

**DIRECTORS' MEETING  
MONDAY, SEPTEMBER 19, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For August  
-(See Release)
2. NEWS ADVISORY- RE: Lincoln-Lancaster County Emergency Management Director Doug Ahlberg, in conjunction with the regularly scheduled monthly City-County Common Meeting, will display materials and equipment purchased with Homeland Security and Metropolitan Medical Response System funds at a news conference at 9:15 a.m., Tuesday, September 13<sup>th</sup> -(See Advisory)
3. NEWS RELEASE - RE: County Emergency Management Displays Purchases From Federal Funds - (See Release)
4. NEWS RELEASE - RE: Mayor Seng, Red Cross Say Lincoln No Longer A Potential Destination For Gulf Coast Evacuees-FEMA, State of Nebraska issue "stand down" request - (See Release)
5. NEWS ADVISORY - RE: Mayor Coleen Seng will kick off a new diabetes education and prevention program at 10:00 a.m. Thursday, September 15 at the Auld Recreation Center in Antelope Park -(See Advisory)
6. NEWS RELEASE - RE: Mayor Kicks Off Program To Help Prevent Diabetes -(See Release)
7. NEWS ADVISORY - RE: Public Building Commission Chair Larry Hudkins, Mayor Seng and other City and County Officials will discuss last night's water main break near the Justice & Law Enforcement Center at a News Conf. At 1:30 p.m. Sept. 15<sup>th</sup> - (See Advisory)
8. Washington Report - September 9, 2005.

## **II. DIRECTORS**

### **HEALTH**

1. NEWS RELEASE - RE: Two Household Hazardous Waste Collections scheduled for September 2005 -(See Release)
2. Health Department Report - August 2005 -(Copy of this Report on file in the City Council Office) (See Report)
3. Physician Advisory from Bruce Dart - RE: Methicillin-Resistant Staphylococcus Aureus (MRSA) - (See Advisory)

### **PLANNING**

1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants - RE: Stone Bridge Creek 8<sup>th</sup> Addition Final Plat #04071-Generally located southeast of N. 14<sup>th</sup> St. & Humphrey Ave. -(See Letter)
2. Letter from Jean Walker to Brandon Garrett, Engineering Design Consultants - RE: Annexation #05013 & Change of Zone #05054, Prairie Village North Planned Unit Development-N. 84<sup>th</sup> Street & Adams Street - (See Letter)
3. Letter from Brian Will to Mike Johnson, Olsson Associates - RE: Pioneer Woods 6<sup>th</sup> Addition -FPPL#05072 - Generally located at South 70<sup>th</sup> Street and Pioneers Blvd. -(See Letter)
4. E-Mail Response from Jean Walker to Linda Lieb - RE: 84<sup>th</sup> & Adams: Support (Annex. #05013 & Change of Zone #05054, Prairie Village North PUD) - (See E-Mail)
5. E-Mail Response from Jean Walker to Ken & Melinda Nolan - RE: Wal-Mart Support (Annex. #05013 & Change of Zone #05054, Prairie Village North PUD) -(See E-Mail)
6. E-Mail Response from Jean Walker to Mark Kimball - RE: Wal-Mart (Annex. #05013 & Change of Zone #05054) - Opposition - (See E-Mail)

7. E-Mail Response from Jean Walker to Cindy Manulak - RE: Wal-Mart: Support (Annex. #05013 & Change of Zone #05054, Prairie Village North Planned Unit Development- (See E-Mail)
8. Letter from Brian Will to Terry Rothanzl - RE: Wilderness Hills Keystone Addition -Final Plat #04141-Generally located at South 27<sup>th</sup> Street and Yankee Hill Road - (See Letter)
9. E-Mail Response from Jean Walker to Jennifer Sheaff - RE: Opposition to Wal-Mart - Annex. #05013 & Change of Zone #5054-Prairie Village North PUD - (See E-Mail)
10. Memo from Karl Fredrickson, Public Works Director & Marvin Krout, Planning Director - RE: Recommendation on Draft 2030 Future Service Limit - (See Memo)
11. Letter from Jean Walker - RE: Change of Zone #05065 & Miscellaneous #05021 (Proposed Text Amendments to the Zoning Ordinance and Land Subdivision Ordinance relating to City Council action on appeals from Planning Commission action) (See Letter)
12. Response E-Mail from Jean Walker to Mary Wolfe - RE: Development near 84<sup>th</sup> & Adams-Opposition to Wal-Mart - (See E-Mail)
13. Response E-Mail from Jean Walker to Terri Bierbower - RE: New Wal-Mart at 84<sup>th</sup> & Adams - (See E-Mail)

