

**DIRECTORS' MEETING
MONDAY, FEBRUARY 6, 2006 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For December - (See Release)
- *2. NEWS RELEASE - RE: Mayor Seng Welcomes Novartis Expansion -(See Release)
- *3. NEWS RELEASE - RE: Human Rights Commission Premieres Show On 5 City-TV- (See Release)
- *4. NEWS RELEASE - RE: Second Open House Planned On Stormwater Drainage Improvements -(See Release)
- *5. NEWS RELEASE - RE: Save Money - Use E-Bill Option To Pay City Water and Wastewater Bills -(See Release)
- 6. Letter from Mayor Coleen Seng to Matthew M. Maude & Kathryn P. Halperin, Heathrow Development LLC - RE: The decision to decline the City Council's counter offer for the K Street Building -(See Letter)

II. DIRECTORS

FINANCE/BUDGET

- *1. Material from Steve Hubka - RE: City Sales Tax Reports for January, State Report for January - (See Material)
- 2. Material from Steve Hubka - RE: Recent History of Land Acquisition Fund -(See Material)

FINANCE/CITY TREASURER

- *1. Monthly City Cash Report & Pledged Collateral Statement for December 2005 - (See Report)

PLANNING

- *1. Letter from Tom Cajka to Lyle Loth, ESP - RE: Boulder Ridge Final Plat #05076 -Generally located at S. 84th St. & Pine Lake Rd. -(See Letter)
2. Letter from Tom Cajka to Marcia Kinning, ESP - RE: Hartland Homes NW 5th Addition Final Plat #05129 - Generally located at NW 53rd & W. Madison Ave. - (See Letter)

PLANNING COMMISSION FINAL ACTION

1. Special Permit #1866A (Wireless Facility extension - 2401 North 48th Street) Resolution No. PC-00975.
2. Comprehensive Plan Conformance No. 05017 (Permanent Conservation Easement - N. 28th & Leighton Drive) Resolution No. PC-00976.

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Pine Lake Road Widening - Project #700014 - 40th - 61st Streets - 56th Street; Shadow Pines-Thompson Creek -(See Advisory)

WOMEN'S COMMISSION

1. NEWS RELEASE - RE: New Appointments Join LLWC Advisory Board - (See Release)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- *1. E-Mail from Jon Camp to Karl Fredrickson - RE: N. 48th - Dick Hartsock - (See E-Mail)

ROBIN ESCHLIMAN

1. Request to Nicole Fleck-Tooze, Public Works & Utilities Department - RE: Requesting copy of letter sent out to businesses & families recently put in the floodprone (RFI#3-01/26/06)

V. MISCELLANEOUS -

- *1. E-Mail from Dave Oenbring - RE: The Union Conspiracy Against Wal-Mart Workers - (Council received copies of this E-Mail on 1/23/06 before Formal Council Meeting.)(See E-Mail)
- *2. Letter from Heathrow Development, LLC - RE: K Street Complex Purchase Agreement -(Council received their copies of this Letter on 1/23/06 during the Formal Council Meeting) (See Letter)
- *3. E-Mail from Laurie Colburn - RE: Colburn Water Damage - Jan. 23rd Meeting - (See E-Mail)
- *4. E-Mail from Jeanette Smith - RE: City Council Meeting Jan. 23rd - (See E-Mail)
- *5. Response E-Mail from Jeanette Smith to Marvin Krout - RE: City Council Meeting Jan. 23rd - (See E-Mail)
- *6. E-Mail from Ron Robinson - RE: LES - PCA - (See E-Mail)
- *7. Letter On behalf of the M Class employees, Steven Huggenberger & Richard Anderson - RE: M Class salaries - (See Letter)
8. E-Mail from Lt. Col. Joseph W. Johnson, Jr. USAF Retired - RE: Educational Property Exemptions - (See E-Mail)
9. Letter from Robert A. Downey, Executive Director & George Green, President, Board of Directors, Capital Humane Society to Mayor Coleen Seng - RE: Considered your request for the organization to continue housing the stray animals picked up by Lincoln Animal Control. After discussing many options we have reaffirmed our previous decision not to. - (See Letter)

10. E-Mail from Bill Wiseman - RE: Sidewalks -(See E-Mail)
11. Letter from Richard Saffee, Pfizer Inc. - RE: 'Thank-you' for removing the Power Cost Adjustment language from the electrical rate increase request from LES that came before City Council - (See Letter)
12. LES Report - RE: Proposed Rate Schedules and Service Regulations -(Copy of this Report on file in the City Council Office) (Council received their copies in their Thursday packets on 2/02/06)

VI. ADJOURNMENT

***HELD OVER FROM JANUARY 30, 2006.**

da020606/tjg

**DIRECTORS' MEETING
MINUTES
MONDAY, FEBRUARY 6, 2006
CONFERENCE ROOM 113**

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

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Rick Hoppe, Mayor's Office; Deputy City Clerk Teresa Meier-Brock; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative; and Colby Mach, LIBA.

