

**DIRECTOR'S MEETING  
MONDAY, OCTOBER 20, 2003 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Library Board Requests Input From The Community - Internet Safety Policy - (See Release)
2. NEWS RELEASE - RE: Cedars Managing Downtown Child Care Center. (See Release)
3. NEWS RELEASE - RE: East "O" Street Project Completed Ahead Of Schedule - Welcome Back to East "O" celebration planned for October 21 - (See Release)

**II. CITY CLERK**

1. Material sent from Norfolk, Nebraska unsigned - delivered to the City Council Office by the City Clerk's Office - RE: The Smoking ban - (See Material)

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**JONATHAN COOK**

1. **OUTSTANDING** Request to PRT/ **Ann Harrell, Mayor's Office** - RE: Gathering Place (RFI#97 - 7/30/03). — **1.) SEE RESPONSE FROM SW TEAM CAPTAIN WILHELM, LPD RECEIVED ON RFI#97 - 8/05/03**
2. ~~OUTSTANDING~~ Request to Law Department - RE: Storm Sewer Issue (RFI#106 - 9/23/03). — **1.) SEE RESPONSE FROM STEVE HUGGENBERGER, CITY LAW DEPARTMENT RECEIVED ON RFI#106 - 10/15/03**
3. Request to Lynn Johnson, Parks & Recreation Director - RE: Bike/Pedestrian Bridge 14<sup>th</sup> & Old Cheney (RFI#107 - 10/13/03)

**TERRY WERNER**

1. **OUTSTANDING** Request to **Law Department/ Building & Safety Department** - RE: Apartment Inspections (RFI#100- 8/25/03). — **1.) SEE RESPONSE FROM MIKE MERWICK, BUILDING & SAFETY DIRECTOR RECEIVED ON RFI#100 - 9/03/03**

2. OUTSTANDING Request to **Darl Naumann, Mayor's Office** - RE: Small Business Assistance (RFI#102 - 8/29/03)
3. OUTSTANDING Request to **Darl Naumann, Mayor's Office** - RE: Ace Hardware (RFI#106 - 8/29/03)
4. OUTSTANDING Request to **Randy Hoskins, Public Works & Utilities Department/ Police Chief Casady** - RE: Speed Signs and Law Enforcement on Capitol Parkway (RFI#108 - 9/15/03). — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#108 - 9/22/03**
5. OUTSTANDING Request to **Marc Wullschleger, Urban Development Director** - RE: JAVA and Indian Center (RFI#111 - 10/06/03)
6. Request to Vince Mejer, Purchasing/Don Killeen, Property Management - RE: The new City/County parking garage (RFI#112 - 10/15/03)

**PATTE NEWMAN**

1. OUTSTANDING Request to Roger Figard, Allan Abbott, Public Works & Utilities Department/ **Chuck Zimmerman, Mike Merwick, Building & Safety Department/Kent Morgan, Marvin Krout, Planning Department** - RE: Monday's extensive pre-council, public hearing and lengthy negotiations between PW and residents on Pine Lake Road, Old Cheney and 84<sup>th</sup> Street for acquisition of sufficient ROW to meet new city standards - (RFI#14 - 8/11/03). — **1.) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#14 - 9/02/03**

**GLENN FRIENDT**

1. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works & Utilities Director - RE: Constituent/ Brome Lane closing (RFI#27 - 9/10/03). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#27 - 10/16/03**
2. Material sent to Glenn Friendt - RE: Secondhand Smokescreen - (See Material)
3. Response Letter from Thomas Shafer, Public Works & Utilities Department to RFI#26 - RE: Ordinance #03-108 - (See Material)

## **JON CAMP**

1. Request to Allan Abbott, Public Works & Utilities Director - RE: Garber Point water & sewer charges (RFI#84 - 10/13/03). — **1.) SEE RESPONSE FROM ALLAN ABBOTT, PUBLIC WORKS & UTILITIES DIRECTOR RECEIVED ON RFI#84 - 10/16/03**

## **ANNETTE McROY**

1. Inter-Department Communication from Bruce Dart to Annette McRoy - RE: Signs - (See Memo)

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **CITY COUNCIL OFFICE**

1. Response E-Mail from Joan Ray to Dau Nguyen - RE: His Request to recognize our VN Heritage Flag - (See E-Mail)

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Volunteers Needed To Make Star City Holiday Parade Litter Free - Be a part of this national award winning event! - (See Release)
2. NEWS RELEASE - RE: Flu Shots Available For High Risk Persons. (See Release)

### **LIBRARY**

1. E-Mail from Barbara Hansen - RE: October 23<sup>rd</sup> and October 25<sup>th</sup> Special Library Board Meetings (See E-Mail)

