I. CITY CLERK

II. MAYOR
1. NEWS ADVISORY. Mayor Beutler will unveil plans for the West Haymarket Pedestrian Bridge at a news conference on Thursday, October 11, 10:00 a.m., in room 303, at 555 S. 10th Street.
2. NEWS RELEASE. Design unveiled for West Haymarket pedestrian bridge.

WEST HAYMARKET JOINT PUBLIC AGENCY
1. Public hearing will be held on the City’s tun Back Tax application for the Pinnacle Bank Arena project on October 26, 2012, 9:00 a.m., at the State Capital, Governor’s Hearing Room.

III. DIRECTORS

CITY ATTORNEY
1. City Attorney Confer’s additional information on charitable fund-raising by City employees.  
   a) Statute §49-14,101,01. Financial gain; gift of travel or lodging; prohibited acts; violation; penalty; permissible activities and uses.

HEALTH DEPARTMENT
1. Health Department meeting minutes of August 14, 2012.
2. Health Department meeting minutes of September 11, 2012.

PLANNING DEPARTMENT
1. List of Administrative Approvals by the Planning Director from October 2, 2012 through October 8, 2012.

POLICE DEPARTMENT
1. Chief of Police, James Peschong’s reply to correspondence from Karen de Alba on their positive, and negative, views of Lincoln during their football game and college visit. (Correspondence from Karen de Alba listed on Directors’ Meeting agenda of October 8, 2012 under Correspondence from Citizens, No. 1)

PUBLIC WORKS AND UTILITIES/ENGINEERING

WEED AUTHORITY
1. Lancaster County Weed Control - City of Lincoln Weed Abatement, September 2012.

IV. COUNCIL MEMBERS

V. MISCELLANEOUS
VI. CORRESPONDENCE FROM CITIZENS
   1. Message from Tim giving kudos to Council for not allowing uniforms to be worn by City personnel while soliciting.

VII. ADJOURNMENT
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

DATE: October 10, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Chris Beutler will unveil plans for the new West Haymarket Pedestrian Bridge at a news conference at 10 a.m. Thursday, October 11 in Room 303, third floor of the County-City Building, 555 S. 10th.
FOR IMMEDIATE RELEASE: October 11, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831
                     Paula Yancey, PC Sports, 402-477-0487

DESIGN UNVEILED FOR WEST HAYMARKET PEDESTRIAN BRIDGE

Mayor Chris Beutler today said the City will soon take bids on the 611-foot pedestrian bridge that will link the Pinnacle Bank Arena with the new festival space northwest of the facility. Beutler unveiled the conceptual drawings of the bridge, which was designed by Dimensional Innovations, an Overland Park, Kansas firm selected by the West Haymarket Joint Public Agency (JPA). The design incorporates the letters L-I-N-C-O-L-N which are visible from both sides of the bridge and from above.

“You can imagine what the bridge will look like from a blimp that may be flying overhead during a Husker football game,” said Beutler, who chairs the JPA. “This bridge will serve as an iconic location within our City. It also will be a bridge that creates specific areas where some of Lincoln’s unique stories can be told – a generational bridge. As you walk along the bridge you will want to stop by each letter and take a moment to read about some of the rich stories that define Lincoln.” The City’s historic preservation planner, Ed Zimmer, will assist with the text that will displayed on the bridge.

The bridge will be bid in two packages, first the structure itself and then the aesthetic elements. The JPA is scheduled to select the final contractors at its December meeting. Construction on the structure will begin next spring and is expected to be completed next summer. The aesthetic elements would then be added, with completion expected by September 2013. The bridge project is included in the current JPA budget.

More information on the arena and West Haymarket development is available at pinnaclebankarena.com and haymarketnow.com. More information on Dimensional Innovations is available at dimin.com.
Notice of Public Hearing:

Public hearing will be held on the City of Lincoln Turn Back Tax application for the Pinnacle Bank Arena project on October 26, 2012 at 9:00 a.m. in the Governor’s Hearing Room, State Capitol.

http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm
As a drafter of Ordinance 12-129 who has signed off on its legality, the concern you expressed about the validity of this proposed measure at last night’s meeting has led me to conclude that I should provide additional information to you, other Council Members, and the public at large.

As I mentioned to you after the meeting, there is no state statute prohibiting the use of public resources for charitable fundraising. Article XIII, Sec. 3 of the Nebraska Constitution has been held by the Nebraska Supreme Court to prohibit using public resources for private purposes, and that prohibition is implemented by Neb. Rev. Stat. § 49-14,101.01(2) of the Political Accountability and Disclosure Act, which I’ve attached and highlighted. The Accountability and Disclosure Commission (“NADC”) relied on this statute and Art. XIII, Sec. 3 of the constitution in reaching their informal opinion that the Omaha firefighters could not solicit funds from the public for the Muscular Dystrophy Association while they were on duty as city employees, because that would be using public resources for a public purpose. It is important to note in this regard that there was no state or local legislation that authorized this activity by the firefighters. *Informal Opinion #199*, Neb. Accountability and Disclosure Comm., Slip. Op. at 3, Mar. __, 2010.

The Nebraska Supreme Court has held, however, that supporting the work of a private charity may constitute a public purpose for which public resources may constitutionally be used if the charity is performing work that accomplishes a public benefit. The appellate decisions also make it clear that the courts will not generally question a legislative determination that a particular use of public resources is in the public interest unless that determination is clearly unsupportable. In *United Community Services v. Omaha Nat’l Bank*, 162 Neb. 786, 77 N.W.2d 576 (1956), the Court held that a statute which allowed Omaha Public Power District to make charitable contributions to the Omaha Community Chest was not an unconstitutional use of public resources for private purposes. The Supreme Court relied on the Legislature’s finding that these contributions were for a public purpose and that the statute set forth standards which had to be utilized to insure that the contributions were for a public purpose. (The statute was nevertheless struck down as unconstitutional special legislation). Similarly, in *Lenstrom v. Thone*, 209 Neb. 783, 311 N.W.2d 884 (1981) the court accepted a legislative determination that scholarship grants of public funds to needy students for post-secondary education were for a public purpose.
These decisions establish: (1) that it is permissible to utilize public resources for the benefit of private charities that perform a public benefit, and (2) that a reasonable legislative determination that a particular utilization of public resources will achieve a public purpose will not be questioned by the judicial branch.

The Law Department has drafted the Ordinance 12-129 with the above precedents and authorities in mind. Specifically, the proposed ordinance includes an express Council finding that certain charitable activities do perform public services; it places specific limitations on the use of public resources; it prohibits use of those resources to solicit from the general public except in narrow and limited circumstances; and before any fundraising may occur among city employees it requires a departmental director or the Mayor to determine that the solicitation achieves a public purpose in accordance with these guidelines. It is therefore my opinion that the proposed ordinance is constitutional and valid under Nebraska law.

I hope you will find this information helpful. I would be glad to answer any additional questions that you or other Council Members may have on the proposed ordinance.

Sincerely yours,

Rodney M. Confer
City Attorney
49-14,101.01. Financial gain; gift of travel or lodging; prohibited acts; violation; penalty; permissible activities and uses.

