

**DIRECTORS' MEETING  
MONDAY, SEPTEMBER 12, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. **NEWS RELEASE** - City Prepares for State Fair and Husker Fans
2. **NEWS RELEASE** - Safe Walk and Safe Ride to School Set for Thursday
3. **NEWS RELEASE** - RE: "Future Service Limits" To Be Reviewed At Planning Commission Open House -(See Release)
4. **NEWS RELEASE** - RE: Mayor Encourages Support For Hurricane Relief Effort -(See Release)
5. **NEWS ADVISORY** - RE: Mayor Coleen Seng will have a news conference at 2:00 p.m., Friday, September 2<sup>nd</sup> in the Mayor's Conference Room - The Mayor will be joined by various City government and community leaders to discuss the Hurricane Katrina relief effort and how the City of Lincoln will be involved - (See Advisory)
6. **NEWS RELEASE** - RE: Statement From Mayor Coleen J. Seng On Lincoln's Role In The Hurricane Katrina Relief Effort -September 2, 2005 - (See Release)
7. **NEWS ADVISORY** - RE: Mayor Seng's Public Schedule -Week of September 3 through 9, 2005-Schedule subject to change -(See Advisory)
8. **NEWS RELEASE** - RE: City On "Standby" Status For Hurricane Evacuees -(See Release)

**II. DIRECTORS**

**FINANCE**

1. Monthly City Cash Report and Pledged Collateral Statement for July, 2005
- \*\*2. Reports from Don Herz - RE: EMS fund through 7/31/05 -(See Reports)

## **FINANCE-BUDGET**

1. Four Sales Tax Reports Reflecting Final Collections for 2004-05 Fiscal Year.

## **PARKS**

1. Memo to Robin Eschliman RE: Park Teen Center

## **PLANNING**

- \*1. Annexation by Ordinance-Ordinance #18579
- \*2. Marvin Krout's response to the Gibsons RE: Letter to Jon Camp on Madonna Rehabilitation Hospital
- \*\*3. Memo & Material from Stephen Henrichsen - RE: Findings on Future Service Limit Scenarios -(See Material)

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

- \*1. Special Permit #1689A (Mulligan's Grill and Pub, 5500 Old Cheney Road) Resolution No. PC-00944.
- \*\*2. Preliminary Plat #05003-Highland View Addition (West of NW 12<sup>th</sup> Street between Hwy 34 (Purple Heart Highway) and W. Alvo Road - Resolution # PC-00945.
3. Pre-Existing Special Permit #23F (Expand boundaries for additional off-street parking - Nebraska Wesleyan) Resolution # PC-00946.
4. Pre-Existing Special Permit #33A (Expansion of on-premise alcohol sales at Luckies Lounge, 1101 W. Bond St.) Resolution # PC-00947.
5. Special Permit #05042 (Expand nonstandard single family dwelling into required front yard at North 67<sup>th</sup> Street and Morrill Avenue) Resolution # PC-00948.
6. Special Permit #05041, Cardwell Reserve Community Unit Plan (East of SW 12<sup>th</sup> Street and W. Denton Road) Resolution # PC-00949.

## **PUBLIC WORKS**

- \*1. Letter from Thomas Schafer to Mr. Hurd RE: 56<sup>th</sup> & Shadow Pines
- \*1. **ADVISORY** - North 56<sup>th</sup> Street & Arbor Road Water Main
- \*2. **ADVISORY** - Paving Unit #139 - Benton Street Paving Proj.#565139
- \*\*3. E-Mail Response from Thomas Shafer to Jon Camp & Tom Malmstrom - RE: Barricades -(See E-Mail)
- \*\*4. Material - RE: Council Item #05-130 Pioneers Blvd. - (See Material)
- \*\*5. Material - RE: Council Item #05-129 South 56<sup>th</sup> Street - (See Material)
- 6. Letter from Doug Schwartz to Rene and Karen Solc - RE: L-1019.9 Beaver Creek Lane between Old Creek Rd and Elk Ridge Rd - (See Letter)

## **WEED CONTROL AUTHORITY**

- 1. Combined Weed Program -City of Lincoln - August 2005 Monthly Report.

## **WOMEN'S COMMISSION**

- \*1. **NEWS RELEASE** - RE: Women's Commission Elects New Officers For 2005-06 -(See Release)
- \*2. **NEWS RELEASE** - RE: Nominations Open for Awards Program
- 3. Report from Bonnie Coffey - RE: Lincoln-Lancaster Women's Commission Director's Report - August 2005 - (See Report)

## **III. CITY CLERK**

- 1. **Letter from City Clerks Office** - Written to Linda Weaver Beacham by Doug Lienemann of Haymarket Development Corporation - RE: Adopting the unphased construction approach for rebuilding the overpass.

