

**DIRECTORS' MEETING  
MONDAY, JULY 11, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For May - (See Release)
- \*2. NEWS RELEASE - RE: Equipment Malfunction Temporarily Interrupts 911 Phone Service -(See Release)
- \*3. NEWS RELEASE - RE: Mayor Seng Announces Health Insurance Deal To Save City \$1 Million -(See Release)
- \*4. NEWS ADVISORY - RE: Mayor Coleen Seng's schedule includes the following events: For June 23<sup>rd</sup>, June 24<sup>th</sup> & June 27<sup>th</sup>.... - (See Advisory)
- \*5. NEWS RELEASE - RE: Public Invited To Dedication Of New Park -(See Release)
- \*6. NEWS RELEASE - RE: Teen Center Now Open At Park Middle School - (See Release)
- \*7. NEWS RELEASE - RE: Mayor Invites Area Residents To City's Fourth of July Celebration -Annual event returns to Oak Lake Park for third year-(See Release)
- \*8. Washington Report - June 17, 2005.
- \*\*9. NEWS RELEASE - RE: Seng Balances City Budget Without Raising City Property Tax Rate -(See Release)
- \*\*10. NEWS RELEASE - RE: Mayor Says City Economy Is Strong: Calls On All Lincolnites To Market City To Attract Jobs - (See Release)
- \*\*11. Washington Report - June 24, 2005.
- 12. NEWS RELEASE - RE: Mayor's Independence Day Message -(See Release)

13. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of July 2 through 8, 2005 -Schedule subject to change -(See Advisory)
14. NEWS RELEASE - RE: 56<sup>TH</sup> Street Storm Sewer Construction To Restrict Traffic -(See Release)
15. NEWS RELEASE - RE: Mayor Invites Public To Tour Antelope Valley Progress -(See Release)
16. NEWS RELEASE - RE: Street, Crosswalk Marking Project Under Way - (See Release)
17. NEWS RELEASE - RE: Mayor To Unveil New Sculptures At Sunken Gardens -(See Release)
18. Washington Report - July 1, 2005.

## **II. DIRECTORS**

### **FINANCE DEPARTMENT/AUDIT**

- \*1. Material from Mark Leikam, City of Lincoln Keno Auditor - RE: March 31, 2005 Quarterly Keno Audit -(See Material)

### **FINANCE DEPARTMENT/BUDGET**

- \*\*1. Material from Steve Hubka - RE: June Sales Tax Reports -(See Material)
2. Material from Steve Hubka - RE: Budget Information -(See Material)

### **FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - May 2005.

### **HEALTH**

- \*1. Health Department Report - May, 2005- (See Attached Report) (Copy of this Report on file in the City Council Office.)

- \*2. NEWS RELEASE - RE: Hot Weather Alert -(See Release)
- \*3. NEWS RELEASE - RE: Pets and Hot Weather -(See Release)

**PLANNING**

- \*\*1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants RE: Vintage Heights 22<sup>nd</sup> Addition Final Plat #05014-Generally located at S. 88<sup>th</sup> St. and Foxtail Dr. -(See Letter)
- \*\*2. Annexation by Ordinance -Ordinance No. 18526-Effective: May 3, 2005 - 218 Acres.

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

- \*\*1. Pre-Existing Special Permit #31A (Expansion of licensed premises- on-sale alcohol - 5555 Superior Street) Resolution No. PC-00931.
- \*\*2. Pre-Existing Special Permit #32A (Expansion of nonconforming use- on-sale alcohol - 2801 N.W. 48<sup>th</sup> Street) Resolution No. PC-00932.
- \*\*3. Special Permit #05027 (10400 South 56<sup>th</sup> Street) Resolution No. PC-00933.
- \*\*4. Special Permit #05028 (On-sale alcohol - 2102 Adams Street) Resolution No. PC-00934.
- \*\*5. Special Permit #05029 (4800 South 112<sup>th</sup> Street) Resolution No. PC-00935.
- \*\*6. Special Permit #05030 (6100 North 56<sup>th</sup> Street) Resolution No. PC-00936.
- \*\*7. Preliminary Plat #05011 - Crossbridge 1<sup>st</sup> Addition (East of North 27<sup>th</sup> Street, south of Fletcher Avenue) Resolution No. PC-00938.
- \*\*8. Use Permit #05005 - (Office/medical building-southwest of South 37<sup>th</sup> and O Streets) Resolution No. PC-00937.
- 9. Special Permit #05032 - **DENIED** - (Expansion of nonconforming use to allow an outdoor beer garden at the Library Lounge, 6891 A Street)

## **PUBLIC WORKS & UTILITIES**

- \*1. Public Works & Utilities ADVISORY - RE: Water Main Project For Lincoln Public Schools @ Yankee Hill School-Executive Order #72714 - (See Advisory)
- \*2. Public Works & Utilities ADVISORY - RE: 27<sup>TH</sup> & Yankee Hill - Project #701596A-Section of 27<sup>th</sup> Street to Close Monday for Construction -(See Advisory)
3. Response E-Mail from Randy Hoskins to Brian Bartels - RE: Student Project-(Traffic signal issue) -(See E-Mail)

## **WEED CONTROL AUTHORITY**

- \*1. Combined Weed Program - City of Lincoln - May 2005 Monthly Report.