### **PUBLIC WORKS & UTILITIES**

1. Memo from Nicole Fleck-Tooze - RE: Storm Bond Issue Facts-Correction to Letter from Bruce Wright - (See Memo)

### **III. CITY CLERK**

#### IV. COUNCIL

##### A. COUNCIL REQUESTS/CORRESPONDENCE

###### JON CAMP

1. E-Mail from Sheri L. Smith, Urology Surgical Center sent to Jon Camp - RE: Shadow Pines Extension -(See E-Mail)
2. E-Mail from Mike Wiesen - RE: Pioneers Street Project -(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)

###### 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. E-Mail sent to Robin Eschliman - RE: Highland View Exhibit - (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.**

## **V. MISCELLANEOUS**

1. E-Mail from Richard Esquivel - RE: Football costs -(See E-Mail)
2. E-Mail from Bob & Sue Semerena - RE: Supports removal of Cumberland Dr. Barricade -(See E-Mail)
3. Letter & Material from Frank Landis, Commissioner, State of Nebraska Public Service Commission - RE: Application # PSAP-36.2: In the Matter of Lancaster County PSAP, seeking funding approval for recurring and non-recurring costs of Wireless E911 Implementation -(See Material)
4. Letter from Charles Swingle - RE: Please fix the sidewalks on Stockwell St. from S. 20<sup>th</sup> St. to S. 27<sup>th</sup> St. - (See Letter)
5. Faxed Letter from Ron & Sheila Scheinost - RE: Public Hearing to Modify Ordinance for Shadow Pines Dr. Extension and to Modify Resolution of Cumberland Dr. Barricade North of Happy Hollow Lane -(Council received copies of this Letter on 9/12/05 before formal Council Meeting) (See Letter)
6. E-Mail from Melanie & Todd Miller - RE: Sept. 12<sup>th</sup> meeting postponed- Vacation of W. Madison Avenue -(See E-Mail)
7. E-Mail from Paul Haith - RE: LIBA Presentation -(See E-Mail)
8. E-Mail from Dave Oenbring - RE: Planning Is Socialism -(See E-Mail)
9. E-Mail from Ray Hurd - RE: Proposed 56<sup>th</sup> Street & Pine Lake and Madalyn Road intersection -(See E-Mail)
10. Letter from Leola Bullock, Florine Joseph, Lela Shanks, Community Members; Annie Stokes, Lincoln Branch NAACP; Lucy Nevels, Lincoln Chapter National Council of Negro Women - RE: Thank-you for finding the funds and for restoring the position of Community Outreach Worker to the City budget -(See Letter)

## **VI. ADJOURNMENT**

da091905/tjg

**DIRECTORS' MEETING  
MINUTES  
MONDAY, SEPTEMBER 19, 2005  
CONFERENCE ROOM 113**

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

**Others Present:** Mayor Coleen Seng, Mark Bowen, Ann Harrell (arrived late), Lin Quenzer, 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; Mike Cronemeyer, 10/11 News; Bruce Bohrer, Lincoln Chamber of Commerce; and Coby Mack, LIBA.

**I. MAYOR**

Mayor Coleen Seng reported she participated in the "Red Fox" Smoke Free Coalition news conference and Ken (Svoboda) also attended.

After struggles in the Justice & Law Enforcement Center they finally decided they probably should have a back up plan for the County-City Building and for each of the departments located in the building and other buildings. They are fortunate 911 had back up facility; Police could go to North 27<sup>th</sup> Street; Sheriff had other places to go and Emergency Management had other facilities. So on Wednesday at the Cabinet Meeting they will be discussing this issue.

