

**AGENDA
DIRECTORS' MEETING
MONDAY, AUGUST 24, 2009
2:00 p.m.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR

1. NEWS RELEASE. Mayor says SummerWorks program a success.
2. NEWS RELEASE. Mayor Beutler's statement on the death of Terry Bundy.
3. NEWS RELEASE. City earns Groundwater Guardian designation.
4. NEWS RELEASE. City providing shuttles for today's Health Care Forum.
5. NEWS RELEASE. Dates announced for 27th Street closures.

CITY OMBUDSMAN

1. Reply to Christopher Cashmere's email regarding the unwelcomed and unwanted feeling at the Ager Jr. Golf Course when his 5 ½ year old son was refused play on the course due to his age.

DIRECTORS

FINANCE/BUDGET

1. Memo from Steve Hubka, Budget Officer, on August sales tax reports reflecting June activity:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collections (With Refunds Added Back In) 2003-2004 Through 2008-2009; and
 - c) Sales Tax Refunds 2003-2004 Through 2008-2009.
2. Memo from Steve Hubka, Budget Officer, regarding the budget resolution including the schedules for 2009-2010 as amended by the Council:
 - a) Budget resolution.

HEALTH DEPARTMENT

1. NEWS RELEASE. Fall HHW (Household Hazardous Waste) collection season begins.
2. NEWS RELEASE. Clean up litter from local shorelines and banks of lakes and streams.

PLANNING DEPARTMENT

1. Lincoln-Lancaster County Planning Department newsletter posted on web page. Access at: <http://www.lincoln.ne.gov/city/plan/news/index.htm>

PUBLIC WORKS/ENGINEERING

1. Letter to Mark Kurtenbach from Roger Figard, City Engineer, regarding concerns with the safety and traffic flow on Old Cheney Road from 70th Street to 84th Street. Correspondence from Mr. Kurtenbach and Mayor Beutler included.

URBAN DEVELOPMENT

1. Urban Development Department's quarterly newsletter, *The Urban Page*, is available at: <http://www.lincoln.ne.gov/city/urban/reports/urbanpg.htm>

III. COUNCIL RFI'S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

1. InterLinc correspondence from Andrea Koerner against the proposed cell tax increase.
2. InterLinc correspondence from Jessica Gropp regarding human and animal safety at Holmes Lake Park run with pit bulls off of leashes. (Forwarded to the Parks and Recreation Department)
3. InterLinc correspondence from Julie Corey regarding two pit bulls, without leashes, at Rickman Dog Run intimidating both Ms. Corey and her dog. (Forwarded to the Parks and Recreation Department)
4. InterLinc correspondence from Jim Easom questioning if an empty metal building next to the Harris overpass is city property and possibly could be removed.
5. InterLinc correspondence from Laurie Stoehr-Tallman. Very frustrated in not being able to building permit on purchased building, with timeline to move from the current building.

V. ADJOURNMENT

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**DIRECTORS' MEETING
MINUTES
MONDAY, AUGUST 24, 2009
2:00 p.m.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

Council Members Present: Doug Emery, Chair; John Spatz, Vice-Chair; Jonathan Cook, Eugene (Gene) Carroll, Jayne Snyder, Jon Camp, Adam Hornung

Others Present: Rick Hoppe, Milo Mumgaard, Mayor's Office; City Clerk Joan Ross; John Hendry, City Attorney; and Tammy Grammer, City Council Secretary

Mr. Emery opened the meeting at 2:03 p.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. CITY CLERK -

City Clerk Joan Ross stated on their Agenda for today, Item 19 they have a Motion-To-Amend #1. *[#19, 09-100, Amending Chapter 2.76 of the Lincoln Municipal Code relating to the City's Personnel System by amending the Title Page to delete Section 2.76.160 Compensation Plan, Variable Merit Pay Plan; amending Section 2.76.040 Definitions, to define Excluded Employee; amending Section 2.76.130 Position and Pay Range Allocation, relating to Excluded Employees; amending Section 2.76.135 Merit Pay Plan Established, to include Excluded Employees and increase the maximum number of merit pay steps; amending Section 2.76.145 Merit Pay Plan, Administration and Requirements for Advancement, to include the newly defined Excluded Employees; amending Section 2.76.150 Merit Pay Plan, Pay Increases for Exceptional Service, to include the newly defined Excluded Employees; amending 2.76.155 Longevity Pay to adjust the annual longevity pay plan relating to certain "N" and Excluded Employees; deleting all of Section 2.76.160 Variable Merit Pay Plan; amending Section 2.76.175 Promotion, Transfer, Demotion or Temporary Promotion relating to the newly defined Excluded Employees; amending Section 2.76.200 Temporary Assignment to a Higher Classification relating to the newly defined Excluded Employees; amending Section 2.76.380 Sick Leave with Pay, as it relates to employees with a pay range prefixed by M, A, C, E, N, or X; and amending Section 2.76.395 Vacation Leave with Pay as it relates to employees with a pay range prefixed by M; and repealing 2.76 Title Page and Sections 2.76.040, 2.76.130, 2.76.135, 2.76.145, 2.76.150, 2.76.155, 2.76.160, 2.76.175, 2.76.200, 2.76.380, and 2.76.395 of the Lincoln Municipal Code as hitherto existing.]*