(1) A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

(2) A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

(3) Unless otherwise restricted by an employment contract, a collective-bargaining agreement, or a written agreement or policy approved by a government body, a public official or public employee may use a telecommunication system, a cellular telephone, an electronic handheld device, or a computer under the control of a government body for email, text messaging, a local call, or a long-distance call to a child at home, a teacher, a doctor, a day care center, a baby-sitter, a family member, or any other person to inform any such person of an unexpected schedule change or for other essential personal business. Any such communication shall be kept to a minimum and shall not interfere with the conduct of public business. A public official or public employee shall be responsible for payment or reimbursement of charges, if any, that directly result from any such communication. An agency or government body may establish procedures for reimbursement of charges pursuant to this subsection.

(4) A public official shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that a member of the public official's immediate family can accompany the public official in the performance of his or her official duties.

(5) A member of the immediate family of a public official shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that a member of the public official's immediate family can accompany the public official in the performance of his or her official duties.

(6) This section does not prohibit the Executive Board of the Legislative Council from adopting policies that allow a member of the Legislature to install and use with private funds a telephone line, telephone, and telefax machine in his or her public office for private purposes.

(7) Except as provided in section 23-3113, any person violating this section shall be guilty of a Class III misdemeanor, except that no vote by any member of the Legislature shall subject such member to any criminal sanction under this section.

I. ROLL CALL

The meeting of the Board of Health was called to order at 5:02 PM by Karla Lester at the Lincoln-Lancaster County Health Department. Members present: Doug Emery, Jacquelyn Miller, Lisa Peterson, Ed Schneider, Brent Smoyer, Heidi Stark, Marcia White, Brittany Behrens (ex-officio), Tim Sieh (ex-officio) and Karla Lester.

Members Absent: David Smith and Trish Owen (ex-officio).

Staff Present: Judy Halstead, Steve Frederick, Charlotte Burke, Steve Beal, Andrea Haberman, Raju Kakarlapudi and Elaine Severe.

II. APPROVAL OF AGENDA

Dr. Lester asked if there were any additions or corrections to the Agenda.

Motion: Moved by Mr. Smoyer that the Agenda be approved as mailed. Second by Dr. Miller. Motion carried by acclamation.

APPROVAL OF MINUTES

Dr. Stark asked if there were any additions or corrections to the Minutes.

Motion: Moved by Dr. Miller that the July 10, 2012 Minutes be approved as mailed. Second by Dr. Stark. Motion carried by acclamation.

III. PUBLIC SESSION

DEPARTMENT REPORTS

A. Health Director Update

Ms. Halstead announced Dr. David Smith will be leaving the Board of Health. He has accepted a position at Mississippi State University. He will be attending the September meeting and starts his new position October 1, 2012.

Ms. Halstead stated staff prepared and submitted several grant applications for health promotion, stateearly intervention funding for MCH and expanded training for food establishments. She stated the Nebraska Department of Health and Human Services has implemented new procedures for awarding grant funds for the early intervention home visitation expansion funds and will now award grant funds based on outcomes and measures.
Ms. Halstead provided a story about the Compression Only CPR Program. An individual administered EasyCPR to another person suffering a heart attack. The individual remembered seeing the EasyCPR.org billboard. The individual performed EasyCPR on the patient until emergency responders arrived on the scene. The patient recovered from the incident.

IV. **CURRENT BUSINESS (Action Items)**

V. **CURRENT BUSINESS (Information Items)**

A. **Health Department Budget Update**

Ms. Halstead provided an update on the Department’s FY12-14 Budget. The City Council held a public hearing on the proposed budget August 6, 2012 and heard testimony from nine individuals. A final vote will be held on August 20, 2012. She stated the Department’s budget remained unchanged. She noted personnel costs make up 75-80% of the budget and the City’s costs for health insurance has increased 24% this year. She provided an example of an employee’s salary and benefit costs.

B. **Behavioral Risk Factor Survey and Youth Risk Factor Survey**

Mr. Frederick provided a presentation on the Behavioral Risk Factor Survey and the Youth Risk Factor Survey. He stated the BRFSS was established in 1984 by the Centers For Disease Control. States collect the data and it is used to identify emerging health problems, to track health objectives and to develop and evaluate public health programs. He noted the method of collecting the data was changed in 2011 and included surveys conducted via cellular telephone (approximately 30%). Preliminary results indicate the inclusion of cell phone respondents and a new method of weighting might increase prevalence estimates for health risk behaviors and chronic disease in many states. He reviewed the BRFSS weighting procedures and raking process and the advantages and disadvantages. Advantages include a better and likely more accurate assessment.

BRFSS data was provided on No Health Coverage 18-64 Age Group, Health Status, Current Smoker, Binge Drinking, Obesity, Overweight, Asthma, Diabetes, high blood pressure, physical activity, etc.

Youth Risk Factor Survey Data was also reviewed. Areas included smoking, alcohol use, drinking and driving, marijuana use, cocaine use, sexual activity, violence/fighting, seatbelt use, and physical activity.

C. **Healthy Families America Presentation**

Ms. Haberman provided a presentation on the Health Families America Program. The program is a national evidence based model that was implemented by LLCHD in 2008. The program is a three year program that combines nursing and social work for health and safety outcomes for children. She reviewed the mission statement, program statistics, how families access services, and screening processes
and the assessments that are used. Referrals are received from numerous partnering agencies in the community. She noted the program’s recent graduates all met their goals. Staff are very proud of their successes.

D. Animal Control Program Presentation

Mr. Beal provided a presentation on the Animal Control Program. He reviewed the number of animal bites, attacks and injuries. Highlights included rabies vaccinations, testing and disease prevention, disaster planning, and work with the problem resolution team. To date, staff have responded to 608 bat calls, compared to 369 for the same time frame last year. He stated Animal Control has a very good relationship with the Capital Humane Society and continues to meet in joint weekly staff meetings. The Animal Control Advisory Committee provides direction to staff and the Board of Health on animal issues and ordinance recommendations. Staff partner with The Cat House for the Feral Cat Program, work with Rescue Groups and Organizations and are working with REOMA on a pet licensing and rabies vaccination recommendations for residents in multiple unit dwellings. The Division’s Website has been updated and he encouraged Board members to visit the website.

VI. FUTURE BUSINESS

September Board of Health Meeting Agenda Items

Proposed Fee Increases for Environmental Public Health Programs

Essential Service #6- Enforce Laws and Regulations that Protect Health and Ensure Safety

VII. ANNOUNCEMENTS Next Regular Meeting - September 11, 2012 - 5:00 PM.

VIII. ADJOURNMENT

The meeting was adjourned at 6:35 PM.

Elaine Severe
Recording Secretary

Heidi Stark
Vice-President
I. ROLL CALL

The meeting of the Board of Health was called to order at 5:02 PM by Karla Lester at the Lincoln-Lancaster County Health Department. Members present: Doug Emery, Lisa Peterson, Ed Schneider, David Smith, Brent Smoyer, Heidi Stark, Brittany Behrens (ex-officio), Trish Owen (ex-officio), Tim Sieh (ex-officio) and Karla Lester.

Members Absent: Jacquelyn Miller and Marcia White.

Staff Present: Judy Halstead, Scott Holmes, Scott Lowry, Steve Frederick, Charlotte Burke, Steve Beal, Chris Schroeder, Nancy Clark, Joyce Jensen, Gwendy Meginnis and Elaine Severe.

II. APPROVAL OF AGENDA

Dr. Lester asked if there were any additions or corrections to the Agenda.

Motion: Moved by Dr. Peterson that the Agenda be approved as mailed. Second by Dr. Smith. Motion carried by acclamation.

APPROVAL OF MINUTES

The minutes were omitted in the packet and will be on the agenda for approval at the October 9, 2012 Board of Health meeting.