Mark Bowen updated Council on what's been going on at the Justice & Law Enforcement Center and where they are now. The building is mostly open, the upper floors are all available for employees to be back on their jobs, the Courts are divided between being in this building, checking their computers to get things ready for hearings and District Court is having some court sessions in the Legislative Chambers at the State Capital for two trials that were going on. One elevator was potentially going to be working today, but so far it has not been working yet, they are still working on trying to get one elevator running. The problem is the mechanics were submerged and the age of those mechanics on the elevators are old enough that purchasing parts are very slim to come by. So, they are having to go through a lot of effort to get it running, hopefully sometime today they will have at least one elevator running. The lower level will be out of commission for a considerable amount of time while they do a lot of repair on drywall, replacing carpeting, they are still working on the back up generator which it does have power restored but it still needs some work on. He thinks it came together much quicker than they thought, water is fully serviced, you can flush toilets but you can not drink the water out of the fountains, he believes the Health

Department is running water tests this morning. Bruce Dart (Health Director) replied tests were drawn this morning, they'll have preliminary tomorrow and confirmation in 48 hours.

Mr. Svoboda mentioned there's some Council members that has a request of the Mayor's staff which relates to staff parking spaces under the County-City Building. For staff members who rely on that parking seems like service trucks are taking up a great deal of space down there and asked if there is any alternative spaces now the Police Department and Sheriff's Office is not operating out of their location on the ground floor. Mark Bowen stated some of those service trucks need to be on that hallway to deal with some of the clean up still going on, but they will see if they can get as many to move.

Police Chief Casady reported the ground floor of the Justice & Law Enforcement Center is about 80% Police Department which is about 350 of his officers and employees and it has pretty much been demolished. They had mud throughout the ground floor except for one small part at the north end and it's stripped bare, drywall cut out and carpet gone. He's been amazed at the speed with which they worked on it. One of the things they have never seen is where they house all of their evidence from criminal cases, it's a huge area filled with floor to ceiling roll apart bends, it's a very sophisticated storage system. It includes for example a walk-in refrigerator like you would have at a grocery store walk-in cooler, it is filled with body fluids, body parts and other things that have to be kept cold so they had pretty massive problems on a lot of levels. There are hundreds and thousands of items of evidence stored in these bends and have to maintain chain of custody on everything. You have to be able to testify in court at a murder trial or sexual assault trial that no one tampered with or had access to this evidence that is a tall order but that is one of the contingencies that they had to deal with. He wants them to know despite the fact the Police Department was pretty much demolished besides from losing power they were physically demolished and the 911 Center was completely demolished they did not drop a single call, they did not have a single call to the Police that did not receive the same response on any other day. They did not have any delay at all in responding to anything, they did not compromise a single piece of physical evidence or compromise the chain of evidence on any of the evidence that they are storing and they lost very little equipment at the Police Department. A group of County and City employees that were on duty Wednesday night basically were able to protect well over a million dollars worth of our property from what would have been destruction.

They built the substation at 27<sup>th</sup> & Holdrege as a backup site which was their life boat and the same for the Emergency Communication Center which had their backup site at the Highlands facility. He's committed to seeing the facility is restored to its previous state and maybe even a little bit better. Chief Casady mentioned he has a nice slide show so if anyone would like to see pictures of the night it happened.

Mr. Camp asked about the clean up in the evidence room to keep that chain? Chief Casady responded toughest problem they've got is cleaning that area up because they have contractors in there working and they have to be under eyeball supervision of the hand full of employees that have access to that area. He can't go into that area because if he goes into that area unescorted by one of the five property of evidence staff than suddenly he is on the witness list for every trial from now until you know 3020. They have a pretty small staff for there that has to be able to testify in court that yes they had a flood, yes they had to clean up and yes they had a lot of people in there and no they did not know who all of them were or what their backgrounds were but they watched them and they know none of that evidence was tampered with. Mr. Camp asked what about the refrigerator evidence? Chief Casady replied they dried iced it for three days, they got emergency power to it yesterday and Pam Fittje his property supervisor flipped out her own visa card to buy a freezer so they could plug in a freezer to an emergency generator for the DNA evidence which has to be frozen not just chilled.

