

**DIRECTORS' MEETING
MONDAY, APRIL 3, 2006**

I. MAYOR

- *1. NEWS RELEASE - City Uses Corn-Based Product to Fight Ice on Streets. (See Release)
- *2. Letter to Dr. Susan Gourley, Superintendent of Lincoln Public Schools, from Mayor Seng RE: Arnold Elementary Land Acquisition Proposal. (See Letter)
- *3. NEWS RELEASE - Announcing New Community Volunteer Campaign by Mayor Seng and Volunteer Partners. (See Release)
- *4. NEWS RELEASE - Volunteer-A-Thon Seeks Pledges of Hours and Funds. (See Release)
- *5. City of Lincoln Snow Emergency in Effect for Monday, March 20, 2006. (See Report)
- *6. City of Lincoln Snow Emergency Remains in Effect for Monday, March 20, 2006. (See Report)
- *7. City of Lincoln Snow Emergency Remains in Effect for Tuesday, March 21, 2006. (See Report)
- *8. City of Lincoln Snow Emergency Lifted: Residential Plowing to Begin. (See Report)
- *9. City of Lincoln Residential Snow Plowing Continues: No Parking Bans in Effect. (See Report)
- *10. Washington Report, March 17, 2006. (See Attachment)
- 11. NEWS ADVISORY - Mayor Seng Announcement of Relocation Plans for Fire Station #11. (See News Advisory)
- 12. NEWS RELEASE - Relocation of Fire Station #11 will Better Serve Arnold Heights Neighborhood and Businesses. (See Release)
- 13. NEWS RELEASE - Residents Asked to Report Potholes and Other Street Problems. (See Release)
- 14. NEWS RELEASE - Mayor's Town Hall Set for April 11, 2006. (See Release)

II. DIRECTORS

CITY ATTORNEY

- *1. Email from Lindsey Hinkins RE: Billboard on 27th and Superior Streets. (See Email)
- *2. Response letter to Lindsey Hinkins from City Attorney, Dana W. Roper. (See Letter)

FINANCE/ CITY TREASURER

- *1. Monthly City Cash Report. (See Report)

HEALTH DEPARTMENT

- *1. Department Report, February, 2006. (See Attachment)
- *2. Physician Advisory, "Hepatitis A", from Bruce Dart, Ph.D. and Health Director. (See Report)

PARKS AND RECREATION DEPARTMENT

1. Letter to Wendy Birdsall, Chamber of Commerce, RE: Proposed South Beltway Linear Park (See Letter)
2. Letter to Mayor Coleen Seng RE: Communications Towers on Park Land. (See Letter)

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 1771A (Soil Extraction - 84th and Adams Streets). Resolution No. PC-00982. (See Attachment)
- *2. Special Permit No. 06010 (Outdoor Recreational Facility - North 9th Street and Barber Avenue). Resolution No. PC-00983. (See Attachment)
- *3. Preliminary Plat No. 06002 - Schworer Addition (North 33rd and Superior Streets). Resolution No. PC-00985. (See Attachment)
- *4. Special Permit No. 06001, Grand Terrace Community Unit Plan (South 84th Street and Highway 2). Resolution No. PC-00984. (See Attachment)

PUBLIC WORKS

- *1. Open House Advisory, RE: Nebraska Highway 2, Van Dorn to 59th Street. (NDOR Project); 14th and Highway 2 Intersection (City Project 701908); and 14th and Warlick Intersection (NDOR Project). (See Advisory)
2. Memo RE: Ordinance 06-33, Price Adjustments, Merrell Brothers, Inc., Contract. (See Memo)
3. Advisory, RE: Storm Sewer Project #701683R, Washington; 16th - 17th; 17th "A"-Garfield. (See Advisory)
4. Letter to Greg Leber RE: 2006 Asphaltic Concrete Mix Design Verification Testing. (See Letter)
5. Advisory, RE: Water Distribution Main; Fletcher & Highway 34; 14th to Northwest 12th; Project #803202, 803203, 803204. (See Advisory)
6. City of Lincoln Partial Plan Location Map for Projects 803202, 803203 and 80304. (See Map)

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. Email RE: Desco Development Use Permit 40th and Yankee Hill. (See Email)

KEN SVOBODA

1. Article on Local Impact of Home Building in Typical Metropolitan Area. (See Article)

V. MISCELLANEOUS

- *1. Email from Linda Halvorsen RE: Opposed to another Wal-Mart Store. (See Email).

