

**DIRECTORS' MEETING
MONDAY, MARCH 22, 2004 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. "Washington Report" - March 12, 2004.
2. Letter from Mayor Seng to Karin & Eric Fuog - RE: Inquiring about the lack of bus service in the Lux Middle School neighborhood - (See Letter)
3. Response Letter from Mayor Seng to Greg Olson - RE: Recent letter inquiring about the lack of bus service in the Lux Middle School neighborhood - (See Letter)
4. Response Letter from Mayor Seng to Rachel B. Ficek - RE: Recent letter inquiring about the lack of bus service in the Lux Middle School neighborhood - (See Letter)

II. CITY CLERK

1. Letter from J. Michael Rierden, Attorney At Law - brought into City Council Office by City Clerk Joan Ross - RE: Items #25, #52 & #53 (04-51; 04R-59; 04R-60) – Change of Zone 3421, Special Permit No. 1928 A and Preliminary Plat No. 03011 on property generally located at North 1st Street and Charleston Street - (See Letter)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. RFI #109 - Request to Public Works RE: Rolling Hills Blvd and Old Cheney Road - Safety Issues and concerns raised by Mr. Douglas J. Wilson. (RFI #109 - 03-09-04) RESPONSE FROM MAYOR'S OFFICE - Received 03-11-04)

TERRY WERNER

1. ~~OUTSTANDING~~ - RFI #123 - Request to Chief Spadt of the Fire Department Questions RE: IAFF Staffing Rules For Safe Operation of Fire Engines (RFI #123 - Sent 02/03/04). — **1.) SEE RESPONSE FROM FIRE CHIEF SPADT RECEIVED ON RFI#123 - 3/15/04.**
2. RFI#125 Response from Joel Pedersen, City Law Department - RE: Insurance for Small Businesses received on 3/15/04.

ANNETTE McROY

1. OUTSTANDING Request to **Roger Tederman, Public Works & Utilities Department** - RE: The water problem they have in the drive on 25th Street entering the Tam O'Shanter (RFI#146 - 2/18/04)
2. Request to Public Works & Utilities Department/Lancaster County Engineering - RE: Future plans for NW 4th Street (RFI#147 - 3/18/04)

PATTE NEWMAN

1. Request to Larry Worth, StarTran/Allan Abbott, Public Works & Utilities Director - RE: Bus Service to Lux Middle School (RFI#19 - 3/17/04)

B. DIRECTORS AND DEPARTMENT HEADS

CITY ATTORNEY'S OFFICE

1. Memo from James D. Faimon, Assistant City Attorney - RE: Claims against the City of Lincoln for damage incurred to mailboxes as the result of snow removal activity - (See Memo)

FINANCE

1. Monthly City Cash Report - for February 29, 2004.
2. City of Lincoln Pledged Collateral Statement (02-29-04) I
3. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: The City of Lincoln's level of keno activity - (See Letter)
4. Report & Letters - RE: Fiscal Year Ended August 31, 2003 - Comprehensive Annual Financial Report - (Material for the Pre-Council Meeting on 3/22/04 at 10:30 a.m. regarding Finance – City-Wide Audit)(Copy of all this Material on file in the City Council Office)

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 March 3, 2004 thru March 12, 2004.

HEALTH

1. NEWS RELEASE - RE: Teddy Bear Cottage Recipient Of March Of Dimes Award - (See Release)

INFORMATION SERVICES

1. Interdepartmental Communication from Doug Thomas, For the Government Access and Information Committee - RE: Annual Report of Major Accomplishments in 2003.

PLANNING

1. Proposed Flood Standards for New Growth Areas

PLANNING COMMISSION FINAL ACTION

1. Special Permit Amendment No. 04002 (Amending Special Permit No. 684)(First Plymouth Congregational Church-2000 D Street) Resolution No. PC-00850.