#### IV. COUNCIL

##### A. COUNCIL REQUESTS/CORRESPONDENCE

###### JON CAMP

- \*\*1. E-Mail from Darrell & Bec Wubbels sent to Jon Camp - RE: Outlet -(See E-Mail)
- \*\*2. E-Mail sent to Jon Camp - RE: Something that may get help the homeless of Lincoln raise some income -(See E-Mail)

###### JONATHAN COOK

- 1. Request to Public Works & Utilities Department/ Weed Control Authority - RE: Overgrown weeds SW 25<sup>th</sup> & W Plum - (RFI#126 - 8/12/05). — **1.) SEE RESPONSE FROM RUSS SHULTZ, WEED CONTROL AUTHORITY RECEIVED ON RFI#126 - 8/15/05.**
- 2. Request to Public Works & Utilities Department - RE: The speed limit on West “A” Street - (RFI#127 - 8/30/05)

###### COUNCIL - RFI'S

- 1. Council RFI#5 - Council RFI Request to Health and Public Works RE: 4<sup>th</sup> Street Dust Problem concerns from Danny Walker (RFI#5 Sent 08-23-05 - Request from Chair). — **1.) SEE RESPONSE LETTER FROM BRUCE DART, HEALTH DIRECTOR TO DANNY WALKER RECEIVED ON RFI#5 - 8/30/05.**

###### 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). — **1.) SEE RESPONSE FROM MARK BOWEN, MAYOR'S OFFICE RECEIVED ON RFI#1 - 8/04/05.**
- 2. Letter From Bruce Wright RE: Response to Councilman Cook's resolution supporting parks & trails

3. E-Mail from Ken Doty sent to Robin Eschliman - RE: Modification of South Fringe Ordinance #17381 -(See E-Mail)

#### **DAN MARVIN**

1. Request to Finance Department OR Personnel Department - RE: All Tax Funds-Expenditures By Category-1998-99 Through 2005-06 Mayor Recommended Budget - (RFI#1 - 8/15/05). — **1.) SEE RESPONSE FROM DON TAUTE, PERSONNEL DIRECTOR RECEIVED ON RFI#1 - 8/30/05.**
2. Letter from Dan Marvin to Jon Bruning, Office of the Attorney General - RE: City gas prices -(See Letter)
3. Letter to Steve Hubka from Dan Marvin - RE: Gas price estimates -(See Letter)

#### **ANNETTE McROY**

1. Request to Karl Fredrickson, Public Works & Utilities Director/ Lynn Johnson, Parks & Recreation Director - RE: A Divided City - (RFI#166 - 7/21/05). — **1.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#166 - 8/26/05. — 2.) SEE RESPONSE FROM BILL NASS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#166 - 8/30/05.**
2. Request to Public Works & Utilities-Water - RE: Concerned the water pressure provided to the Highlands neighborhood is less than adequate - (RFI#167 - 7/29/05) - **SEE RESPONSE FROM JERRY OBRIST, PW ON RFI#167 RECEIVED ON 08-23-05**
3. Request to Public Works & Utilities-Sidewalks - RE: Construction of a sidewalk on City property along NW 1<sup>st</sup> Street-south of Fire Station 14 - (RFI#168 - 7/29/05) - **SEE RESPONSE FROM HARRY KROOS, PW ON RFI#168 RECEIVED ON 08-23-05**
4. Request to Law Department - RE: What is the reasoning behind the prohibition of not allowing pawn shops to operate on Sunday? - (RFI#169 - 8/12/05). — **1.) SEE RESPONSE FROM DANA ROPER, CITY ATTORNEY RECEIVED ON RFI#169 - 8/26/05.**

## PATTE NEWMAN

1. Request to Karl Fredrickson, Public Works & Utilities Director/~~Police Chief Tom Casady~~ - RE: Please provide the crash data for the intersection of 44<sup>th</sup> & Cleveland - (RFI#36 - 7/25/05) — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#36 - 7/25/05. SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS ON RFI#36 - RECEIVED 7/28/05**
- \*\*2. E-Mail from Dale & Marylyn Rowe sent to Patte Newman- RE: 2 Wal-Mart's in Lincoln is enough!! -(See E-Mail)
- \*\*3. E-Mail from Dianne Epp sent to Patte Newman - RE: Wal-Mart -(See E-Mail)
- \*\*4. E-Mail from Kathy Stemper sent to Patte Newman - RE: Wal-Mart -(See E-Mail)
- \*\*5. E-Mail from Vicki Melton sent to Patte Newman - RE: Please vote NO - Wal-Mart - (See E-Mail)
6. E-Mail from Dennis Christensen sent to Patte Newman - RE: Wal-Mart at 84<sup>th</sup> & Adams - (See E-Mail)
7. E-Mail from Erin Krause sent to Patte Newman - RE: City planning -(See E-Mail)
8. E-Mail from Roger Schuler sent to Patte Newman - RE: Wal-Mart - (See E-Mail)
9. E-Mail from Sue & Rick Waldren sent to Patte Newman - RE: Wal-Mart Proposal -(See E-Mail)

## V. MISCELLANEOUS

- \*1. Letter from Christine Osborn - RE: This letter, too, is a simple form of democracy -(See Letter)
- \*2. Letter from Emmy Thomas RE: Limousine Service market in Lincoln. (See Letter)