I. MAYOR

Mayor Coleen Seng stated she's been over to the League of Municipalities this morning and she's going back over this Noon. It is kind of interesting when you start listening to other Mayors from around the State.

She knows Council has a lot of tough issues on their Agenda today, the LES item and the 84th & Adams issue which they are still working on. They thought they had an agreement ready to bring to Council and that is just falling apart. So, their recommendation is that they continue to have all those pieces on pending for two weeks and she has just come from that meeting. Mr. Svoboda stated it will have to be continued until February 27th because they do not meet on the 20th, so it will be three weeks. Mayor Seng stated okay. Mr. Svoboda commented since it is on 3rd Reading for final action there will not be a presentation, so somebody from the Council needs to make that motion. Mayor Seng noted they thought they had everything ready as of Friday afternoon.

She knows Council received a copy of the Humane Society letter, they have made their decision and chosen to go their way. The Health Department and folks are continuing to work on it, they meet with them on Friday afternoon and so she will let them know as they work through it. They are looking through all of their resources that they have.

Mayor Seng stated that Council will be receiving the Sex Offenders Legislation.

Some of them have been working on the 'M' Class, so they will probably be hearing some more about it and Annette (McRoy) has been working on it.

Mayor Seng called on Directors. Diane Gonzolas (Citizen Information Center) handed out some material regarding the City's 6th Annual Abraham Lincoln celebration on Sunday, February 12th. This year they have a Lincoln-Douglas debate at 2:30 p.m., so she hopes they can attend. Noting, the handout material is a copy of the ad that is in the Lincoln Journal Star.

Karl Fredrickson (Public Works & Utilities Director) stated as you may have heard there is some construction work starting on "O" Street today. Lane closures from 33rd to 48th Streets to remove raised medians near the intersections and prepare the area for replacing water lines. The first part of March, "O" Street from 44th to 52nd Streets will be closed for about one year for reconstruction. There will be a public informational meeting on February 21st to discuss the construction schedule which will be held at The Villager Motel from 5:00 p.m. to 7:00 p.m. Noting, all our project information is on the City web site under the main City page, click on construction project.

Police Chief Casady reported about ten days ago the Wilderness Ridge Golf Course suffered a really major vandalism close to \$80,000 in damage. This crime has been cleared, they identified nine 15 & 16 year old boys who were responsible for it and so they have been contacted.

They may have read in the newspaper that there is some suspension that Fred Phelps followers from Westboro Church in Topeka, Kansas may be in Lincoln engaging in picketing or protesting at a memorial service for the Lincoln soldier Garrison Avery that was killed in Iraq last week. Fred Phelps and his followers have been in Lincoln on at least three prior occasions. Chief Casady commented you can arrest assure that they will be prepared to deal with anything that might happen and as the details come forward they will be making their plans accordingly. Ms. Newman asked Police Chief Casady if there is anything we as a Council can do to make something happen prior to the funeral? She knows there is something the Unicameral is considering right now on keeping them away from funerals. Chief Casady responded no, they've had a lot of experience in dealing with very contentious protest like this in the past not only by Westboro, but also by the protest that they dealt with for years like Planned Parenthood, Westminster Presbyterian Church. Ms. Newman commented when the Vice-President came to Lincoln they had a free speech zone a block away. Is there no way that they can declare a free speech zone a little bit farther away from the church so the family is

not subjected to it? Chief Casady replied that's what they will attempt to do, suggesting the location, however, it's completely voluntary. Mr. Svoboda commented to Chief Casady as difficult as it is, have you been in contact with the Avery family. Chief Casady indicated he cannot tell him whether they have accomplished that yet today or not, but when he left for his first meeting this morning that was assigned to two of his personnel, he just has not been back to the office to check.

