

**DIRECTOR'S MEETING  
MONDAY, JANUARY 12, 2004 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Lincoln Named One Of Top Digital Cities In Nation. (See Release)
2. NEWS RELEASE - RE: Mayor Forms Street Finance Committee. (See Release)
3. NEWS ADVISORY - RE: Mayor Coleen Seng and Police Chief Tom Casady will release crime statistics for 2003 immediately following the daily 8:45 a.m. briefing at about 9:15 a.m., Thursday, January 8<sup>th</sup> in the media briefing room at LPD.
4. NEWS RELEASE - RE: City Crime Rate Drops To 18-Year Low - (See Release)

**II. CITY CLERK**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**GLENN FRIENDT**

1. RFI #28 - TO HEALTH DEPARTMENT RE: Information on the Number of Dogs, Dog Owners and the Number of "Pooper Scooper" Violations in Lincoln - (Sent to Bruce Dart/Health Department on 12-23-03). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DIRECTOR RECEIVED ON RFI#28 - 01/07/04.**

**TERRY WERNER**

1. OUTSTANDING Request to **Law Department** - RE: What can 9-11's role be in providing victims information as to where an AED might be located and how to use it? (RFI#114 - 10/17/03)
2. OUTSTANDING Request to **Jack Moors, City Lobbyist** - RE: Support a requirement to have vendors of AEDs included in the registry (RFI#115 - 10/17/03)

## **JON CAMP**

1. 2-E-Mail's - One from Judy Bryant with response from Jon Camp - RE: The Smoking Ban - (See E-Mail)
2. CERTIFIED Letter from Jamie Scholz, Attorney at Law, Shasteen Linscott & Brock P.C. to Jon Camp, Chair, Lincoln City Council - RE: Notice Of Claim Pursuant To The Nebraska Political Sub-Divisions Tort Claims Act - RE: Ricky Austin - was an unrestrained passenger in the back seat of an LPD cruiser when another LPD cruiser rear-ended the vehicle he was being transported it - (See Letter)
3. Letter from Joyce Kelly to Jon Camp - RE: Really disgusted listening to this group of Council people, feuding over cigarettes or second hand smoke - (See Letter)

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

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Cold Weather Alert - (See Release)

### **PLANNING**

1. Response Letter from Brian Will to Rick Onnen, EDC - RE: Rolling Hills Ridge Addition - Final Plat #03041 - (See Letter)
2. Response Letter from Brian Will to Rick Onnen, EDC - RE: Corrected G&C Addition - Final Plat #03063 - (See Letter)
3. Forwarded to City Council by Jean Walker - Letter from Alan L. Plessman, Plessman Law Offices - RE: Change of Zone #3424 - (See Letter)
4. Sent to Council Office by the Planning Department - Memo from Marc Wullschleger, Urban Development Director to Marvin Krout, Planning Director - RE: Change of Zone #3424 - Everett Neighborhood - Bill #04-4. - (See Memo)
5. Letter from Becky Horner to Lyle Loth, ESP - RE: Hartland's Cardinal Heights 4<sup>th</sup> Addition Final Plat #02066. - (See Letter)
6. Letter from Becky Horner to Rick Onnen, Engineering Design Consultants - RE: Prairie Village Addition Final Plat #03011. - (See Letter)

## **REAL ESTATE DIVISION**

1. Interoffice Memo from Clinton W. Thomas - RE: Vacating that portion of East-West Alley between O & N Streets and 26<sup>th</sup> & 27<sup>th</sup> Streets not previously vacated - (See Memo)
2. Interoffice Memo from Clinton W. Thomas - RE: Vacation of East-West Alley, Block 1, Trester's Addition; east line of North 26<sup>th</sup> Street to the west line of North 27<sup>th</sup> Street. - (See Memo)
3. Interoffice Memo from Clinton W. Thomas - RE: Vacation of Telluride Circle - (See Memo)

## **URBAN DEVELOPMENT**

1. Memo from Marc Wullschleger - RE: Request for Information from Darrell Podany regarding the old Midas site on North 27<sup>th</sup> Street - (See Memo)

