicole Fleck-Tooze if that was correct. Nicole Fleck-Tooze stated that her understanding is that they can assess the State, but there is nothing they can do to force them to pay. Ms. Tooze stated to Mr. Cook that they are probably going to end up subsidizing it. Mr. Cook stated to Ms. Tooze okay and commented well that’s good to know. Ms. Tooze stated to Mr. Cook that they can legally be part of the district that’s assessed. Mr. Cook stated to Ms. Tooze okay.

*2. Letter from Virginia Miller brought into Council Office by City Clerk Joan Ross - RE: Alley Grading District - East/West Alley, N. 69th to N. 70th Street - ‘X’ Street to ‘Y’ Street — Alley Graveling District -East/West Alley, N. 69th to N. 70th Street-’X’ Street to ‘Y’ Street - 03-43, 03-44. — Nicole Fleck-Tooze discussed this issue with Council under “II. City Clerk”. (See that discussion)

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4. OUTSTANDING Request to Public Works & Utilities Department - RE: Street Sweeping (RFI#130-3/24/03). — NO COMMENTS
5. Request to Steve Masters, Public Works & Utilities Department - RE: Water Bill at 245 NW 22nd Street (RFI#131 - 3/24/03). — 1.) SEE RESPONSE FROM DOUG LUEDTKE, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#131 - 04/01/03. — NO COMMENTS

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Mr. Friendt ‘thanked’ the Health Department and Animal Control for their response to Elda Pohlmann and commented that it looks like she may have a history with Animal Control.

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2. Response Memo from Steve Huggenberger, Assistant City Attorney to Ken Svoboda - RE: Candidate Forum on Channel 5. — Mr. Svoboda stated to Tammy Grammer that this can be taken off of the Agenda. Mr. Svoboda asked Dana [Roper] if he could ‘thank’ Steve [Huggenberger] for this response, even though
he doesn’t agree with it and commented but he appreciates it.

Mr. Svoboda stated that Harry Kroos from the Planning Department responded to a constituent about a mud checking on sidewalks and so if they could pass on a ‘thank-you’ to Mr. Kroos for the response back to him, he would appreciate it.

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*1. Memo from Diane Gonzolas - RE: Response to March 4th letter from Amy Cornelius-Jones regarding printing letterhead. — NO COMMENTS

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4. Response Letter from Chuck Godsey to Edward Schnabel - RE: Complaint concerning the “O” Street pothole repair. — NO COMMENTS


C. MISCELLANEOUS

*1. Faxed Material from Tom Trainor, Trainor Plumbing, Master #44 - RE: The Proposed Lincoln City Plumbing Code, will becoming before you many Master Plumbers are not happy with some of the things as Proposed. — NO
COMMENTS

2. Lincoln-Lancaster County Food & Hunger Coalition - Annual Statistical Report - 2002 - Issued April 2003 - By: Lincoln Interfaith Council. (Copy of this Report is on file in the City Council Office). — NO COMMENTS

3. E-Mail from Dan & Melissa Beecher - RE: Writing to express our strong support for the proposed Nebraska Tennis Center to be located at 84th & South Street. — NO COMMENTS

4. E-Mail from Steven Z. Johnson - RE: Proposition 03-49 – Police Chief Casady’s proposal. — NO COMMENTS

5. E-Mail from Steven W. Holman - RE: Proposed Ordinances - brought before the City Council by Police Chief Tom Casady. — NO COMMENTS

6. Letter with 17 signatures from the Rape/Spouse Abuse Crisis Center - RE: Ordinance Item 03-49 - proposed by Police Chief Casady. — NO COMMENTS

7. Letter & Material from David Anderson - RE: Apartment Inspections. — Mr. Cook stated that he is concerned about this issue too, but he understands that the Law Department may have an interpretation of some things and indicated that he will have them explain a little bit about it. Mike Merwick stated to Mr. Cook ‘yes’, they’ve met with the Law Department and [inaudible] and discussed this issue. Mr. Merwick stated that the Law Department has given him some case law on this issue to review and then they’re going to get back together soon and discuss what applications that this case law might have on the letter that they have before them. Mr. Cook asked Mr. Merwick if he could keep him up-to-date on it. Mr. Merwick stated to Mr. Cook ‘sure’. Ms. Seng commented to Mr. Cook to keep all of them up-to-date on this matter. Mr. Merwick stated to Council that he will keep them all up-to-date on it.

