

**DIRECTORS' MEETING
COUNTY-CITY BUILDING, ROOM 113
MONDAY, NOVEMBER 13, 2006
11:00 A.M.**

I. MAYOR

1. NEWS RELEASE. Public Invited to Open House on Stormwater Improvement Project.
2. NEWS RELEASE. Public Invited to Open House on Deadmans Run Watershed Master Plan.
3. NEWS RELEASE. Parts of Two Downtown Streets to be Closed Sunday, November 19, 2006.
4. NEWS RELEASE. Public Invited to Open House on City Pools.

II. DIRECTORS

PLANNING COMMISSION

1. Action by the Planning Commission on November 8, 2006.

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 06062 - Sand, gravel and soil excavation. North 56th Street/Highway 77 between Waverly Road and Mill Road. Resolution No. PC-01026

URBAN DEVELOPMENT DEPARTMENT

1. Street and Alley Vacation No. 06003. "R" Street, 1st to 2nd and part of 2nd Street and "Q" to "R" Streets.
2. Street and Alley Vacation No. 03021. South 87th Street, between Andermatt Drive and Highway 2.
3. Street and Alley Vacation No. 6008. Rudolph Street, east of North 15th Street.

III. CITY CLERK

1. Veto Message from Mayor Coleen J. Seng. Special Permit No. 05015A, Hartland's Garden Valley Community Unit Plan.

IV. COUNCIL REQUESTS/CORRESPONDENCE

ANNETTE McROY

V. MISCELLANEOUS

1. Letter from Richard C. Krueger, President - Krueger Development, re: Support for resolution allowing for street bonds.
2. Email from Shannon McGovern supporting drag strip with Internet address for additional information.
3. Email from Bob Norris re: Public hearing follow-up on signs.
4. E-mail with newspaper article from Jake Whitaker re: Supporter of bond for roads.

VI. ADJOURNMENT

**DIRECTORS' MEETING
MINUTES
MONDAY, NOVEMBER 13, 2006
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

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

Council Member Absent: Jon Camp

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Lin Quenzer, Darl Naumann, 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; John Becker, Talent Plus; and Coby Mach, LIBA

Location Announcement of the Nebraska Open Meetings Act: A Copy of the Nebraska Open Meetings Act is Located on the Wall at the Rear of this Room

I. MAYOR

Mayor Coleen Seng stated we had some events this weekend, the NAACP dinner was Saturday evening which some of you attended. It was a really good event and thank-you to those who attended.

The Veterans Day Ceremony was Saturday morning, I know Ken (Svoboda) attended and marched. It was a really good event.

Yesterday afternoon Bryan LGH West opened up officially. I was really pleased that I was still in office because I have often said that was the very hardest vote I made in 16 years when we had the sale of our City hospital. We all suffered a great deal that were serving on City Council at the time but we now know it was a good decision that we made. I wanted to just tell you about it because that was very difficult for the Council members at that period of time.

Mayor Seng called on Directors. Darl Naumann (Economic Development Coordinator) stated Item 3 is before Council today for public hearing, one of the things that will happen today is that we give preliminary estimates of the assessment cost. I think all the owners have received preliminary assessment cost. There could be some questions about the assessment on each of the properties that's something we can work out in the 15 or so days. After you pass this ordinance what we have to do is at the conclusion, we've got like 15 days for 51% to come before Council with petitions to actually make this work. So, we will have 15 days or so after you pass this in order for us to come before you and create the district. Ms. Newman commented there is something in our addendum that Doane College is not supportive now. Mr. Naumann responded that I don't know the question I think and you'll have to ask Tom Huston

when he comes before you they are not against the road I think they are against the assessment value. I think they really want the road to go through its just at what cost for it. Ms. Newman asked Mr. Naumann are you going to have a resolution by 1:30 p.m. this afternoon? Mr. Naumann replied probably not by 1:30 p.m. by the vote. Mr. Naumann commented also remember I think most of the people that got their estimates did not realize a lot of the cost of the road is also right-of-way and we also have to purchase the right-of-way from them. Ms. Newman questioned it will be deducted from them. Mr. Naumann stated correct. [*#3, 06-195, Creating Special Assessment District No. 1 for the acquisition of right-of-way, grading, paving, re-paving, sidewalks, ornamental street lighting, and street trees in N. 50th Street bounded by O Street on the south to approximately 800 feet north to the existing roadway and assessing the cost thereof against the benefitted properties.*]