- *2. Email from Rod and Nancy Johnson RE: Opposition to more Keno or any other gambling. (See Email)
- *3. Email from Barbara Gaskell RE: Opposed to expansion of Keno. (See Email)
- *4. Email from Terra Gibson RE: Install stop light at 27th and Wildcat. (See Email)
- *5. Email from Ginny Wright RE: Opposed to another Wal-Mart Store. (See Email)
- *6. Email from Ginny Wright RE: Wal-Mart reference to article “Everyday Low Vices”. (See Email).
- *7. Email from Darlene Moore RE: Vote no to expansion of Keno in Lincoln. (See Email)
- *8. Email from Donna Justsen RE: Keep Star Ship Theatre. (See Email)
- *9. Email from Rick Wallace RE: CDR Secures New Market Tax Credits. (See Email)
- 10. Letter from The American Council of the Blind in Nebraska, and Material. (See Letter and Material on File in Council Office)
- 11. Email from Katherine RE: Party Houses. (See Email)
- 12. Email from John Weddel RE: Party Houses. (See Email)
- 13. Letter from the Lincoln Airport Authority RE: Resolution to Advance Redevelopment of Northwest 48th Street Between I-80 and Highway 34. (See Letter)
- 14. Letter from Danny Walker RE: Disorderly Houses. (See Letter)
- 15. Email from Mary Roseberry-Brown, President-Friends of Wilderness Park RE: Proposed Sewage Treatment Plant Sites. (See Email)

VI. ADJOURNMENT

***Held Over from March 27, 2006**

**DIRECTORS' MEETING
MINUTES
MONDAY, APRIL 3, 2006
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

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

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

I. MAYOR -

Mayor Coleen Seng thanked those who attended the Joint LPS/City/County Meeting this morning. One of the things that did not come out was the City did submit one of the sites, the Huskerville site for Arnold School which is by the Lincoln Housing Authority Office in Air Park.

She thought the editorial in the newspaper was really good and Jonathan (Cook) has been so nicely complimented. She knows Bill Johnston is really interested because he has talked to Darl (Naumann) and me about it and we had told him that we are still interested.

Mayor Seng commented if any of you did not see the announcement about the Fire Station, she thought maybe Fire Chief Mike Spadt could fill Council. We've had a Fire Station out at the Airport since the air base moved out which has been many years ago and a few years ago the Federal Government took over some of the fire control piece of it.

Fire Chief Mike Spadt reported coming to Council soon will be a Resolution suggesting that we move Fire Station #11 from its current location inside the Lincoln Airport security fence at 3401 NW Luke to NW 46th & West Mathis. We have had discussions for about three years now with the Airport Authority about this arrangement and its long-term lease. The Mayor is correct in the Airport has been reclassified in the crash and fire rescue portion for aircraft now function of the Federal Government and they no longer do that. This was the arrangement that we used to have, we used to provide it which actually paid for our rent of the facility and the Airport Authority has new plans for this particular site. Some of the feedback that we have received from the Neighborhood Association was that they finally know they have a fire station down there, they have never known that due to the fact it is on the runway, have a higher visibility to be more proximate to their location and a quicker response time for their emergencies. Ms. McRoy asked Fire Chief Spadt if there will be a office or substation for Police to be a little closer to that area of town? Chief Spadt responded all of our future plans for our

buildings we will have a portion of the facility that could be a community building or modified to include Police if they so choose. Mr. Camp asked do you know when we will have the lease? Chief Spadt replied it's being reviewed by the Law Department right now, Connor Reuter. Mr. Camp requested a copy of it. Chief Spadt stated we will.

Mayor Seng commented Council just had a very long Pre-Council Meeting and I would encourage you all to think about being a little bit market oriented in this. We have a lot of needs in this community and we do not have the financial ability currently to meet all of those needs. We have folks that want to build and if they can help us, I will encourage you to take a look at that from a market orientation and she thinks this needs to be a pilot program through the end of the fiscal year and then we can do an evaluation. She knows that staff, Planning and Public Works have worked a long time on this trying to figure out all the ends and outs of it and they have worked with a lot of the development community on it.