They had a murder yesterday at 2330 N. 44th Street-Apt. #9, which is right on the corner of 44th & Huntington. It is our first murder of the year, and suspect apprehended within 10 to 15 minutes of them receiving the initial report on the apartment.

Ms. Eschliman asked Police Chief Casady about an article in the January 27th 'Legislative Bulletin' something he testified on LB 845 the liquor license issue. It had to do with considering whether the issuance of the license would result in an undue concentration of liquor licenses that would require additional law enforcement. The article went on to say the Liquor Control Commission reports an increase in liquor violations, but this bill gives the Commission more discretion. Chief Casady reported LB 845 was passed to General File by unanimous vote of the General Affairs Committee. The primary thing this bill provides, it allows the Liquor Commission to consider the impact of a licensee on law enforcement resources in making the decision whether to issue a license or not. Presently, this is not one of the things that are numerated in the statute the Liquor Commission can consider.

Don Herz (Finance Director) stated Item 11 on 1st Reading today is something they have done in the past. As you recall they've taken the financing internally as opposed to going through LES, this is the normal annual transactions to fund the City's lighting needs for the last of 2005. *[#11, 06-13, Authorizing the execution and delivery of a Lease-Purchase Agreement with Union Band and Trust Company in an amount not to exceed \$3,100,000 for the acquisition by the City of street lighting equipment.]*

Dana Roper (City Attorney) stated LES will be bringing over a new rate schedule. They found a couple of minor corrections that need to be made and they will probably have it by Noon.

- *1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For December. — NO COMMENTS
- *2. NEWS RELEASE - RE: Mayor Seng Welcomes Novartis Expansion. — NO COMMENTS
- *3. NEWS RELEASE - RE: Human Rights Commission Premieres Show On 5 City-TV. — NO COMMENTS
- *4. NEWS RELEASE - RE: Second Open House Planned On Stormwater Drainage Improvements. — NO COMMENTS
- *5. NEWS RELEASE - RE: Save Money - Use E-Bill Option To Pay City Water and Wastewater Bills. — NO COMMENTS
- 6. Letter from Mayor Coleen Seng to Matthew M. Maude & Kathryn P. Halperin, Heathrow Development LLC - RE: The decision to decline the City Council's counter offer for the K Street Building.— NO COMMENTS

II. DIRECTORS

FINANCE/BUDGET

- *1. Material from Steve Hubka - RE: City Sales Tax Reports for January, State Report for January. — NO COMMENTS
- 2. Material from Steve Hubka - RE: Recent History of Land Acquisition Fund. — NO COMMENTS

FINANCE/CITY TREASURER

- *1. Monthly City Cash Report & Pledged Collateral Statement for December 2005. — NO COMMENTS

PLANNING

- *1. Letter from Tom Cajka to Lyle Loth, ESP - RE: Boulder Ridge Final Plat #05076 -Generally located at S. 84th St. & Pine Lake Rd.. — NO COMMENTS

2. Letter from Tom Cajka to Marcia Kinning, ESP - RE: Hartland Homes NW 5th Addition Final Plat #05129 - Generally located at NW 53rd & W. Madison Ave. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

1. Special Permit #1866A (Wireless Facility extension - 2401 North 48th Street) Resolution No. PC-00975. — NO COMMENTS
2. Comprehensive Plan Conformance No. 05017 (Permanent Conservation Easement - N. 28th & Leighton Drive) Resolution No. PC-00976. — NO COMMENTS

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Pine Lake Road Widening - Project #700014 - 40th - 61st Streets - 56th Street; Shadow Pines-Thompson Creek -(See Advisory). — NO COMMENTS

WOMEN'S COMMISSION

1. NEWS RELEASE - RE: New Appointments Join LLWC Advisory Board. — NO COMMENTS

III. CITY CLERK

Deputy City Clerk Teresa Meier-Brock stated on their Agenda for today, Items 1 & 2 will be called together. [*#1, Application of Big Sal's, Inc. dba Big Sal's for a Class C liquor license at 838 N. 27th Street.; and #2, Manager application of Stephen F. DiSalvo for Big Sal's, Inc. dba Big Sal's at 838 N. 27th Street.*]

Can she call Items 5 & 6 together, since both items are Creating Downtown Business Improvement Districts? Mr. Svoboda replied yes. [*#5, 06R-10, Approving the Intent to Create the Core Business Improvement District Overlay in the Downtown Business Management District, generally bounded by Centennial Mall, M. 9th and Q Streets.; and #6, 06R-11, Approving the Intent to Create the Downtown Business Improvement District in the Downtown Business Management District, generally bounded by 6th & 17th Streets from H to R Streets.*]