PUBLIC WORKS

1. PUBLIC WORKS & UTILITIES ADVISORY - Water Main Replacement Project 700238 (Furnas: 12th to 14th; Nelson: 11TH to 13th)
2. PUBLIC WORKS & UTILITIES ADVISORY - Water Main Replacement Project 700256 (Leighton Ave: 63rd to 68th Street)
3. PUBLIC WORKS & UTILITIES ADVISORY - 84th Street Water Main and Roadway Improvement to Begin.
4. Memo from Thomas Shafer - RE: West Fletcher Extension Project Update - (See Memo)

PURCHASING/FINANCE

1. NEWS RELEASE - RE: Reminder Notice - New Vendor Contract For Offset and Quick Copy Services - (See Release)

C. MISCELLANEOUS

1. E-Mail from Joseph W. Cherner - RE: Bi-Partisan Vote in Favor of Smokefree Workplaces - (See E-Mail)
2. Letter from Donald J. Arena - RE: Writing to have you understand the position that the new smoking ordinance has put me in-specifically, the language concerning minors - (Council received their copies of this letter on 3/15/04)(See Letter)

3. E-Mail from Christy Aggens - RE: Liquor Ordinance - (See E-Mail)
4. E-Mail from Peggy Struwe, President, Hawley Area Neighborhood Association - RE: Liquor Ordinance - (See E-Mail)
5. E-Mail from Carol Brown - RE: Block parties - (Joan Ray forward this E-Mail to Council on 3/17/04)(Copy of this E-Mail on file in the City Council Office)
6. Letter from Bob Norris - RE: Three issues - All three of these points are areas that I feel the Neighborhood Alliance could help with, as far as public awareness and promotion of solutions are concerned - (See Letter)
7. E-Mail from Jo Bunstock, Assistant Athletic Director, SWA to Fire Chief Mike Spadt - RE: Lincoln Fire & Rescue service - (See E-Mail)

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

da032204/tjg/jvr

**DIRECTORS' MEETING
MINUTES
MONDAY, MARCH 22, 2004
CONFERENCE ROOM 113**

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

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; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Nate Jenkins, Lincoln Journal Star Representative.

I. MAYOR

Mayor Coleen Seng stated to Council that several of them were at Carole Douglas's Memorial Service last evening, a lot of City staff were there and former staff.

Mayor Coleen Seng stated to Council that they had two firefighters that had retirement celebration on Friday evening.

Mayor Coleen Seng stated to Council that she was watching the Pre-Councils, it looked like they had good Pre-Councils this morning.

1. "*Washington Report*" - March 12, 2004. — NO COMMENTS
2. Letter from Mayor Seng to Karin & Eric Fuog - RE: Inquiring about the lack of bus service in the Lux Middle School neighborhood. — NO COMMENTS
3. Response Letter from Mayor Seng to Greg Olson - RE: Recent letter inquiring about the lack of bus service in the Lux Middle School neighborhood. — NO COMMENTS
4. Response Letter from Mayor Seng to Rachel B. Ficek - RE: Recent letter inquiring about the lack of bus service in the Lux Middle School neighborhood. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council that Items 3 & 4 [Application of MVB Inc. dba Caffè Italia for a Class I (spirits, wine, beer, on-sale) liquor license at 2110 Winthrop Road, Suite 100A; and Manager application of Mauro Bergo for MVB, Inc. dba Caffè Italia at 2110 Winthrop Road, Suite 100A] will be called together.

City Clerk Joan Ross stated to Council that Items 5 & 6 [Application of North Forty Golf, Inc. dba North Forty Golf for a Class C (spirits, wine, beer, on and off sale) liquor license at 8101 Adams Street; and Manager application of Jeffrey Joseph Schreiner for North Forty Golf, Inc. dba North Forty Golf at 8101 Adams Street] will be called together.

City Clerk Joan Ross stated to Council that she handed out the 'Miscellaneous Referral Sheet' to them and that's very routine items. City Clerk Joan Ross stated to Council that she doesn't have anything else for them, unless they have something.