III. PUBLIC SESSION

DEPARTMENT REPORTS

A. Health Director Update

Ms. Halstead announced Dr. David Smith will be leaving the Board of Health. He has accepted an endowed professor position at Mississippi State University’s Veterinary School in Starkville, Mississippi and will begin is new position on October 1, 2012. Dr. Smith stated he had a very positive experience working with the Board of Health and staff at the Health Department. Board members wished him well in his new endeavors.

Ms. Halstead stated staff prepared and submitted several grant applications for health promotion, state early intervention funding for MCH and expanded training for food establishments. Dental and Nutrition Services advanced to Stage 2 for funding for expanded dental clinic evening hours. Environmental Public Health
submitted a grant to the National Institute of Health for FDA funding for expanded technical assistance for food establishments. Health Promotion and Outreach received a maternal and child health grant for $150,000 for each year for 2 years. The grant will have a community focus and work with the 54321 GO Program focusing on obese/overweight children and their families. The program will have a heavy behavioral component. Dr. Lester thanked the staff for promoting collaboration with the 54321 GO Program. She noted there are over 10,000 overweight/obese children in Lincoln and the program will focus on nutrition and physical activity. The Community Health Services Division will also be looking at reinfection rates in Chlamydia cases in the community.

Ms. Halstead stated the Public Health Association of Nebraska will hold their Annual Conference in Grand Island, Nebraska September 27-28, 2012. Dr. Schneider and Ms. Halstead will attend. Mr. Sieh will co-host a panel session regarding Balancing Individual Privacy with Protecting the Public Against Communicable Disease. She noted we are privileged to have Mr. Sieh and Ms. Behrens as legal counsel to the Department and Board of Health as most health departments do not have that advantage. Board members wishing to attend the conference should contact Ms. Halstead.

IV. CURRENT BUSINESS (Action Items)


Mr. Holmes stated the State of Nebraska has adopted a revised Nebraska Pure Food Act based on the FDA’s 2009 Food Code. The FDA revises the Food Code every four years. The proposed revisions to the Lincoln Food Code is the local adoption of the Nebraska Pure Food Act. He stated the revisions were reviewed and approved by the Food Advisory Committee at their August, 2012 meeting.

Motion: Moved by Dr. Schneider that the Board of Health approve the revisions to the Lincoln Municipal Code 8.20.050 - Lincoln Food Code and forward the revisions to the Lincoln City Council for approval. Second by Dr. Peterson. Motion carried by a 7-0 roll call vote.

B. Proposed Environmental Public Health Fee Increases

Ms. Halstead reminded Board members these fees are the same ones proposed in the Mayor’s budget proposal. These are not new fees. Mr. Holmes stated the majority of increases were about 3%. Air emission fees were not included but will be presented to the Board of Health at a later date. The fee increase revenue was included in the City Council’s adopted FY12-14 budget.

Motion: Moved by Dr. Stark that the Board of Health approve the Environmental Public Health fee increases and forward them to the Lincoln City Council and Lancaster County Board of Commissioners for approval. Second by Dr. Peterson. Motion carried by a 7-0 roll call vote.
C. Proposed Revision to Policy 205.25 - Air Quality Program Civil Penalty Calculation to Clarify Record Keeping Violations

Mr. Schroeder reviewed the proposed revisions to the policy. He stated civil penalties are assessed for violations of the Air Pollution Program Regulations including emission violations and record keeping violations. Staff are proposing revising the policy to clarify the difference in how to calculate the penalties for record keeping violations versus actual air pollution emission violations. The revisions were reviewed and approved by the Air Pollution Control Advisory Board.

Motion: Moved by Dr. Schneider that the Board of Health approve the revision of Policy 205.25 - Civil Penalty Calculation Policy. Second by Dr. Stark. Motion carried by a 7-0 roll call vote.

D. Proposed Revisions to Lincoln Municipal Code 8.32 - Solid Waste to Clarify Recycling Exemption

Ms. Clark stated the proposed revisions to the Solid Waste ordinance would clarify that the occupation tax charged to refuse haulers for refuse will not be charged on recyclables that are transported to a State of Nebraska or federal licensed Materials Recovery Facility. She stated the revisions were reviewed and approved by the Public Works Department.

Motion: Moved by Dr. Stark that the Board of Health approve the revisions to Lincoln Municipal Code 8.32 - Solid Waste and forward them to the Lincoln City Council for approval. Second by Dr. Peterson. Motion carried by a 7-0 roll call vote.

V. CURRENT BUSINESS (Information Items)

A. Essential Service #6 - Enforce Laws and Regulations That Protect Health and Ensure Safety

Mr. Holmes and Mr. Lowry provided a presentation on Essential Service #6. Essential Service #6 addresses a health department’s role in enforcement of laws and regulations. They provided information on the Department’s responsibility for reviewing, evaluating and revising laws/ordinances, providing education to the public, and assuring compliance with local laws and regulations. Mr. Lowry stated one of Animal Control’s responsibilities is encouraging responsible pet ownership. Environmental Health staff assure clean air, food establishments, and safe water.

VI. FUTURE BUSINESS
Essential Service #7 - Link People to Personal Health Services and Assure the Provision of Healthcare When Otherwise Unavailable

VII.        ANNOUNCEMENTS        Next Regular Meeting - October 9, 2012 - 5:00 PM.

VIII.       ADJOURNMENT

The meeting was adjourned at 5:45 PM.

Elaine Severe
Recording Secretary

Heidi Stark
Vice-President
HEALTH DIRECTOR

- The Health Director and Board of Health member, Ed Schneider, attended the Public Health Association of Nebraska’s Annual Conference in Grand Island, NE September 26-28, 2012. Tim Sieh presented on Thursday, September 27, 2012.

- The Health Director provided a tour of the Health Department and overview of Department services to Councilman Carl Eskridge.

- The Health Director is coordinating the architectural and engineering review of the Community Mental Health Center (lower level) for the possibility of renovating a few rooms for a potential provider to provide primary care to a small number of Community Mental Health Center patients.

- The Health Director and staff attended the Streets Alive Campaign on Sunday, September 9th. Nearly 4 miles of streets were closed to vehicles, opening the streets to pedestrians. Participants ran, skated, biked and walked the area streets to promote health and fitness. The Health Director also attended the Open House for Union Plaza and the opening of the Antelope Valley Parkway.

- The Health Director, Epidemiologist and several division managers met with Lincoln Fire and Rescue to continue their efforts to enhance collaboration between the two Departments.

- The Health Director and Assistant Fire Chief Pat Borer met with UNL officials to discuss options to promote Hands Only CPR at Nebraska Basketball games during the 2012-2013 season.

- The Health Director attended the City’s Legislative Review Team initial meeting in preparation for the 2013 Legislative Session. She also met with the Friends of Public Health and their lobbyist to discuss the 2013 Legislative Session.

- The LB692 and LB1060 Annual Reports were submitted to the Nebraska Department of Health and Human Services. The Department received $784,038.00 for these programs in 2012.