- \*3. Two Letters (06-03-05 and 08-22-05) from Vicki Hopkins RE: Opposition to proposed townhouse development in Pine Lake Heights South 7<sup>th</sup> Addition (north of Grainger/south of Diablo Drive/west of 40<sup>th</sup> Street) (See Letters) - Material also received in Council File Folder Materials in 08-25-05 Packet).
- \*2. Letter from Harvey Perlman to Donald W. Linscott RE: Biotechnology Industry Suggestions (See Letter)
- \*3. Letter from Beatty Brasch, Director of Center for People in Need, RE: Thanks for the Support of “Ride for Five” StarTran program. (See Letter)
- \*4. Letter from Big Red Companies RE: Opposing Harris Overpass closure during bridge construction. (See Letter)
- \*5. Letter from Mel Bargas RE: Bill No. 05-129 - allowing construction of a west leg to the South 56<sup>th</sup> & Shadow Pines Drive Intersection which will connect South 56<sup>th</sup> Street to Stephanie Lane. (See Letter)
- \*6. Letter from Lynn and Doris Morrison - RE: Concerns & options/alternatives to the Shadow Pines Extension - Widening of 56<sup>th</sup> Street. (See Letter)
- \*7 Letter from Kenneth Sherwood RE: County-wide wheel tax
- \*8. Letter from Russell J. Wren RE: Opposing the Townhouse Development at Pine Lake Heights South 7<sup>th</sup> Addition (Use Permit #05005)
- \*\*9. E-Mail from Karen Wolf - RE: Recycling items -(See E-Mail)
- \*\*10. E-Mail & Pictures from Donald Hamann - RE: Pioneer Blvd.-(See Material)
- \*\*11. Letter from John J. Lombardi, Council President; David Segal, Minority Leader; Miguel C. Luna, Councilman Ward 9; The City Council-City Hall-Providence, R.I. - RE: On behalf of the City Council of Providence, Rhode Island, we write to you to inform you of a recent initiative our city adopted that will promote the use of clean, renewable energy and to urge the City of Lincoln to consider doing the same. -(See Letter)

- \*\*12. Letter from Ron Davis - RE: Working In a More Prudent Manner -(See Letter)
- \*\*13. E-Mail from Joyce Jaixen - RE: Annexation #05013 & Change of Zone #5054 - (See E-Mail)
- \*\*14. E-Mail from Ranae Richmond - RE: Everett School bus boundary -(See E-Mail)
- \*\*15. E-Mail from Sandy Wagner - RE: Supports the building of a Wal-Mart in the Northeast area of Lincoln -(See E-Mail)
- \*\*16. E-Mail from Larry Elias - RE: Say NO to Wal-Mart -(See E-Mail)
- 17. E-Mail from Sue Cover - RE: Wal-Mart -(See E-Mail)
- 18. Letter from Craig Bauer, Craig Bauer Construction Company - RE: A New Attitude-developments - (See Letter)
- 19. E-Mail from Jon Weirman - RE: Concerned about the economic development of this City - (See E-Mail)
- 20. E-Mail from Mark Hesser - RE: LES Audit -(See E-Mail)
- 21. E-Mail from Sue Sallinger - RE: Wal-Mart -84<sup>th</sup> & Adams -(See E-Mail)
- 22. Letter - RE: Wal-Mart -(See Letter)

## **VI. ADJOURNMENT**

**\*HELD OVER FROM AUGUST 29, 2005.  
\*\*HELD OVER FROM SEPTEMBER 5, 2005.**

da091205/jvr/tjg



**DIRECTORS' MEETING  
MINUTES  
MONDAY, SEPTEMBER 12, 2005  
CONFERENCE ROOM 113**

**Council Members Present:** Ken Svoboda, Chair; Patte Newman, Vice-Chair; Jonathan Cook (arrived late), Jon Camp, Robin Eschliman, Dan Marvin.

**Council Member Absent:** Annette McRoy

**Others Present:** Mayor Coleen Seng, Mark Bowen, Ann Harrell, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Deena Winter, Lincoln Journal Star Representative.

**I. MAYOR**

Mayor Coleen Seng stated she went over to Lincoln Area Retired Teachers Association this morning which they do yearly. They have a very large membership but only 57 of their members attended. They had so much they had to make two checks out, one check for \$35,567 & second one for \$59,736, now if they were being paid that's the amount of service they have been given. The \$35,000 is for contribution to youth in Lincoln and the other is in a number of other ways, so we're very proud of their volunteer service in this community.

They are still waiting to hear on the evacuees, she thinks Rick (Hoppe) went out there at 10:00 a.m. this morning and she doesn't believe he is back yet. They were going to make a decision about what they're doing in regards to the cots at St. Mark's Church which they have been so very generous. They've probably heard there were two planes that did come into Eppley Airport, one in the evening and one early morning with evacuees. Those folks are being settled and they are waiting to hear if any will arrive in Lincoln.