Mr. Svoboda commented not a question, but he's going to ask for Council's approval to delay Item 29 [Amending Section 14.40.030 of the Lincoln Municipal Code pertaining to block party permits to indicate issuance by the Department of Public Works and Utilities and requiring a damage deposit from the applicant] because he is working with the Law Department and the Public Works & Utilities Department on an Amendment and he didn't want to push them to the point where they had to get it done before this Monday and so he thinks Public Works had agreed that this isn't time restrictive that a week delay isn't going to matter much. Mr. Friendt commented to Mr. Svoboda 'well' that depends on what the context of the Amendment is. Mr. Svoboda stated to Mr. Friendt that he was going to wait until this afternoon, but very quickly... he met with and talked with the Public Works staff and the Law Department and what he would like to do in order to stream-line this even more is that they would allow for the hiring of a private firm or the picking up of private barricades from the private sector as opposed to always requiring the Public Works Department to deliver barricades out to a block party. So, in essence what they would be given was the option at a lower rate, but being able to supply your own barricades to a block party and those barricades would specify as to exactly what kind of barricades are allowed. Mr. Svoboda stated to Council that he just thinks that's a more stream-line approach than dealing with Public Works staff that deliver some barricades. Mr. Svoboda commented to Council that contractors do that on a regular basis with contracts and it's spelled out within guidelines within our specifications exactly what those barricades are going to consist of, how far apart they're getting placed and where they are to be placed and he just thinks that's a much more stream-line approach to be able to allow that. Mr. Svoboda stated to Council that he's obviously looking at keeping it as a fairly restricted use of barricades similar to

the 2 foot holding that most contractors would use when closing off a street and he thinks a block party should be able to do that. Mr. Svoboda indicated to Council that he talked with some of the barricade suppliers in Lincoln and they are willing to work with the City in developing because right now they don't do it that much and dedicate the staff to it, recognizing that there were 130 or 140 some of block parties last year. Mr. Svoboda commented to Council just giving those organizations some options.

1. Letter from J. Michael Rierden, Attorney At Law - brought into City Council Office by City Clerk Joan Ross - RE: Items #25, #52 & #53 (04-51; 04R-59; 04R-60) – Change of Zone 3421, Special Permit No. 1928 A and Preliminary Plat No. 03011 on property generally located at North 1st Street and Charleston Street. — NO COMMENTS

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

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1. RFI #109 - Request to Public Works RE: Rolling Hills Blvd and Old Cheney Road - Safety Issues and concerns raised by Mr. Douglas J. Wilson. (RFI #109 - 03-09-04). — RESPONSE FROM MAYOR'S OFFICE - Received 03-11-04). — NO COMMENTS

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1. ~~OUTSTANDING~~ - RFI #123 - Request to Chief Spadt of the Fire Department Questions RE: IAFF Staffing Rules For Safe Operation of Fire Engines (RFI #123 - Sent 02/03/04). — **1.) SEE RESPONSE FROM FIRE CHIEF SPADT RECEIVED ON RFI#123 - 3/15/04.** — NO COMMENTS
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1. **OUTSTANDING** Request to **Roger Tederman, Public Works & Utilities Department** - RE: The water problem they have in the drive on 25th Street entering the Tam O'Shanter (RFI#146 - 2/18/04). — NO COMMENTS

2. Request to Public Works & Utilities Department/Lancaster County Engineering - RE: Future plans for NW 4th Street (RFI#147 - 3/18/04). — Ms. McRoy stated to Public Works that the area in this RFI should actually be ‘NW 48th Street’, not ‘NW 4th Street’, so who ever was going to answer it that they can be made aware of it. Tammy Grammer apologized to Ms. McRoy and stated that she will correct the RFI. Roger Figard stated to Ms. McRoy okay, he will let them know. [NOTE: Ms. Grammer did a corrected copy for this RFI (#147) and sent it out on 3/22/04 after the Directors’ Meeting.]

PATTE NEWMAN

1. Request to Larry Worth, StarTran/Allan Abbott, Public Works & Utilities Director - RE: Bus Service to Lux Middle School (RFI#19 - 3/17/04). — Ms. Newman stated that she did see that the Mayor responded to one of the people in the Southeast District as to a bus to Lux Middle School. Ms. Newman asked Roger [Figard] if he has any idea how that procedure goes and how long it takes, she assumes that Larry [Worth] talks to the school and sees who lives in the neighborhoods. Mayor Seng commented to Ms. Newman that she thinks they have a little interest from students over there that’s what these are. Ms. Newman stated to Mayor Seng ‘oh’ there students. Mayor Seng indicated to Ms. Newman that some of them are. Ms. Newman stated to Mayor Seng okay.