- The Department will participate in the United Way/Community Health Charities Campaign. The Campaign runs from October 3 - November 2, 2012. The Administrative Aide is serving as the City-Wide Coordinator and Department Coordinator for the Campaign.
ANIMAL CONTROL

Animal Control Statistics

<table>
<thead>
<tr>
<th></th>
<th>Sep 09-Aug 10</th>
<th>Sep 10-Aug 11</th>
<th>Sep 11-Aug 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pet Licenses Sold</td>
<td>57,173</td>
<td>60,996</td>
<td>61,396</td>
</tr>
<tr>
<td>Cases Dispatched</td>
<td>15,306</td>
<td>22,534</td>
<td>24,241</td>
</tr>
<tr>
<td>Investigation</td>
<td>17,915</td>
<td>24,666</td>
<td>26,247</td>
</tr>
<tr>
<td>Animals Impounded</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dogs</td>
<td>2024</td>
<td>1915</td>
<td></td>
</tr>
<tr>
<td>Cats</td>
<td>1711</td>
<td>2429</td>
<td></td>
</tr>
<tr>
<td>Court Citations Issued</td>
<td>312</td>
<td>450</td>
<td>246</td>
</tr>
<tr>
<td>Warnings/Defects Issued</td>
<td>2059</td>
<td>12,615</td>
<td>14,384</td>
</tr>
<tr>
<td>Bite Cases Reported</td>
<td>484</td>
<td>500</td>
<td>485</td>
</tr>
<tr>
<td>Attack Cases Reported</td>
<td>96</td>
<td>81</td>
<td>63</td>
</tr>
<tr>
<td>Dogs Declared (PPD, DD, V)</td>
<td>159</td>
<td>153</td>
<td>85</td>
</tr>
<tr>
<td>Animal Neglect Investigations</td>
<td>763</td>
<td>822</td>
<td>724</td>
</tr>
<tr>
<td>Injured Animal Rescue</td>
<td>662</td>
<td>760</td>
<td>863</td>
</tr>
<tr>
<td>Wildlife Removal</td>
<td>367</td>
<td>564</td>
<td>550</td>
</tr>
<tr>
<td>Dead Animal Pickup</td>
<td>1526</td>
<td>1964</td>
<td>2239</td>
</tr>
<tr>
<td>Lost and Found Reports</td>
<td>715</td>
<td>2335</td>
<td>2425</td>
</tr>
<tr>
<td>Phone Calls</td>
<td>39,308</td>
<td>46,990</td>
<td>45,591</td>
</tr>
<tr>
<td>Average Response Time (in mins)</td>
<td>33</td>
<td>22</td>
<td>21</td>
</tr>
</tbody>
</table>

*lost/found reports not reported until June 2010

The Animal Control Advisory Committee (ACAC) will meet on October 16, 2012. Two new members will join the Committee - one from the NE Department of Agriculture and a new representative for the Capital Humane Society. The ACAC discusses a variety of animal issues and makes recommendations to the Board of Health and the Department.
- The Division Manager met with Staff from 5-City TV, Channel 10 and the Mayor’s Office to discuss strategies for a pet licensing campaign. An outline of possible strategies including businesses involvement, TV, radio and print media were discussed. Meetings with representatives from Pet Smart, Pet-Co, etc. are planned for later this month.

- The Division Manager attended a UN-L College of Law Program entitled, “Dangerous Dogs, DNA, Due Process and Breed Discrimination on September 26th. The Manager also attended the Capital Humane Tails and Trails Annual Dinner.

- The number of dogs and cats taken to the Capital Humane Society (CHS) was down for the past fiscal year. We are taking fewer feral cats to CHS, which can be attributed partly to the increased efforts with the Lincoln Cat House and the Trap, Neuter, Vaccinate and Release program. Officers believe our increased license sales over the past several years and the fact we are taking more dogs home that we catch running at large vs. taking them to the CHS also attributed to the lower numbers.

- Staff will give a presentation at the NE Vector Control Association Annual Meeting on October 4, 2012 and provided a presentation September 24, 2012 and scheduled one for October 2, 2101 at Black Hills Energy. The September 24th presentation at Black Hills staff in-service received good feedback and we were told that the information was very helpful, --“the best in-service they’ve ever had”.

- Driver training courses will be provided at the Health Department for Animal Control, Environmental Public Health and Community Health Services staff.

- Pet license renewals for the FY 11-12 ended well with approximately 4,100 renewals with an average revenue gain of $51.00 for each renewal. Our goal is to get owners to license and vaccinate their animals before we have to pursue renewals, however, the renewal process results in about a 50% successful outcome.

COMMUNITY HEALTH SERVICES

Vaccine Changes

- Eligibility for childhood vaccines given by the Public Health Clinic has changed. Under new CDC guidelines, we will no longer be able to supply government purchased vaccine (Vaccine for Children [VFC]) for fully insured children. As of October 1, we will only be able to use VFC vaccine for:

Children through age 18 years of age and
**Uninsured, underinsured, Medicaid enrolled or American Indian/Alaskan Natives**
Underinsured was defined as a child who has insurance that does not cover the cost of a particular vaccine that is recommended by the CDC. In this instance, our clinic may only give the particular vaccine that is not covered by the insurance plan.

LLCHD notified physician offices of this change, encouraging them to assess their supply of vaccines. A press release was issued to notify the public. Nurses in the Information & Referral program who determine eligibility for our immunization clinic, began using the new guidelines for appointments made on or after October 1. Fully insured children are encouraged to utilize their medical home for vaccination.

**Flu Vaccine**

- On October 1, Public Health Clinic nurses will begin administering flu vaccine to uninsured adults who have an income less than or equal to 185% of the federal poverty level. In addition to our Public Health Clinic effort, nurses will bring flu, pneumonia, and Tdap vaccines to adults who are homeless or near homeless at: Project Homeless Connect-Lincoln, Matt Talbot Kitchen and Outreach, and the Gathering Place. Our supply of Tdap (Adacel) was donated by Sanofi Pasteur in response to the increase of pertussis across the country and to assure that those who otherwise could not afford the vaccine are fully immunized against pertussis.

- Flu vaccine is also available through the VFC program for eligible children (see the new guidelines above).

**DENTAL HEALTH & NUTRITION**

**WIC**

WIC is a “Gateway to Health Care and Social Services Systems”

WIC provides nutrition and breastfeeding education, nutritious foods, and medical and social services referrals for low and moderate-income women and children with, or at risk of developing, nutrition-related health problems.

WIC plays a critical public health role in stopping child abuse. States and territories have statutes identifying persons, including WIC employees, who are mandated by law to report child maltreatment. Screening for health risks and referring participants to domestic violence and substance abuse social service programs are a vital part of the services that WIC provides.

Participation in WIC Has Been Shown to Reduce the Risk of Child Abuse

WIC has been shown to reduce the risk of child abuse or neglect. WIC also plays a critical role in counseling mothers about how to nourish and care for their young children, providing emotional support and alleviating economic worry by providing
nutritious food packages. Additionally, breastfeeding has been shown to reduce the risk for child maltreatment. WIC’s increased investments in breastfeeding promotion and support initiatives have been associated with increased rates of breastfeeding within the WIC population.

References

**Dental Health**

- During the month of August, Dental staff served a record number of patients and patient visits (633 patients with 971 patient visits), ending FY 2012 with an all time high in our clinic’s overall productivity (3464 patients served with 9956 patient visits). In comparison to FY 2011, the dental staff served an additional 236 patients with 1056 added patient visits, a 12% increase in patient visits compared to FY 2011 and a 22% increase compared to FY 2010. Of the clients served in FY 2012, 50% were children, over 53% were of racial and ethnic minorities, 30% were non-English, 47% were enrolled in Medicaid, 4% enrolled in General Assistance, 36% fell at or below 100% of poverty receiving services at the minimum fee for service, and 13% fell in the range of 101-200% of poverty, receiving services on a sliding fee scale.