## **WOMEN'S COMMISSION**

- \*\*1. Report from Bonnie Coffey - RE: Director's Report - May 2005 -(See Attached Report)

## **III. CITY CLERK**

## **IV. COUNCIL**

### **A. COUNCIL REQUESTS/CORRESPONDENCE**

## **JON CAMP**

- \*1. E-Mail from Russ Bayer sent to Jon Camp - RE: Requested change to the Comp Plan/Theatre Policy - (See E-Mail)
- \*\*2. E-Mail from Florafae & Burdette Schoen to Jon Camp with response from Karen Sieckmeyer, Public Works & Utilities Dept. - RE: Street Closing .... (See E-Mail)
3. E-Mail from Jon Camp to Dana Roper - RE: Meter Pit Claim -(See E-Mail)

## **JONATHAN COOK**

1. Request to Public Works & Utilities Department - RE: Driveway cracking - (RFI#124 - 6/10/05). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#124 - 6/17/05.**

## **COUNCIL - RFI'S**

1. Request to Public Works & Utilities Department - RE: Salt Creek Floodplain segment of South Beltway - (RFI#1 - 6/28/05)
2. Request to Police Chief Casady - RE: Loud music from car stereos - (RFI#2 - 6/28/05). — **1.) SEE RESPONSE FROM POLICE CHIEF CASADY RECEIVED ON RFI#2 - 7/05/05.**
3. Request to June Pederson, Aging Services Director - RE: Senior Center - (RFI#3 - 6/28/05). — **1.) SEE RESPONSE FROM JUNE PEDERSON, DIRECTOR LINCOLN AREA AGENCY ON AGING RECEIVED ON RFI#3 - 7/06/05.**
4. Request to Urban Development Department - RE: The Kinder-Care at 17<sup>th</sup> & South-BryanLGH/West not renewing their contract - (RFI#4 - 6/28/05)

## **ROBIN ESCHLIMAN**

1. Request to Mark Bowen, Mayor's Office - RE: Weekly updates to the City Council on the status of ITI - (RFI#1 - 7/07/05)

## **V. MISCELLANEOUS**

- \*1. E-Mail from Rocky Weber - RE: Strongly urge you to take any and all steps necessary to resolve the issues with ITI over the relocation of the Old Cheney, Warlick Blvd. intersection -(See E-Mail)
- \*2. Letter from Mark Hunzeker, For the Firm, Pierson/Fitchett Law Firm - RE: Items 34 through 38, inclusive of today's agenda-Bill Nos. 05R-134, 05-85, 05-86, 05R-135, and 05R-136 - (Council received copies of this letter on 6/20/05)(See Letter)

- \*3. E-Mail from Mary Roseberry-Brown - RE: Salt Creek Floodplain segment of South Beltway -(See E-Mail)
- \*4. E-Mail from Vicki Sullivan - RE: CATS!!!! -(See E-Mail)
- \*5. E-Mail from Mark Dietel - RE: Loud music from car stereos -(See E-Mail)
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- \*9. 2 -Letter's from Delores Eberhardt - RE: Senior Centers -(See Letters)
- \*\*10. Letters from Mary Hepburn O'Shea, LMHP, O.U.R. Homes (Organized Unit Responsibility Homes)- RE: Assisted Living Rates and Mental Health -(See Letters)
- \*\*11. E-Mail from Nikki LaPointe - RE: 4<sup>th</sup> of July Celebration for next year - (See E-Mail)
- \*\*12. Letter from Thomas Schleich, Chair, LES Administrative Board to Greg Vasek, President, Linweld, Inc. - RE: August 1, 2005 Proposed Rate Increase -(See Letter)
- \*\*13. E-Mail from Dee Ann Herrington - RE: Concerned about South 14<sup>th</sup> Street between Old Cheney & Pine Lake -(See E-Mail)
- 14. Letter from Rebecca Hasty - RE: Request for an Ordinance to prohibit pit bulls in the City of Lincoln -(See Letter)

15. E-Mail's from Brian Bartels with request from Jonathan Cook - RE: The potential problem at the intersection of 32<sup>nd</sup> & Pine Lake Road -(See E-Mail's)
16. E-Mail from Carol B. with response from Bob Hampton - RE: Concrete grinding -(See E-Mail)
17. E-Mail from Phillip Stevens - RE: Personal request/Lapel pin -(See E-Mail)
18. E-Mail from Becky Tegeler - RE: 4<sup>th</sup> Celebration -(See E-Mail)
19. Letter & Article from Ruth Mussmann - RE: Wal-Mart -(See Material)
20. Letter from Billy & Wilma Williams - RE: Proposed Budget -(See Letter)
21. Letter from Eileen Rich - RE: Proposed Budget - Tax Increase on gasoline - (See Letter)
22. E-Mail from Janet Wheatley - RE: I was shocked to walk into the 70<sup>th</sup> & Pioneer Hy-Vee Store last Friday and be offered what happened to be a sample of an alcoholic beverage -(See E-Mail)
23. E-Mail from Kevin Karmazin - RE: Thinks there should be an ordinance about alternative beverages for Designated Drivers in bars, etc.-(See E-Mail)

## **VI. ADJOURNMENT**

**\*HELD OVER FROM JUNE 27, 2005.**

**\*\*HELD OVER FROM JULY 4, 2005.**

**DIRECTORS' MEETING  
MINUTES  
MONDAY, JULY 11, 2005  
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**Council Members Present:** Ken Svoboda, Chair; Patte Newman, Vice-Chair; Jonathan Cook, Annette McRoy, Jon Camp, Robin Eschliman, Dan Marvin.