Fire Assistant Chief Richard Furasek reported that on Friday evening about 6:00 p.m. they received a call from FEMA about an activation of our USAR Team and requesting 80 members which is our full task force. So with a lot of work by 10:30 they had their ADT roastered and all commendations made for them to leave, 20 of our members left Saturday at 2:00 p.m. in the afternoon they took down all the support vehicles and equipment and arrived yesterday about Noon. They started setting up base of operations on base camp the other 60 members were processed in the morning and flew out about 1:30 and arrived about 3:30 in the afternoon. On their arrival the task force leaders who were Chief Spadt and Deputy Chief Staberg were put in a helicopter and flew over New Orleans showing them the areas that they are going to be searching. Last night, pretty much meetings and setting objectives of what they are going to accomplish. He received a call this morning from Chief Spadt with their main mission, during the flood there were a lot of 911 calls coming from homes where the flooding was so his task force is going to be following up on those calls going in and searching. The other team is going to go search the areas where the water has gone down which they have like 22,000 homes that they have to go through. They have three task force besides us down there now and then Pennsylvania is supposed to be coming



in later on today, so they're looking at 10 days to 2 weeks being down there until they get everything searched. As they may have noticed in today's newspaper they did find a 76 year old gentleman couple days ago that was there for 14 days, so there is still miraculous things happening. Chief Huff is still in New Orleans and supposed to be back Thursday, Chief Wright came back Saturday and Keith Houfek with Communications went down with first deployment and he got activated again, he is some place in New Orleans running communications in a ship in the harbor but they don't have any idea when he is coming back. Chief Huff called on Friday because he is coordinating a lot of the FEMA stuff so he called them to let them know. Everybody was excited about going and that it would make Lincoln proud. Assistant Chief Furasek noted there was something on CNN last week where they were talking about the USAR Teams and the impact they have made and they said the Lincoln Task Forces is one they really rated high and did a good job down in that area.

[Lynn Johnson handed out a Memo to Council.] Lynn Johnson (Parks & Recreation) stated in regards to Item 53 on the Agenda today the purpose of this memo is to request that Resolution 05R-227 be withdrawn from consideration at this time. The current cost estimate exceeds the combined funding available through local matching funds and grant funding. They will work on putting together a funding strategy for it. *[05R-227, Approving the application to the Nebraska Game & Parks Commission for a Recreation Trail Program Grant for providing financial assistance for the .5 mile Cavett Connector Trail connecting the Tierra/Williamsburg Trail to the Yankee Hill Road Trail.]*

[Lynn Johnson handed out a copy of the 2005 Annual Report of The Lincoln Parks & Recreation Department to Council.] Lynn Johnson reported that September 16, 1905 was the first Park Commission in Lincoln, so they geared their Annual Report this year around celebrating the 100<sup>th</sup> year Anniversary of having a Park Commission in Lincoln. [Copy of Annual Report on file in the City Council Office.]

1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For August.  
— NO COMMENTS

2. NEWS ADVISORY- RE: Lincoln-Lancaster County Emergency Management Director Doug Ahlberg, in conjunction with the regularly scheduled monthly City-County Common Meeting, will display materials and equipment purchased with Homeland Security and Metropolitan Medical Response System funds at a news conference at 9:15 a.m., Tuesday, September 13<sup>th</sup>. — NO COMMENTS
3. NEWS RELEASE - RE: County Emergency Management Displays Purchases From Federal Funds. — NO COMMENTS
4. NEWS RELEASE - RE: Mayor Seng, Red Cross Say Lincoln No Longer A Potential Destination For Gulf Coast Evacuees-FEMA, State of Nebraska issue “stand down” request. — NO COMMENTS
5. NEWS ADVISORY - RE: Mayor Coleen Seng will kick off a new diabetes education and prevention program at 10:00 a.m. Thursday, September 15 at the Auld Recreation Center in Antelope Park -(See Advisory). — NO COMMENTS
6. NEWS RELEASE - RE: Mayor Kicks Off Program To Help Prevent Diabetes. — NO COMMENTS
7. NEWS ADVISORY - RE: Public Building Commission Chair Larry Hudkins, Mayor Seng and other City and County Officials will discuss last night’s water main break near the Justice & Law Enforcement Center at a News Conf. At 1:30 p.m. Sept. 15<sup>th</sup>. — [Mark Bowen updated Council on this issue earlier under “I. Mayor”.] (See that discussion)
8. Washington Report - September 9, 2005. — NO COMMENTS