[Mark Bowen handed out a memo to Council.] Mayor Seng stated the memo is regarding Conserve Gasoline and she also sent a letter to Attorney General Jon Bruning in regards to the price of gasoline in the Lincoln area. They've had so many phone calls about it and they finally felt it was necessary to at least send a letter and they are just thrilled that the price has gone down. She doesn't think it had anything to do with the letters, but none the less they do have a little bit lower gas at this point. The conservation memo that was passed out to them is really for Directors to begin to see how they might do some conservation efforts and Steve Hubka will go over the material with them. Steve Hubka went

over the memo with Council. Mr. Hubka stated some of the options they have presented to Directors which are down in the lower left hand corner of the sheet. Conservation is not going to do it alone, so it is going to take some other actions and they have asked Directors to give their feed back to them by the end of the day on what they would like to do for their own department as well as what they think would be best. So, they're waiting for feed back from them and then they will be coming up with a little more of a concrete plan in the next few days. [See Attachment]

She wants everyone to understand what a diverse community they live in today which they keep talking about. On her schedule for the weekend she had the Danish Sisterhood Organization of 100<sup>th</sup> years which started in 1905; Greek Festival; Lincoln Symphony Orchestra, Czech Festival; they had New Zealand visitors through Friendship Force. It's amazing to see what's happening in this community.

[Mayor Seng held up a mailing she received at home.] She has a statement in regards to this direct mailing that she assumes all of them might have received at home and there was also an automatize phone message. It is an attempt to effect the outcome of some local planning decisions. They don't know where it came from and they've had a lot of phone calls in the Mayor's Office about it. She was distressed about it because they have come through a political election season where they had anonymous mailings. This piece does not say who paid for it or who's making the argument against the Theater Policy that's what this was attempting to do. The anonymous automated phone calls were equally disturbing to people some Lincoln residents have called the office to ask whose behind these calls some thought the City. Some of them complained to the State Attorney General's Office because they received these calls despite having added their home number to the do not call list. So, she thought this morning that she really needed to clarify the current policy. The policy does not prohibit movie theaters outside of downtown, what it does do is allow up to six theaters which this helps the community in two ways. First, the policy insures a very strong vibrant downtown and as elected officials from this community they need to make sure that they maintain downtown as Lincoln's primary entertainment district because a vibrant downtown is so important to a healthy city. Secondly, the policy prevents

the blight that other communities have suffered when they found out that they can't support more than one Mega Theater. Anonymous mailings and unsolicited phone calls usually do not provide balanced information, so she encourage anyone who receives these mailings and phone calls to try to look for the rest of the story and for those of us that are in office she thinks they have to tell the rest of the story.

She wanted to tell Council about complaints the Planning Department has been receiving from California residents about phone calls urging people to support a third Wal-Mart in Lincoln and Marvin (Krout) will also talk about it. This morning a Wal-Mart representative told Planning Department that the calls came from a machine that had been programmed to contact Lincoln residents who had signed a petition supporting Wal-Mart. The calls went out last month in anticipation of the August 31<sup>st</sup> Planning Commission Meeting. Evidently the machine later was put to use calling people in California about some other issue, however the machine was not reprogrammed properly so those California residents were hearing about a possible Wal-Mart in Lincoln, Nebraska. She thinks the problem has been resolved but not before our Planning Department received more than 200 calls from California.

Marvin Krout stated everyone from California called to say why I'm I getting these calls and I hate Wal-Mart even though this has nothing to do with me and a couple people said I lived in Lincoln 20 years so they thought that they had a claim to say something about it. He thinks there is going to be a local press story about it because they contacted them and there was already an article in one of the California's newspaper about it. They originally thought the calls were being put out by Wal-Mart and they got the area code wrong, but when all the calls started coming in negatively they starting thinking oh no this is maybe a prank. But, it was really effecting their office and then they just found out this morning as the Mayor told them that it was just an accident the company just did not get the right information. This was a credit company that was soliciting ads in California and some how they got Wal-Mart messages instead. It took a lot of their time last week explaining to people how this did not make any sense to them either.

Nicole Fleck-Tooze stated she wanted to give Council a heads up that they expect probably in the October time frame for several Resolutions to be before them for adoptive a recognition of better floodplain information. They've got floodplain mapping updates for [inaudible], Beal Slough and Southeast Upper Salt Creek and will before Council at the same time. There will also be something before the County Commissioners at the end of this month that relates to the use of this information and the existing urban area. They are planning to brief Council

before they come before them but they might get some calls because they have been having some meetings with residents. So, if Council gets calls and they need some information please let her know.

- \*1. NEWS RELEASE - RE: City Prepares for State Fair and Husker Fans. — NO COMMENTS
- \*2. NEWS RELEASE - RE: Safe Walk and Safe Ride to School Set for Thursday. — NO COMMENTS
3. NEWS RELEASE - RE: “Future Service Limits” To Be Reviewed At Planning Commission Open House. — NO COMMENTS
4. NEWS RELEASE - RE: Mayor Encourages Support For Hurricane Relief Effort. — NO COMMENTS
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6. NEWS RELEASE - RE: Statement From Mayor Coleen J. Seng On Lincoln’s Role In The Hurricane Katrina Relief Effort -September 2, 2005. — NO COMMENTS
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## **II. DIRECTORS**

### **FINANCE**

- \*1. Monthly City Cash Report and Pledged Collateral Statement for July, 2005. — NO COMMENTS
- \*\*2. Reports from Don Herz - RE: EMS fund through 7/31/05. — NO COMMENTS

### **FINANCE-BUDGET**

- \*1. Four Sales Tax Reports Reflecting Final Collections for 2004-05 Fiscal Year. — NO COMMENTS