### **PLANNING**

1. Memo from Kent Morgan - RE: Population and Geographic Area of City and County - (See Memo)
2. Letter from Tom Cajka to Terry L. Rothanzl - RE: W.H. Green's 1<sup>st</sup> Addition Final Plat #03069. (See Letter)
3. Letter from Becky Horner to Brian D. Carstens, Brian D. Carstens and Associates - RE: Betty's Haven Final Plat #03065. (See Letter)

## **PLANNING COMMISSION FINAL ACTION . . . . .**

1. Special Permit No. 2038 (Salvage yard - S. 3<sup>rd</sup> & Garfield Streets) Resolution No. PC-00832.

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

1. Memo & Material from Michaela Hansen - RE: Requests for Information: from October 6<sup>th</sup> Pre-Council on Economic Development Criteria - (See Material)
2. Material from Allan Abbott - RE: Proposed Revisions to Lincoln Municipal Code (LMC) Title 17 - (See Material)
3. Memo & Material from Roger Figard - RE: Grandview Heights Preliminary Plat (Rural vs. Urban) (See Material)
4. Memo & Material from Roger Figard - RE: 84<sup>th</sup> Street Issues - (See Material)

## **URBAN DEVELOPMENT DEPARTMENT**

1. Response Memo from Dallas McGee to Terry Werner - RE: Lincoln Mall TIF District - (See Memo)
2. Response Memo & Material from Dallas McGee to Jonathan Cook - RE: Request for Information - Entertainment Center -(See Material)
3. Memo & Material from Ronald L. Cane - RE: Board of Equalization - Business Improvement Districts: - (Council copies placed in their Thursday packets on 10/16/03)(Copy of this Material is on file in the City Council Office)

## **C. MISCELLANEOUS**

1. 10 - E-Mail's from Cathy Link; Bill Marhenke; Jessica Greenwald; Lora Curtis; Tony Curtis; Kendra Morgan; John Currie; David Darlington; Carl Applegate; Peggy Hart; - RE: Make Lincoln Smoke-Free - (See E-Mail's)
2. Faxed Letter from Gary Butts, NDS Group - RE: Change of Zone No. 3418 - R-2 to H-2 at 48<sup>th</sup> & Orchard. (See Letter)
3. E-Mail from Tammy Alvis - RE: "Open Brome Lane" - (Received two E-Mail's from her, which are exactly the same except for 2<sup>nd</sup> one is addressed to Mayor Seng and Council)(See E-Mail)

4. E-Mail from Rebecca Craig - RE: Smoke-Free Lincoln - (See E-Mail)
5. E-Mail from Tobi T. Reinert - RE: Please vote for smoke-free public places.  
(See E-Mail)

#### **IV. DIRECTORS**

#### **V. CITY COUNCIL MEMBERS**

#### **VI. ADJOURNMENT**

**DIRECTORS' MEETING  
MINUTES  
MONDAY, OCTOBER 20, 2003  
CONFERENCE ROOM 113**

**Council Members Present:** Jon Camp, Chair; Terry Werner, Vice-Chair; Jonathan Cook, Ken Svoboda, Patte Newman, Glenn Friendt, Annette McRoy

**Others Present:** Mayor Coleen Seng (Arrived late), Mark Bowen (Arrived late), Ann Harrell (Arrived late), Lin Quenzer (Arrived late), Darl Naumann (Arrived late), Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda and Tammy Grammer, City Council Staff.

Mr. Camp stated that they will go ahead that way they can keep it flowing and he's sure the Mayor and other Directors will join them. Mr. Camp stated to City Clerk Joan Ross that she can go ahead and start with the Agenda for today. City Clerk Joan Ross stated to Mr. Camp okay. [City Clerk Joan Ross's comments under "II. City Clerk".] (See those comments)

**I. MAYOR** - Mayor Coleen Seng and her staff not present yet.

1. NEWS RELEASE - RE: Library Board Requests Input From The Community - Internet Safety Policy. — **(FYI – This item actually should have been listed under “Library”.)** — NO COMMENTS
2. NEWS RELEASE - RE: Cedars Managing Downtown Child Care Center. — NO COMMENTS
3. NEWS RELEASE - RE: East “O” Street Project Completed Ahead Of Schedule - Welcome Back to East “O” celebration planned for October 21. — Mayor Coleen Seng mentioned this issue during her comments to Council when she arrived. (Mayor Seng's comments under “II. City Clerk”.)

**II. CITY CLERK**

City Clerk Joan Ross stated to Council that in regards to Items 1 & 2 [Application of KKR Enterprises, Inc. dba Lancaster's for a Class C liquor license at 3800 Old Cheney Road; and Manager application of Karla Kristine Russell for KKR Enterprises, Inc. dba Lancaster's at 3800 Old Cheney Road] she will call these two items together.

