

**DIRECTORS' MEETING
MONDAY, JUNE 18,2007
COUNTY-CITY BUILDING
11:00A.M., ROOM 113**

I. MAYOR

1. NEWS RELEASE. Mayor Presents Award of Excellence for May.
2. NEWS ADVISORY. Mayor Beutler News Conference to be Held on Thursday, June 14th, at 555 South 10th Street, 10:00 a.m. Plans for the City's 2007 July 4th Celebration.
3. NEWS RELEASE. Mayor's Committee for International Friendship to Host Multi-National Group.
4. NEWS RELEASE. "Uncle Sam Jam 2007" to Feature Live Symphony Concert, Radio Broadcast on July 4.
5. NEWS RELEASE. College View Neighborhood to Focus on Improving Transportation.
6. Time Warner Cable Complaint from James and Charlene Simpson.
7. Washington Report, June 8, 2007.

II. DIRECTORS

HEALTH DEPARTMENT

1. PRESS RELEASE. "Food That's in When School is Out".
2. NEWS RELEASE. "Clean Out Your Garage and Garden Shed Chemicals".

PLANNING DEPARTMENT

1. Wilderness Hills 1st Addition. Final Plat #06042. Generally Located at So. 27th Street and Whispering Wind Boulevard.
2. Baron's Ridge 3rd Addition. Final Plat #07032. Generally Located at N.W. 1st Street and West Highland Boulevard.

PUBLIC WORKS AND UTILITIES

1. ADVISORY. Roadway Improvement Project #540614. 4th Street; A - J Street.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. Request to Public Works and Utilities Regarding Traffic Light at 40th and Yankee Hill with Response from Karl Fredrickson, Public Works and Utilities. Signal is being Installed.

JONATHAN COOK

1. Request to ~~Scott Opfer, Public Works & Utilities Department~~ - RE: Traffic signs on light poles (Cook RFI#131 - 06/11/07) **(SEE RESPONSE FROM SCOTT OPFER, MANAGER, TRAFFIC & ENGINEERING SERVICES, PUBLIC WORKS & UTILITIES DEPT.)**

DOUG EMERY

1. Request to Karl Fredrickson, Public Works & Utilities Director - RE: Stop Signs - Eastridge Elementary School (Emery RFI#1 - 05/21/07)

V. MISCELLANEOUS

1. Letter from Malcolm Weinert. Miniature Golf Course Needed.

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**DIRECTORS' MEETING
MINUTES
MONDAY, JUNE 18,2007
11:00 A.M.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

Council Members Present: Dan Marvin, Chair; Robin Eschliman, Vice-Chair; Jon Camp, Jonathan Cook, Doug Emery, John Spatz, Ken Svoboda.

Others Present: Mayor Chris Beutler, Rick Hoppe, Trish Owen, Ann Harrell, Mark Bowen, Lin Quenzer, Darl Naumann, 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.

Meeting convened at 11:04 a.m.

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 Chris Beutler called on Directors. Don Herz (Finance Director) gave an update on the GO Stormwater bonds. Mr. Herz stated as they typically do, they had an internet auction last Wednesday, June 13th and he wanted to report the results. The low bidder was 'Prager, Sealey & Company' and the true internet cost which includes everything is 4.56%. That's about ten basis points higher than when they first started the process, but as you are aware, interest rates have risen during the past several weeks. Actually, the 4.56% is a good interest rate fee. The first annual debt service is \$630,000 which is about \$20,000 less than we had budgeted. The firm that was a low bidder is 'Prager, Sealey & Company', which is a smaller firm with offices in New York and San Francisco. The bond is a 20 year bond.