- *1. NEWS RELEASE - RE: City Uses Corn-Based Product to Fight Ice on Streets. — NO COMMENTS
- *2. Letter to Dr. Susan Gourley, Superintendent of Lincoln Public Schools from Mayor Seng - RE: Arnold Elementary Land Acquisition Proposal. — NO COMMENTS
- *3. NEWS RELEASE - RE: Announcing New Community Volunteer Campaign by Mayor Seng and Volunteer Partners. — NO COMMENTS
- *4. NEWS RELEASE - RE: Volunteer-A-Thon Seeks Pledges of Hours and Funds. — NO COMMENTS
- *5. City of Lincoln Snow Emergency in Effect for Monday, March 20, 2006. — NO COMMENTS
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- *10. Washington Report - March 17, 2006. — NO COMMENTS

11. NEWS ADVISORY - RE: Mayor Seng Announcement of Relocation Plans for Fire Station #11. — Fire Chief Spadt discussed this issue earlier. (See that discussion)
12. NEWS RELEASE - RE: Relocation of Fire Station #11 will Better Serve Arnold Heights Neighborhood and Businesses. — Fire Chief Spadt discussed this issue earlier. (See that discussion)
13. NEWS RELEASE - RE: Residents Asked to Report Potholes and Other Street Problems. — NO COMMENTS
14. NEWS RELEASE - RE: Mayor's Town Hall Set for April 11, 2006. — NO COMMENTS

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CITY ATTORNEY

- *1. Email from Lindsey Hinkins - RE: Billboard on 27th and Superior Streets. — NO COMMENTS
- *2. Response letter to Lindsey Hinkins from City Attorney, Dana W. Roper. — NO COMMENTS

FINANCE/ CITY TREASURER

- *1. Monthly City Cash Report. — NO COMMENTS

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- *1. Department Report - February, 2006. — NO COMMENTS
- *2. Physician Advisory from Bruce Dart - RE: "Hepatitis A". — NO COMMENTS

PARKS AND RECREATION DEPARTMENT

1. Letter to Wendy Birdsall, Chamber of Commerce - RE: Proposed South Beltway Linear Park. — NO COMMENTS
2. Letter to Mayor Coleen Seng - RE: Communications Towers on Park Land. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 1771A (Soil Extraction - 84th and Adams Streets) Resolution No. PC-00982. — NO COMMENTS
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- *3. Preliminary Plat No. 06002 - Schworer Addition (North 33rd and Superior Streets) Resolution No. PC-00985. — NO COMMENTS
- *4. Special Permit No. 06001-Grand Terrace Community Unit Plan (South 84th Street and Highway 2) Resolution No. PC-00984. — NO COMMENTS

PUBLIC WORKS & UTILITIES

- *1. Open House Advisory - RE: Nebraska Highway 2, Van Dorn to 59th Street. (NDOR Project); 14th and Highway 2 Intersection (City Project 701908); and 14th and Warlick Intersection (NDOR Project). — NO COMMENTS
- 2. Memo - RE: Ordinance 06-33, Price Adjustments, Merrell Brothers, Inc., Contract. — NO COMMENTS
- 3. Advisory - RE: Storm Sewer Project #701683R, Washington; 16th - 17th; 17th "A"-Garfield. — NO COMMENTS
- 4. Letter to Greg Leber - RE: 2006 Asphaltic Concrete Mix Design Verification Testing. — NO COMMENTS
- 5. Advisory - RE: Water Distribution Main; Fletcher & Highway 34; 14th to Northwest 12th; Project #803202, 803203, 803204. — NO COMMENTS
- 6. City of Lincoln Partial Plan Location Map for Projects 803202, 803203 and 80304. — NO COMMENTS

III. CITY CLERK -

City Clerk Joan Ross stated on their Agenda for today, Items 1& 2 will be called together. *[#1, Application of GW Midwest LLC dba Great Wraps for a Class I liquor license at 1422 O Street.; and #2, Manager application of Harlan R. Musil for GW Midwest LLC dba Great Wraps at 1422 O Street.]*

Items 3 & 4 will be called together. [*#3, 06R-51, Approving the 48th and Huntington Avenue Redevelopment Agreement between the City and Kinport Corporation for redevelopment of the south side of Huntington Ave. between 48th and 49th Streets for a Lincoln Police Substation and mixed use retail, residential, commercial and office uses.; and #4, 06-42, Approving a 15-year lease between the City and Kinport Corporation for the lease of space by the City's Police Department at 49th and Huntington Ave.*]