Mr. Camp stated to the Public Works & Utilities Department that on the StarTran route to Vintage Heights, he believes as they were talking to Larry Worth, he was saying they needed at least \$2,000 in revenue, he hopes that he’s quoting correctly. Mr. Camp commented one thought is that this is really something that’s important or whatever the dollar amount is that they could maybe pre-sale for the season and he thinks that would be a fair way to get the residential area to kind of put up. Mr. Camp indicated with the 84th Street turn and traffic along there he sure would like to help because there were quite a few letters. Mr. Camp stated to the Public Works & Utilities Department keep them informed on it. Ms. Newman commented to Nicole Fleck-Tooze that this is an RFI and the Mayor responded to it also. Ms. Tooze stated to Ms. Newman okay.

B. DIRECTORS AND DEPARTMENT HEADS

CITY ATTORNEY’S OFFICE

1. Memo from James D. Faimon, Assistant City Attorney - RE: Claims against the City of Lincoln for damage incurred to mailboxes as the result of snow removal activity. — Mr. Camp stated to Dana Roper that he sees that Mr. Faimon said the City Council will handle the mailbox issue. Mr. Roper stated to Mr. Camp that they’re planning to go ahead and write the letters saying ‘sorry’ they can’t pay and the claims will probably be before them on March 29th. Mr. Camp asked Council if they all have seen this letter. Council commented to Mr. Camp ‘yes’,

they have. Mayor Seng asked Dana Roper if this is all that he thinks they'll receive or will they have more. Mr. Roper stated to Mayor Seng that he thinks this may be just about all of them and commented that actually he had one that came in on Friday that isn't on there. Mr. Roper stated that the snow is melted and he thinks people felt there were some damages that they hadn't filed a claim on, so there maybe a couple of those coming in, but he thinks that this is pretty much all of them.

FINANCE

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2. City of Lincoln Pledged Collateral Statement (02-29-04). — NO COMMENTS
3. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: The City of Lincoln's level of keno activity. — NO COMMENTS
4. Report & Letters - RE: Fiscal Year Ended August 31, 2003 - Comprehensive Annual Financial Report - (Material for the Pre-Council Meeting on 3/22/04 at 10:30 a.m. regarding Finance – City-Wide Audit)(Copy of all this Material on file in the City Council Office). — Mr. Camp 'thanked' the Finance Department again for the Audit report.

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 March 3, 2004 thru March 12, 2004. — NO COMMENTS

HEALTH

1. NEWS RELEASE - RE: Teddy Bear Cottage Recipient Of March Of Dimes Award. — NO COMMENTS

INFORMATION SERVICES

Mr. Camp commented just to emphasize again, Information Services really wants them to power down all of the computes at the end of the day that there were viruses sitting around there and hopefully that's working. Mr. Camp stated that Information Services is also working on establishing some additional procedures related to the receipt and opening of attachments. Mr. Camp commented that he would ask all of the Department Heads if that seems to be working or explain any concerns that they might have on it. [No comments from anyone]

1. Interdepartmental Communication from Doug Thomas, For the Government Access and Information Committee - RE: Annual Report of Major Accomplishments in 2003. — NO COMMENTS

PLANNING

1. Proposed Flood Standards for New Growth Areas. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

1. Special Permit Amendment No. 04002 (Amending Special Permit No. 684)(First Plymouth Congregational Church-2000 D Street) Resolution No. PC-00850. — NO COMMENTS

PUBLIC WORKS

1. PUBLIC WORKS & UTILITIES ADVISORY - Water Main Replacement Project 700238 (Furnas: 12th to 14th; Nelson: 11TH to 13th). — NO COMMENTS
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1. NEWS RELEASE - RE: Reminder Notice - New Vendor Contract For Offset and Quick Copy Services. — NO COMMENTS

C. MISCELLANEOUS

1. E-Mail from Joseph W. Cherner - RE: Bi-Partisan Vote in Favor of Smokefree Workplaces. — NO COMMENTS
2. Letter from Donald J. Arena - RE: Writing to have you understand the position that the new smoking ordinance has put me in-specifically, the language concerning minors - (Council received their copies of this letter on 3/15/04). — Mr. Camp commented that Donald Arena has a concern on the Smoking Ordinance and he knows the Health Department is working on those amendments.