**Others Present:** Mayor Coleen Seng (arrived late), Ann Harrell, Rick Hoppe, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative and Frank Delgado, Citizen.

**I. MAYOR**

Ann Harrell stated Mayor Seng is not here, she will probably show up later and Mark (Bowen) is out of the office this week.

Ann Harrell called on Directors. Police Chief Casady reported they have a pretty massive search underway in the South Bottoms for a 6 year old boy who turned up missing this morning when his family woke. They have been at it for a little over three hours now, so if they hear it on the news or see a lot of activity in that area that is what's going on. Nothing has turned up so far, no evidence of any kind of force entry.

Marc Wullschleger reported they had conclusion of the Antelope Valley Tours this weekend. They ran tours on Saturday morning at 8:00 a.m., 9:00 a.m., & 11:00 a.m. and Lynn Johnson lead the tours. They had a total of 280 people on those tours, 50 were on bicycles and 230 people on the bus tours. They were planning to have two buses that morning and actually ran six buses which are donated by UNL. In total they had 522 people on all of the tours through the two weeks and they will be talking about doing this again. Ann Harrell mentioned the "Daily Nebraskan" also ran some photographs they took when they went on the tour which was kind of nice.

Dana Roper stated the Court of Appeals upheld the constitutionality of one of our ordinances this being giving false information to a peace officer. What made the case unusual is in defending the constitutionality of the Lincoln ordinance was the Douglas County Attorney's Office. This was a juvenile court matter and the matter was adjudicated in juvenile court in Lincoln and it was then transferred to Omaha. At that point in time they went onto appeal and they challenged the constitutionality of our ordinance and Douglas County Attorney's Office was able to defend it for us.



Lynn Johnson reported they are taking down the fences at Sunken Gardens today. So, today is officially the first day that it is open to the public and they had their first bus load of visitors from Taiwan today.

[Mayor Coleen Seng present now.] Mayor Seng commented she's on medical time this morning. Mr. Svoboda commented okay, we'll get you out of here. Mayor Seng commented no, she has been there, no cast today.

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- \*1. Combined Weed Program - City of Lincoln - May 2005 Monthly Report. — NO COMMENTS

### **WOMEN'S COMMISSION**

- \*\*1. Report from Bonnie Coffey - RE: Director's Report - May 2005 -(See Attached Report). — NO COMMENTS

## **III. CITY CLERK**

City Clerk Joan Ross stated on their Agenda today, Items 1 & 2 will be called together. *[Application of Hy-Vee, Inc. dba Hy-Vee #4 for a Class C liquor license at 6001 Village Drive.; and Manager application of Jeff E. Quandt for Hy-Vee, Inc. dba Hy-Vee #4 at 6001 Village Drive.]*

Items 3 & 4 will be called together. *[Application of The Noodle Shop, Co. - Colorado, Inc. dba Noodles & Company for a Class I liquor license at 210 North 14<sup>th</sup> Street.; and Manager application of Christopher F. Dakin for The Noodle Shop, Co. - Colorado, Inc. dba Noodles & Company at 210 North 14<sup>th</sup> Street.]*

Items 7 & 8 under “Public Hearing-Ordinances-2nd Reading & Associated Resolutions” will be called together. *[#7, 05-88, Change of Zone 05041- Application of Pioneer Woods LLC for a change of zone from O-3 Office Park District to B-2 Planned Neighborhood Business District on property generally located at S. 70<sup>th</sup> Street and Pioneers Blvd.; and #8, 05R-139, Use Permit 130A- Application of Pioneer Woods LLC to develop an 85-room, four-story hotel, with requested waivers of the requirement rear yard setbacks and maximum allowed height, on property generally located at S. 70<sup>th</sup> Street and Pioneers Blvd.]*

Item 9 under “Public Hearing-Resolutions”, Judith Troutman, this is the date that she requested. They will look at the Resolution and make a motion to approve or deny this Resolution. Mr. Cook asked if they will have someone at the formal Council Meeting who’s an expert in this area? Nicole Fleck-Tooze responded Steve Masters will be at the meeting to speak about it. *[05R-115 - Accepting the report of new and pending claims against the City and approving disposition of claims set forth for the period of May 16-31, 2005 - claim of Judith Troutman.]*

Ms. Eschliman stated on Items 30 & 31, it mentions an action date of 7-11 and asked if there was something going on today. City Clerk Joan Ross replied no for some reason it got repeated when they put in placed on pending to July 25<sup>th</sup>, so they can ignore it.