### **PARKS**

- \*1. Memo to Robin Eschliman - RE: Park Teen Center. — NO COMMENTS

### **PLANNING**

- \*1. Annexation by Ordinance-Ordinance #18579. — NO COMMENTS
- \*2. Marvin Krout's response to the Gibsons RE: Letter to Jon Camp on Madonna Rehabilitation Hospital. — NO COMMENTS
- \*\*3. Memo & Material from Stephen Henrichsen - RE: Findings on Future Service Limit Scenarios. — NO COMMENTS

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

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- \*\*2. Preliminary Plat #05003-Highland View Addition (West of NW 12<sup>th</sup> Street between Hwy 34 (Purple Heart Highway) and W. Alvo Road - Resolution # PC-00945. — NO COMMENTS

3. Pre-Existing Special Permit #23F (Expand boundaries for additional off-street parking - Nebraska Wesleyan) Resolution # PC-00946. — NO COMMENTS
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6. Special Permit #05041, Cardwell Reserve Community Unit Plan (East of SW 12<sup>th</sup> Street and W. Denton Road) Resolution # PC-00949. — NO COMMENTS

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

- \*1. Letter from Thomas Schafer to Mr. Hurd - RE: 56<sup>th</sup> & Shadow Pines. — NO COMMENTS
- \*2. NEWS ADVISORY - RE: North 56<sup>th</sup> Street & Arbor Road Water Main. — NO COMMENTS
- \*3. NEWS ADVISORY - RE: Paving Unit #139 - Benton Street Paving Project #565139. — NO COMMENTS
- \*\*4. E-Mail Response from Thomas Shafer to Jon Camp & Tom Malmstrom - RE: Barricades. — NO COMMENTS
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## **WEED CONTROL AUTHORITY**

1. Combined Weed Program -City of Lincoln - August 2005 Monthly Report.  
— NO COMMENTS

## **WOMEN'S COMMISSION**

- \*1. NEWS RELEASE - RE: Women's Commission Elects New Officers For 2005-2006. — NO COMMENTS
- \*2. NEWS RELEASE - RE: Nominations Open for Awards Program. — NO COMMENTS
3. Report from Bonnie Coffey - RE: Lincoln-Lancaster Women's Commission Director's Report - August 2005 - (See Report). — NO COMMENTS

## **III. CITY CLERK**

City Clerk Joan Ross stated on their Agenda today regarding Item 1, she finally called the applicant they're closed, she's withdrawing, they just didn't get notice from the Commission. So, she will bring that up today. *[Application of 8<sup>th</sup> Street Ironworks, Inc. dba Eighth Street Ironworks to expand its licensed premise by the addition of an outside area measuring approximately 9 feet by 60 feet to the south at 301 N. 8<sup>th</sup> Street.]*

Items 5 & 6 will be called together. *[05-129, Amending Ordinance No. 17381 to allow preparation of detailed plans and specifications for a median along South 56<sup>th</sup> Street between Madalyn Road and Old Cheney Road as well as to allow preparation of detailed plans and specifications and construction of a west leg to the South 56<sup>th</sup> and Shadow Pines Drive intersection which will connect South 56<sup>th</sup> Street to Stephanie Lane.]*

For Item 8, they have a request for 2<sup>nd</sup> & 3<sup>rd</sup> Reading today. *[05-135, Authorizing the issuance of not to exceed \$150,000,000 City of Lincoln, Nebraska, Lincoln Electric System Revenue Bonds.]*

Items 9, 10, 11, & 12, she received an e-mail from Brian Carstens, they have been working with Peter Katt and the Neighborhood Association. They would like to continue public hearing for one week on these items to September 19<sup>th</sup> partly because Annette (McRoy) has been involved and since she is not here today they would like to continue the public hearing. Mr. Svoboda commented so they're not just postponing the issues from today to next week they're extending the public hearing to next week as well. City Clerk Joan Ross replied they have it up for public hearing today so if anyone comes they have a right to speak. City Clerk Joan Ross indicated she will talk to Brian Carstens about also with action next week on these items. *[See Formal Council Agenda of September 12<sup>th</sup> for descriptions of these items.]*

Items 13 & 14, will be called together. *[05-132, Approving a Sublease Agreement between the City of Lincoln and the Nebraska Building Division on behalf of Vocational Rehabilitation, Department of Education, for providing job training and employment services under the Workforce Investment Act.; and 05-133, Approving a Sublease Agreement between the City of Lincoln and the Nebraska Building Division on behalf of Nebraska Workforce Development, Department of Labor, for providing job training and employment services under the Workforce Investment Act.]*

For Item 36, she received a request from Brian Carstens, Realty Trust Group that they would like to delay the vote one week. *[05-128, Change of Zone 05004 - Application of Realty Trust Group, Inc. for a change of zone from AG Agricultural District to R-3 Residential District on property generally located at South 84<sup>th</sup> Street and Old Cheney Road; designating said property as a Planned Unit Development; and for approval of a development plan for 28 multi-family units and 22,000 square feet of commercial/retail floor area in the underlying R-3 Residential District with requested waivers of the required preliminary plat process and modifications to the Zoning Ordinance and Land Subdivision Ordinance.]*

- \*1. Letter from City Clerks Office - RE: Written to Linda Weaver Beacham by Doug Lienemann of Haymarket Development Corporation - RE: Adopting the unphased construction approach for rebuilding the overpass. — NO COMMENTS



## **IV. COUNCIL**

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

#### **JON CAMP**

Mr. Camp commented would it be in order for Darl (Naumann) to give them a brief update about the new market tax credit. Darl Naumann stated on Friday they discovered checking the maps that 48<sup>th</sup> & “O” Street did not qualify for the market tax credits. So, they are back on the drawing board and looking for other sources.