City Clerk Joan Ross stated to Council that in regards to Items 3 & 4 [Application of Chipolte Mexican Grill of Colorado, LLC dba Chipolte Mexican Grill for a Class I liquor license at 232 North 13<sup>th</sup> Street; and Manager application of Heather Diane Quitmeyer for Chipolte Mexican Grill of Colorado, LLC dba Chipolte Mexican Grill at 232 North 13<sup>th</sup> Street] she will call these two items together.

City Clerk Joan Ross stated to Council that in regards to Item 5 [Application of The Dugout, Inc. dba The Dugout Sports Restaurant for a liquor catering license at 311 N. 8<sup>th</sup> Street, Suite 1] Jeff Lares is unable to be here today, he would like to delay or continue the Public Hearing. City Clerk Joan Ross stated to Council that Mr. Lares agreed to November 3<sup>rd</sup>, which will be the actual 45 days and she has been assured by the Liquor Commission that as long as they have Action that day they meet the 45 days requirement. City Clerk Joan Ross indicated to Council that she suggested to him that they can go forward perhaps with just the catering on this without his presence, but he really wants to be there for the Public Hearing.

City Clerk Joan Ross stated to Council that in regards to Item 9 [03-157 -- Vacating the public right-of-way surrounding the new theater complex generally located from 11<sup>th</sup> to 12<sup>th</sup> Streets, between P and O Streets, and portion of the east-west alley in the same block, and retaining title in the City of Lincoln for purposes of conveying a redevelopment easement in connection with the downtown theater property] she handed out to them a Motion to Amend just to make some corrections there.

City Clerk Joan Ross stated to Council that in regards to Item 14 [Approving an Interlocal Agreement between the City and County for the Harvest Project Contract to provide treatment for mental health, substance abuse, and aging service to elderly residents of Lancaster County] there is a request to continue the Public Hearing with Action or perhaps voting and indicated that she was advised that there is a new contract on it. Mr. Camp asked City Clerk Joan Ross do they know why they can't proceed. City Clerk Joan Ross stated to Mr. Camp because of the Interlocal Agreement part of the project contract. Dana Roper stated to Mr. Camp the issue was insurance and indicated that its draft required them to have a policy of the insurance and they don't do that. Mr. Roper stated to Council that the County Board tomorrow will be receding the agreement and putting into language on self insured funds to cover any loss. Mr. Camp asked Mr. Roper if they can just go ahead and approve it and continue it. Dana Roper stated to Mr. Camp that they don't have it now, the County has the new language and so they're going to do it. Mr. Camp stated to Mr. Roper okay.

City Clerk Joan Ross asked Council if she could call Items 15 & 16 [Special Permit 2032-Application of THN, L.L.C. for authority to sell alcoholic beverages for consumption off the premises on property generally located at 2535 "O" Street; and Special Permit 2033-Application of THN, L.L.C. for authority to sell alcoholic beverages for consumption on the premises of Café de Mai and Season Banquet Hall on property generally located at 2535 "O" Street] together, which are the same applicant for on and off-sales.

City Clerk Joan Ross stated to Council that she handed out to them a new 'page 2' for Item 68 [03R-311 --Approving a Consultant/Service Provider Agreement between the City and Lincoln Public Schools whereby the City Parks and Recreation Department will provide supervision and coordination for community learning center programs and Everett and Lakeview Elementary Schools] that has to do with the Insurance and Indemnity, which is Item #5 on page 2, so this page 2 would replace what they received in their packets.

City Clerk Joan Ross stated to Council that she handed out to them the 'Miscellaneous Referral Sheet' and it's all pretty routine on that page.

Mr. Cook stated that in regards to the items on their Agenda for next week relating to the Water System Code, etc., etc., they've got a lot of items and asked if all of these items should be called together. Dana Roper stated to Mr. Cook 'yes'. Mr. Cook stated to Mr. Roper okay and City Clerk Joan Ross commented okay. Mr. Camp 'thanked' City Clerk Joan Ross.

1. Material sent from Norfolk, Nebraska unsigned - delivered to the City Council Office by the City Clerk's Office - RE: The Smoking ban. — NO COMMENTS

Mr. Camp commented to Mayor Seng good seeing you and stated that they thought they would proceed with her now, good timing. Mayor Seng commented to Mr. Camp okay, good use of their time.

[Mayor Seng and staff present now.] Mayor Coleen Seng stated to Council that Don Herz has the Sales Tax figures for them and she asked Don [Herz] to hand those out. Mr. Herz stated to Mayor Seng okay and he handed out the information to Council. Mayor Seng commented to Council that it's good news that they bring. Mr. Herz stated to Council that this came in on Friday and so they didn't get it into their packets and he went over the material with Council and after that commented so the first two months looks pretty good. [Copy of the hand out is on file in the City Council Office.]