ADDENDUM - (For April 7th)

I. MAYOR

1. NEWS RELEASES - RE: Lincoln Listed As One Of Nation’s Best Places For Jobs. — Mayor Don Wesely mentioned this issue earlier during his comments to Council under “I. Mayor”. (See that discussion)

2. NEWS RELEASE - RE: City of Lincoln - Snow/Traffic Condition Report - April 7, 2003 - 6:00 a.m. — NO COMMENTS
II. CITY CLERK - NONE

III. CORRESPONDENCE
A. COUNCIL REQUESTS - NONE
B. DIRECTORS AND DEPARTMENT HEADS - NONE
C. MISCELLANEOUS

1. Letter from Mary Helen Peters - RE: Change of Zone No. 3397 (R-4 to R-2 Franklin Heights -So. 27th & South Streets). — NO COMMENTS

IV. DIRECTORS - NO COMMENTS

V. CITY COUNCIL MEMBERS

KEN SVOBODA

Mr. Svoboda stated to everyone that there is cookies back on the table, so please take them. Mr. Svoboda stated that today is Lincoln’s Birthday-134 years strong that they were incorporated in 1869. Mr. Svoboda stated that he ran across this in a piece that his wife found while going through some of her step-father’s belongings that had just been in a draw and it was Mayor Rowland Luedtke at the time who put this together [he held up a pamphlet]. Mr. Svoboda stated that it’s a pamphlet called “Your Government at a Glance”, which has a good little history about Lincoln. Mr. Svoboda stated that he spotted this in there and he thought ‘well’ that’s just to coincidental that they meet on their Birthday, so cookies for all. Everyone ‘thanked’ Mr. Svoboda.

ANNETTE McROY - NO COMMENTS

JON CAMP

Mr. Camp stated that he has a couple of things for the Public Works & Utilities Department. Mr. Camp stated to the Public Works & Utilities Department that he really wants to ‘thank’ a number of the staff because there has been so many of them at the
meetings regarding 84th Street. Mr. Camp stated that Thomas Shafer has come out on several occasions and he really appreciates what he has done there, plus they got the Vintage Heights and that was a last minute notice.

Mr. Camp stated to the Public Works & Utilities Department that he also understands from a couple of staff members that John VerMaas regarding the drainage situation on South 27th Street that it sounds like they are doing it.

Mr. Camp stated to Allan Abbott that the speed limit questions have come up from a couple of people regarding Highway 2 and he saw that they were going to check with the Department of Roads. Mr. Camp stated to Mr. Abbott that he also thinks that he E-Mailed him something that they got about the Country Meadows area with concerns on the speed limit at South 66th Street. Mr. Camp stated that he knows there is a cost to it, but he thought the practical option seems to be an acceleration or deceleration lane. Mr. Abbott stated to Mr. Camp that he hasn’t read the E-Mail yet. Mr. Camp stated to Mr. Abbott okay.

Mr. Camp stated to Lynn Johnson that he wants to ‘thank’ J.J. Yost for being out at Vintage Heights regarding the Mendoza Park. Mr. Camp stated that for those who don’t know, they had a situation where the neighbors got together and they brought up a lot of hunting theories to get the park put up on the priority list, which is a nice thing for them.

JONATHAN COOK - NO COMMENTS

GLENN FRIENDT

Mr. Friendt stated to everyone remember to vote tomorrow.

COLEEN SENG

Ms. Seng stated that she has seen a lot of stakes out at 48th & Leighton and asked if there is something going on out there that she doesn’t know about at the 48th & Leighton intersection. Ms. Seng stated that along Leighton Avenue there are little red flags and little wood stakes about a block east of 48th Street. Allan Abbott stated to Ms. Seng that he will check on it for her and let her know. Ms. Seng ‘thanked’ Mr. Abbott.

TERRY WERNER

Mr. Werner stated that he would like to talk to Ray Hill after the Director’s Meeting today. Ray Hill stated to Mr. Werner okay.
VI. MEETING ADJOURNED - Approximately at 11:33 a.m.