- \*\*1. E-Mail from Darrell & Bec Wubbels sent to Jon Camp - RE: Outlet. — NO COMMENTS - [Note: This item will be removed from the Directors’ Agenda.]
- \*\*2. E-Mail sent to Jon Camp - RE: Something that may get help the homeless of Lincoln raise some income. — NO COMMENTS - [Note: This item will be removed from the Directors’ Agenda.]

#### **JONATHAN COOK**

Mr. Cook stated Terry Schaaf sent a letter to him and Jon (Camp) regarding the City Parks & Recreation Task Force, he is interested in being on it. Mr. Cook commented he just thought he would pass this letter on.

Mr. Cook asked if there is any update on the wall that’s falling down at 1920 “F” Street? There was an article in the newspaper and he received a detailed call about it and pictures. Nicole Fleck-Tooze responded she doesn’t know, but she can check on it and get him the information. Lin Quenzer stated Public Works and the City Attorney’s Office is working on it. Mr. Cook commented so they’re trying to figure out if they have any responsibility. Ms. Quenzer replied yes. Mr. Cook commented okay, so when ever the Law Department gets an answer he would like to know what’s determined because he needs to get back with a constituent.

Mr. Cook asked when is the public hearing on 84<sup>th</sup> & Adams scheduled now? Marvin Krout responded it has not been scheduled yet.

Regarding the BryanLGH deal, when they approved the expansion of the west campus there was a requirement that they provide a certain amount of money for street improvements to be made which were made prior to December 31, 2003. He had asked Dana Roper this question, but he has not gotten all the information back about it. What he doesn't know is if BryanLGH actually provided the money and if they actually spent the money when they did their street improvements or if they somehow forgot. He would like to know whether or not they collected what was in the agreement. Dana Roper commented his understanding the money was not spent, the Public Works Department would have to tell him about that and if they collected the money up front. Mr. Cook questioned why wouldn't they have spent it, he thinks this was Jon's (Camp) amendment that they collected a certain amount to be spent within so many feet of their campus which could have included some street work that was done say at 16<sup>th</sup> & South Street. This seems like a shame if they collected, did they give it back if they didn't spend it and asked if someone could find that information out for him. Ms. Tooze stated she will visit with Dana (Roper) and get something back to him.

1. Request to Public Works & Utilities Department/ ~~Weed Control Authority~~ - RE: Overgrown weeds SW 25<sup>th</sup> & W Plum - (RFI#126 - 8/12/05). — **1.) SEE RESPONSE FROM RUSS SHULTZ, WEED CONTROL AUTHORITY RECEIVED ON RFI#126 - 8/15/05.** — NO COMMENTS
2. Request to Public Works & Utilities Department - RE: The speed limit on West "A" Street - (RFI#127 - 8/30/05). — NO COMMENTS

#### **COUNCIL - RFI'S**

1. Council RFI#5 - Council RFI Request to Health and Public Works RE: 4<sup>th</sup> Street Dust Problem concerns from Danny Walker (RFI#5 Sent 08-23-05 - Request from Chair). — **1.) SEE RESPONSE LETTER FROM BRUCE DART, HEALTH DIRECTOR TO DANNY WALKER RECEIVED ON RFI#5 - 8/30/05.** — Mr. Svoboda stated this Request For Information can be removed from the Directors' Agenda. Tammy Grammer stated okay.

#### **ROBIN ESCHLIMAN - NO COMMENTS**

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). — **1.) SEE RESPONSE FROM MARK BOWEN, MAYOR'S OFFICE RECEIVED ON RFI#1 - 8/04/05.** — NO COMMENTS

- \*2. Letter from Bruce Wright - RE: Response to Councilman Cook's resolution supporting parks & trails. — NO COMMENTS - [Note: This item will be removed from the Directors' Agenda.]
- 3. E-Mail from Ken Doty sent to Robin Eschliman - RE: Modification of South Fringe Ordinance #17381. — NO COMMENTS - [Note: This item will be removed from the Directors' Agenda.]

**DAN MARVIN - NO COMMENTS**

- 1. Request to Finance Department OR Personnel Department - RE: All Tax Funds-Expenditures By Category-1998-99 Through 2005-06 Mayor Recommended Budget - (RFI#1 - 8/15/05). — **1.) SEE RESPONSE FROM DON TAUTE, PERSONNEL DIRECTOR RECEIVED ON RFI#1 - 8/30/05.** — NO COMMENTS
- 2. Letter from Dan Marvin to Jon Bruning, Office of the Attorney General - RE: City gas prices. — NO COMMENTS - [Note: This item will be removed from the Directors' Agenda.]
- 3. Letter to Steve Hubka from Dan Marvin - RE: Gas price estimates. — NO COMMENTS - [Note: This item will be removed from the Directors' Agenda.]