For Item 8, they have a Substitute Resolution which will require a motion. *[#8, 06R-5S, Approving a Lincoln Electric System 4.5 percent increase in electric rates and implementation of a power cost adjustment, both to be effective with billing statements rendered on and after February 1, 2006.]*

Items 17 through 20, they have a request to place these items on pending for three weeks. *[RE: 84th & Adams Street - See Formal Council Agenda of February 6th for descriptions of these items.]*

For Item 21, they have a Substitute Ordinance that will need a motion to be introduced. *[#21, 05-107S, Amending the pay schedule for the employee group prefixed by the letter M to provide for a cost of living adjustment.]*

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP - NO COMMENTS

- *1. E-Mail from Jon Camp to Karl Fredrickson - RE: N. 48th - Dick Hartsock.
— NO COMMENTS

JONATHAN COOK -

Mr. Cook thanked Bruce Dart (Health Director) for getting back to him so quickly. He sent him an e-mail about a complaint from a constituent which he just sent last night. He received a couple of follow ups from Bruce (Dart) already, so thank-you very much.

Mr. Cook stated he wants to call attention to the comments of Captain Staberg on January 26th regarding the house fire on Garland. He was talking about how this has come up numerous times about house fires and mentioned how maybe the newer neighborhood house fires might be less common. Captain Staberg mentioned the new homes have light weight construction, etc. and they burn very fast when they do catch on fire that is why that fire was particularly destructive. Mr. Cook commented he thought that was interesting comments since they've had those discussions which actually they've had quite a few fires. Fire Chief Spadt stated he reviewed Chief Staberg's comments in the news and also the newspaper, he's right on as far as the difference between old construction vs. new construction and the amount of time it takes for the fire to burn. Also, he has been in contact this morning with Nadine Della from the Home Builders

Association, they are going to sit down and talk about those comments. Chief Spadt stated Dean's comments were not meant to suggest that anyone's construction habits are poor, it's just the materials used to build. Mr. Cook commented he certainly did not take them that way. Ms. Newman asked Chief Spadt if they found what caused the fire on the Garland home? Chief Spadt responded it is still under investigation, today did find the point of origin that it started in the back in a storage shed, but he doesn't think they have gotten any further yet. Mr. Camp commented he had some constituents e-mail him asking why it took 11 trucks and 70 people for a house fire. Chief Spadt stated there's a lot of reasons for that, it was mainly second alarm which this is a typical behavior or practice that has been deployed every since he has been on the department and is exercised all across the country. Chief Spadt commented they had three houses involved in a fire, they had a concern about the neighborhood being on fire and so they went through as many resources as they could so it would not spread beyond where it did. Ms. Newman thanked Chief Spadt for sending that kind of man power there because as soon as they heard the second and third house was going and the first house was \$180,000, it was destroyed.

Fire Chief Spadt stated also the following day, they sent that same number of resources to a house fire at 24th & Sumner. Mr. Cook asked what's the condition of the house, will it be saved or is it a total loss? Chief Spadt stated it's up to the owners, but he's sure it will be salvaged. Mr. Cook commented it was a historic house. Chief Spadt replied yes. Mr. Svoboda asked Chief Spadt for an update on the three firefighters? Chief Spadt stated everyone is back to work except one and he sustained a torn rotary cup and he's going to be off for sometime.

Mr. Cook stated he would like to speak with Chuck Zimmerman (Building & Safety) after the Directors' Meeting.

ROBIN ESCHLIMAN - NO COMMENTS

1. Request to Nicole Fleck-Tooze, Public Works & Utilities Department - RE: Requesting copy of letter sent out to businesses & families recently put in the floodprone (RFI#3-01/26/06). — NO COMMENTS - [Note: Response from Nicole Fleck-Tooze, Public Works & Utilities Department received on RFI#3-2/06/06 attached to the Directors' Addendum for Feb. 6th]

DAN MARVIN -

Mr. Marvin stated he would like to speak with Marc Wullschleger (Urban Development Director) after the Directors' Meeting.