#### **IV. COUNCIL**

##### **A. COUNCIL REQUESTS/CORRESPONDENCE**

##### **JON CAMP**

Mr. Camp stated regarding the Cumberland barricade they also have been getting inquiries about it. Mr. Camp asked Karl Fredrickson if they want to go forward on it? He thinks the Fire Chief would like to have the barricade removed. Mr. Fredrickson stated the barricade was put up by Council Resolution, so they need to resend that Resolution and Public Works will take it down. He thinks from a maintenance stand point pushing snow

in the winter time and circulation through there that is an issue for street maintenance, the Fire Department and all the dispatch there and with the barricade you can't get through. Mr. Svoboda commented so in your opinion there is no reason for the barricade to be there, they can have the Law Department draw a Resolution and have a public hearing on it. Mr. Fredrickson replied if that's what Council wants to do.

- \*1. E-Mail from Russ Bayer sent to Jon Camp - RE: Requested change to the Comp Plan/Theatre Policy. — NO COMMENTS
- \*\*2. E-Mail from Florafae & Burdette Schoen to Jon Camp with response from Karen Sieckmeyer, Public Works & Utilities Dept. - RE: Street Closing .... (See E-Mail). — NO COMMENTS
- 3. E-Mail from Jon Camp to Dana Roper - RE: Meter Pit Claim. — NO COMMENTS

### **JONATHAN COOK**

Mr. Cook stated a gentleman called him complaining about panhandling problems by the downtown library especially the alley just north of the library. Mr. Cook asked what can they do about things like that? Police Chief Casady commented actually you are the second City Council member to bring this up to him in the past couple of weeks. They have a growing problem with transients in the downtown area panhandling, it is not illegal to panhandle, you can sit, recline, lay on the sidewalk with a sign asking people to give you money. But, it is illegal to aggressively panhandle which means to make a vocal appeal. This is a nation wide problem, they have suppressed it fairly well in Lincoln in the past with their ordinance on panhandling. However, they recently had changed that ordinance because virtually exactly what they had in their ordinance had been declared unconstitutional. So, the change they made prohibits aggressive panhandling which includes making a vocal appeal. They are presently being sued by a transient, he has lost stage one, but he has appealed that to the 8<sup>th</sup> Circuit Court of Appeals and he filed a new lawsuit recently in Federal District Court maintaining that their new ordinance is also unconstitutional. It is a real problem and growing number of it, they did a special project last week where they wrote 95 citations to transients for various kinds of offenses downtown. They've got some businesses that have been in contact with him and most of the downtown business owners are troubled by this. They really don't like to hear from the Chief of Police about constitutional law, they simply want them to make the problem

go away. It's certainly a growing problem and one that he thinks is going to continue to be on the radar screens more and more people expressing frustration with it. Unfortunately, a lot of the things that are bothering people sitting on the sidewalk begging is not illegal. Dana Roper added in the old days they used to have ordinances prohibiting loitering and public intoxication and they were able to clean up the streets very well with one or both of those but those are gone also.

Mr. Cook stated he received a call regarding 4<sup>th</sup> Street and he was wondering if they could get an update on what is happening on it. Ann Harrell stated various departments planned to brief the Mayor and their thoughts on it and they planned to have that meeting two weeks ago but circumstances pushed it back. Mr. Cook replied okay, if after that they could send them a memo regarding this issue so he could provide to the constituent that would be great.

1. Request to Public Works & Utilities Department - RE: Driveway cracking - (RFI#124 - 6/10/05). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#124 - 6/17/05. — NO COMMENTS**

#### **ROBIN ESCHLIMAN -**

Ms. Eschliman stated she has a gentleman who wants to have a meeting about [inaudible] with Marvin Krout sometime within the next two or three weeks. Ray Hill responded have him call our office or give him his name and they will set it up. Ms. Eschliman said she will give him the letter afterwards.

Ms. Eschliman commented she thinks she has gotten to most department heads and been e-mailed back with dozens of ideas. But, she realized this morning she did not get to Police Chief Casady so she would like to speak with him after the Directors' Meeting to get some ideas from him. Ms. Eschliman indicated she has had inquiries from two ministers in the last two weeks wanting to know if their churches could help with any urgent or press need that Lincoln citizens might have for the needy. Ms. Eschliman noted if she has missed anyone else please let her know.

**PATTE NEWMAN -**

Ms. Newman stated she had calls about graffiti on the Mopac Trail. She talked to Terry (Genrich) about the Mopac Trail and having private people paint over graffiti on it and she's waiting for a response back. She does need to answer someone questions on it so Lynn (Johnson) you might want to talk to Terry (Genrich) about it. Lynn Johnson commented particularly just to the east of 33<sup>rd</sup> Street on the Mopac Trail several of those fences have been targeted recently. Ms. Newman questioned do they ask permission to paint over the graffiti or at some point does the home owner just say do it, I don't want to know when it appears again. Mr. Johnson stated he will have to follow up on it, typically it has been public property, so they will have to work out something with those private property owners about getting it covered over. Adding, those are brand new fences. Ms. Newman asked how long does it take them to get out there once it is reported? Mr. Johnson responded they can do it immediately within a day or so.