Mayor Coleen Seng stated to Council that Lynn [Johnson] has something that was a question and she asked Lynn [Johnson] to come up. Mayor Seng stated to Council that she thinks it was a question that Terry [Werner] had last week. Lynn Johnson stated to Council that there was a question last week about the bikes that have been donated to the City for display and so here is a list of the bikes that have been donated and the requested display of locations. [Lynn Johnson passed out to Council information - RE: Tour de Lincoln Bikes Donated to the City, and Requested Display Locations - as of October 20, 2003] Mr. Johnson stated to Council that there are a number of bikes that remember .... they're getting rumors that there are a number of owners maybe willing to work with them on placing more of the bikes on display with the City on loan to the City and what Diane [Gonzolas] just brought to them is the location of all the

bikes on the 12<sup>th</sup> Street Arts Corridor the Tour de Lincoln temporary placement sites. Mr. Johnson stated to Council that they'll see right now that most of the bikes are in south Lincoln, they've got one bike in north Lincoln on the back side, which is the location of the bikes for the Lincoln Public School sites and as they work with the donators, they'll continue to try to get them geographically distributed throughout the community. [Copy of these hand outs are on file in the City Council Office]

Mayor Coleen Seng stated to Council that tomorrow in spite of the fact that some people think that "O" Street is not all finished up because they still have cones out for the efforts along the median and along the sides. They're going to do a little promotion tomorrow morning and tomorrow evening and she thinks that should help the businesses along "O" Street.

Mayor Seng stated to Council that she's going to be at 'Big Apple' at 7:30 a.m. tomorrow morning and she thinks that some other folks will probably be out there and indicated that she thinks Allan [Abbott] is going to be at 'Big Apple' and so if anybody wants to join them. Mayor Seng commented that she thinks that her and Patte [Newman] are meeting a little bit later. Mayor Seng indicated to Council that there will also be something going on over in Meridan Park in the morning and then something tomorrow evening, so they're trying to help people realize that they can get back into those businesses, if they've stayed away, to help that business community.

Mr. Cook commented that now, "O" Street is done when do they do the right turn lane for 52<sup>nd</sup> to 48<sup>th</sup> for west bound. Allan Abbott stated to Mr. Cook that they're working on requiring the right-of-way right now and they've been working with the people along there and as somebody had said earlier sometimes it's a little difficult in that one area. Mayor Seng asked Marc Wullschleger to talk a little bit about all that property along "O" Street, 48<sup>th</sup> & "O" Street. Mr. Wullschleger stated to Council that is "Misles" land as some of them refer to it as, they've had conversations with both groups of "Misles" and they've got their differences settled, both groups of "Misles" want to develop their lands in that area and as you know they don't own it all and commented that the former "Blockbuster" video is in there too. Mr. Wullschleger stated to Council so their problems are more than just dealing with the "Misles" on that right turn lane. Mr. Wullschleger stated to Council that they're doing a Blight Sub-Standard Study in the area that includes all of those lands that he talked about and a few more, basically everything in there that looks blighted and sub-standard they're putting in their study. Mr. Wullschleger commented to Council that obviously they're doing this to help them as citizens renew the area, but to also help developers in case their projects that they bring in, they're talking some big names that might possibly come in here. Discussion continued with Council and Marc Wullschleger on this issue with comments and questions from the Council. Following discussion, Mayor Seng commented to Mr. Wullschleger so in other words stay tune, right. Mr. Wullschleger commented to Mayor Seng and Council 'yes', they're trying. Mayor Seng indicated to Council that there will be cones up again, so that's the whole plus moral to this story is the cones will be back up, eventually at another location on "O" Street. Mr. Camp stated that he got hit pretty heavy Friday after some people questioning the substantial completion issue. Allan Abbott stated to Mr. Camp that they were committed to get four lanes opened to traffic by October 19<sup>th</sup> and if they beat that date they got \$20,000 a day, if they didn't beat that date it would cost them \$20,000 a day. Mr. Abbott stated to Mr. Camp that's what was required all six lanes are completed and there opened to

traffic, but they now have to take care of the medians, the sidewalks, the plantings and all of that and that means closing a lane down. Mr. Abbott stated to Mr. Camp that it will either be the median lane or the outside lane as they finish up the job, but they did meet the contract of all six lanes completed and four lanes open to traffic by October 19<sup>th</sup> and they're supposed to be completed with the entire thing before Thanksgiving.

### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS

##### JONATHAN COOK

1. OUTSTANDING Request to PRT/ **Ann Harrell, Mayor's Office** - RE: Gathering Place (RFI#97 - 7/30/03). — **1.) SEE RESPONSE FROM SW TEAM CAPTAIN WILHELM, LPD RECEIVED ON RFI#97 - 8/05/03.** — Mr. Cook stated to Tammy Grammer that this item can be taken off of the Agenda. Ms. Grammer stated to Mr. Cook okay.
2. ~~OUTSTANDING~~ Request to Law Department - RE: Storm Sewer Issue (RFI#106 - 9/23/03). — **1.) SEE RESPONSE FROM STEVE HUGGENBERGER, CITY LAW DEPARTMENT RECEIVED ON RFI#106 - 10/15/03.** — Mr. Cook stated to Tammy Grammer that this item can be taken off of the Agenda. Ms. Grammer stated to Mr. Cook okay.
3. Request to Lynn Johnson, Parks & Recreation Director - RE: Bike/Pedestrian Bridge 14<sup>th</sup> & Old Cheney (RFI#107 - 10/13/03). — NO COMMENTS

##### TERRY WERNER

1. OUTSTANDING Request to **Law Department/ Building & Safety Department** - RE: Apartment Inspections (RFI#100- 8/25/03). — **1.) SEE RESPONSE FROM MIKE MERWICK, BUILDING & SAFETY DIRECTOR RECEIVED ON RFI#100 - 9/03/03.** — [Note: Before the Director's Meeting started this morning, Terry Werner stated to Tammy Grammer that she can remove this RFI (#100) off of the Agenda. Ms. Grammer stated to Mr. Werner okay.]-[NO COMMENTS ON THIS ITEM DURING THE DIRECTOR'S MEETING.]
2. OUTSTANDING Request to **Darl Naumann, Mayor's Office** - RE: Small Business Assistance (RFI#102 - 8/29/03). — NO COMMENTS
3. OUTSTANDING Request to **Darl Naumann, Mayor's Office** - RE: Ace Hardware (RFI#106 - 8/29/03). — NO COMMENTS

4. OUTSTANDING Request to **Randy Hoskins, Public Works & Utilities Department/** Police Chief Casady - RE: Speed Signs and Law Enforcement on Capitol Parkway (RFI#108 - 9/15/03). — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#108 - 9/22/03.** — NO COMMENTS
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6. Request to Vince Mejer, Purchasing/Don Killeen, Property Management - RE: The new City/County parking garage (RFI#112 - 10/15/03). — NO COMMENTS

**PATTE NEWMAN**

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**GLENN FRIENDT**

1. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works & Utilities Director - RE: Constituent/ Brome Lane closing (RFI#27 - 9/10/03). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#27 - 10/16/03.** — NO COMMENTS
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3. Response Letter from Thomas Shafer, Public Works & Utilities Department to RFI#26 - RE: Ordinance #03-108. — NO COMMENTS

**JON CAMP**

1. Request to Allan Abbott, Public Works & Utilities Director - RE: Garber Point water & sewer charges (RFI#84 - 10/13/03). — **1.) SEE RESPONSE FROM ALLAN ABBOTT, PUBLIC WORKS & UTILITIES DIRECTOR RECEIVED ON RFI#84 - 10/16/03.** — NO COMMENTS

## **ANNETTE McROY**

1. Inter-Department Communication from Bruce Dart to Annette McRoy - RE: Signs. — Ms. McRoy stated that she just has a question for Bruce [Dart] on this memo that he responded back and asked if they have to hire a sign installer. Bruce Dart stated to Ms. McRoy ‘no’, they had interns installing during the summer and those interns have since gone back to school and so they need to make somebody available to put the signs up. Ms. McRoy stated to Mr. Dart okay and commented they’re not hiring an actual person. Mr. Dart stated to Ms. McRoy ‘oh’, no. Ms. McRoy stated to Mr. Dart ‘okay’ and ‘thanked’ him.

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **CITY COUNCIL OFFICE**

1. Response E-Mail from Joan Ray to Dau Nguyen - RE: His Request to recognize our VN Heritage Flag. — Mr. Camp asked Mayor Seng if they got the response letter out to Dau Nguyen in regards to his request. Mark Bowen stated to Mr. Camp that he has their copy right here and handed it out to Council. Mr. Camp commented to Mr. Bowen ‘great’, he appreciates the promptness on it and ‘thanked’ him. .

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Volunteers Needed To Make Star City Holiday Parade Litter Free - Be a part of this national award winning event! — NO COMMENTS
2. NEWS RELEASE - RE: Flu Shots Available For High Risk Persons. — NO COMMENTS

### **LIBRARY**

1. E-Mail from Barbara Hansen - RE: October 23<sup>rd</sup> and October 25<sup>th</sup> Special Library Board Meetings. — NO COMMENTS

### **PLANNING**

Mr. Camp asked the Planning Department if they have anything besides what they had this morning and he assumes that this afternoon they will need staff representation for the annexation. Marvin Krout stated to Mr. Camp ‘yes’, they will be at the meeting today.