David Landis (Urban Development Director) stated this afternoon we will be asking for authority to sale the Triplets at appraisal value or above. We have affirm offer on one of the three, we have a contact with the second one for a buyer who has a dole deal to make use of the handicap access the uniqueness of that facility. We are some place between 88% and 98% on all three of them, the 98% is the one that's about to be to sold. We can do the Triplets separately for individual actions, he packaged them in a way to say if they were at or above the appraisal they might authorize the sale, if Council

chooses not to do it that's fine, but that's the way the motion will be for Council today. It looks like we will be at or above the appraisal for all three of the items, and he will explain the financing of the operations this afternoon. [*#8, 07-95, Approving the sale of the three City owned properties (the Triplets) located at 1425, 1437, and 1441 N. 15th Street for appraised values or above.*]

On the Antelope Valley question, we are interested in pursuing design standards so that we get the exact kinds of quality of development that we want the area to maximize the term. The folks who did the downtown work recently, George Crandall and Don Arambula, have expressed interest in moving their attentions over to the Antelope Valley doing the design standards and the research corridor master plan. The terms and amounts have been exchanged in which they are willing to meet the parameter that we were interested in which is in the existing City budget for it. It has already been put aside and some contribution from (inaudible) and Amy had about a six month parameter for getting the work done so we can move quickly but at the same kind of high standard of the developer. So, those conversations are such that they're willing to do the work and we would have the discretion to be able to offer (inaudible) and that's what we would like to do. We'd like the firm to have a long history and positive reaction, he thinks for the business community and they're ready to do the work at budget within the time frame.

Ms. Eschliman commented you mentioned about the triplets that one of the houses is handicap accessible but aren't they a two story house. Mr. Landis replied there's a ramp on one of the houses. In fact, he would be happy to show them some pictures of the home and he showed Council pictures of the house with the handicap accessible. Mr. Svoboda asked have we gotten any more closer to a final cost on at least the one if not all three of them? Do we have bids coming in? Mr. Landis replied right now we are working on the total because they are budget items but what's happened is the initial Capital Improvement budget was \$660,000 for all three. The draw down that we've asked for from the Mayor's Office was \$630,000, we anticipate that we will be slightly above the \$630,000 and under the \$660,000. Right now, we are having expenditure of \$543,000 against that \$630,000. However, remember one of them is about 80% done, one's about 98% done, and one about 90% done which means that we are going to have some more expenditure for it. But, our best guess below the CIP and slightly above the limit draw that we passed to the Mayor. Mayor Beutler commented he can't tell them how exciting he is getting about Antelope Valley. Things are starting to move very rapidly, not things that he can talk about right now. But, he would say that he's concerned that the design standards will not be in place soon enough even at six months to deal with one or two or three projects that may come forward. So, we will try to deal with them on a one by one basis anticipating that we would like this area to be a level above and part of something special in the city so we may be coming to you asking for advise on some of these projects.

Mayor Beutler commented he wanted to ask Fire Chief Dan Wright to talk about one of the fire code provisions that Council may be hearing about from constituents or have already heard from constituents about it.

Fire Chief Dan Wright commented Doug (Emery) this is also in response to your email regarding the gas grills. We have had some comments and concerns regarding grilling on apartment balconies and those kinds of things, in 2001 some of you may have recalled or got involved with this. The international fire code that we adopted prohibits those kinds of appliances on apartment complexes of the building and that kind of activity. It's really based upon a variety of reasons and that is those kinds of occupancies have lots and lots of people involved and many of them who are not insured and also those structures costs lots of money. So by a protection stand point and those fires can be very difficult to get enough resources on and not only deal with evacuation and those kind of things. So, there's a lot of good reasons for it, we've had over the years two significant fires, one was in the mid to late 80's at 27th & Old Cheney sustained significant loss of about one million dollars, and then about two years ago we had a significant fire again with about one million dollars or maybe more. This is really managed by the Bureau of Fire Prevention in the Building & Safety area and Chief Bill Moody has been the one who in the last week or so has been working with a variety of people in trying to answer questions and trying to inform the community on why that is. The enforcement of this code is really based upon complaints or inspections. We have one inspector throughout the city that actually does apartments and there is over 2,800 apartment buildings in this community. It's a good fire code, he understands that many people don't understand why it exists but it really is a good code for protection of a structure and those kind of things. Mr. Svoboda stated now that we are at the beginning of the grill season could we do it again City wide announcement or public address to all of those individuals so they know it is illegal every where. Fire Chief Wright stated he thinks a letter was sent. Chuck Zimmerman (Building & Safety Dept.) stated the Fire Prevention Bureau has been sending out notices to the different management companies, some of them are choosing to enforce it and some are not. Mr. Svoboda commented could we possibly do a more generous public address of the issue so that it goes out not just to the apartment owners or the managers but to the tenants as well. Mr. Zimmerman stated there's a lot of news media attention on this, Bill (Moody) did a radio interview this morning and he's doing a television interview later on today. Mayor Beutler asked what is the penalty for a violation? Mr. Zimmerman responded he's sure it is a misdemeanor but he's not sure what class it is and the violation is on the tenant or the occupant, it's not on the apartment owner. Fire Chief Wright stated most of the time at least when we deal with those types of violations we usually try to work with the constituents and give them an opportunity to correct the problem without directly going through a violation. If they refuse or they don't want to correct the problem that's when we order the Bureau of Fire Prevention to take it to the next level which would be some sort of issuing a citation but usually we try to work with them first. Mr. Zimmerman commented it's rare that becomes a problem, he means the inspector that's handling this has less of one percent of the time do they have to go to the full length of the process of the law.