3. E-Mail from Christy Aggens - RE: Liquor Ordinance. — NO COMMENTS
4. E-Mail from Peggy Struwe, President, Hawley Area Neighborhood Association - RE: Liquor Ordinance. — NO COMMENTS
5. E-Mail from Carol Brown - RE: Block parties - (Joan Ray forward this E-Mail to Council on 3/17/04)(Copy of this E-Mail on file in the City Council Office). — NO COMMENTS
6. Letter from Bob Norris - RE: Three issues - All three of these points are areas that I feel the Neighborhood Alliance could help with, as far as public awareness and promotion of solutions are concerned. — NO COMMENTS
7. E-Mail from Jo Bunstock, Assistant Athletic Director, SWA to Fire Chief Mike Spadt - RE: Lincoln Fire & Rescue service. — NO COMMENTS

Mr. Cook asked Mr. Camp if he went through the Addendum. Mr. Camp stated to Mr. Cook ‘no’, he had not and asked him if he would help him out on it. Mr. Cook noted that there’s a number of letters regarding the Near South permit for “Russ’s”, which will be before them today and they may vote on it today. Mr. Cook stated that he likes the letter from MADD to the Liquor Commission, he’s glad that they’re following up on the denial issue.

ADDENDUM - (For March 22nd)

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 9:30 a.m. Friday, March 19th during the Earth Wellness Festival at Southeast Community College, 8800 “O” Street. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Kicks Off Environmental Awareness Days At Earth Wellness Festival. — NO COMMENTS
3. NEWS RELEASE - RE: Public Meeting Set On Vine Street Improvements. — NO COMMENTS
4. NEWS RELEASE - RE: Cable Advisory Board Plans Special Meeting. — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS - NONE

B. DIRECTORS AND DEPARTMENT HEADS

PLANNING

1. Letter from Jean Walker - RE: Comprehensive Plan Amendment No. 04017 - Change of Zone No. 04018 - Miscellaneous No. 04001 and Miscellaneous No. 04002 - (Proposed Text Amendments to the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, City of Lincoln Design Standards and the Drainage Criteria Manual adopting Flood Standards for New Growth Areas). — NO COMMENTS
2. Letter from Brian Will to Brian Carstens - RE: Vavrina Meadows 16th Addition - Final Plat #03074. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Report - RE: The City Of Lincoln - Lincoln Standard Plans 2004 - From The Office Of The City Engineer - (Copy of this Report on file in the City Council Office). — NO COMMENTS

C. MISCELLANEOUS

1. E-Mail from Scott Baird - RE: Special Permit #1583A. — Mr. Cook commented about this issue earlier. (See those comments)
2. Letter from Ron E. Ross, P.E. President, Ross Engineering, Inc. - RE: Sterling University - Stadium View: Phase II - North 1st Street and West Charleston Street - Lincoln, Nebraska - REI Project No. 129802-D. — NO COMMENTS
3. Letter from Jennie Pieken, student, freshman animal science major at the University of Nebraska-Lincoln - RE: We are currently working on an issue in our community for my English class - chose the issue of public transportation in Lincoln. — NO COMMENTS

4. Letter from Simera Reynolds, M. Ed., Executive Director, MADD Nebraska to Mr. Hobert Rupe, Executive Director, Liquor Control Commission - RE: Looking for the number of applications in the last 12 months that have been recommended denial, at the local level, by either the County Commission or the City Council. — Mr. Cook commented about this letter earlier. (See those comments) [No response needed this letter was to the Liquor Commission itself and they were just copied on it.]
5. 4 - E-Mail's from Melissa Landis; William Carver; Andy Beecham; Cathy Beecham - RE: Special Permit #1583A. — Mr. Cook commented about this issue earlier. (See those comments)

IV. DIRECTORS

PUBLIC WORKS & UTILITIES DEPARTMENT - Nicole Fleck-Tooze stated to Council that she has a couple of things for them related to items on their Agenda. Ms. Tooze stated to Council that on Item 8 [Repealing Ordinance No. 18139 which created Paving District No. 2625 in North 57th Street, Fremont to Hartley, due to the lack of majority petition] just so they're aware of course when they bring it forward to them, they do have a couple of people that have submitted applications for approving unit. Ms. Tooze stated to Council that this section does meet the standards they have for that paving, so the appropriate thing to do today, since they don't have majority petition would be to repeal this with the district that they would have with that paving unit before them. Mr. Cook asked Ms. Tooze what's their percentage, right now? Ms. Tooze stated to Mr. Cook that actually she believes their at 0% right now, which she's not quite sure why that is and she may have a better answer for them this afternoon because they have two people she thinks that would be effected sign the applications for the unit. Ms. Tooze stated to Mr. Cook that she believes the father of the requester is actually within the boundaries of the district and she thinks that's one of the people that signed on for the paving unit and she doesn't know why they didn't sign for the district, if it was just because it appeared that there wouldn't be a majority. Mr. Cook asked Ms. Tooze if anyone can sign for a paving unit even if they don't live within the area effected. Ms. Tooze stated to Mr. Cook 'yes', they can. Mayor Seng commented to Council that she encourages them all to try to drive that street, right now.