**DAN MARVIN -**

Mr. Marvin stated he had a call regarding the sprinkler system on the parking lot to the north of the City-County Building spraying on the street. The person pointed out the advisory the City gave out was that people should adjust their sprinklers to water only the lawn and not the sidewalk or street. Mayor Seng commented to Mr. Marvin give it to the Public Building Commission members. Mr. Cook stated they have a meeting tomorrow, so he will let them know.

**ANNETTE McROY - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

**COUNCIL - RFI'S**

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- \*\*13. E-Mail from Dee Ann Herrington - RE: Concerned about South 14<sup>th</sup> Street between Old Cheney & Pine Lake. — NO COMMENTS
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- 19. Letter & Article from Ruth Mussmann - RE: Wal-Mart. — NO COMMENTS

20. Letter from Billy & Wilma Williams - RE: Proposed Budget. — NO COMMENTS
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**VI. MEETING ADJOURNED - Approximately at 11:27 a.m.**

**\*HELD OVER FROM JUNE 27, 2005.**

**\*\*HELD OVER FROM JULY 4, 2005.**

**DIRECTORS' MEETING  
MINUTES  
MONDAY, JULY 11, 2005  
CONFERENCE ROOM 113**

**Council Members Present:** Ken Svoboda, Chair; Patte Newman, Vice-Chair; Jonathan Cook, Annette McRoy, Jon Camp, Robin Eschliman, Dan Marvin.

**Others Present:** Mayor Coleen Seng (arrived late), Ann Harrell, Rick Hoppe, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative and Frank Delgado, Citizen.

**I. MAYOR**

Ann Harrell stated Mayor Seng is not here, she will probably show up later and Mark (Bowen) is out of the office this week.

Ann Harrell called on Directors. Police Chief Casady reported they have a pretty massive search underway in the South Bottoms for a 6 year old boy who turned up missing this morning when his family woke. They have been at it for a little over three hours now, so if they hear it on the news or see a lot of activity in that area that is what's going on. Nothing has turned up so far, no evidence of any kind of force entry.

Marc Wullschleger reported they had conclusion of the Antelope Valley Tours this weekend. They ran tours on Saturday morning at 8:00 a.m., 9:00 a.m., & 11:00 a.m. and Lynn Johnson lead the tours. They had a total of 280 people on those tours, 50 were on bicycles and 230 people on the bus tours. They were planning to have two buses that morning and actually ran six buses which are donated by UNL. In total they had 522 people on all of the tours through the two weeks and they will be talking about doing this again. Ann Harrell mentioned the "Daily Nebraskan" also ran some photographs they took when they went on the tour which was kind of nice.

Dana Roper stated the Court of Appeals upheld the constitutionality of one of our ordinances this being giving false information to a peace officer. What made the case unusual is in defending the constitutionality of the Lincoln ordinance was the Douglas County Attorney's Office. This was a juvenile court matter and the matter was adjudicated in juvenile court in Lincoln and it was then transferred to Omaha. At that point in time they went onto appeal and they challenged the constitutionality of our ordinance and Douglas County Attorney's Office was able to defend it for us.

Lynn Johnson reported they are taking down the fences at Sunken Gardens today. So, today is officially the first day that it is open to the public and they had their first bus load of visitors from Taiwan today.

[Mayor Coleen Seng present now.] Mayor Seng commented she's on medical time this morning. Mr. Svoboda commented okay, we'll get you out of here. Mayor Seng commented no, she has been there, no cast today.

- \*1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For May. — NO COMMENTS
- \*2. NEWS RELEASE - RE: Equipment Malfunction Temporarily Interrupts 911 Phone Service. — NO COMMENTS
- \*3. NEWS RELEASE - RE: Mayor Seng Announces Health Insurance Deal To Save City \$1 Million. — NO COMMENTS
- \*4. NEWS ADVISORY - RE: Mayor Coleen Seng's schedule includes the following events: For June 23<sup>rd</sup>, June 24<sup>th</sup> & June 27<sup>th</sup>.... (See Advisory). — NO COMMENTS
- \*5. NEWS RELEASE - RE: Public Invited To Dedication Of New Park. — NO COMMENTS
- \*6. NEWS RELEASE - RE: Teen Center Now Open At Park Middle School. — NO COMMENTS
- \*7. NEWS RELEASE - RE: Mayor Invites Area Residents To City's Fourth of July Celebration -Annual event returns to Oak Lake Park for third year. — NO COMMENTS
- \*8. Washington Report - June 17, 2005. — NO COMMENTS
- \*\*9. NEWS RELEASE - RE: Seng Balances City Budget Without Raising City Property Tax Rate. — NO COMMENTS
- \*\*10. NEWS RELEASE - RE: Mayor Says City Economy Is Strong: Calls On All Lincolmites To Market City To Attract Jobs. — NO COMMENTS
- \*\*11. Washington Report - June 24, 2005. — NO COMMENTS