1. Memo from Kent Morgan - RE: Population and Geographic Area of City and County. — NO COMMENTS

2. Letter from Tom Cajka to Terry L. Rothanzl - RE: W.H. Green's 1<sup>st</sup> Addition Final Plat #03069. — NO COMMENTS
3. Letter from Becky Horner to Brian D. Carstens, Brian D. Carstens and Associates - RE: Betty's Haven Final Plat #03065. — NO COMMENTS

#### **PLANNING COMMISSION FINAL ACTION . . . . .**

1. Special Permit No. 2038 (Salvage yard - S. 3<sup>rd</sup> & Garfield Streets) Resolution No. PC-00832. — NO COMMENTS

#### **PUBLIC WORKS & UTILITIES DEPARTMENT**

Mr. Camp asked Allan Abbott if there is anything else from Public Works. Allan Abbott stated to Mr. Camp that there's a couple of things listed on here from Roger [Figard] and one is on the Grandview Heights. Allan Abbott stated to Council that it is important that they recognize this and indicated that they have been through the City standards and Rural standards in developments before and Roger [Figard] is just reemphasizing that.

Allan Abbott stated to Council that Roger [Figard] also sent them a memo regarding 84<sup>th</sup> Street that he essentially tried to clear up everything and it does look like they can step in the slop [inaudible], but again they'll have to trade off whether they want it low on a very steep slop or whatever, which they're moving on with that. Mr. Abbott stated to Council that he did get a very, very good bid on the piece of 84<sup>th</sup> Street from Old Cheney Road to South of Highway 2 about six hundred-thousand under the estimate and so this next piece will hopefully come in and end up the same way, so they're moving on that.

Allan Abbott stated to Council the last thing is on the Brome Lane issue. Mr. Abbott stated to Council that they had the meeting and he met with Jonathan [Cook] afterwards. Mr. Abbott stated to Council that there were 60 plus people there that were not very pleased with the decision and indicated that they will continue closing Brome Lane during the construction. Mr. Abbott stated to Council that they will be installing a temporary traffic signal at Old Farm Road and when it's completed there will be a permanent signal there and Old Farm Road will be relocated to have a T-intersection, but because of the loss of access during construction and only two lanes they will be putting a temporary signal in at Old Farm Road, which will probably irritate the people on Thunderbird because they don't have one. Mr. Abbott stated to Council that they're doing all they can to make it work, so that's the resolution and indicated that Jonathan [Cook] will be working on a letter.

Nicole Fleck-Tooze commented to Council just quickly back on the Grandview Heights issue, Roger's [Figard] memo asked for a two week delay and she understands the applicant is okay with at least continuing the Public Hearing for a week and maybe it's okay with the two week period as well. Ms. Tooze stated to Council just so they know when this item is up today, Roger [Figard] is out of town today, but he will be back next week or the week after.

Mr. Camp asked Mr. Cook if he is satisfied with the Brome Lane issue. Mr. Cook commented to Mr. Camp ‘well’ that’s his decision, he doesn’t know if he’s necessarily satisfied or unsatisfied, but he understands why they made their choice and he thinks that they know that there will be some people who will be unhappy about it. Mr. Cook commented that he thinks putting the signal in will be a very positive thing and indicated that some of the complaints are due to traffic that is going through the neighborhood that won’t be there when the road is finally finished and he thinks this will help some of that during even the construction phase. Allan Abbott stated to Council that Karl Fredrickson, Randy [Hoskins] and I went out and rode through it and it just doesn’t make sense from the traffic stand point to do it or to reconstruct it and it just does not appear to be a responsible alternative during construction, so that’s why they are putting the traffic signal in. Discussion continued with Council and Allan Abbott on this issue with comments and questions from the Council. Following the discussion, Mr. Abbott stated to Council that this one in particular just didn’t met the criteria.

1. Memo & Material from Michaela Hansen - RE: Requests for Information: from October 6<sup>th</sup> Pre-Council on Economic Development Criteria. — NO COMMENTS
2. Material from Allan Abbott - RE: Proposed Revisions to Lincoln Municipal Code (LMC) Title 17. — NO COMMENTS
3. Memo & Material from Roger Figard - RE: Grandview Heights Preliminary Plat (Rural vs. Urban). — Allan Abbott discussed this issue with Council earlier under “Public Works & Utilities Department”. (See that discussion, above)
4. Memo & Material from Roger Figard - RE: 84<sup>th</sup> Street Issues. — Allan Abbott discussed this issue with Council earlier under “Public Works & Utilities Department”. (See that discussion, above)

## **URBAN DEVELOPMENT DEPARTMENT**

Mr. Camp asked Marc Wullschleger if there is anything from Urban Development and asked him how is the Old Fed doing and commented that they’ve seen some and heard some controversy on the brick walls going to concrete. Mr. Wullschleger stated to Mr. Camp that he was on vacation, so he was unaware of that, but he knows that they had some telephone issue problems with them that he made them aware of, but he will check on it for him. Mr. Camp indicated to Mr. Wullschleger that what he has heard from a couple of constituents is where the restaurant was going to go that they now are putting a concrete wall instead of a brick face and so it sounds like there has been some changes on it. Mr. Cook asked Mr. Wullschleger what’s the deal with the windows, are they not replacing the windows after all. Mr. Wullschleger stated to Mr. Cook that he will also check on that. Mr. Camp stated to Mr. Wullschleger okay.