June Pederson (Aging Director) stated I wanted you to know that it is with some regret that I tell you we are not going to do Pete Penguin's event at the Embassy this year the morning of the parade. The Embassy has decided they're going to put their efforts in another area so our primary support has gone away and it's not in our budget to cover the cost of it so we're not going to do it this particular year. People will be invited to the Senior Center there will be coffee, donuts and some books for the kids so we will still be doing some things but we are not going to be doing the Pete Penguin's picnic.

Ms. Eschliman stated did you ask the Holiday or the Cornhusker for support or is it too late. Ms. Pederson responded I think it's too late to do it at this point (in time) but we certainly could approach them for next year. Those are the things that you plan six/seven months in advance but we will see what we can do for the next fiscal year. Diane Gonzolas (Citizen Information Center Director) commented just an FYI the Cornhusker already hosts an executive clown breakfast that morning as well all the ceremonies afterwards, so they're pretty booked with the parade activities that day as well.

A sad piece of news in today's obituaries is an obituary for a young man named Paul Gulbranson, his mother, Karen, works at our Handyman Office. He was 18 years old, he died in an automobile accident this weekend, his brother passed away several years ago, so his mother has lost two children and her husband is battling cancer. Many of us will be going to the service on Thursday.

Police Chief Casady stated last Thursday we had our graduation for our 30th Citizen Academy class. We've been doing this for 14 years now, two classes every year nine weeks in length. We generally have a group of about 30 people in the Citizen Police Academy so we've had about 750 that graduated including several City Council members, Mayors, lots of people from the news media and community leaders attending. This event has been a really good thing for us.

Chief Casady reported home invasion robberies have kind of caught the attention of citizens these past few days, I think that's primarily because in a short period of time last week we had three home invasion robberies. We are going to have a couple dozen of those every year, almost always when you read about one of those in the newspaper it's related to drugs. The common case is where someone has come over and bought drugs from a drug dealer and then after leaving has decided to go back with a ski mask and gun to get their money back and all their drugs that's fairly common scenario in these cases. Unfortunately, although we see those rather regularly it just doesn't translate real well on print so the article that you intend to read in the newspaper makes it appear as if a nice couple sitting at home watching television were the victims of a home invasion robbery. Despite what might take place at the briefing with the news media on that just doesn't come across that way. Last week, however, one of these home invasion robberies was the worst case scenario of an older couple really were minding their own business a sleep, no ties to the criminal under world and a couple of mask men broke into their house and committed robbery. These cases are very rare in the city, in fact, we could not think of the last time we have had one of these where it appears that there is no relationship between the victims and some kind of a criminal role. So, I just wanted you to know that we do have lots of leads on that case that we're pursuing.

We had another case yesterday at a church where an intruder attempted to snatch in this case a 11 year old girl at St. Mark's United Methodist church at 84th & Pioneers. This is the second one of these that we've had this fall, the other one was a 9 year old at Calvary Community church at 4400 N. 1st Street that happened on October 1st. Both cases the emo and the description of the assailant were quite similar, we're not positive it was the same person but we're worried about it. We don't know whether these two cases are related or not but we are concerned about it, so I'm alerting the general public to be watchful at church between services and other activities that are going on in church where there might be a lot of people moving around. The kids did exactly what kids are trained and taught to do these days in both cases, they did not go with the person, they ran away and told another adult immediately which is exactly what kids should do.