- The Dental program has applied for a CHE grant to expand clinic hours until 8:00 p.m. on Thursday evenings. If the grant is funded, the dental program hopes to expand the capacity of the dental clinic to provide an additional 1248 patient visits.

**ENVIRONMENTAL PUBLIC HEALTH**

**Food Establishments**

- The Food Safety Program protects human health by reducing the risk of foodborne illness through training food handlers, issuing permits, conducting inspections, responding to consumer complaints, providing consultation and taking enforcement actions. LLCHD permits and inspects about 1,300 food establishments in Lancaster County, including restaurants, grocery stores, temporary booths, mobile units, events and farmers’ markets. Lincoln has implemented the U.S. Food and Drug Administration (FDA) Voluntary National Retail Food Regulatory Program Standards. The standardized approach has improved food safety in Lancaster County by reducing foodborne illness. Inspection intervals are risk based and range from 1 to 2 times per year, and our goal is
to inspect 95% of food establishments within established risk based intervals. Another key indicator used as part of the Mayor’s priority based budgeting process is to maintain number of food safety complaints at less than 325 per year and food-borne illness reports at less than 50 per year. The Chart below provides data through FY 11. In FY 12, we had 344 total complaints, with just 48 food borne illness complaints.

- Enforcement actions are taken when violations pose a risk to the public’s health. All food establishment employees must have food handler permits and each establishment must have a Food Manager in charge of the operation. Each year over 10,000 Foodhandler Permits and over 500 Food Protection Manager Permits are issued. Foodhandler training and permits are available both on-line through an interactive training program developed with UNL and via in-person classes. About two thirds of the food handlers are now obtaining their permit on-line. Foodhandler classes are also offered at least twice a week and Spanish classes are offered twice per month.

- The Food Advisory Committee advises the Health Department on all food safety matters. Regulated sources must hold permits to sell food to the public. A large amount of technical assistance is provided to regulated sources.
Technology/Information Services

- The City of Lincoln Development Services Center (DSC) Accela Automation Development Team is working diligently to a “go live” date this fall. This database will replace the current Permits Plus database and permits management system for the Environmental Public Health Division. This new software holds great promise for better integrating Geographic Information Systems with our data, improving customer access to permits online, and enhancing inspections in the field. User orientation training is now underway for Environmental Public Health staff. A huge amount of work has been necessary to create new Accela Automation applications and move existing data into this new system.

HEALTH DATA & EVALUATION

- It is time for getting flu vaccinations to protect against the seasonal flu. The recommendation is that everyone 6 months and older seek flu vaccine. This year’s flu vaccine includes the three most common flu virus strains that circulated last year, two of which (A/Victoria/361/2011 (H3N2)-like, and B/Wisconsin/1/2010-like) were not in last year’s vaccine. The third component, the influenza A(H1N1) vaccine virus strain is derived from an influenza A(H1N1) virus and was included in the 2009(H1N1) monovalent pandemic vaccine as well as the 2010–11 and 2011–12 seasonal vaccines. It is hoped that the vaccine will be matched with this year’s flu viruses in order to provide the greatest possible protection to those who get vaccinated.

- HDE has recently received the 2011 Behavioral Risk Factor Surveillance System (BRFSS) data for Lancaster County based on the new sampling and weighting methodology that we discussed at the July Board meeting. The CDC has now posted 2011 BRFSS data for Nebraska and the U.S. on their website (http://www.cdc.gov/brfss/) and the following table shows how our local results compare with Nebraska and national data on some of the most reported measures. (Remember that the 2011 prevalence results should not be compared to 2010 and prior year’s BRFSS results due to the change in methodology.)
<table>
<thead>
<tr>
<th>2011 BRFSS Results</th>
<th>Lancaster County (%)</th>
<th>Nebraska (%)</th>
<th>U.S. (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults 18 to 64 without any health care coverage</td>
<td>18.5</td>
<td>19.1</td>
<td>21.3</td>
</tr>
<tr>
<td>Health Status Fair or Poor</td>
<td>11.4</td>
<td>14.3</td>
<td>16.9</td>
</tr>
<tr>
<td>Overweight (BMI = 25 to 29.9)</td>
<td>34.2</td>
<td>36.5</td>
<td>35.8</td>
</tr>
<tr>
<td>Obese (BMI = 30 or greater)</td>
<td>25.1</td>
<td>28.4</td>
<td>27.8</td>
</tr>
<tr>
<td>Adults who have been told they have diabetes</td>
<td>6.7</td>
<td>8.4</td>
<td>9.5</td>
</tr>
<tr>
<td>Adults who have been told they have high blood pressure</td>
<td>23.2</td>
<td>28.6</td>
<td>30.8</td>
</tr>
<tr>
<td>Adults who have ever been told they have asthma</td>
<td>8.9</td>
<td>11.5</td>
<td>13.6</td>
</tr>
<tr>
<td>Adults aged 65+ who have had a flu vaccination within the past year</td>
<td>64.8</td>
<td>61.8</td>
<td>61.3</td>
</tr>
<tr>
<td>Adults who are current smokers</td>
<td>21.8</td>
<td>20.0</td>
<td>21.2</td>
</tr>
<tr>
<td>Binge drinkers (males having 5 or more drinks or females having 4 or more drinks on one occasion)</td>
<td>25.6</td>
<td>22.7</td>
<td>18.3</td>
</tr>
</tbody>
</table>

- As you can see from the table above, for all of the selected health status measures (health status fair or poor; those persons who are either overweight or obese measured by BMI; and persons diagnosed with diabetes, hypertension or asthma) Lancaster County results are better than the state and nation. Also, even though the percent of the working population that is uninsured (18.5 percent) is much higher than we would like, the rate of uninsurance is lower than in Nebraska and nationally (although not significantly lower than Nebraska). For the one preventive health measure, flu vaccinations for those 65 and older, the local rate is above the Nebraska and national rates.

- However, there are two risk behaviors, smoking (21.8%) and binge drinking (25.6%) where we do not fare as well in comparison the either state or national results.

- We are building dashboards for BRFSS and other 2011 data and so you can expect to see more results in future reports and meetings.

**HEALTH PROMOTION & OUTREACH**

**Chronic Disease Prevention and Minority Health Initiative**

- Staff is working with Epidemiology to develop an improved data tracking system for the Minority Health Initiative. We will have the capability of emailing report forms to grant partners; have them fill out and email back; then the data will self populate the new database upon receipt of the email. The will save staff time of duplicative data entry, allow for more efficient data analysis and ease data reporting to the state.
Injury Prevention

- Staff is contributing to the Nebraska DHHS Traumatic Brain Injury work group. This group recently met with the focus of how to evaluate the effectiveness of LB260, the concussion law that has recently gone into effect.

- Staff conducted two community-wide child passenger safety events at BryanLGH Health Systems and Vine Congregational Church. A total of 56 seats were checked at these two events.

Tobacco Prevention and Control

- Staff coordinated a tobacco retailer compliance check with the Lincoln Police Department and 4 youth volunteers. There were 2 sales out of 49 attempts to purchase tobacco products for a 4% noncompliant rate (96% compliant). Research shows that communities that consistently keep the noncompliant rate below 10% have lower youth tobacco use rates.