Nicole Fleck-Tooze stated to Council that they have an item on Pending that's for the alley from 26th to 27th between "O" & "N" Street [Item 31 - Vacation 03014 - Vacating a portion of the east- west alley from vacated South 26th Street to South 27th Street, between "N" and "O" Streets] that they had raised some questions a couple of weeks ago and that will be back up before them next Monday. Ms. Tooze stated to Council that she thinks one of their questions was whether the applicant would be interested in a lease agreement and they have touched base with Mike Rierden and she doesn't think they've heard back since he's visited with his clients, but his initial reaction

was 'no' that wasn't an interest of theirs. Ms. Tooze stated to Council that they had some other questions that related to [inaudible] for example should they be allowed egress only instead of engross and what about taking access to 26th Street, etc. and she doesn't know how they want them to go about it. Ms. Tooze stated to Council that she can address those issues for them right now or if they would like them in a memo before next week that there are some reasons why none of those were selective options. Discussion continued with Council, Nicole Fleck-Tooze and Dana Roper on this issue with comments from the Council. Following discussion, Ms. Newman stated to Nicole Fleck-Tooze that they would like a memo with all the things and all their options in it. Ms. Tooze stated to Ms. Newman okay, they'll get a memo to them. Ms. Newman 'thanked' Ms. Tooze.

Roger Figard stated to Council that in regards to Item 13 [Approving an Interlocal Agreement between the City and the Lincoln/Lancaster County Railroad Transportation Safety District for the funding of the Antelope Valley Project, Phase 1 "Amended Draft Single Package" from its 2003-2004 budget year] he's got a conflict with the Legislature this afternoon and so he just wanted to know if they had any questions on this item. Mr. Figard stated to Council that the interlocal is simply the form adopted in which the RTSD is authorizing transferring budgeted money from their budget to the City for the assistance and participation of Antelope Valley. Mr. Figard indicated to Council so by their approving they're just agreeing to accept the money that the Districts have already sent over. Mr. Figard asked Council if they see any need for him to be at the Council Meeting this afternoon. Mr. Friendt commented to Mr. Figard 'no', he doesn't. Mr. Figard stated to Mr. Friendt okay. Mr. Camp commented to Mr. Figard that they've got the chair here for the RTSD, so he will do interference for him and he 'thanked' Mr. Figard for asking. [Council had no questions for Mr. Figard.]

LAW DEPARTMENT - Dana Roper stated to Council that they got a good decision from the Supreme Court involving the statute of limitations on an Urban Development loan and Jim Faimon was able to get the District Court decision reversed by a Supreme Court. Mr. Roper stated to Council that they were attempting to correct it at a \$23,000 loan and there's a question of whether the [inaudible], so this can be useful to them in the future when they try to collect those loans. Mr. Camp commented to Mr. Roper 'congratulations' and asked him to pass that on to Jim Faimon.

V. CITY COUNCIL MEMBERS

KEN SVOBODA

Mr. Svoboda stated to Dana Roper is this denial only for those who filed claims on mailboxes and asked him what about turf and sprinklers. Mr. Roper stated to Mr. Svoboda the same situation those people by enlarge haven't filed claims, he thinks that there's a whole lot more of those out there than had filed claims, he would suspect a whole world out there of that kind of damage that is not on the list. Mr. Roper stated to Mr. Svoboda that these are only people who have filed claims with the City and the mailbox count, he thinks is what people are filing their claims on, not on the turf and sprinklers. Mr. Svoboda commented to Mr. Roper have people been told to the contrary because he has a customer that called and said go ahead with the estimate that they gave him on repairing the turf along his curb that the City tore up with their plow because the City is paying for it, so whatever it costs. Mr. Svoboda stated to Mr. Roper that this gentleman didn't realize that he was talking to him when he called in and so he didn't say anything, but he's under the impression that the City is going to be taking care of it. Mr. Roper stated to Mr. Svoboda that they haven't been saying that, he doesn't know if Public Works is or if there's some other statements that are being made, but they have not been saying it. Mr. Svoboda stated to Mr. Roper okay.