Nicole Fleck-Tooze (Public Works & Utilities) stated Item 49 on their Agenda today relates to the State grant funds going back to LB1226 and DEQ is giving us a really narrow window to turn around this cooperative agreement. This item is on 1st Reading today with public hearing and action next week. Currently attached to the Resolution is the agreement which is a temporary agreement they use with all their sponsors and our grant application is attached which outlines the programs. The middle of this week we are supposed to get the usual cooperative agreement signed by DEQ and then we will get that to Council. But, we need to have it approved on November 20th so we can get it back to them by the deadline which is December 1st and you don't meet on November 27th. So take a look at it, if you have questions please let me know. [*#49, 06R-222, Approving a Cooperative Agreement between the Nebraska Department of Environmental Quality (NDEQ) and the City of Lincoln regarding State of Nebraska grant funding from the Stormwater Management Plan Program.*]

Lynn Johnson (Parks & Recreation Director) stated I think as you know the City has a contract with Chris Beutler the Fund Development Coordinator and the contract was renewed in July. It has a 60 day termination provision and on November 1st Chris (Beutler) provided notice to the Mayor that he was going to be terminating that contract and will be effective on January 2, 2007. Right now he is finishing up a fund-raising campaign for the Rose Garden Renovation Project.

Dana Roper (City Attorney) stated on their Agenda today you have ordinances on 1st Reading dealing with possession of marijuana which comes from our attempt to equalize the work between the City and the County attorneys. The State has enhanced the penalties for leaving the scene and DWI's, so the work load between the City Attorney's and County Attorney's Offices have shifted, they're getting more of the stuff that we had been doing in the past. So, we agreed, we're creating what is called an infraction and we are taking low grade marijuana type of offenses. The language you have mirrors the State statute the only change that has been made is we have a different definition of paraphernalia. I think it's going to have the beneficial effect of reducing some of our Police overtime that they don't have to go to the City Attorney's Office to testify for a DWI offense and then go to the County Attorney's Office to testify for a marijuana possession offense.

Marvin Krout (Planning Director) stated regarding the Hartland's Garden Valley which is the Community Unit Plan that you approved the Mayor signed a veto message. There was an option last week to reconsider the vote but because that did not happen there are really only two choices, I think to approve the Community Unit Plan which we do want you to approve it. One is to override the Mayor's veto today, there is on record at the meeting that says your intention was that the Community Unit Plan should be approved. Then after talking with Dana (Roper) I believe I have the authority to administratively approve the amendment to the Community Unit Plan which I would do. It use to be that we could appeal just the waiver of the block length but we had a change in the rules so that it requires Council to hear the whole case all over again because of that you were not just dealing with the waiver technically of the block length issue last time. So, there's no way apparently, Dana (Roper) doesn't think that you can make a motion to approve the Community Unit Plan without the block length waiver. Mr. Marvin commented two questions, one is that the normal procedure or you can do it in this particular case. Mr. Krout responded we do approve amendments but the intent is not to send this all the way back down to the Planning Commission. Mr. Marvin stated second question when people mentioned last week Council could make a motion to reconsider were they aware of this kind of issue at that time or was it discovered after because it might of been helpful at that time if you were aware of it to be able to give further explanation as to why a motion to reconsider would of been good. Mr. Krout replied at the time I had forgotten that the Council had changed the rules and you were not just considering an appeal so that escaped us, if we had thought about it at the time we would have told you. *[#16, Mayor's Veto Message on Resolution No. A-84096- Appeal of Hartland Homes, Inc. from the conditions of the Planning Commission*

approval of Special Permit 5015A, for the development of Hartland's Garden Valley Community Unit Plan on property generally located northwest of N. 14th Street and Pennsylvania Avenue.]

Mayor Seng commented if you read the front page of the newspaper this morning about the pools meeting tonight at Auld Recreation Center. The Parks & Recreation Department has been trying to get a little feel from the community. Lynn Johnson (Parks & Recreation Director) commented you might be asking why we're doing this in November part of the issue is Kuklin pool. We have to make some decisions about what's going to be happening with Kuklin pool and as soon as we started thinking about Kuklin we realized the question was a whole lot bigger than Kuklin pool. So that's why the Parks & Recreation Advisory Board had started working on this and we thought it would be a good idea to bring it to the community. The Pools Meeting Open House is tonight from 5:00 p.m. to 8:00 p.m., we also have an on-line site where people can fill out the questionnaire as well. We are asking about the future of Kuklin pool, Arnold Heights pool, and Meadow Heights pool, we're asking about Star City Shores and Wood's pool whether we should be thinking about making some additions to those pools and where might we do additional pools in the future and then the big question is how do we pay for it and we're asking people about bond issues and sales tax, etc.