- LLCHD and Parks and Recreation staff continue discussions for public awareness and education regarding tobacco restrictions. The chosen slogan is “Play Tobacco-Free” and will include signage, banners, and stickers. Staci Roach from Parks and Recreation will work with the Tobacco Free Lancaster County Parks Task Force.

Worksite Wellness

- Staff continues draft narrative for the Nebraska Worksite Wellness Toolkit. This toolkit will be made available to all Nebraska businesses for free through DHHS to enhance worksite wellness programs and encourage participation in the Governors Wellness Awards.

INFORMATION & FISCAL MANAGEMENT

- Final report for FY 2012 will be completed once City Finance has closed all activity for the year. The annual grant activity report has been completed and submitted to City Finance.

- Information Management has made changes needed for the new phone system on all servers, printers and computers.

- IFM Division Manager participated in a work session to help develop an information model that describes the business and work of local public health. The Requirements Lab for this project is sponsored by the Public Health Informatics Institute.
Memorandum

Date:  ♦  October 9, 2012

To:  ♦  City Clerk

From:  ♦  Teresa McKinstry, Planning Dept.

Re:  ♦  Administrative Approvals

cc:  ♦  Jean Preister, Planning Dept.

This is a list of the administrative approvals by the Planning Director from October 2, 2012 thru October 8, 2012:

Administrative Amendment No. 12048 to Special Permit No. 1531, Cedars Home for Children, approved by the Planning Director on October 2, 2012, requested by The Cedars Home for Children Foundation, Inc., to clarify the intent of paragraph 1 of Resolution #PC-00179 relating to the uses approved by the special permit to state “A residential health care facility serving no more than 30 persons and 5 staff, and an early childhood care facility for up to 15 children and 3 staff, on property generally located near S. 56th St and Pioneers Blvd.

Administrative Amendment No. 12046 to Use Permit No. 05002, approved by the Planning Director on October 4, 2012, requested by Architectural Design Associates, to revise the lot line between Lots 1 and 2 and to change “building floor area” to “building footprint” for Northwoods Office Park, on property generally located at N. 84th St. and Northwoods Dr.

Administrative Amendment No. 12049 to Change of Zone No. 05068B, The Woodlands at Yankee Hill Planned Unit Development, approved by the Planning Director on October 5, 2012, requested by ESP, Inc., to revise the minimum building opening elevations for Block 37, on property generally located near S. 70th St. and Yankee Hill Rd.

Administrative Amendment No. 12052 to Pre-Existing Special Permit No. 41, approved by the Planning Director on October 5, 2012, requested by Whitehead Oil Co., to relocate the licensed premises to the new store as shown on the site plan, on property generally located at N. 84th St. and Cornhusker Hwy.
Karen de Alba
1901 Cotton Mill Drive
McKinney, Texas 75070

Dear Karen de Alba,

I received your letter about the citations that were issued for consuming alcohol on public property prior to the Nebraska football game on Saturday. I’m sorry that your experiences in Lincoln were not all positive. However, consuming alcohol on public property is a violation of the law and something that we enforce in our City. We are certainly not against citizens enjoying themselves during pre-game or post game activities but the consumption of alcohol must be limited to private property.

The neighborhood you were in is one of the older gems in Lincoln, originally occupied by German Russian families who came to Lincoln at the beginning of the 1900’s. It is made up of single family owned homes and a number of rental properties that rent to college students. This mix creates frustrations for single family owned home owners, especially during game days. Homeowners have to deal with the aftermath of the littering, urinating, thefts, vandalism and other problems associated with intoxication on game days. We continue to receive complaints about this activity during our home football game days from both residents and from football fans who walk the neighborhood to and from the stadium. As a result of these complaints, year after year, we generally do have officers in the neighborhood enforcing law violations.

Furthermore, over the last 12 years, the University of Nebraska-Lincoln, the City of Lincoln, the students and the neighborhood associations have worked together so these neighborhoods remain viable and livable for all the residents. Solving problems which violate city ordinances, including drinking on public property is one violation our officers enforce during pre-and post-game activity as well as other times during the week. Lincoln Police officers are on patrol in the surrounding neighborhoods on game days and are expected to handle any violations they observe.

While it is unfortunate that members of your group got caught up in some illegal activity while participating in a celebratory event, I’m also sure you can appreciate the frustration and disrespect that homeowner who live in this
neighborhood have to put up with. My guess is you were unfamiliar with the laws in Lincoln. Unfortunately, police officers take action based on what they observe, and their actions have to be fair and equitable. There were a number of other citations written in the same area that day.

The citations issued to the members of the group you were with went to the City Attorney’s office for a decision on prosecution. Our records show that the charges have been filed with the court. If those cited wish to discuss their case with our City Attorney’s office, they can call 402 441 7281.

Again, I am sorry you had an unpleasant experience while visiting our City but our continued attention to violations has helped Lincoln maintain a low crime rate and great neighborhoods. Please feel free to contact me if you have questions or want to discuss this further.

Sincerely,

Jim Peschong
Chief of Police
October 10, 2012

SIDEWALK REPAIR ADVISORY
Sidewalk Repair Downtown Business District
Project #702664c

The City of Lincoln has awarded a contract for sidewalk repair at various locations in the Downtown Lincoln Business District. This contract includes sidewalk repair near or adjacent to your property. The contract for this work has been awarded to R & C Concrete of Lincoln, Nebraska.

The contractor will start work in association with this contract on October 10, 2012. The repair work will involve removal and replacement of marked sections of sidewalk. There will be some inconvenience to pedestrians in this area as sidewalk sections are removed, replaced and sidewalk areas are closed and barricaded to complete this work. Driveways may also be closed for short durations to complete work on sidewalk through the drive. The work will also include reconstruction of curb ramps. The contractor will make every effort practical to maintain access to building entrances.

We request the patience and cooperation of pedestrians in this area as the contractor progresses with this work. This project is funded with a grant from the Federal Transit Authority and funds budgeted through the City’s sidewalk repair program. The Public Works and Utilities Department will administer this contract. You may contact the Sidewalk Section at 402-441-7541 with any questions. Contacts for the project are listed below.

Harry Kroos
Project Manager
Public Works/Utilities
402-429-4872

Rene Solc
R & C Construction
402-432-2145
UNL Plant Pathology Class

Thomas Powers, professor with the University of Nebraska Plant Pathology department brought his class out to see phragmites at the Lancaster Event Center. They learned how to identify phragmites and see the effect it has on the environment. This is the second year we have teamed up with UNL to teach students the problems we face with noxious weeds.

This year we were able to make a trail through a patch of phragmites so the students could experience how thick phragmites gets and why wildlife avoids even trying to make their way through a patch.

We discussed how phragmites spreads, why it was made a noxious weed and some of the control options. We explained how difficult it is to control given it likes to grow in riparian areas that are sometimes not accessible by your normal ground application spray equipment. Also, how phragmites will cause flooding by choking off river channels that normally are free flowing, but will not carry water because of the phragmites, and how it changes what wildlife you see in areas because they can’t access water.

The great thing about the next generation is they are always thinking of alternatives and we talked about the possibility of what uses there could be for the plant such as potential energy uses.

Weed Watchers at work!

Our new Weed Watcher program has been showing positive results this season with a number of weed watchers turning in new infestations.

One example: A couple weeks ago one of our weed watchers spotted a single purple loosestrife plant growing in Antelope Creek near a walking trail and called it in. Our records had not previously shown an infestation in this part of the creek so we made an onsite inspection and found that the report was correct. We found one additional plant down stream as well. We contacted the responsible agency and the plants were removed.