## **WEED CONTROL AUTHORITY**

1. Combine Weed Program - City of Lincoln - December 2003 Monthly Report.

## **C. MISCELLANEOUS**

1. E-Mail from C. Allan Huffman - RE: Melissa J. Harrington Case - (See E-Mail)
2. E-Mail from Joe Cherner - RE: Fire-safe cigarettes will save lives - (See E-Mail)
3. E-Mail from Mike Sziede - RE: Ridiculous misuse of city resources - The Melissa Harrington case - (See E-Mail)
4. E-Mail from Tausha Ward Armbruster - RE: Snow removal operations - (See E-Mail)
5. E-Mail from Norman Branting - RE: Liquor license for Mickey's Irish Pub - (See E-Mail)
6. Letter from Chris Lohman - RE: Writing to you because he has no where else to turn - he's been set up and framed by a County Attorney and one City Police Officer and the Sheriff's Department in a small town - (See Letter)

7. E-Mail from Bob Valentine - RE: City Council Meetings - other meetings being televised - (See E-Mail)
8. E-Mail from Elizabeth Volkmer - RE: Progress of the Downtown Entertainment Center and can Lincoln please get some competition in regards to phone service, movie theatres and cable television? - (See E-Mail)
9. Letter from Ben Tomes to James D. Faimon, Assistant City Attorney - RE: Claim against City of Lincoln in amount of \$2,645.04 - Bill No. #004R-4 – (See Letter)

#### **IV. DIRECTORS**

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

#### **VI. ADJOURNMENT**

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**DIRECTOR'S MEETING  
MINUTES  
MONDAY, JANUARY 12, 2004  
CONFERENCE ROOM 113**

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

**Council Member Absent:** Annette McRoy

**Others Present:** Mayor Coleen Seng, Mark Bowen, Ann Harrell, Corrie Kielty, Lin Quenzer, Darl Naumann, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Nate Jenkins, Lincoln Journal Star Representative.

Mr. Camp stated that Terry Werner would like to introduce a guest to everyone. Mr. Werner stated Mayor and Council Members and Director's, he'd like to introduce Eddie Powers to them. [Mr. Werner asked Mr. Powers to please stand] Mr. Werner stated that Eddie is shadowing the Council today and he's a student at Macalister College in his second year. Everyone welcomed Eddie [Powers].

**I. MAYOR**

Mayor Coleen Seng stated to Council that first of all, do they all remember when they got the letter from the Vietnamese and they wanted to fly a flag out here and the Building Commission dealt with it, well, after many letters back and forth, they had their event Saturday evening. Mayor Seng stated to Council that now Auld Recreation Center has never had more people than Saturday evening, it was packed. [Mayor Seng held up a smaller version of what their flag looked like.] Mayor Seng commented to Council this is the flag and these are folks that were adamantly opposed to communism and they still think that they're going to get their country back someday. Mayor Seng commented to Council that they've encouraged them of course over and over about using it to going out to dance and so they were celebrating the new year and they had a very, very good celebration. Mayor Seng commented to Council that she just wanted to share this with them because they all had to struggle with it a little bit.

[Mayor Seng held up the material to Council] Mayor Coleen Seng stated to Council that she wanted them to take note, did they see the really nice mailing the Building & Safety Department is putting out and it tells all about the Streamlining Committee, so they might like to ask Mike Merwick to get them copies of it and indicated that she just saw it on Friday. Mr. Camp asked Mike Merwick if they will get copies of it. Mike Merwick stated to Mr. Camp 'you bet' and he handed the material out to Council at that time. Mr. Merwick indicated to Council what's in this is an update on activities with Building & Safety and they also printed some information about how to get the programs that they have running. Mr. Merwick stated to Council that one of the

big things that they've been working on in the Streamline progress with the Planning Department is creating a website for Special Permits. Mr. Merwick stated to Council that Special Permits cause everybody a tone of trouble, they get them and the people filing them, they forget to use it when they submit the plans to them and it delays their process. So, they've been working together, with Planning and Building & Safety for the last 6 months putting a website together where they can go and get all the Special Permit Applications, which they can get the approvals, they can get the documents, they can get the maps, they can jump into a section of town and pick up permits and it will show them exactly what's been done and what's been required. Mr. Merwick stated to Council that they have included this in a mailing, they've mailed this to contractors, developers, to architects and engineers and to some construction trade and the homebuilders and so it's quite a bit of information that they sent out to them. Mr. Merwick stated to Council that they've also kind of updated them on the different things that they're doing in Building & Safety to keep everybody kind of apprised of the services that they have and how to get in touch with them, if they don't understand or if they want something. Mr. Merwick stated to Council that they have gone out to a lot of contractors with the IVR System and worked with them, so that they can gain access to the permitting process, so they know what has been done and what is still waiting on their permit and what they still have to do. Mr. Merwick indicated to Council so this kind of explains all that to them and so if they have any questions on it just let him know. Mr. Camp stated to Mr. Merwick that he saw on the 'Instruction for Accessing-"Special Permit" Web Site' that they started with 'IMS' and then it goes to 'ci.lincoln' and asked if this is something new. Mr. Camp stated that on the bottom for the website it is 'IMS' and he has always used their 'www' and he just didn't know if this is something new. Police Chief Casady stated to Mr. Camp 'no', it's not, all mapping applications start with that and so any kind of mapping applications is going to be 'ims.ci.lincoln.ne.us/.....' something. Mr. Camp stated to Police Chief Casady 'oh', okay and 'thanked' him. [Copy of this material is on file in the City Council Office]