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2. NEWS ADVISORY - RE: Mayor Beutler News Conference on 06/14/07 at 10:00 a.m. - Plans for the City's 2007 July 4th Celebration. — NO COMMENTS
3. NEWS RELEASE - RE: Mayor's Committee for International Friendship to Host Multi-National Group. — NO COMMENTS
4. NEWS RELEASE - RE: "Uncle Sam Jam 2007" to Feature Live Symphony Concert, Radio Broadcast on July 4. — NO COMMENTS
5. NEWS RELEASE - RE: College View Neighborhood to Focus on Improving Transportation. — NO COMMENTS
6. Time Warner Cable Complaint from James and Charlene Simpson. — NO COMMENTS
7. Washington Report, June 8, 2007. — NO COMMENTS

II. DIRECTORS -

HEALTH -

1. NEWS RELEASE - RE: "Food That's in When School is Out". — NO COMMENTS
2. NEWS RELEASE - RE: "Clean Out Your Garage and Garden Shed Chemicals". — NO COMMENTS

PLANNING -

1. Wilderness Hills 1st Addition, Final Plat #06042 - Generally located at S. 27th Street and Whispering Wind Boulevard. — NO COMMENTS
2. Baron's Ridge 3rd Addition, Final Plat #07032 - Generally located at N.W. 1st Street and W. Highland Boulevard. — NO COMMENTS

PUBLIC WORKS & UTILITIES -

1. ADVISORY - RE: Roadway Improvement Project #540614 - 4th Street; A - J Street. — NO COMMENTS

III. CITY CLERK -

City Clerk Joan Ross stated on their Agenda today, Items 3 & 4 will be called together. [*#3, Application of Super Target Liquor of Nebraska, Inc. dba Target Store T-2303 for a Class DK liquor license at 8201 S. 40th Street.; and #4, Manager application of Scott Hansen for Super Target Liquor of Nebraska, Inc. dba Target Store T-2303 at 8201 S. 40th Street.*]

Reminder for Item 11, you have a Motion-To-Amend which would be the substitute agreement. [*#11, 07R-119, Approving the Development and Conditional Zoning Agreement between the City and Hidden Valley Estates LLC relating to the development of property generally located at S. 112th Street and Pine Lake Road.*]

Mr. Marvin stated regarding Item 28 do we have a change on the R-3 zone has that ever come through. City Clerk Joan Ross commented she does not have anything. Mr. Marvin commented Robin (Eschliman) is there an amendment to change the zoning district from R-4 to R-3 rather than R-6. Ms. Eschliman replied yes, she requested that of the Law Department. Mr. Marvin asked if the amendment is being done? Someone answered yes. Mr. Marvin noted okay, so there will be an amendment for Item 28. [*#28, 07-90, Change of Zone 07019 - Application of College View Seventh-Day Adventist Church for a change of zone from R-4 Residential District to R-6 Residential District on property generally located at S. 49th Street and Lowell Avenue.*]

IV. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP - NO COMMENTS

1. Request to Public Works & Utilities - RE: Traffic Light at 40th and Yankee Hill with Response from Karl Fredrickson, Public Works & Utilities - Signal is being Installed. — NO COMMENTS