We will never be able to put a dollar figure on how much money was saved by eliminating this potential infestation before it took over the entire creek and watershed, but I know if left untreated for even a few years it could have cost thousands of dollars to treat the area until the problem was eliminated.

More Weed Watchers are always welcome, so if you are someone who cares about the environment, loves the outdoors and would like to get involved please contact the Weed Control Office.

October Planned Activities

1-5 Interviews for Chief Inspector position
8-12 Skycopters – phragmites spraying
9 5 Rivers WMA
11 Management Team Meeting
12 Invasive Species Council
16-17 Fall Training @ Hastings
18 LPWMA Meeting
25 Problem Resolution Team
31 Monthly activity report

Good Neighbors – Control Noxious Weeds!
Message from Tim
10.11.12

Kudos to Council for not allowing uniforms to be worn by City personnel while soliciting.
Message from Tim
10.11.12

Kudos to Council for not allowing uniforms to be worn by City personnel while soliciting.
I. CITY CLERK

II. MAYOR & DIRECTORS CORRESPONDENCE

MAYOR

CITIZEN INFORMATION CENTER/CABLE ADVISORY BOARD
1. Notice of Cable Advisory Board meeting and request to move the meeting to Thursday, November 1, 2012

III. DIRECTORS

PLANNING DEPARTMENT
1. City of Lincoln Historic Preservation Commission meeting agenda for Thursday, October 18, 2012. County-City building, 555 S. 10th Street, Room 214.

IV. COUNCIL MEMBERS

JON CAMP
1. Correspondence from Councilman Camp to City Attorney Confer requesting an amendment prohibiting uniforms from being worn for off-duty solicitations.
   a) Reply from City Attorney Confer.

V. CORRESPONDENCE FROM CITIZENS
1. LES Administrative Board meeting agenda for Friday, October 19, 2012.
2. Letter from Hobart Boswell, Jr. Firemen are proud to wear a Fireman’s uniform for solicitations, and should not intimate anyone.
Mayor Beutler’s Public Schedule
Week of October 13 through 19, 2012
Schedule subject to change

Monday, October 15
• Mayor’s Award of Excellence - 3 p.m., Council Chambers, County-City Building

Tuesday, October 16
• KLIN - 8:10 a.m.

Thursday, October 18
• KFOR - 7:45 a.m.
• TEDxLincoln, remarks - 9:45 a.m., NET, 1800 N. 33rd St.
• Volunteer Partners 10th anniversary celebration - 6 p.m., Zen’s Lounge, 122 N. 11th St.
The next meeting of the Cable Advisory Board is scheduled for 4 p.m. Thursday, October 25th. I will be out of town that day, and have proposed that we move the meeting back one week to Thursday, November 1. Chair Ed Hoffman said Nov. 1 would work better for him as well. We would meet at 4 p.m. in our usual location -- room 303.

Please let me know if you will be able to attend on Nov. 1. If it looks like we won't have a quorum, we'll look for another date.

Thank you!

Diane
The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **October 18, 2012**. The meeting will convene at 1:30 p.m. in **Room 214, 2nd floor, County-City Building**, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

**October 18, 2012**

1. Approval of HPC meeting record of September 20, 2012.

2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

**HEARING AND ACTION**


4. Application by NeighborWorks Lincoln for a Certificate of Appropriateness for work at the Dr. O. C. Reynolds House, 2530 Q Street.

5. Application by Bennet Hotel Prop. Holdings LLC for a Certificate of Appropriateness for work at 710 P Street in the Haymarket Landmark District.

6. Application by Scott Sullivan on behalf of Engine House Café for a Certificate of Appropriateness for work at 6028 and 6030 Havelock Avenue in the Havelock Avenue Landmark District.

7. Application by Everett Neighborhood Association for a Certificate of Appropriateness for pedestrian guide signs, proposed to be installed on public ROW and/or private property along S. 11th Street between A St. and Lincoln Mall in the Everett Landmark District.

**DISCUSSION**

8. Misc.

9. Staff Report.

**The Historic Preservation Commission agenda may be accessed on the Internet at**


**For further information on Historic Preservation in Lincoln, visit**

Rod:

Every day I intended to contact you about revisions and each day I have found myself swamped with constituent questions and other interruptions.

That being said, it appears that DiAnna is comfortable that her initial reservations have been resolved.

For my part, I would like a simple amendment that prohibits uniforms from being worn for off-duty solicitations. I recognize the intent of our police and firefighters is to assist non-profit organizations but I strongly feel that their off-duty solicitations should not include wearing official uniforms. I am all right with them wearing their athletic t-shirts or sweatshirts (for colder conditions). . .but nothing more.

Many constituents have shared their reservations on this matter. Furthermore, comments have been made that we need to preserve the appearance of an “on-duty” City official for the safety of citizens—versus an off-duty employee wearing his/her official uniforms. This could result in confusion by the public for safety and other reasons.

I will introduce this amendment Monday—if you can draft something at your earliest convenience Friday, I will be greatly appreciative.

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE  68501-2307

Office:   402.474.1838/402.474.1812
Fax:      402.474.1838
Cell:     402.560.1001

Email:     joncamp@lincolnhaymarket.com
Website:   www.lincolnhaymarket.com

“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ Alexis de Tocqueville  (French Historian and Political scientist, 1805-1859)
Our e-mail server was down this morning and I just got your message. I’ll try to get something drafted today.

Rod

Rodney M. Confer
City Attorney

From: Jon Camp [mailto:joncamp@lincolnhaymarket.com]
Sent: Thursday, October 11, 2012 5:12 PM
To: Rodney M. Confer
Cc: DiAnna Schimek (dskimek7@gmail.com); Mary M. Meyer
Subject: Solicitations--clothing
Importance: High

Rod:
Every day I intended to contact you about revisions and each day I have found myself swamped with constituent questions and other interruptions.

That being said, it appears that DiAnna is comfortable that her initial reservations have been resolved.

For my part, I would like a simple amendment that prohibits uniforms from being worn for off-duty solicitations. I recognize the intent of our police and firefighters is to assist non-profit organizations but I strongly feel that their off-duty solicitations should not include wearing official uniforms. I am all right with them wearing their athletic t-shirts or sweatshirts (for colder conditions) . . . but nothing more.

Many constituents have shared their reservations on this matter. Furthermore, comments have been made that we need to preserve the appearance of an “on-duty” City official for the safety of citizens—versus an off-duty employee wearing his/her official uniforms. This could result in confusion by the public for safety and other reasons.

I will introduce this amendment Monday—if you can draft something at your earliest convenience Friday, I will be greatly appreciative.

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307
Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com
AGENDA
LES ADMINISTRATIVE BOARD
Friday, October 19, 2012 – 9:30 A.M.
LES Board Room
1040 “O” Street

9:30 A.M.