## **II. DIRECTORS**

### **HEALTH**

1. NEWS RELEASE - RE: Two Household Hazardous Waste Collections scheduled for September 2005. — NO COMMENTS
2. Health Department Report - August 2005 -(Copy of this Report on file in the City Council Office) (See Report). — NO COMMENTS

3. Physician Advisory from Bruce Dart - RE: Methicillin-Resistant Staphylococcus Aureus (MRSA). — NO COMMENTS

## **PLANNING**

1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants - RE: Stone Bridge Creek 8<sup>th</sup> Addition Final Plat #04071-Generally located southeast of N. 14<sup>th</sup> St. & Humphrey Ave. — NO COMMENTS
2. Letter from Jean Walker to Brandon Garrett, Engineering Design Consultants - RE: Annexation #05013 & Change of Zone #05054, Prairie Village North Planned Unit Development-N. 84<sup>th</sup> Street & Adams Street. — NO COMMENTS
3. Letter from Brian Will to Mike Johnson, Olsson Associates - RE: Pioneer Woods 6<sup>th</sup> Addition -FPPL#05072 - Generally located at South 70<sup>th</sup> Street and Pioneers Blvd. — NO COMMENTS
4. E-Mail Response from Jean Walker to Linda Lieb - RE: 84<sup>th</sup> & Adams: Support (Annex. #05013 & Change of Zone #05054, Prairie Village North PUD). — NO COMMENTS
5. E-Mail Response from Jean Walker to Ken & Melinda Nolan - RE: Wal-Mart Support (Annex. #05013 & Change of Zone #05054, Prairie Village North PUD). — NO COMMENTS
6. E-Mail Response from Jean Walker to Mark Kimball - RE: Wal-Mart (Annex. #05013 & Change of Zone #05054) - Opposition. — NO COMMENTS
7. E-Mail Response from Jean Walker to Cindy Manulak - RE: Wal-Mart: Support (Annex. #05013 & Change of Zone #05054, Prairie Village North Planned Unit Development. — NO COMMENTS
8. Letter from Brian Will to Terry Rothanzl - RE: Wilderness Hills Keystone Addition -Final Plat #04141-Generally located at South 27<sup>th</sup> Street and Yankee Hill Road. — NO COMMENTS

9. E-Mail Response from Jean Walker to Jennifer Sheaff - RE: Opposition to Wal-Mart - Annex. #05013 & Change of Zone #5054-Prairie Village North PUD. — NO COMMENTS
10. Memo from Karl Fredrickson, Public Works Director & Marvin Krout, Planning Director - RE: Recommendation on Draft 2030 Future Service Limit. — NO COMMENTS
11. Letter from Jean Walker - RE: Change of Zone #05065 & Miscellaneous #05021 (Proposed Text Amendments to the Zoning Ordinance and Land Subdivision Ordinance relating to City Council action on appeals from Planning Commission action). — NO COMMENTS
12. Response E-Mail from Jean Walker to Mary Wolfe - RE: Development near 84<sup>th</sup> & Adams-Opposition to Wal-Mart. — NO COMMENTS
13. Response E-Mail from Jean Walker to Terri Bierbower - RE: New Wal-Mart at 84<sup>th</sup> & Adams. — NO COMMENTS

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

1. Memo from Nicole Fleck-Tooze - RE: Storm Bond Issue Facts-Correction to Letter from Bruce Wright. — NO COMMENTS

### **III. CITY CLERK**

City Clerk Joan Ross stated on their Agenda today under “Public Hearing-Liquor Resolutions” for Item #1, the applicant will be at the Council Meeting today. *[Application Fat Pat’s Pizza & Subs Inc. dba Patty’s Pub East to expand its licensed premise by the addition of an outside area measuring approximately 12 feet by 30 feet to the east at 311 N. Cotner.]*