12. NEWS RELEASE - RE: Mayor's Independence Day Message. — NO COMMENTS
13. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of July 2 through 8, 2005 -Schedule subject to change -(See Advisory). — NO COMMENTS
14. NEWS RELEASE - RE: 56<sup>TH</sup> Street Storm Sewer Construction To Restrict Traffic. — NO COMMENTS
15. NEWS RELEASE - RE: Mayor Invites Public To Tour Antelope Valley Progress. — NO COMMENTS
16. NEWS RELEASE - RE: Street, Crosswalk Marking Project Under Way. — NO COMMENTS
17. NEWS RELEASE - RE: Mayor To Unveil New Sculptures At Sunken Gardens. — NO COMMENTS
18. Washington Report - July 1, 2005. — NO COMMENTS

## **II. DIRECTORS**

### **FINANCE DEPARTMENT/AUDIT**

- \*1. Material from Mark Leikam, City of Lincoln Keno Auditor - RE: March 31, 2005 Quarterly Keno Audit -(See Material). — NO COMMENTS

### **FINANCE DEPARTMENT/BUDGET**

- \*\*1. Material from Steve Hubka - RE: June Sales Tax Reports -(See Material). — NO COMMENTS
2. Material from Steve Hubka - RE: Budget Information -(See Material). — NO COMMENTS

## **FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - May 2005. — NO COMMENTS

## **HEALTH**

- \*1. Health Department Report - May, 2005- (See Attached Report) (Copy of this Report on file in the City Council Office.). — NO COMMENTS
- \*2. NEWS RELEASE - RE: Hot Weather Alert. — NO COMMENTS
- \*3. NEWS RELEASE - RE: Pets and Hot Weather. — NO COMMENTS

## **PLANNING**

- \*\*1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants RE: Vintage Heights 22<sup>nd</sup> Addition Final Plat #05014-Generally located at S. 88<sup>th</sup> St. and Foxtail Drive. — NO COMMENTS
- \*\*2. Annexation by Ordinance -Ordinance No. 18526-Effective: May 3, 2005 - 218 Acres. — NO COMMENTS

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

- \*\*1. Pre-Existing Special Permit #31A (Expansion of licensed premises- on-sale alcohol - 5555 Superior Street) Resolution No. PC-00931. — NO COMMENTS
- \*\*2. Pre-Existing Special Permit #32A (Expansion of nonconforming use- on-sale alcohol - 2801 N.W. 48<sup>th</sup> Street) Resolution No. PC-00932. — NO COMMENTS
- \*\*3. Special Permit #05027 (10400 South 56<sup>th</sup> Street) Resolution No. PC-00933. — NO COMMENTS
- \*\*4. Special Permit #05028 (On-sale alcohol - 2102 Adams Street) Resolution No. PC-00934. — NO COMMENTS

- \*\*5. Special Permit #05029 (4800 South 112<sup>th</sup> Street) Resolution No. PC-00935.  
— NO COMMENTS
- \*\*6. Special Permit #05030 (6100 North 56<sup>th</sup> Street) Resolution No. PC-00936.  
— NO COMMENTS
- \*\*7. Preliminary Plat #05011 - Crossbridge 1<sup>st</sup> Addition (East of North 27<sup>th</sup> Street, south of Fletcher Avenue) Resolution No. PC-00938. — NO COMMENTS
- \*\*8. Use Permit #05005 - (Office/medical building-southwest of South 37<sup>th</sup> and O Streets) Resolution No. PC-00937. — NO COMMENTS
- 9. Special Permit #05032 - **DENIED** - (Expansion of nonconforming use to allow an outdoor beer garden at the Library Lounge, 6891 A Street). — NO COMMENTS

#### **PUBLIC WORKS & UTILITIES**

- \*1. Public Works & Utilities ADVISORY - RE: Water Main Project For Lincoln Public Schools @ Yankee Hill School-Executive Order #72714 - (See Advisory). — NO COMMENTS
- \*2. Public Works & Utilities ADVISORY - RE: 27<sup>TH</sup> & Yankee Hill - Project #701596A-Section of 27<sup>th</sup> Street to Close Monday for Construction -(See Advisory). — NO COMMENTS
- 3. Response E-Mail from Randy Hoskins to Brian Bartels - RE: Student Project-(Traffic signal issue). — NO COMMENTS

#### **WEED CONTROL AUTHORITY**

- \*1. Combined Weed Program - City of Lincoln - May 2005 Monthly Report. — NO COMMENTS

#### **WOMEN'S COMMISSION**

- \*\*1. Report from Bonnie Coffey - RE: Director's Report - May 2005 -(See Attached Report). — NO COMMENTS



### III. CITY CLERK

City Clerk Joan Ross stated on their Agenda today, Items 1 & 2 will be called together. *[Application of Hy-Vee, Inc. dba Hy-Vee #4 for a Class C liquor license at 6001 Village Drive.; and Manager application of Jeff E. Quandt for Hy-Vee, Inc. dba Hy-Vee #4 at 6001 Village Drive.]*

Items 3 & 4 will be called together. *[Application of The Noodle Shop, Co. - Colorado, Inc. dba Noodles & Company for a Class I liquor license at 210 North 14<sup>th</sup> Street.; and Manager application of Christopher F. Dakin for The Noodle Shop, Co. - Colorado, Inc. dba Noodles & Company at 210 North 14<sup>th</sup> Street.]*