1. Call to Order

2. Approve Minutes of the September 21, 2012 Regular Meeting of the LES Administrative Board

3. Comments from Customers

4. Committee Reports
   A. Operations & Power Supply Committee
      *1. Approval of Southwest Reliability Project (SRP) Transmission Line Route – LES Resolution 2012-13
   B. Personnel & Organization Committee
      *1. Approval of LES Employee Benefits Modifications and Enhancements – LES Resolution 2012-15
   C. Labor Negotiations Committee
      *1. Approval of LES and IBEW 1536 Meter Readers Agreement – LES Resolution 2012-16
   D. Finance & Audit Committee
   E. District Energy Corporation Report

5. Administrator & CEO Reports
   A. Report on Public Budget and Rate Adjustment Discussion
   B. Third Quarter 2012 Financial Review and Forecast

6. Chief Operating Officer’s Reports
   A. 2012 Weather Adjusted Peak Loads/Customer Power Purchase Program Reports
   B. Quarterly Power Supply Report
   C. 2012 Third Quarter Key Performance Indicators
   D. Wellness Program Update

7. Other Business
   A. Monthly Financial and Power Supply Reports
   B. Miscellaneous Information

8. Adjournment

* Denotes Action Items

2013 Budget and Rates Public meeting – October 23, 2012, 7:00 p.m., Walter A. Canney Service Center
Special Administrative Board meeting – October 30, 2012, 7:00 p.m., Lincoln Electric Building
Next Regular Administrative Board meeting Friday, November 16, 2012.
TO THE MEMBERS OF THE LINCOLN CITY COUNCIL

For many years, both as a firefighter here in Lincoln and as a Fire Chief in Foxboro, Massachusetts, I cheerfully collected money through “fill the boot” campaigns for MD, the Firefighter’s charity. We also collected money for the Salvation Army by ringing bells during their annual campaign. As a young firefighter in Massachusetts I drank much coffee provided by the Salvation Army at multiple alarm fires.

During these activities I never encountered anyone who felt “intimidated”. In fact, a business person in Foxborough would make rounds of the various corners we were on at the center of town and would donate multiple times. The idea that a firefighter standing on a corner in uniform may imply a hazardous spill close by and elicit concern by those passing by is simply preposterous. First of all, if there was a hazardous spill in progress, all firefighters present would be in full protective clothing and have a self-contained breathing apparatus, (S.C.B.A.) donned. There would also be multiple pieces of apparatus present plus chief officers. The Police Dept. would also be present to keep people away and at a safe distance from the incident. We, in the Fire Service, are proud to wear the uniform of the Fire Service on any occasion for any purpose.

Sincerely,

Hobart Boswell

Hobart H, Boswell Jr.
Fire Chief Retired
Home phone—402-489-1680
Cell phone – 402-540-1940
MINUTES
DIRECTORS’ MEETING
MONDAY, OCTOBER 15, 2012

Present:  Adam Hornung, Chair; Carl Eskridge, Vice Chair; Jon Camp, Gene Carroll; Jonathan Cook; Doug Emery; and DiAnna Schimek

Others:  Joan Ross, City Clerk; Rick Hoppe, Chief of Staff; Marvin Krout, Planning Director; and Roger Figard, City Engineer

Chair Hornung opened the meeting at 2:00 p.m. and announced the location of the Open Meetings Act.

I. CITY CLERK
Ross outlined the City Council meeting agenda. First is the Mayor’s Award of Excellence. On page 2, Public Hearing Liquor Resolutions, 6 and 7 will be called together. Item 9 is application for a special designated license, with the applicant sending an email to withdraw. Ross added page 3 has a Motion to Amend, as well as Item 13 with a Motion to Amend, No. 1. Hornung asked who asked for the Motion to Amend on Item 13? Camp requested.

II. MAYOR
1. NEWS ADVISORY. Mayor Beutler will unveil plans for the West Haymarket Pedestrian Bridge at a news conference on Thursday, October 11, 10:00 a.m., in room 303, at 555 S. 10th Street.
2. NEWS RELEASE. Design unveiled for West Haymarket pedestrian bridge.
No comments

WEST HAYMARKET JOINT PUBLIC AGENCY
1. Public hearing will be held on the City’s tun Back Tax application for the Pinnacle Bank Arena project on October 26, 2012, 9:00 a.m., at the State Capital, Governor’s Hearing Room.
No comments

III. DIRECTORS

CITY ATTORNEY
1. City Attorney Confer’s additional information on charitable fund-raising by City employees.
   a) Statute §49-14,101,01. Financial gain; gift of travel or lodging; prohibited acts; violation; penalty; permissible activities and uses.
No comments

HEALTH DEPARTMENT
1. Health Department meeting minutes of August 14, 2012.
2. Health Department meeting minutes of September 11, 2012.
No comments

PLANNING DEPARTMENT
1. List of Administrative Approvals by the Planning Director from October 2, 2012 through October 8, 2012.
No comments

PLANNING DIRECTOR - Marvin Krout
Krout stated Council received a memo from the Election Commissioner, Shively, on the latest annexation and the fact he assigned to a specific Council District. He wanted Planning, and Hoppe, to know he didn’t feel he should be doing, but it is responsibility of the City Council. After legal discussion Planning agreed to do. Unless the City Council has an objection to the Election Commissioner annexing and assigning to the logical District, Planning will work with him to accomplish. The Council’s job is to redistrict every 10 years. Also, Council has the ability, if displeased with Shively’s work to make changes in the Districts. Krout stated they reviewed the last 10 years of annexations, and it is obvious where the annexations fit. There are 4 to 5 regularly, and rarely a question arises. He added Planning discussed with Shively, and would work with him on assigning the proposed annexation in correct Council District. Omaha works this way with their Districts. They assign a District as part of their annexation ordinance. Krout stated if any question on which District to assign to, will contact Council and discuss before public hearing. Hornung thanked Director Krout, adding it goes into an annexation ordinance, where we have public hearing, and a vote. Hornung added not the final say of the Election Commissioner, or Planning, but it comes before Council. A lot of public oversight.

Krout has pointed out to numerous individuals the number of surveys rating cities. Lincoln does very well, as in approximately a dozen different surveys, Lincoln is at or near the top. One survey called Reconnecting America, a transportation oriented group and a national none profit, did a survey of 366 metropolitan areas across the country. Some larger, some smaller, with Lincoln in the top ten. Lincoln was one who rated A’s on their scorecard in every subject relating to transportation access and access to public or private services, for residents and workers. Lincoln scored very high for a community of our size. The link, as well as an article, will be sent to Council.

POLICE DEPARTMENT
1. Chief of Police, James Peschong’s reply to correspondence from Karen de Alba on their positive, and negative, views of Lincoln during their football game and college visit. (Correspondence from Karen de Alba listed on Directors’ Meeting agenda of October 8, 2012 under Correspondence from Citizens, No. 1)
No comments

PUBLIC WORKS AND UTILITIES/ENGINEERING
No comments

WEED AUTHORITY
1. Lancaster County Weed Control - City of Lincoln Weed Abatement, September 2012.
No comments

IV. COUNCIL MEMBERS
Camp stated there will be a neighborhood meeting Thursday night on WalMart Stone Ridge. Invitations to attend were sent. Is anyone from the City attending? Hoppe didn’t know specifically, but Director Esposito, and her staff, were discussing. Figard stated Esposito has been out, but will touch base with her. Emery commented he heard the question as saying he would like someone to attend. Camp added the meeting will be held at 7:00 p.m, Thursday, at Adams Elementary School. Hoppe stated there is awareness.

Hornung stated he thought there would be an update on the 56th Street Project on a quarterly basis. Possibly receive an update in three weeks. The meeting on November 5th.

V. MISCELLANEOUS
VI. CORRESPONDENCE FROM CITIZENS
1. Message from Tim giving kudos to Council for not allowing uniforms to be worn by City personnel while soliciting.
No comments

VII. ADJOURNMENT
Chair Hornung adjourned the meeting at 2:08 p.m.