Mr. Camp noted that they just had the “People’s Health Center” ribbon cutting.

1. Response Memo from Dallas McGee to Terry Werner - RE: Lincoln Mall TIF District. — NO COMMENTS
  
2. Response Memo & Material from Dallas McGee to Jonathan Cook - RE: Request for Information - Entertainment Center. — Mr. Cook noted that this is the information on the vacations and he's just curious on why they couldn't just have given them a permit to use the right-of-way space, he doesn't see why they would need to vacate necessarily and asked if they tried that approach. Nicole Fleck-Tooze stated to Mr. Cook that she thinks part of the problem is that their use of right-of-way language has in the agreement that at any time if the City needs the right-of-way that they can reclaim it and so she thinks that was a problem in terms of negotiations for the Entertainment Center. Marvin Krout stated to Mr. Cook that it was a problem for the financing. Ms. Tooze commented for the financing piece of it. Ann Harrell stated to Mr. Cook that it was a problem for the title insurance, the financing that it became a very legalistic matter and Joel Pedersen was the one actually involved in it. Ms. Harrell stated to Mr. Cook that the added layer of complexity is that it is a State highway and a Federal highway and so it's all been approved at those levels as well. Discussion continued with Council, Marvin Krout Allan Abbott, Nicole Fleck-Tooze, Marc Wullschleger and Ann Harrell on this issue with comments and questions from the Council. Following the discussion, Ann Harrell stated to Mr. Cook that she believes, Joel [Pedersen] will be at the Public Hearing to answer any questions that they might have on it. Dana Roper stated to Mr. Cook that he thinks their problem was that this was a deal breaker for them and these were presented to them and rejected and they were insistent on this.
  
3. Memo & Material from Ronald L. Cane - RE: Board of Equalization - Business Improvement Districts: - (Council copies placed in their Thursday packets on 10/16/03)(Copy of this Material is on file in the City Council Office). — NO COMMENTS

**C. MISCELLANEOUS**

1. 10 - E-Mail's from Cathy Link; Bill Marhenke; Jessica Greenwald; Lora Curtis; Tony Curtis; Kendra Morgan; John Currie; David Darlington; Carl Applegate; Peggy Hart; - RE: Make Lincoln Smoke-Free. — NO COMMENTS
  
2. Faxed Letter from Gary Butts, NDS Group - RE: Change of Zone No. 3418 - R-2 to H-2 at 48<sup>th</sup> & Orchard. — NO COMMENTS
  
3. E-Mail from Tammy Alvis - RE: "Open Brome Lane" - (Received two E-Mail's from her, which are exactly the same except for 2<sup>nd</sup> one is addressed to Mayor Seng and Council). — NO COMMENTS

4. E-Mail from Rebecca Craig - RE: Smoke-Free Lincoln. — NO COMMENTS
5. E-Mail from Tobi T. Reinert - RE: Please vote for smoke-free public places. — NO COMMENTS

#### **IV. DIRECTORS**

**BUILDING & SAFETY DEPARTMENT** - Mike Merwick stated to Council that on Pioneers down at 6<sup>th</sup> & Calvert regarding the fill, they have been down to talk to the owner and he's correcting it. Mr. Merwick stated to Council the guy said that he doesn't believe it's his fill that was dumped in there that's in violation, but it is his property to clean and he is in the process of cleaning it up right now.

**PARKS & RECREATION DEPARTMENT** - Lynn Johnson stated to Council that if they haven't received one already, they should be receiving an invitation to a dedication for Stransky Park [17<sup>th</sup> & Harrison Street] this Sunday afternoon at 2:00 p.m. [October 26<sup>th</sup>]. Mr. Johnson stated to Council that they just got their invitation in the mail today and indicated that the Irvingdale Neighborhood Association has been responsible for getting those out. Mr. Johnson stated to Council that the landscaping is in and all the site construction is finished and the sod will go down on Thursday and so it should be complete yet this week. Then, they'll celebrate with Mrs. Stransky on Sunday afternoon and they're all invited and Mr. Johnson apologized to Council for the late notice on it.

Mr. Cook commented to Bruce Dart 'well' in speaking of notice, the Health Department's Open House for the latest plan was in the newspaper and it said something about November 2<sup>nd</sup>. Bruce Dart stated to Mr. Cook 'yes'. Mr. Cook commented to Mr. Dart that's on a Sunday, isn't it. Mr. Dart stated to Mr. Cook 'yes', Sunday evening and indicated that they had to get it in before the next Public Building Commission Meeting, which is on November 4<sup>th</sup> because they promised the neighborhood that they would talk to them. Mr. Dart stated to Mr. Cook that they sent dates to the Neighborhood Association and that was the best date that they got back from them. Mr. Cook stated to Mr. Dart okay and asked him if he is going to send that through to the Council Office, so it will go on their Agenda for November 2<sup>nd</sup>. Mr. Dart stated to Mr. Cook that they didn't plan to, but they can. Mr. Cook asked Mr. Dart to sent it through to the Council Office to make it official because a number of them might want to attend because they have in the past. Mr. Dart stated to Mr. Cook okay.