1. NEWS RELEASE - RE: Public Invited to Open House on Stormwater Improvement Project. - NO COMMENTS
2. NEWS RELEASE - RE: Public Invited to Open House on Deadmans Run Watershed Master Plan. - NO COMMENTS
3. NEWS RELEASE - RE: Parts of Two Downtown Streets to be Closed 11/19/06. - NO COMMENTS
4. NEWS RELEASE - RE: Public Invited to Open House on City Pools. - Lynn Johnson discussed this issue under "I. Mayor". (See that discussion)

II. DIRECTORS

PLANNING COMMISSION

1. Action by the Planning Commission on 11/08/06. - NO COMMENTS

PLANNING COMMISSION FINAL ACTION

1. Special Permit #06062 - Sand, gravel and soil excavation. North 56th Street/Highway 77 between Waverly Road & Mill Road. Resolution No. PC-01026. - NO COMMENTS

URBAN DEVELOPMENT

1. Street & Alley Vacation #06003 - "R" Street, 1st to 2nd and part of 2nd Street and "Q" to "R" Streets. - NO COMMENTS
2. Street & Alley Vacation #03021 - South 87th Street, between Andermatt Drive & Highway 2. - NO COMMENTS
3. Street & Alley Vacation #6008 - Rudolph Street, east of North 15th Street. - NO COMMENTS

III. CITY CLERK -

City Clerk Joan Ross stated on their Agenda today, Items 1 & 2 will be called together. [*#1, Application of B&R Stores, Inc. dba Super Saver #17 for a Class C liquor license at 2525 Pine Lake Road.; and #2, Manager application of Nick Kelso for B&R Stores, Inc. dba Super Saver #17 at 2525 Pine Lake Road.*]

For Item 29 you have a Motion-To-Amend. [*#29, 06-189, Authorizing and providing for the issuance of not to exceed \$27,000,000 aggregate principal amount of general obligation highway allocation bonds of the City of Lincoln, Nebraska.*]

1. Veto Message from Mayor Coleen J. Seng - RE: Special Permit #05015A, Hartland's Garden Valley Community Unit Plan. - Marvin Krout discussed this issue earlier under "I. Mayor." (See that discussion)

IV. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP - ABSENT

JONATHAN COOK - Mr. Cook stated he would like to speak with Marvin Krout (Planning Director) after the Directors' Meeting today.

ROBIN ESCHLIMAN - Ms. Eschliman stated she would like to speak with Marc Wullschleger (Urban Development Director) after the Directors' Meeting today.

DAN MARVIN - Mr. Marvin stated he would like to speak with Nicole Fleck-Tooze (Public Works & Utilities Department) after the Directors' Meeting today.

ANNETTE McROY - NO COMMENTS

KEN SVOBODA - NO COMMENTS

PATTE NEWMAN - Ms. Newman stated she would like to speak with Bonnie Coffey (Women's Commission Director) after the Directors' Meeting today.

V. MISCELLANEOUS -

1. Letter from Richard C. Krueger, President, Krueger Development -
RE: Support for resolution allowing for street bonds. - NO COMMENTS
2. E-Mail from Shannon McGovern - RE: Supporting drag strip with Internet address
for additional information. - NO COMMENTS
3. E-Mail from Bob Norris - RE: Public hearing follow-up on signs. - NO
COMMENTS
4. E-Mail with newspaper article from Jake Whitaker - RE: Supporter of bond for roads.
- NO COMMENTS

AD D E N D U M - (November 13th)

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of November 10-17,
2006 - Schedule subject to change. - NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Tom Huston, For the Firm, Cline Williams Wright, Johnson, and
Oldfather, LLP - RE: 50th Street - Special Assessment District. - [Ms. Newman
mentioned this email earlier under "I. Mayor".] (See that discussion)

[End of Addendum]

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

dm111306/tjg