Mayor Coleen Seng stated to Council the only other thing that she had was in regards to their discussion on alcohol at the "Noon" Meeting today and she'll try to join them. Mayor Seng stated to Council that's all she has for them. Mr. Camp 'thanked' Mayor Seng.

1. NEWS RELEASE - RE: Lincoln Named One Of Top Digital Cities In Nation. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Forms Street Finance Committee. — NO COMMENTS
3. NEWS ADVISORY - RE: Mayor Coleen Seng and Police Chief Tom Casady will release crime statistics for 2003 immediately following the daily 8:45 a.m. briefing at about 9:15 a.m., Thursday, January 8<sup>th</sup> in the media briefing room at LPD. — NO COMMENTS

4. NEWS RELEASE - RE: City Crime Rate Drops To 18-Year Low. —  
NO COMMENTS

## II. CITY CLERK

City Clerk Joan Ross stated to Council that in their packet or on their Addendum that they would have probably received just this morning, a faxed copy of a letter to her regarding 'Mickey's Irish Pub and Grill' wanting to postpone their hearing to January 26<sup>th</sup>. City Clerk Joan Ross stated to Council that they really can't do that because the 45 days is up January 22<sup>nd</sup>. Mr. Camp asked City Clerk Joan Ross if Mr. Klaus is aware of that. City Clerk Joan Ross stated to Mr. Camp 'oh', yes, she contacted him this morning, right after she got their fax and looked at the application and realized the date to return is January 22<sup>nd</sup>, so someone will be there, she's presuming. Mr. Camp stated to City Clerk Joan Ross so they're proceeding. City Clerk Joan Ross stated to Mr. Camp 'yes', they pretty much have to because if they don't, it goes in as a no local recommendation. Mr. Camp stated to City Clerk Joan Ross okay.

City Clerk Joan Ross stated to Council that she knows they have a letter in their packet in regards to Item #17 [Accepting the report of new and pending claims against the City and approving disposition of claims set forth therein for the period of December 1-31, 2003] on that reported claim and she did send a copy to the Law Department and she suspect those people may be there today with a certain request. Mr. Camp asked City Clerk Joan Ross which claim is it. City Clerk Joan Ross stated to Mr. Camp that it is on Ben Tomes and they have a letter in their packet. [The letter from Ben Tomes is listed on the Director's Agenda for January 12<sup>th</sup> under "C. Miscellaneous-#9".]

## III. CORRESPONDENCE

### A. COUNCIL REQUESTS

#### GLENN FRIENDT

1. RFI #28 - TO HEALTH DEPARTMENT RE: Information on the Number of Dogs, Dog Owners and the Number of "Pooper Scooper" Violations in Lincoln - (Sent to Bruce Dart/Health Department on 12-23-03). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DIRECTOR RECEIVED ON RFI#28 - 01/07/04.** — Mr. Friendt stated that he does have the response and he appreciates it. Mr. Friendt 'thanked' Bruce Dart.

#### TERRY WERNER

1. OUTSTANDING Request to **Law Department** - RE: What can 9-11's role be in providing victims information as to where an AED might be located and how to use it? (RFI#114 - 10/17/03). — NO COMMENTS

2. OUTSTANDING Request to **Jack Moors, City Lobbyist** - RE: Support a requirement to have vendors of AEDs included in the registry (RFI#115 - 10/17/03). — NO COMMENTS

### **JON CAMP**

1. 2-E-Mail's - One from Judy Bryant with response from Jon Camp - RE: The Smoking Ban. — NO COMMENTS
2. CERTIFIED Letter from Jamie Scholz, Attorney at Law, Shasteen Linscott & Brock P.C. to Jon Camp, Chair, Lincoln City Council - RE: Notice Of Claim Pursuant To The Nebraska Political Sub-Divisions Tort Claims Act - RE: Ricky Austin - was an unrestrained passenger in the back seat of an LPD cruiser when another LPD cruiser rear-ended the vehicle he was being transported in. — NO COMMENTS
3. Letter from Joyce Kelly to Jon Camp - RE: Really disgusted listening to this group of Council people, feuding over cigarettes or second hand smoke. — NO COMMENTS

Mr. Camp stated to everyone that they appreciate the fact, they're getting answers to them promptly.