JONATHAN COOK - NO COMMENTS

1. Request to ~~Scott Opfer, Public Works & Utilities Department~~- RE: Traffic signs on light poles (Cook RFI#131 - 06/11/07). — **1.) SEE RESPONSE FROM SCOTT OPFER, TRAFFIC & ENGINEERING SERVICES, PUBLIC WORKS & UTILITIES DEPT.** — NO COMMENTS

DOUG EMERY - NO COMMENTS

1. Request to Karl Fredrickson, Public Works & Utilities Director - RE: Stop Signs - Eastridge Elementary School (Emery RFI#1 - 05/21/07). — NO COMMENTS

ROBIN ESCHLIMAN - NO COMMENTS

JOHN SPATZ - NO COMMENTS

KEN SVOBODA - NO COMMENTS

DAN MARVIN -

Mr. Marvin commented regarding Item 22, Marvin (Krout) in speaking of conditional zoning this item is on 1st Reading. Do you have any agreement with the developer on that to put restrictions on this zone which is R-6 to B-4. Mr. Krout replied at this point the applicant has not agreed to a development agreement. The applicant is asking for the zoning without any development agreement and asked to be scheduled and so he has been scheduled. There is also going to be further discussions between the applicant and the Administration this week. [*#22, 07-97, Change of Zone 07022- Application of Hoppe Partners Ltd. for a change of zone from R-6 Residential District to B-4 Lincoln Center Business District on property generally located at the southeast corner of S. 19th and L Streets.*]

Mr. Marvin asked regarding Item 26 is there a project pending? Marvin Krout (Planning Director) stated the adjacent owner of the two story building that burned down a couple of years ago, he wants to recoup his insurance and avoid of capital gain code and build a building on his site. This is about 30 or 35 feet strip of land that the City acquired and used for public parking for a number of years when they widen 27th Street. There was a request back ten years ago to surplus that property and at that time there were business opposition to doing that . He thinks it had to do with the fact that there was not an adjacent use and there also was concern about protecting that existing building that had sort of historic character to it. The building having burned down circumstances are different this applicant would like to incorporate the parking into his overall development so it will have the visibility in the front entrance on 27th Street to be able to utilize the parking. He would say that the primary use of that parking always was the building that has since burned down. We had a neighborhood meeting to see if views have changed by business and residential people in the area about the surplus of the property and in fact there was nothing but neighborhood support for selling this property to the adjoining owner and allowing him to incorporate it as part of his redevelopment of the new commercial building. Mr. Cook asked does the person who would rebuild the

building have to provide a certain amount of parking? Mr. Krout replied he is required by the B-3 district to provide parking essentially probably for most commercial uses less than the market might actually dictate and he's probably going to provide something more than the minimum which would be one to six hundred in a B-3 district. If he had to build the building himself he would have to meet the minimum requirements, if he buys this property be able to provide more parking and have may be a more marketable (inaudible). He will have his own parking requirements, if he buys it this can be used as part of meeting those parking requirements. Mr. Marvin commented the only reason he brings that up is if it was not used when this comes forward on 2nd Reading and their presentation rather than just say this is surplus property. If you give the Council a clue as to what this is going to look like or are we to only evaluate this based on this is surplus property. Mr. Krout stated this is not a sales agreement but he thinks that they still have to come back to Council with a sales agreement and we don't have an agreement yet with the owner. We are marching along here because the owner indicated that in order to reduce an awful lot of money he had to build a shell building before the end of this year and so we just don't want to be an obstacle and want to make sure that the property is surplus. [#26, 07-103, *Declaring approximately 5,697 square feet generally located at the southwest corner of S. 27th Street and Randolph Street as surplus property.*]

V. MISCELLANEOUS -

1. Letter from Malcolm Weinert - RE: Miniature Golf Course Needed. — NO COMMENTS

ADDENDUM - (JUNE 18th)

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of June 16 through June 22, 2007 - Schedule subject to change. — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS -

HEALTH

1. NEWS RELEASE - RE: Health Department Asks for Residents' Help to Prevent West Nile. — NO COMMENTS

C. MISCELLANEOUS -

1. E-Mail from Patrick Parker - RE: Opposed to the paving of the alley between Havelock Avenue and Platte Avenue. — NO COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:37 a.m.