**CITY ATTORNEY'S OFFICE** - Dana Roper stated to Council that at the end of the annexation hearing today on Yankee Hill, if they don't want to annex, what's in front of them the way that it is, could they provide some direction for what they would like for an amendment because no amendment is prepared. Marvin Krout indicated that he understands that a Resolution might be prepared, but [inaudible]. Dana Roper stated to

Council that they don't want to ask Steve Tidus to go through it, if they're not serious about it and commented that he doesn't need the practice and they don't need to waste staff time in doing that, unless that's what they want to do. Mr. Camp commented that he guess, they'll just have to see how the discussion goes on it and 'thanked' Dana Roper.

## **V. CITY COUNCIL MEMBERS**

### **PATTE NEWMAN - NO COMMENTS**

#### **JONATHAN COOK**

Mr. Cook commented about vacating Potter Street, why do they want to get rid of a perfectly good street and allow somebody to make it into a parking lot. Lynn Johnson stated to Mr. Cook that there is a benefit to that and he'll let Marc [Wullschleger] talk about it as well. Mr. Johnson stated to Mr. Cook that right now, Pentzer Park is kind of organized exactly backwards from how they would organize it if they were going to have a community set on the south end of it. Mr. Johnson stated to Mr. Cook that this allows them to reconfigure that park site that they will be shifting the playground to the southern end of the site and the play field to the northern end of the site and then the proposed parking lot that occupies Potter Street will become a joint parking lot for both the Community Centers to the south and Pentzer Park to the north. Mr. Johnson stated to Mr. Cook that from a traffic circulation stand point that connect through at least to his understanding is not critical, but having that permanent public parking there is a benefit. Mr. Cook asked Mr. Johnson if they had any traffic counts on Potter Street. Nicole Fleck-Tooze indicated to Mr. Cook that she thinks this will be consistent with the redevelopment plan for that area. Mr. Cook commented that it would be nice to know what those counts are. Ms. Tooze stated to Mr. Cook that she will check on it. Mr. Cook stated to Ms. Tooze okay.

### **GLENN FRIENDT - NO COMMENTS**

#### **TERRY WERNER**

Mr. Werner stated to Lynn Johnson that he thought last week, he said that one bicycle was in north Lincoln and he doesn't see any of them in that area and one of the bicycles were going to be placed in Havelock or something. [Terry Werner was looking at the map that Lynn Johnson handed out to them earlier] Quit a few people commented to Mr. Werner in Bethany. Mr. Johnson stated to Mr. Werner in Bethany Park, which is the 'Bike-a-saurus' and the donor did not indicate a specific location for it, so they're proposing to place it in Bethany, but it's not there yet. Mr. Werner stated to Mr. Johnson okay, it's not on the list .... and then Mr. Werner commented 'oh' there it is, okay and apologized.

Mr. Werner asked if the CDBG funds are going to be used for 48<sup>th</sup> & “O” Street. Marc Wullschleger stated to Mr. Werner not at this time, of course, they want to look at TIF funds, which is the reason their doing the Blight Substandard Study. Mr. Wullschleger stated to Mr. Werner that if they wanted to use CDBG funding they could do that real easy on the three other sides, but not on the south side, it would have to be TIF. Discussion continued on this issue with Council, Marc Wullschleger and Mayor Seng with comments and questions from the Council.

Mr. Werner stated that he would like to talk to Lynn Johnson after the Directors’ Meeting today.

**ANNETTE McROY - NO COMMENTS**

**KEN SVOBODA**

Mr. Svoboda stated that he would like to see Fire Chief Spadt just for a second after the Directors’ Meeting today.

**JON CAMP - NO COMMENTS**

Mr. Camp adjourned the Directors’ Meeting at this time, approximately at 11:45 a.m.

## **ADDENDUM - (For October 20<sup>th</sup>)**

### **I. MAYOR**

1. NEWS RELEASE - RE: 12<sup>th</sup> Street Arts Corridor Now Open. — NO COMMENTS
2. Washington Report - October 17, 2003. — NO COMMENTS

### **II. CITY CLERK - NONE**

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS - NONE**

**B. DIRECTORS AND DEPARTMENT HEADS**

**FINANCE DEPARTMENT/CITY TREASURER**

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased October 6, 2003 thru October 17, 2003. — NO COMMENTS

**C. MISCELLANEOUS**

1. E-Mail from Mike Harrington - RE: Davis housing. — NO COMMENTS

**VI. MEETING ADJOURNED - Approximately at 11:45 a.m.**