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

#### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Cold Weather Alert. — NO COMMENTS

#### **PLANNING**

1. Response Letter from Brian Will to Rick Onnen, EDC - RE: Rolling Hills Ridge Addition - Final Plat #03041. — NO COMMENTS
2. Response Letter from Brian Will to Rick Onnen, EDC - RE: Corrected G&C Addition - Final Plat #03063. — NO COMMENTS
3. Forwarded to City Council by Jean Walker - Letter from Alan L. Plessman, Plessman Law Offices - RE: Change of Zone #3424. — NO COMMENTS
4. Sent to Council Office by the Planning Department - Memo from Marc Wullschleger, Urban Development Director to Marvin Krout, Planning Director - RE: Change of Zone #3424 - Everett Neighborhood - Bill #04-4. — NO COMMENTS

5. Letter from Becky Horner to Lyle Loth, ESP - RE: Hartland's Cardinal Heights 4<sup>th</sup> Addition Final Plat #02066. — NO COMMENTS
6. Letter from Becky Horner to Rick Onnen, Engineering Design Consultants - RE: Prairie Village Addition Final Plat #03011. — NO COMMENTS

#### **REAL ESTATE DIVISION**

1. Interoffice Memo from Clinton W. Thomas - RE: Vacating that portion of East-West Alley between O & N Streets and 26<sup>th</sup> & 27<sup>th</sup> Streets not previously vacated. — NO COMMENTS
2. Interoffice Memo from Clinton W. Thomas - RE: Vacation of East-West Alley, Block 1, Trester's Addition; east line of North 26<sup>th</sup> Street to the west line of North 27<sup>th</sup> Street. — NO COMMENTS
3. Interoffice Memo from Clinton W. Thomas - RE: Vacation of Telluride Circle. — NO COMMENTS

Mr. Camp asked Marc Wullschleger if they're seeing more and more of the desire to vacate these alleys. Marc Wullschleger stated to Mr. Camp that he can't say that, he doesn't think that there's been an increase, he thinks its normal course of business.

#### **URBAN DEVELOPMENT**

1. Memo from Marc Wullschleger - RE: Request for Information from Darrell Podany regarding the old Midas site on North 27<sup>th</sup> Street. — NO COMMENTS

#### **WEED CONTROL AUTHORITY**

1. Combine Weed Program - City of Lincoln - December 2003 Monthly Report. — NO COMMENTS

#### **C. MISCELLANEOUS**

1. E-Mail from C. Allan Huffman - RE: Melissa J. Harrington Case. — NO COMMENTS
2. E-Mail from Joe Cherner - RE: Fire-safe cigarettes will save lives. — NO COMMENTS

3. E-Mail from Mike Sziede - RE: Ridiculous misuse of city resources - The Melissa Harrington case. — NO COMMENTS
4. E-Mail from Tausha Ward Armbruster - RE: Snow removal operations - when parking lots can have maintenance done next to neighborhoods. — Mr. Cook stated to Mr. Camp that he thinks this E-Mail needs to be responded to and asked who might be appropriate to answer this E-Mail, basically, do they have any kind of ordinance control to that kind of noise level to operations. Mr. Cook stated that this is in the SouthPointe area. Nicole Fleck-Tooze asked Mr. Cook if it's a private lot. Mr. Cook stated to Ms. Tooze that it's a private lot, but there's just a lot of noise when the snow removal is going on in the middle of the night. Mr. Camp stated to Ms. Tooze that they are there from like 1:00 a.m. until 5:00 a.m. cleaning SouthPointe. [Quite a few people commented that this would be a Health Department issue.] Bruce Dart stated to Mr. Cook that they have the Noise Ordinance specific to residential areas and they can go check it. Mr. Dart stated to Mr. Cook if he gives him a copy of the E-Mail they can respond to her. Mr. Cook stated to Mr. Dart 'yes', he'd like that. Mr. Dart stated to Mr. Cook okay.
5. E-Mail from Norman Branting - RE: Liquor license for Mickey's Irish Pub. — NO COMMENTS
6. Letter from Chris Lohman - RE: Writing to you because he has no where else to turn - he's been set up and framed by a County Attorney and one City Police Officer and the Sheriff's Department in a small town. — NO COMMENTS
7. E-Mail from Bob Valentine - RE: City Council Meetings - other meetings being televised. — NO COMMENTS
8. E-Mail from Elizabeth Volkmer - RE: Progress of the Downtown Entertainment Center and can Lincoln please get some competition in regards to phone service, movie theatres and cable television? — Mr. Cook stated that he thinks this E-Mail needs to be responded to and asked if this would be an Urban Development question. Marc Wullschleger nodded to Mr. Cook 'yes'. Mr. Cook stated to Mr. Wullschleger okay. [The Urban Development Department will respond to this E-Mail.]
9. Letter from Ben Tomes to James D. Faimon, Assistant City Attorney - RE: Claim against City of Lincoln in amount of \$2,645.04 - Bill No. #004R-4. — City Clerk Joan Ross mentioned this letter earlier during her comments to Council under "II. City Clerk". (See that discussion)