Items 7, 8, & 9 will be called together. [*#7, 06R-57, Approving the Schworer Conditional Annexation and Zoning Agreement between the City and Dennis Schworer, relating to the annexation of approximately 11.19 acres of property generally located at 33rd and Superior Streets.; #8, 06-46, Annexation 05010-Amending the Lincoln Corporate Limits Map by annexing approximately 11 acres of property generally located at North 33rd and Superior Streets.; and #9, 06-47, Change of Zone 05029-Application of Dennis R. Schworer LLC for a change of zone from R-3 Residential District to H-3 Highway Commercial District on property generally located at North 33rd and Superior Streets.*]

Items 10 & 11 will be called together. [*#10, 06R-59, Approving a Conditional Zoning Agreement between B&J Partnership and the City to prevent specific uses for the development associated with a change of zone from R-5 Residential to B-3 Commercial on property generally located at 15th Street and South Street.; and #11, 06-51, Change of Zone 06013-Application of B&J Partnership for a change of zone from R-5 Residential District to B-3 Commercial District on property generally located at 15th and South Streets.*]

Items 15 through 18 are Reappointments. [*See Formal Council Agenda of April 3rd for descriptions of these items.*]

For Item 42, they have Motion-To-Amend #1. [*06-43, Amending Chapter 9.20 of the Lincoln Municipal Code relating to Offenses against public peace by amending Section 9.20.030, Disorderly House; Maintaining, to further define the persons found to be responsible for property; and adding a new section numbered 9.20.045 to establish minimum penalties for maintaining or being an inmate or visitor of a disorderly house and the enhance penalties for subsequent violations of Sections 9.20.030 or 9.20.040 of the Lincoln Municipal Code.*]

Mr. Cook questioned on "Fat Nappy's" will it come down to basically a motion to approve or deny the automatic renewal. Dana Roper (City Attorney) stated if you vote approval it will just be an Administrative issue and (inaudible). I don't think you have any grounds to deny statutorily, if you want to it's only recommendation, and if you want to recommend denial that's fine but its not going anywhere. If you want to postpone it's unclear whether you can clearly the Commission will have to do something by the end of the month and so if you want to postpone for a couple of weeks you may be able to do that. He thinks it's going to be reissued pretty clearly there is just no grounds to deny it. Ms. Newman questioned so we can't deny it

and it's going to go on. Is there any way the Liquor Commission will listen to the appeal by the neighbors, it's just not going to happen now is what you're saying, regardless of what we do, it's not going to make any difference. Mr. Roper stated if you want to recommend denial you can, but he does not believe it will. Ms. Newman commented but we have no grounds to recommend denial. Mr. Roper responded that's right. Mr. Roper commented he thinks the Commission may find that you did not have any grounds and just issue it and we can attempt to force them into a long front. Ms. Newman asked how do we do it? Do they listen to what the discussion has been at a City public hearing. Mr. Roper responded he doesn't think so, you would have to make a special communication with the Liquor Commission. Mr. Cook commented to Mr. Roper you say we may need to have some kind of additional communication, you could write a letter saying these are the concerns that were expressed at the Council Meeting and this is why if we do recommend denial. So, the only way they will see anything is if we vote denial and then we will go through their process, it forces them into a process of the Liquor Commission looking at what we did. Mr. Roper replied true. Mr. Cook commented they can decide if they don't like it and just over rule us without going through the long form or anything else but at least it forces them to take a look at the letter that we can send them outlining our concerns. Mr. Roper responded you can do that. Mr. Marvin commented it's technically not the alcohol that's causing the problem it's the sound. Mr. Roper commented theorized a specific list of violations must be met before you can long form and this is not really close to any of those, we're talking about a sexual assault or some serious type of misdemeanors, not just we've got noise complaints. Mr. Cook asked if these are laid out in the statute? Mr. Roper answered yes. Mr. Svoboda commented we can ask Dana (Roper) some of these questions on the dias this afternoon as well and that way the public that is watching at least will have an understanding of why it is that we are dealing with this issue and how we are struggling with it. Mr. Svoboda commented so even a denial does not automatically force them into a public hearing at the Liquor Control Commission. City Clerk Joan Ross replied apparently, if it's not a liquor related issue. Ms. Eschliman asked Police Chief Casady did you give us an update recently that you were working with the Legislature on legislation that would require the Liquor Commission to listen more closely to municipalities and if so how is that coming along? Chief Casady stated LB845 is on Select File, it changes the language in the State statute that governs the Liquor Commission's the issuing of licenses from 'may' to 'shall'. Also, it adds to the items that they can consider the density of the liquor licenses and the impact that the granting of a new license might have on law enforcement (inaudible), so it does not really apply to this situation.