ANNETTE McROY - NO COMMENTS

PATTE NEWMAN -

Ms. Newman stated to Karl Fredrickson (Public Works & Utilities Director) that she is still getting complaints about trains, and she knows he cannot do anything about it. But, we hear that they are increasing their numbers and the thing we keep hearing about gray crossings and closing those up. Is there anyway they can by pass the City instead of racing right through? Her understanding is that those whistles are going a lot longer now because the Federal rules have changed. Mr. Fredrickson stated he thinks as they proceed with the Railroad Transportation Safety District (RTSD) and working with things as far as eliminating gray crossings that can help silence the train horns and whistles. He thinks there has been a request of the RTSD to look into the new Federal rules. Mayor Seng commented she was reading the RTSD minutes and they were discussing this about a month or two ago and there were some crossings they evidently discussed and put on hold or something. But, she agrees with Patte (Newman) there are some crossings that really need to be addressed, some need to be completely closed so we don't have people driving over them.

KEN SVOBODA - NO COMMENTS

V. MISCELLANEOUS -

- *1. E-Mail from Dave Oenbring - RE: The Union Conspiracy Against Wal-Mart Workers - (Council received copies of this E-Mail on 1/23/06 before Formal Council Meeting.). — NO COMMENTS
- *2. Letter from Heathrow Development, LLC - RE: K Street Complex Purchase Agreement -(Council received their copies of this Letter on 1/23/06 during the Formal Council Meeting). — NO COMMENTS

- *3. E-Mail from Laurie Colburn - RE: Colburn Water Damage - Jan. 23rd Meeting. — NO COMMENTS
- *4. E-Mail from Jeanette Smith - RE: City Council Meeting Jan. 23rd. — NO COMMENTS
- *5. Response E-Mail from Jeanette Smith to Marvin Krout - RE: City Council Meeting Jan. 23rd. — NO COMMENTS
- *6. E-Mail from Ron Robinson - RE: LES - PCA. — NO COMMENTS
- *7. Letter On behalf of the M Class employees, Steven Huggenberger & Richard Anderson - RE: M Class salaries. — NO COMMENTS
- 8. E-Mail from Lt. Col. Joseph W. Johnson, Jr. USAF Retired - RE: Educational Property Exemptions. — NO COMMENTS
- 9. Letter from Robert A. Downey, Executive Director & George Green, President, Board of Directors, Capital Humane Society to Mayor Coleen Seng - RE: Considered your request for the organization to continue housing the stray animals picked up by Lincoln Animal Control. After discussing many options we have reaffirmed our previous decision not to. — NO COMMENTS
- 10. E-Mail from Bill Wiseman - RE: Sidewalks. — NO COMMENTS
- 11. Letter from Richard Saffee, Pfizer Inc. - RE: 'Thank-you' for removing the Power Cost Adjustment language from the electrical rate increase request from LES that came before City Council. — NO COMMENTS
- 12. LES Report - RE: Proposed Rate Schedules and Service Regulations -(Copy of this Report on file in the City Council Office) (Council received their copies in their Thursday packets on 2/02/06). — NO COMMENTS

ADDENDUM - (February 6th)

I. MAYOR

1. NEWS RELEASE - RE: Work To Begin Monday On East “O” Street Project- Public meeting on project set for February 21 -(Council received this news release in their Thursday packets on 2/02/06). — Karl Fredrickson (Public Works & Utilities Director) mentioned this issue earlier under “I. Mayor”. (See that discussion)
2. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of February 4 through February 10, 2006-Schedule subject to change -(See Advisory). — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE -

ROBIN ESCHLIMAN

1. Request to ~~Nicole Fleck-Tooze, Public Works & Utilities Department~~- RE: Requesting copy of letter sent out to businesses & families recently put in the floodprone (RFI#3-01/26/06). — **1.) SEE RESPONSE FROM NICOLE FLECK-TOOZE, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#3 - 02/05/06.** — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from John Huff - RE: Support to approve Change of Zone #05082. — NO COMMENTS
2. E-Mail from Dan Haase - RE: The proposed LES rate increase. — NO COMMENTS

3. 2 E-Mail's from Ron & Susan Samson - RE: LES Rate Increases. — NO COMMENTS
4. E-Mail from Ron Samson - RE: LES Fees Increase. — NO COMMENTS
5. E-Mail from Rich & Tammie Burns - RE: Commercial development of 84th & Adams. — NO COMMENTS
6. E-Mail from Beatty Brasch, Executive Director, Center for People in Need - RE: LES Rate Increase. — NO COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:33 a.m.

***HELD OVER FROM JANUARY 30, 2006.**

dm020606/tjg