For Item 20, they have a Motion-To-Amend #1. *[#20, 09-101, Amending Chapter 2.78 of the Lincoln Municipal Code relating to the City's Personnel System by amending Section 2.78.010 Compensation Plan Established to exclude employees with a pay range prefixed by M; amending Sections 2.78.020 Annual Leave, 2.78.025 Variable Merit Pay Plan, and 2.78.030 Sick Leave to delete the references to employees with a pay range*

prefixed by the letter M; and repealing 2.78 Title Page and Sections 2.78.010, 2.78.020, 2.78.025, and 2.78.030 of the Lincoln Municipal Code as hitherto existing.]

For Item 21, they have a Motion-To-Amend #1 & #2. The Motion-To-Amend #1 will probably go away and will not require any action because Motion-To-Amend #2 replaces it. *[#21, 09-103, Amending the pay schedule for a certain employee group by adjusting the hourly pay range schedule and schedules of annual, monthly, biweekly and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by the letter "M" to be effective August 20, 2009.]*

Mr. Spatz asked if they will be voting on the entire budgetary resolution today? City Clerk Joan Ross replied yes, it's the last item on their agenda, Item 29. Mr. Cook noted Steve Hubka will give them a substitute resolution. Steve Hubka stated the substitute resolution was e-mailed to Council.

Steve Hubka handed out a substitute schedule to Council. As they were going over the resolution that was e-mailed out to them last week they came across an error they had made. It was in the text of the resolution, the RTSD requested they lapse money that was in RCIP and then re-appropriated so the RCIP corresponded with RTSD CIP, so they changed one of their schedules which is page C-5. The item that changed is about four or five lines up called 'Railroad Transportation Act' that amount had increased by \$900,000 from what had been previously listed. So, during the meeting they would appreciate a motion-to-amend this in. Mr. Camp commented the new resolution was e-mailed to them, he went on-line and it was not there. Mr. Hubka stated it was in your Council packets. City Clerk Joan Ross commented if you go down through the bottom, it says attachment or substitute. Mr. Cook noted it has attachment and separately it has a link called substitute. Ms. Snyder commented it was e-mailed to us on Thursday. Mr. Camp asked Tammy Grammer if she could print him off a copy of the substitute Resolution. Ms. Grammer stated okay. Ms. Grammer noted she e-mailed the substitute Resolution to Council on Thursday and it is also listed and linked to the Directors Agenda.

[#29, 09R-137, Action on the 1 & 6 Year Street & Highway Program, the 2009/10 City of Lincoln Annual Operating Budget and Capital Improvement Program for FY 2009/10 - 2014/15.]

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL -

MAYOR -

Rick Hoppe reported late Wednesday afternoon the Chief of Staff from Senator Ben Nelson's office called him. Senator Nelson's office said they have been very aggressive in letting people know about the Health Care Forum you may have been seeing on TV and the town halls occurring with the U.S. Senate. Senator Nelson's office in fact has been so good at recruiting people they're expecting 300 in Omaha on Wednesday they got well over 1,000 and as this Council knows success brings its own challenges and created a number of logistic

challenges that had to be met. So, he was letting them know to see if by the next day they could put a plan together to make sure if it happened in Lincoln they would be able to handle the crazy traffic and the other issues associated with an event. So, he wanted Mr. MacLean and Mr. Casady to tell them the kind of things that went on and what turned out to be a very success event for the City and example of how they handle every day problems at the last spur of the moment.