**ANNETTE McROY - ABSENT**

- 1. Request to Karl Fredrickson, ~~Public Works & Utilities Director~~ / Lynn Johnson, ~~Parks & Recreation Director~~ - RE: A Divided City - (RFI#166 - 7/21/05). — **1.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#166 - 8/26/05.** — **2.) SEE RESPONSE FROM BILL NASS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#166 - 8/30/05.** — NO COMMENTS - MS. MCROY ABSENT - [Note: This RFI will be removed from the Directors' Agenda.]
- 2. Request to ~~Public Works & Utilities-Water~~ - RE: Concerned the water pressure provided to the Highlands neighborhood is less than adequate - (RFI#167 - 7/29/05) - **1.) SEE RESPONSE FROM JERRY OBRIST, PW ON RFI#167 RECEIVED ON 08-23-05.** — NO COMMENTS - MS. MCROY ABSENT - [Note: This RFI will be removed from the Directors' Agenda.]

3. Request to ~~Public Works & Utilities Sidewalks~~ - RE: Construction of a sidewalk on City property along NW 1<sup>st</sup> Street-south of Fire Station 14 - (RFI#168 - 7/29/05) - **1.) SEE RESPONSE FROM HARRY KROOS, PW ON RFI#168 RECEIVED ON 08-23-05.** — NO COMMENTS - MS. MCROY ABSENT - [Note: This RFI will be removed from the Directors' Agenda.]
4. Request to ~~Law Department~~ - RE: What is the reasoning behind the prohibition of not allowing pawn shops to operate on Sunday? - (RFI#169 - 8/12/05). — **1.) SEE RESPONSE FROM DANA ROPER, CITY ATTORNEY RECEIVED ON RFI#169 - 8/26/05.** — NO COMMENTS - MS. MCROY ABSENT - [Note: This RFI will be removed from the Directors' Agenda.]

### **PATTE NEWMAN**

Ms. Newman stated Items 1 through 9 can be removed from the Directors' Agenda. Tammy Grammer stated okay.

Ms. Newman stated she would like to talk with Nicole Fleck-Tooze and Mike Merwick after the Directors' Meeting today.

1. Request to Karl Fredrickson, ~~Public Works & Utilities Director / Police Chief Tom Casady~~ - RE: Please provide the crash data for the intersection of 44<sup>th</sup> & Cleveland - (RFI#36 - 7/25/05) — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#36 - 7/25/05. — 2.) SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS ON RFI#36 - RECEIVED 7/28/05.** — [This item will be removed from the Directors' Agenda.]
- \*\*2. E-Mail from Dale & Marylyn Rowe sent to Patte Newman- RE: Two Wal-Mart's in Lincoln is enough!! — [This item will be removed from the Directors' Agenda.]
- \*\*3. E-Mail from Dianne Epp sent to Patte Newman - RE: Wal-Mart. — [This item will be removed from the Directors' Agenda.]
- \*\*4. E-Mail from Kathy Stemper sent to Patte Newman - RE: Wal-Mart. — [This item will be removed from the Directors' Agenda.]

- \*\*5. E-Mail from Vicki Melton sent to Patte Newman - RE: Please vote NO - Wal-Mart. — [This item will be removed from the Directors' Agenda.]
- 6. E-Mail from Dennis Christensen sent to Patte Newman - RE: Wal-Mart at 84<sup>th</sup> & Adams. — [This item will be removed from the Directors' Agenda.]
- 7. E-Mail from Erin Krause sent to Patte Newman - RE: City planning. — [This item will be removed from the Directors' Agenda.]
- 8. E-Mail from Roger Schuler sent to Patte Newman - RE: Wal-Mart. — [This item will be removed from the Directors' Agenda.]
- 9. E-Mail from Sue & Rick Waldren sent to Patte Newman - RE: Wal-Mart Proposal. — [This item will be removed from the Directors' Agenda.]

**KEN SVOBODA -**

Mr. Svoboda asked Police Chief Casady for a party patrol update, how was last weekend compared to the other couple weekends? Chief Casady replied better, they expected that to happen in the first couple of weeks which they worked pretty heavy. They have tried to get the word out that's been the trend in the past years, by the third week things have calm down a little bit, but it has been wild downtown. Mr. Svoboda asked about stadium problems when they have late games like that? Chief Casady replied about half the department probably would say it's better to have a night game and about the half of the department would say the reverse. Chief Casady commented the last two weeks have been very busy downtown they've really had their hands full.