Items 6 & 7 will be called together. *[Application of U.N.C.-R, Inc., dba Uncle Ron’s for a Class C liquor license at 340 Cornhusker Highway.; and Manager application of Ronald Tegtmeier for U.N.C.-R, Inc., dba Uncle Ron’s at 340 Cornhusker Highway.]*

Items 9 & 10 will be called together. *[05-137, Change of Zone 05049-Application of Aspen for a change of zone from O-3 Office Park District to B-2 Planned Neighborhood Business District on property generally located at Red Rock Lane and S. 56<sup>th</sup> Street.; and 05R-218, Use Permit 97A-Application of Aspen to amend the use permit to change the land use table and request a waiver to the front yard setback on property generally located at Red Rock Lane and S. 56<sup>th</sup> Street.]*

Items 13 through 16 will be called together. *[See Formal Council Agenda of September 19<sup>th</sup> for descriptions of these items.]*

Items 17 through 21 will be called together. *[See Formal Council Agenda of September 19<sup>th</sup> for descriptions of these items.]*

As a reminder on Items 24 & 25 no one had signed to introduce these items those are approval or denial. *[05R-217, Authorizing the use of the public right-of-way by The Tool House for use of the north 10 feet of public right-of-way at 800 Q Street for display purposes.; and 05R-219, Appeal of Prairie Homes from the Planning Commission conditional approval of Preliminary Plat #05003, Highland View Addition, Condition #1.1.9 of the staff report requiring a full median on Highway 34 at the temporary access and to label the intersection as right-in, right-out only, on property generally located west of NW 12<sup>th</sup> Street between Hwy. 34 and W. Alvo Road.]*

City Clerk Joan Ross noted Lynn Johnson (Parks & Recreation Director) already talked about Item 53 on the tentative listing so that's all she has for Council.

#### **IV. COUNCIL**

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

##### **JON CAMP -**

Mr. Camp stated he had a call from Mandy Russell about a starling problem they've been having in Colonial Hills and they've been told there's not a lot that can be done. Mr. Camp asked if there's anyway to solve this problem on a long term basis? They're concerned about the health issue of children playing along the chain length fence, it's just not a good situation. Lynn Johnson stated he will coordinate with the Health Department to see if they can come up with something. Bruce Dart (Health Director)

stated the only way they are going to resolve the problem is to remove the starlings which they come back every year whether you remove the flock or not, but he thinks they're never going to fully be able to remove the flock of starlings from that area. The City needs to decide how they want to handle this because they can say there is a health issue but they have not identified one, so he's not sure they want to talk about poisoning the flock of birds. Mr. Dart commented if they're willing to take some heat they can make some recommendations.

For Public Works about having to clean out drainage areas in particular the Forest Lake Homeowners who are confronted now with having a fairly intense project before them. They have gone through the process now for quite some time and shared a lot of the correspondence with him and he thinks their main contention is they had to clean the system. It got contaminated because all of the construction out in the area and as he reads that happens a lot in the City and they can't afford to clean them all out. Nicole Fleck-Tooze responded it's certainly a challenge for them and they visited with them. Noting, there are two different reasons why they could be getting it and one could be from up stream construction which they have investigated and that looks to be not the case, it looks like probably primarily it is from erosion and degradation of the streams up stream from that. So, one of the things they have done is prepare a grant application to work through DEQ to try to evaluate the system overall of what's happening and causing trouble in that area and to try to do some improvements to stabilize stream back so they don't have that problem in the future. They have a draft together of that application and their plan had been to visit with that Neighborhood Association to let them know where they were at on it and then work with them as they moved forward. Mr. Camp noted to Ms. Tooze that he will give her the name of a contact there after the meeting and she can call him.

Mr. Svoboda mentioned the Health Director's credibility now on his last statement is considerably higher because he is now Doctor Dart. Everyone congratulated Bruce Dart.