Greg MacLean (Public Works & Utilities Director) reported when all this happen on Thursday, he was on vacation and so he saw some e-mails later in the day. Greg Topil and Mike Weston with StarTran had been made aware of the situation and were the chief pointed contact for Public Works. Madonna had concerns about it. They had their own construction project going on and they were concerned about traffic in the neighborhood and those kinds of things. So, Mr. Topil with Engineering Services got the traffic operation folks together made some routing plans and coordinated with Police. Mr. Weston brought in a bunch of drivers from StarTran and they were able to set up shuttle service to Seacrest Field and get the folks in and out. He thinks the important thing that he wants Council to know is that this all happened kind of on its own. These folks were ready and prepared to meet the need like they always do whether it's something planned in advance like a football game or an emergency that comes up. Mr. MacLean introduced Greg Topil and Mike Weston. Mr. MacLean commented once again, they met the need and serviced the public and he thinks the event went off essentially without a hitch. Mr. Hoppe commented the Police were magnificent, they meet at Madonna for three hours that morning took care of all the logistics. He thinks the City did an excellent job of presenting a forum for people to speak at. They also thank Lincoln Public Schools because they did allow them to use Seacrest Field parking lot on the first day of school, so they certainly deserve some credit for having this event successful.

Milo Mumgaard reported they submitted in June a detail application for the use of their \$2.4 million energy stimulus grant to the Department of Energy and they've been anticipated leveraging an additional \$2.5 million. So, they anticipate the Energy Program that they have outlined to be about \$4.8 - 4.9 million for the program over the next 18 months. They did preliminary approval from the Department of Energy this past week. Initially, their only concerned ultimately on a subsidy level was our proposal to spend considerable amount of money on street trees and related forestry activity and were a little taken back by that given the nature of the whole idea was to promote jobs, energy, savings and so on. They were able to make a nice argument back to them that this was indeed all about lowering the energy cost and the built in environment. They were concerned as you can image that they were going to be planting trees out in the prairie or something like that which they're not going to do. The reviewer committee gave them the indication they were one of the top applications from their region throughout the country. So, they were very pleased to hear that and that they had met all their various concerns and had a lot of creativity. So, now they are ready to schedule a pre-council sometime to give them an overview may be go into more detail about what the programs are that they are hoping to launch within the next four to six weeks. Mr. Mumgaard stated the actual Federal grant is

\$2.4 million, and then they are anticipating leveraging about \$2.5 million. That is additional cost of both public and private that will go towards various related energy efficiency and renewable energy activities in the community.

1. NEWS RELEASE - RE: Mayor Says SummerWorks Program A Success. - NO COMMENTS
2. NEWS RELEASE - RE: Mayor Beutler's Statement On The Death of Terry Bundy. - NO COMMENTS
3. NEWS RELEASE - RE: City Earns Groundwater Guardian Designation. - NO COMMENTS
4. NEWS RELEASE - RE: City Providing Shuttles For Today's Health Care Forum. - NO COMMENTS
5. NEWS RELEASE - RE: Dates Announced For 27th Street Closures. - NO COMMENTS

CITY OMBUDSMAN -

1. Response E-Mail from Lin Quenzer to Christopher Cashmere - RE: Unwelcomed and unwanted feeling at the Ager Jr. Golf Course when his 5 ½ year old son was refused play on the course due to his age. - NO COMMENTS

DIRECTORS -

FINANCE/BUDGET -

1. Memo from Steve Hubka, Budget Officer - RE: August Sales Tax Reports Reflecting June activity: - - - - NO COMMENTS
 - a.) Actual Compared to Projected Sales Tax Collections;
 - b.) Gross Sales Tax Collections (With Refunds Added Back In) 2003-2004 Through 2008-2009; and
 - c.) Sales Tax Refunds 2003-2004 Through 2008-2009.

2. E-Mail from Steve Hubka, Budget Officer - RE: Budget Resolution including the schedules for 2009-2010 as amended by the Council. - NO COMMENTS

HEALTH -

1. NEWS RELEASE - RE: Fall HHW Collection Season Begins. - NO COMMENTS
2. NEWS RELEASE - RE: Clean Up Litter From Local Shorelines & Banks of Lakes and Streams. - NO COMMENTS

PLANNING -

1. Lincoln-Lancaster County Planning Department newsletter posted on web page. - NO COMMENTS

PUBLIC WORKS/ENGINEERING -

1. Letter from Roger Figard to Mark Kurtenbach - RE: Concerns with the safety and traffic flow on Old Cheney between 70th Street and 84th Street. Letter from Mr. Kurtenbach and Mayor Beutler included. - NO COMMENTS