Items 7 & 8 under “Public Hearing-Ordinances-2nd Reading & Associated Resolutions” will be called together. *[#7, 05-88, Change of Zone 05041- Application of Pioneer Woods LLC for a change of zone from O-3 Office Park District to B-2 Planned Neighborhood Business District on property generally located at S. 70<sup>th</sup> Street and Pioneers Blvd.; and #8, 05R-139, Use Permit 130A- Application of Pioneer Woods LLC to develop an 85-room, four-story hotel, with requested waivers of the requirement rear yard setbacks and maximum allowed height, on property generally located at S. 70<sup>th</sup> Street and Pioneers Blvd.]*

Item 9 under “Public Hearing-Resolutions”, Judith Troutman, this is the date that she requested. They will look at the Resolution and make a motion to approve or deny this Resolution. Mr. Cook asked if they will have someone at the formal Council Meeting who’s an expert in this area? Nicole Fleck-Tooze responded Steve Masters will be at the meeting to speak about it. *[05R-115 - Accepting the report of new and pending claims against the City and approving disposition of claims set forth for the period of May 16-31, 2005 - claim of Judith Troutman.]*

Ms. Eschliman stated on Items 30 & 31, it mentions an action date of 7-11 and asked if there was something going on today. City Clerk Joan Ross replied no for some reason it got repeated when they put in placed on pending to July 25<sup>th</sup>, so they can ignore it.

## **IV. COUNCIL**

### **A. COUNCIL REQUESTS/CORRESPONDENCE**

#### **JON CAMP**

Mr. Camp stated regarding the Cumberland barricade they also have been getting inquiries about it. Mr. Camp asked Karl Fredrickson if they want to go forward on it? He thinks the Fire Chief would like to have the barricade removed. Mr. Fredrickson stated the barricade was put up by Council Resolution, so they need to resend that Resolution and Public Works will take it down. He thinks from a maintenance stand point pushing snow in the winter time and circulation through there that is an issue for street maintenance, the Fire Department and all the dispatch there and with the barricade you can't get through. Mr. Svoboda commented so in your opinion there is no reason for the barricade to be there, they can have the Law Department draw a Resolution and have a public hearing on it. Mr. Fredrickson replied if that's what Council wants to do.

- \*1. E-Mail from Russ Bayer sent to Jon Camp - RE: Requested change to the Comp Plan/Theatre Policy. — NO COMMENTS
- \*\*2. E-Mail from Florafae & Burdette Schoen to Jon Camp with response from Karen Sieckmeyer, Public Works & Utilities Dept. - RE: Street Closing .... (See E-Mail). — NO COMMENTS
- 3. E-Mail from Jon Camp to Dana Roper - RE: Meter Pit Claim. — NO COMMENTS

#### **JONATHAN COOK**

Mr. Cook stated a gentleman called him complaining about panhandling problems by the downtown library especially the alley just north of the library. Mr. Cook asked what can they do about things like that? Police Chief Casady commented actually you are the second City Council member to bring this up to him in the past couple of weeks. They have a growing problem with transients in the downtown area panhandling, it is not illegal to panhandle, you can sit, recline, lay on the sidewalk with a sign asking people to give you money. But, it is illegal to aggressively panhandle which means to make a vocal appeal. This is a nation wide problem, they have suppressed it fairly well in Lincoln in the past with their ordinance on panhandling. However, they recently had changed that ordinance because virtually exactly what they had in their ordinance had been declared

unconstitutional. So, the change they made prohibits aggressive panhandling which includes making a vocal appeal. They are presently being sued by a transient, he has lost stage one, but he has appealed that to the 8<sup>th</sup> Circuit Court of Appeals and he filed a new lawsuit recently in Federal District Court maintaining that their new ordinance is also unconstitutional. It is a real problem and growing number of it, they did a special project last week where they wrote 95 citations to transients for various kinds of offenses downtown. They've got some businesses that have been in contact with him and most of the downtown business owners are troubled by this. They really don't like to hear from the Chief of Police about constitutional law, they simply want them to make the problem go away. It's certainly a growing problem and one that he thinks is going to continue to be on the radar screens more and more people expressing frustration with it. Unfortunately, a lot of the things that are bothering people sitting on the sidewalk begging is not illegal. Dana Roper added in the old days they used to have ordinances prohibiting loitering and public intoxication and they were able to clean up the streets very well with one or both of those but those are gone also.

Mr. Cook stated he received a call regarding 4<sup>th</sup> Street and he was wondering if they could get an update on what is happening on it. Ann Harrell stated various departments planned to brief the Mayor and their thoughts on it and they planned to have that meeting two weeks ago but circumstances pushed it back. Mr. Cook replied okay, if after that they could send them a memo regarding this issue so he could provide to the constituent that would be great.

1. Request to Public Works & Utilities Department - RE: Driveway cracking - (RFI#124 - 6/10/05). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#124 - 6/17/05. — NO COMMENTS**

## **ROBIN ESCHLIMAN -**

Ms. Eschliman stated she has a gentleman who wants to have a meeting about [inaudible] with Marvin Krout sometime within the next two or three weeks. Ray Hill responded have him call our office or give him his name and they will set it up. Ms. Eschliman said she will give him the letter afterwards.