**V. MISCELLANEOUS**

- \*1. Letter from Christine Osborn - RE: This letter, too, is a simple form of democracy. — NO COMMENTS
- \*2. Letter from Emmy Thomas - RE: Limousine Service market in Lincoln. — NO COMMENTS

- \*3. Two Letters (06-03-05 & 08-22-05) from Vicki Hopkins - RE: Opposition to proposed townhouse development in Pine Lake Heights South 7<sup>th</sup> Addition (north of Grainger/south of Diablo Drive/west of 40<sup>th</sup> Street)(See Letters) - Material also received in Council file folder in 08/25/05 packet). — NO COMMENTS
- \*4. Letter from Harvey Perlman to Donald W. Linscott - RE: Biotechnology Industry Suggestions. — NO COMMENTS
- \*5. Letter from Beatty Brasch, Director of Center for People in Need - RE: Thanks for the Support of “Ride for Five” StarTran program. — NO COMMENTS
- \*6. Letter from Big Red Companies - RE: Opposing Harris Overpass closure during bridge construction. — NO COMMENTS
- \*7. Letter from Mel Bargas RE: Bill No. 05-129 - allowing construction of a west leg to the South 56<sup>th</sup> & Shadow Pines Drive Intersection which will connect South 56<sup>th</sup> Street to Stephanie Lane. — NO COMMENTS
- \*8. Letter from Lynn and Doris Morrison - RE: Concerns & options/alternatives to the Shadow Pines Extension - Widening of 56<sup>th</sup> Street. — NO COMMENTS
- \*9. Letter from Kenneth Sherwood - RE: County-wide wheel tax. — NO COMMENTS
- \*10. Letter from Russell J. Wren - RE: Opposing the Townhouse Development at Pine Lake Heights South 7<sup>th</sup> Addition -Use Permit #05005. — NO COMMENTS
- \*\*11. E-Mail from Karen Wolf - RE: Recycling items. — NO COMMENTS
- \*\*12. E-Mail & Pictures from Donald Hamann - RE: Pioneer Blvd. — NO COMMENTS

- \*\*13. Letter from John J. Lombardi, Council President; David Segal, Minority Leader; Miguel C. Luna, Councilman Ward 9; The City Council-City Hall-Providence, R.I. - RE: On behalf of the City Council of Providence, Rhode Island, we write to you to inform you of a recent initiative our city adopted that will promote the use of clean, renewable energy and to urge the City of Lincoln to consider doing the same.-(See Letter) — NO COMMENTS
- \*\*14. Letter from Ron Davis - RE: Working In a More Prudent Manner. — NO COMMENTS
- \*\*15. E-Mail from Joyce Jaixen - RE: Annexation #05013 & Change of Zone #5054. — NO COMMENTS
- \*\*16. E-Mail from Ranae Richmond - RE: Everett School bus boundary. — NO COMMENTS
- \*\*17. E-Mail from Sandy Wagner - RE: Supports the building of a Wal-Mart in the Northeast area of Lincoln. — NO COMMENTS
- \*\*18. E-Mail from Larry Elias - RE: Say NO to Wal-Mart. — NO COMMENTS
- 19. E-Mail from Sue Cover - RE: Wal-Mart. — NO COMMENTS
- 20. Letter from Craig Bauer, Craig Bauer Construction Company - RE: A New Attitude-developments. — NO COMMENTS
- 21. E-Mail from Jon Weirman - RE: Concerned about the economic development of this City. — NO COMMENTS
- 22. E-Mail from Mark Hesser - RE: LES Audit. — NO COMMENTS
- 23. E-Mail from Sue Sallinger - RE: Wal-Mart -84<sup>th</sup> & Adams. — NO COMMENTS
- 24. Letter - RE: Wal-Mart. — NO COMMENTS

## **ADDENDUM - (For September 12<sup>th</sup>)**

### **I. MAYOR**

1. Letter from Mayor Coleen Seng to Attorney General Jon Bruning - RE: Gas prices - (Council received copies of this letter in their Thursday packets on 9/08/05). — Mayor Seng briefly mentioned this letter earlier under “I. Mayor”. (See that discussion)
2. NEWS RELEASE - RE: Applications For Star City Parade Now Available. — NO COMMENTS
3. NEWS ADVISORY - RE: Members of the media are welcome to cover the 4<sup>th</sup> Annual “Patriot Day-Lincoln Remembers” event beginning at 2:00 p.m. Sunday, September 11<sup>th</sup> at the Veterans Memorial Garden in Antelope Park. — NO COMMENTS
4. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of September 10 through 16, 2005-Schedule subject to change - (See Advisory). — NO COMMENTS

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

### **III. CORRESPONDENCE**

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

##### **DAN MARVIN**

1. Response E-Mail from Steve Hubka to Dan Marvin - RE: Gas price estimates. — NO COMMENTS

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



**C. MISCELLANEOUS**

1. E-Mail from Sheri L. Smith, Urology Surgical Center - RE: Signal at 56<sup>th</sup> Street & Madalyn Road is the best solution for our business and the neighborhood. — NO COMMENTS
2. E-Mail from Joe - RE: Your Editorial About New Orleans. — NO COMMENTS
3. E-Mail from William Carver - RE: Support the Current Theater Policy. — NO COMMENTS
4. E-Mail from Steve Ferris - RE: Theaters on periphery. — NO COMMENTS

[End of Addendum]

**VI. MEETING ADJOURNED - Approximately at 11:29 a.m.**

**\*HELD OVER FROM AUGUST 29, 2005.  
\*\*HELD OVER FROM SEPTEMBER 5, 2005.**

dm091205/tjg