URBAN DEVELOPMENT -

1. Urban Development Department's Quarterly Newsletter. - NO COMMENTS

III. COUNCIL RFI'S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS -

JON CAMP - NO COMMENTS

EUGENE CARROLL - NO COMMENTS

JONATHAN COOK - NO COMMENTS

DOUG EMERY - NO COMMENTS

ADAM HORNUNG - NO COMMENTS

JAYNE SNYDER - NO COMMENTS

JOHN SPATZ - NO COMMENTS

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL -

1. E-Mail from Andrea Koerner - RE: Against the proposed cell tax increase. - NO COMMENTS
2. E-Mail from Jessica Gropp - RE: Human and animal safety at Holmes Lake Park run with pit bulls off of leashes (Forwarded to Parks & Recreation Dept.) - Mr. Cook stated he would like to get some follow up on this email. Lynn Johnson (Parks & Recreation Director) stated they will start with it and coordinate with the Health Department. But, they are aware of this and they have been working on it. Mr. Cook commented he would like to know what the outcome is on it.
3. E-Mail from Julie Corey - RE: Two pit bulls, without leashes at Rickman Dog Run intimidating both Ms. Corey and her dog (Forwarded to Parks & Recreation Dept.). - Mr. Cook stated he would like to get some follow up on this email. Lynn Johnson (Parks & Recreation Director) stated they will start with it and coordinate with the Health Department. But, they are aware of this and they have been working on it. Mr. Cook commented he would like to know what the outcome is on it.
4. E-Mail from Jim Easom - RE: Questioning if an empty metal building next to the Harris overpass is city property and possibly could be removed. - Mr. Cook commented he doesn't know what building is being talked about in this e-mail but maybe they need to find out the issue. Fred Hoke (Building & Safety Director) stated he will check on it.
5. E-Mail from Laurie Stoehr-Tallman - RE: Very frustrated in not being able to building permit on purchased building, with time-line to move from the current building. - See discussion for this issue below under 'Addendum-IV. #1'.

ADDENDUM - (For August 24th)

I. CITY CLERK - None

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL -

MAYOR -

NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of August 22 through August 28, 2009 - Schedule subject to change. - NO COMMENTS

DIRECTORS - None

III. COUNCIL RFI'S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS - None

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL -

1. E-Mail from Laurie Stoehr-Tallman - RE: Project at 18th & "O" Street. - Mr. Hornung stated to Fred Hoke (Building & Safety Director) that he was just looking for a little more background on this issue. Fred Hoke commented those are not the facts. He is absolutely thoroughly disgusted that Building & Safety always gets thrown under the bus. They have been working with Lin Quenzer on this and the people who were involved in it. Council will get the facts, Lin Quenzer will send them a report of exactly what went on. They wanted to take the windows out of there which violates the design standards, they're not allowed to take those out of there. They wanted Building & Safety to give them a permit in violation of the design standards. They have to have the Nebraska Energy Office give them the permit for the installation but for current facility. They tore the back out of it, they are only using the front part of it and those windows need to be installed in order to get the proper permission from NEO which they finally did. The architect went down there, Gary Spier, who is our plan manager took a look at it and said does this meet those standards, raised the issue about the energy and it does not. Checked with the energy office and said they will have the architect come over and work with them in order to come up with the proper configuration which they did. The energy office passed it, and then came over to our office they passed it happened about that fast. In fact, a permit was issued the day after the permit was requested. What didn't happen is they did not go through the proper channels with the Nebraska Energy Office in order to get it put together. Now, why Council got these e-mails is beyond him. We do the enforcement, if somebody else has the ordinances and codes we enforce those. Mr. Hoke commented Lin Quenzer is currently working on this, and will have a response back to Council exactly as it happened. Mr. Emery stated to Rick Hoppe that he thinks once they get the response, he thinks it is important they go back to the people who wrote the email's. If were not the problem, he thinks Building & Safety at the least are owed an apology. He agrees with Mr. Hoke if they are wrong, they're wrong,

if they're not than we need to find out what happened and make sure that people are absolutely aware. Mr. Camp commented he would just like to say, he's sorry Fred that there was misunderstanding but he doesn't know that they should come rushing out like bulls in a China shop. He appreciates him defending his department and all, but he thinks it should be approached in an informational position rather than throwing baseball bats at somebody. It doesn't do any good getting upset and it might actually help educate the public or get the word out that when you talk about energy savings and the design standards in Antelope Valley and all that. It might help alert other developments as they come along so they understand there may be some conflicting elements and they can constructively approach it. Mr. Camp commented they can use it as a learning experience.

2. Letter from Greg Wood, President, American Council of Engineering Companies of Nebraska - RE: Encourage your support of the Fast Forward Fund proposed in the City budget. - NO COMMENTS

[End of Addendum]

V. MEETING ADJOURNED - Approximately at 2:24 p.m.

dm082409/tjg