Ms. Eschliman commented she thinks she has gotten to most department heads and been e-mailed back with dozens of ideas. But, she realized this morning she did not get to Police Chief Casady so she would like to speak with him after the Directors' Meeting to get some ideas from him. Ms. Eschliman indicated she has had inquiries from two ministers in the last two weeks wanting to know if their churches could help with any urgent or press need that Lincoln citizens might have for the needy. Ms. Eschliman noted if she has missed anyone else please let her know.

**PATTE NEWMAN -**

Ms. Newman stated she had calls about graffiti on the Mopac Trail. She talked to Terry (Genrich) about the Mopac Trail and having private people paint over graffiti on it and she's waiting for a response back. She does need to answer someone questions on it so Lynn (Johnson) you might want to talk to Terry (Genrich) about it. Lynn Johnson commented particularly just to the east of 33<sup>rd</sup> Street on the Mopac Trail several of those fences have been targeted recently. Ms. Newman questioned do they ask permission to paint over the graffiti or at some point does the home owner just say do it, I don't want to know when it appears again. Mr. Johnson stated he will have to follow up on it, typically it has been public property, so they will have to work out something with those private property owners about getting it covered over. Adding, those are brand new fences. Ms. Newman asked how long does it take them to get out there once it is reported? Mr. Johnson responded they can do it immediately within a day or so.

**DAN MARVIN -**

Mr. Marvin stated he had a call regarding the sprinkler system on the parking lot to the north of the City-County Building spraying on the street. The person pointed out the advisory the City gave out was that people should adjust their sprinklers to water only the lawn and not the sidewalk or street. Mayor Seng commented to Mr. Marvin give it to the Public Building Commission members. Mr. Cook stated they have a meeting tomorrow, so he will let them know.

**ANNETTE McROY - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

## **COUNCIL - RFI'S**

1. Request to Public Works & Utilities Department - RE: Salt Creek Floodplain segment of South Beltway - (RFI#1 - 6/28/05). — NO COMMENTS
2. Request to Police Chief Casady - RE: Loud music from car stereos - (RFI#2 - 6/28/05). — **1.) SEE RESPONSE FROM POLICE CHIEF CASADY RECEIVED ON RFI#2 - 7/05/05.** — NO COMMENTS
3. Request to June Pederson, Aging Services Director - RE: Senior Center - (RFI#3 - 6/28/05). — **1.) SEE RESPONSE FROM JUNE PEDERSON, DIRECTOR LINCOLN AREA AGENCY ON AGING RECEIVED ON RFI#3 - 7/06/05.** — NO COMMENTS
4. Request to Urban Development Department - RE: The Kinder-Care at 17<sup>th</sup> & South-BryanLGH/West not renewing their contract - (RFI#4 - 6/28/05). — NO COMMENTS

## **ROBIN ESCHLIMAN**

1. Request to Mark Bowen, Mayor's Office - RE: Weekly updates to the City Council on the status of ITI - (RFI#1 - 7/07/05). — NO COMMENTS

## **V. MISCELLANEOUS**

- \*1. E-Mail from Rocky Weber - RE: Strongly urge you to take any and all steps necessary to resolve the issues with ITI over the relocation of the Old Cheney, Warlick Blvd. intersection. — NO COMMENTS
- \*2. Letter from Mark Hunzeker, For the Firm, Pierson/Fitchett Law Firm - RE: Items 34 through 38, inclusive of today's agenda-Bill Nos. 05R-134, 05-85, 05-86, 05R-135, and 05R-136 - (Council received copies of this letter on 6/20/05). — NO COMMENTS
- \*3. E-Mail from Mary Roseberry-Brown - RE: Salt Creek Floodplain segment of South Beltway. — NO COMMENTS
- \*4. E-Mail from Vicki Sullivan - RE: CATS!!!! — NO COMMENTS

- \*5. E-Mail from Mark Dietel - RE: Loud music from car stereos. — NO COMMENTS
- \*6. E-Mail from Teresa Mulkey Predmore - RE: Recent newspaper article from Ms. Eschliman -(See E-Mail). — NO COMMENTS
- \*7. E-Mail from Kaye Finch - RE: Has some concerns with a couple of items that will affect the kids and parents of Lincoln. — NO COMMENTS
- \*8. Letter & Report from Terry Bundy, LES - RE: Proposed Rate Schedules, Service Regulations and 2005 Cost Analysis Summary - For Rates Effective August 1, 2005 - (Council copies placed in their Thursday packets on 6/23/05) (Copy of Report on file in the City Council Office) (See Attachments). — NO COMMENTS
- \*9. 2 -Letter's from Delores Eberhardt - RE: Senior Centers. — NO COMMENTS
- \*\*10. Letters from Mary Hepburn O'Shea, LMHP, O.U.R. Homes (Organized Unit Responsibility Homes)- RE: Assisted Living Rates and Mental Health. — NO COMMENTS
- \*\*11. E-Mail from Nikki LaPointe - RE: 4<sup>th</sup> of July Celebration for next year. — NO COMMENTS
- \*\*12. Letter from Thomas Schleich, Chair, LES Administrative Board to Greg Vasek, President, Linweld, Inc. - RE: August 1, 2005 Proposed Rate Increase. — NO COMMENTS
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