Mr. Svoboda stated that he would like to see Marc Wullschleger after the Directors' Meeting today and he would also like to see someone from the Parks & Recreation Department after the meeting today. [Lynn Johnson not present, but Jerry Shorney is present today.] Mr. Svoboda stated to Jerry Shorney that he would like to visit with him after the meeting.

ANNETTE McROY - NO COMMENTS

TERRY WERNER - NO COMMENTS

JON CAMP

Mr. Camp stated that he has a question of Public Works regarding the railroad whistles and toting their horn. Mr. Camp stated that he got nailed the other night by some people and they said that they live near the Penitentiary and they said like between 2:00 a.m. & 3:00 a.m. in the morning it is just getting really bad that there's like 30 to 40 blowing of the horns. Dana Roper commented to Mr. Camp is he talking about train whistles. Mr. Camp stated to Mr. Roper 'yes'. Mr. Roper stated to Mr. Camp that they're completely out of that, totally out of the loop. Mr. Roper stated to Mr. Camp that is a Federal level matter that's really something that they don't have any control over.

Mr. Roper indicated to Mr. Camp that he thinks there's a town in Colorado that has litigated on this extensively because of that reason trains blowing whistles, but no this is a burden on Interstate Commerce and they don't have a 'dog in this fight'.

Mr. Cook commented 'well', yes and no, maybe, there's a new regulation from the Federal Railroad Administration that he just asked Joan Ray to make a copy of an article for all of the RTSD Board Members and Roger [Figard] about something on this issue. Mr. Cook stated that he will also ask her to make a copy for all of the Council Members, which is a 3 page article and they all got it in their packets on the Nebraska Municipal Review, but maybe not everybody has had a chance to read it. Mr. Cook commented that it's highly complicated, but it does allow for local cities to set up quiet zones and so on if certain requirements are met, but now whether or not that would be the case in this circumstance, he has no idea. Dana Roper stated that he needs to look at Jonathan's material because he didn't see it. [Copy of the Material from Jonathan Cook is on file in the City Council Office-RE: FRA issues final interim rule governing use of train whistles at public highway-rail crossings.] [Tammy Grammer gave a copy of this material to Dana Roper after the meeting.]

GLENN FRIENDT

Mr. Friendt commented that they have it on the Agenda for the "Noon" Meeting today to talk about Herbert Friedman's request that the City Council Members be at the next Cable Advisory Board and it still seems vague to him as to what Herbert is asking for and asked if someone knows, what he is asking. Diane Gonzolas stated to Mr. Friendt that she thinks that he is trying to find out from people what the Cable Advisory Board should be doing that they're not doing now. So, she thinks that he is just asking for someone to come as a representative from the City Council even though there isn't one officially on the board that there isn't a slot for a City Council representative. Mayor Seng stated to Mr. Friendt that he's a new chair and he's trying to reorganize it and get some enthusiasm going, she believes. Mr. Camp commented that maybe Jonathan [Cook] should go. Mr. Cook indicated that he was on the Cable Franchise Negotiation Sub-Committee, which is fallen apart because they don't have any on going negotiations, they won't agree to anything and the Advisory Committee itself, he just looks at the minutes. Ms. Newman stated that she thinks Jonathan [Cook] should be there.

PATTE NEWMAN

Ms. Newman stated that she would like to speak to Roger [Figard] after the Directors' Meeting today.

JONATHAN COOK

Mr. Cook stated that he would like to speak to Lynn Johnson as well, but he's not here today. Jerry Shorney stated to Mr. Cook that's correct. Mr. Cook stated to Mr. Shorney okay, well, maybe he can talk to him after the Directors' Meeting today. Mr. Shorney stated to Mr. Cook okay.

Mr. Cook stated that he would also like to speak to Roger [Figard] or Nicole [Fleck-Tooze] after the Directors' Meeting today.

Mr. Camp adjourned the meeting.

VI. MEETING ADJOURNED - Approximately at 11:40 a.m.

dm032204/tjg