#### **IV. DIRECTORS - NO COMMENTS**

**V. CITY COUNCIL MEMBERS**

**PATTE NEWMAN - NO COMMENTS**

**JONATHAN COOK**

Mr. Cook stated that regarding those devices that change lights, traffic signals, they may not be on 'E-Bay' anymore, but they're still out there and he doesn't think that there's really anyway to keep them from being made available. Mr. Cook stated number one-can their system be updated, so that maybe the devices that are out there will not work, if they do work on their system and number two- should they be looking at any kind of an Ordinance locally that slaps a hefty fine on someone caught with this if they have no State Law at this time that would cover it. Allan Abbott stated to Mr. Cook that he would prepare #2 than #1 because the minute they revise the system somebody will come up with something that effects that system too. Dana Roper stated to Mr. Cook that they can pass an Ordinance, 'yes'. Mr. Cook stated that he thinks that would be appropriate, he doesn't think that there's any getting rid of these devices. Ms. Newman stated that Omaha just passed .... or she knows that they are working on passing an Ordinance, so Omaha might be the place to go. Mr. Cook commented 'well', maybe this should just be a request for that, if they could work on it and bring it to them.

**GLENN FRIENDT - NO COMMENTS**

**TERRY WERNER - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

**ANNETTE McROY - ABSENT**

**JON CAMP - NO COMMENTS**

Mr. Camp adjourned the meeting at this time. - (Approximately at 11:22 a.m.)

**ADDENDUM - (For January 12<sup>th</sup>)**

**I. MAYOR**

1. NEWS RELEASES - RE: Mayor Seng Joins Others in Proclaiming January: National Volunteer Blood Donor Month. — NO COMMENTS

## **II. CITY CLERK**

1. Letter from Dan E. Klaus, Rembolt, Ludtke & Berger LLP, Attorneys at Law brought to City Council Office by City Clerk Joan Ross - RE: Request that the public hearing on the liquor license for Mickey's Irish Pub & Grill be postponed until January 26, 2004 at 5:30 p.m.– Items 1 & 2 on the Agenda for 1/12/04). — City Clerk Joan Ross mentioned this letter earlier during her comments to Council under “II. City Clerk”. (See that discussion)

## **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 December 22, 2003 thru January 2, 2004. — NO COMMENTS

### **C. MISCELLANEOUS**

1. E-Mail from Peggy Struwe, President, Hawley Area Neighborhood Association - RE: They support the down zoning of Everett Neighborhood to R-2 zoning – Item #9,04-4. — NO COMMENTS
2. Faxed Letter from Lincoln Independent Business Association - RE: Focus on Streets - Position Statement - LIBA Board of Directors - January 8, 2004. – (Council received this letter on Monday morning-01/12/04, before their 1<sup>st</sup> Pre-Council Meeting at 10:30 a.m.). — NO COMMENTS
3. E-Mail from Carol Brown, Secretary, Landons Neighborhood Association - RE: Supports the South Everett down zoning project - Change of Zone 3424 – Item #9, 04-4. — NO COMMENTS
4. E-Mail from Lincoln Neighborhood Alliance Board - RE: Mitigation language for liquor special permits. — NO COMMENTS

## **VI. MEETING ADJOURNED - Approximately at 11:22 a.m.**

dm011204/tjg