1. E-Mail from Sheri L. Smith, Urology Surgical Center sent to Jon Camp - RE: Shadow Pines Extension. — NO COMMENTS
2. E-Mail from Mike Wiesen - RE: Pioneers Street Project. — NO COMMENTS

## **JONATHAN COOK -**

Mr. Cook asked Marvin Krout if they know yet when the public hearing is on 84<sup>th</sup> & Adams? Marvin Krout replied no.

He needs to maybe pass along the name of a guy who called about a water bill issue. Nicole Fleck-Tooze said okay.

He thinks a couple of them received letters regarding parking on Randolph west of 27<sup>th</sup> Street which he will also talk to Nicole Fleck-Tooze about after the meeting. Ms. Tooze said okay.

On their Agenda for today they have two big street votes, and he would like to know where things stand legally with the 56<sup>th</sup> & Madalyn legislation because at first they thought maybe they could not act on it. But, it appears the existing ordinance says there shall be no median just a painted left turn center turn lane all the way to the south to Madalyn. Mr. Cook asked Dana Roper if they have the authority as part of the legislation to make changes to the median for lack of median between Shadow Pines and Madalyn? Dana Roper commented has it been fairly advertised. Mr. Cook replied he thinks it is mentioned in the advertisement because it says between Madalyn and Old Cheney Road, and the ordinance specifically mentions it is supposed to be a two-way center turn lane all the way to Madalyn. He just wants to make sure there is not any legal issue about acting on it today one way or the other of leaving or not leaving Madalyn open. Mr. Roper responded you can adopt or not adopt the legislation that is in front of them. Mr. Cook commented they could amend. Mr. Roper responded has the amendment been advertised and have people had a fair chance to be notified and speak their concerns. Mr. Marvin indicated the issue here is that Roger Figard claims the opening or closing or doing anything with the intersection of Madalyn is not something they can decide because what's being advertised is something between Old Cheney and Shadow Pines. Mr. Roper replied he agrees they would be better off advertising whatever they want to do and making it clear what it is they intend to do and let people speak to it. Mr. Svoboda commented he thinks Roger (Figard) made a comment about it at the opening of the very first public hearing and several Council members asked Roger (Figard) about it and was expressed that's not the current ordinance in front of them but people still continued to talk about the opening of Madalyn. Mr. Svoboda commented he thinks there has to be a

little bit better review of what the current ordinance is that's in place, what the contractor has accepted to do and what the ordinance is in front of them. He sees tremendous amount of contradiction to what they actually have and what they have been able to do, so he thinks they need to review that with a little bit more detail. Mr. Cook noted maybe they can talk about it more at the "Noon" Meeting today on whether they have to delay it or get some particular opinion from staff.

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

#### **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. E-Mail sent to Robin Eschliman - RE: Highland View Exhibit. — NO COMMENTS

#### **DAN MARVIN -**

Mr. Marvin stated Curt Donaldson called him, Lynn (Johnson) are they putting together the Finance Committee for Resolution and do they have a time table on it. Lynn Johnson stated he meet with the Mayor last week, they've identified 19 members as part of that committee and letters are being prepared today. They are looking at the first meeting being held on Thursday, September 29<sup>th</sup>.

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



## **ANNETTE McROY - NO COMMENTS**

## **PATTE NEWMAN -**

Ms. Newman stated she has a question about Item 24 (The Tool House) which is on their Agenda today, it's either approval or denial, but she doesn't see a date on it. Ms. Newman asked someone to explain how this is going to work? Dana Roper replied it is found by ordinance [inaudible] provisions in the ordinance if they need it. Ms. Newman questioned when they approve this does it go for non-undefined term. r. Roper replied yes, until terminated, if they continue to pay everything, it will go forever. Mr. Svoboda asked if it stayed with the property? Mr. Roper said yes.