IV. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP - NO COMMENTS

1. E-Mail - RE: Desco Development Use Permit 40th and Yankee Hill. — NO COMMENTS

JONATHAN COOK -

Mr. Cook stated regarding Items 10 & 11 which are the 15th & South Street items, he received a number of phone calls and e-mails requesting a continuous of the public hearing which these items would not be voted on until next week. He also received an email saying the South Street Business & Civics Association was expected to take place tomorrow might not (inaudible) the following week. So, he hopes that there would not be a problem continuing the public hearing to next week to give time for some additional feedback. The Irvingdale Neighborhood Association is having a meeting in the upcoming week with the developer, but don't know about the South Street Business & Civics Association Meeting. Noting, if we find out today that they don't meet until the following week, how does Council feel about scheduling the public hearing and action on April 17th. Mr. Svoboda commented we will see this afternoon.

ROBIN ESCHLIMAN -

Ms. Eschliman mentioned she has an update and a thank-you to the following people who helped out with the sector issues in Omaha and Lincoln was the site selectors. The Mayor, Rick Hoppe, Mark Bowen, Mike Merwick, Mark Wullschleger, Polly McMullen, Chamber of Commerce, Marvin Krout, Clint Thomas and Darl Naumann. Her understanding is that Polly McMullen picked up five developers that are interested in submitting for the 14th & "Q" Project which is good news. One of the site selectors called her really frustrated about something last week and Mike Merwick was on it by next business day, so thank-you Mike (Merwick). We received a lot of compliments on last Wednesday's meeting and she thanked all who spent time on it. She thinks it was a good bridge building effort.

DAN MARVIN - NO COMMENTS

ANNETTE McROY - NO COMMENTS

PATTE NEWMAN - NO COMMENTS

KEN SVOBODA - NO COMMENTS

1. Article on Local Impact of Home Building in Typical Metropolitan Area. — NO COMMENTS

V. MISCELLANEOUS -

- *1. E-Mail from Linda Halvorsen - RE: Opposed to another Wal-Mart Store. — NO COMMENTS

- *2. E-Mail from Rod & Nancy Johnson - RE: Opposition to more Keno or any other gambling. — NO COMMENTS
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- *9. E-Mail from Rick Wallace - RE: CDR Secures New Market Tax Credits. — NO COMMENTS
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- 14. Letter from Danny Walker - RE: Disorderly Houses. — NO COMMENTS
- 15. E-Mail from Mary Roseberry-Brown, President-Friends of Wilderness Park - RE: Proposed Sewage Treatment Plant Sites. — NO COMMENTS

ADDENDUM - (For April 3rd)

I. MAYOR -

1. NEWS RELEASE - RE: Mayor Seng's Public Schedule Week of April 1 through 7, 2006-Schedule subject to change. — NO COMMENTS
2. NEWS RELEASE - RE: Open House Planned On Improvements To Pioneers Boulevard. — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE-

JON CAMP -

1. Response from Wynn Hjermsstad, Joel Pedersen, Police Chief Casady, Dough Srb to RFI from Jon Camp-RE: Northeast Police Team Station and Northeast Printer site - (Forwarded to Council on 03/31/06) (Received additional follow up questions from Police Chief Casady & Wynn Hjermsstad, Urban Development) (See Attachments). — NO COMMENTS

ROBIN ESCHLIMAN -

1. Response from Wynn Hjermsstad to RFI from Robin Eschliman - RE: Northeast Police Team Station and Northeast Printer site - (Forwarded to Council on 03/31/06) (See Attachment). — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE/BUDGET

1. Reports from Steve Hubka - RE: March Sales Tax Reports -(Council received copies of these Reports in their Thursday packets on 03/30/06). — NO COMMENTS

C. MISCELLANEOUS -

1. E-Mail from Wayne & Marlene Janssen - RE: The Disorderly Household Ordinance.
— NO COMMENTS
2. E-Mail from Sarah Bauman - RE: South Street Property Hearing. — NO
COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:39 a.m.

***Held Over from March 27, 2006.**

dm040306/tjg