*[05R-217, Authorizing the use of the public right-of-way by The Tool House for use of the north 10 feet of public right-of-way at 800 Q Street for display purposes.]*

## **V. MISCELLANEOUS**

1. E-Mail from Richard Esquivel - RE: Football costs. — NO COMMENTS
2. E-Mail from Bob & Sue Semerena - RE: Supports removal of Cumberland Dr. Barricade. — NO COMMENTS
3. Letter & Material from Frank Landis, Commissioner, State of Nebraska Public Service Commission - RE: Application # PSAP-36.2: In the Matter of Lancaster County PSAP, seeking funding approval for recurring and non-recurring costs of Wireless E911 Implementation -(See Material). — NO COMMENTS
4. Letter from Charles Swingle - RE: Please fix the sidewalks on Stockwell St. from S. 20<sup>th</sup> St. to S. 27<sup>th</sup> Street. — NO COMMENTS
5. Faxed Letter from Ron & Sheila Scheinost - RE: Public Hearing to Modify Ordinance for Shadow Pines Dr. Extension and to Modify Resolution of Cumberland Dr. Barricade North of Happy Hollow Lane -(Council received copies of this Letter on 9/12/05 before formal Council Meeting). — NO COMMENTS
6. E-Mail from Melanie & Todd Miller - RE: Sept. 12<sup>th</sup> meeting postponed- Vacation of W. Madison Avenue. — NO COMMENTS

7. E-Mail from Paul Haith - RE: LIBA Presentation. — NO COMMENTS
8. E-Mail from Dave Oenbring - RE: Planning Is Socialism. — NO COMMENTS
9. E-Mail from Ray Hurd - RE: Proposed 56<sup>th</sup> Street & Pine Lake and Madalyn Road intersection. — NO COMMENTS
10. Letter from Leola Bullock, Florine Joseph, Lela Shanks, Community Members; Annie Stokes, Lincoln Branch NAACP; Lucy Nevels, Lincoln Chapter National Council of Negro Women - RE: Thank-you for finding the funds and for restoring the position of Community Outreach Worker to the City budget. — NO COMMENTS

### **ADDENDUM - (For September 19<sup>th</sup>)**

#### **I. MAYOR**

1. NEWS RELEASE - RE: Water Main Break Causes Temporary Closure Of Justice And Law Enforcement Center -(Council received copies of this Release in their Thursday packets on 9/15/05). — Mark Bowen discussed this issue earlier with Council under “I. Mayor”. (See that discussion)
2. NEWS ADVISORY - RE: An update on the situation at the Justice and Law Enforcement Center will be provided at a news conference at 3:15 p.m. Friday, September 16<sup>th</sup> -(See Advisory). — Mark Bowen discussed this issue earlier with Council under “I. Mayor”. (See that discussion)
3. NEWS RELEASE - RE: Justice And Law Enforcement Center Still Closed. — Mark Bowen discussed this issue earlier with Council under “I. Mayor”. (See that discussion)
4. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of September 17 through 23, 2005-Schedule subject to change-(See Advisory). — NO COMMENTS
5. NEWS RELEASE - RE: Upper Floors Of Justice And Law Enforcement Center To Reopen Monday. — Mark Bowen discussed this issue earlier with Council under “I. Mayor”. (See that discussion)

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE**

**PATTE NEWMAN**

1. E-Mail from Kathy Stern sent to Patte Newman - RE: Wal-Mart. — NO COMMENTS

**B. DIRECTORS AND DEPARTMENT HEADS**

**PLANNING**

1. Memo & Report from Duncan Ross - RE: Final Edition of Capital Improvement Program - F.Y. 2005/06-2010/11 - September 2005 -(Council received their copies of this Memo & Report in their packets on 9/16/05). — NO COMMENTS

**PUBLIC WORKS & UTILITIES**

1. Memo from Roger Figard to Jonathan Cook - RE: Bryan LGH, West and East Area Improvements. — NO COMMENTS

**C. MISCELLANEOUS**

1. Faxed Letter from Mike Marsh - RE: Change in Uses for Pine Gardens PUD 84<sup>th</sup> Street & Old Cheney Road - (Council received copies of this Letter in their Thursday packets on 9/15/05). — NO COMMENTS
2. E-Mail from Eric Clyne - RE: Ordinance #17381 & the construction of 56<sup>th</sup> & Pine Lake Road. — NO COMMENTS
3. E-Mail from Mel Bargas & Victoria Schwab - RE: Shadow Pines Extension & Madalyn Road Construction. — NO COMMENTS

[End of Addendum]

**VI. MEETING ADJOURNED - Approximately at 11:40 a.m.**

dm091905/tjg