

**DIRECTORS' MEETING
MONDAY, MARCH 13, 2006 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. NEWS RELEASE - RE: Mayor Presents February Award of Excellence (See Release)
2. NEWS RELEASE - RE: Mayor's Committee for International Friendship to Host Multinational Group (See Release)
3. NEWS RELEASE - RE: Mayor to Award Grants to Nine Neighborhood and Community Groups (See Release)
4. NEWS RELEASE - RE: New N. S. A. A. Headquarters Planned for Haymarket Park. (See Release)
5. NEWS ADVISORY - RE: Mayor Seng and Nebraska School Activities Association News Conference on Thursday, March 9, 2006 (See Advisory)
6. Washington Report, March 3, 2006 (See Attachment)

II. DIRECTORS

FINANCE

1. Letter from Jane Tillman, RE: BKD Management Letter (See Letter)
2. Report from Jane Tillman RE: 2005 Comprehensive Annual Financial Report (CAFR) (See Attachment)
3. Material from Don Herz RE: Street Light Financing (City of Lincoln, Certificates of Participation, Series 2006) (See Material)

FINANCE/BUDGET

1. Material from Steve Hubba RE: Journal Star City Expenditures and Journal Star Report. (See Material)

HEALTH

1. News Release sent by Elaine Severe RE: Lincoln-Lancaster County Health Department Providing Special HIV/STD Clinic Tonight. (See Release)

PARKS AND RECREATION

1. Memo from Lynn Johnson RE: Resolution 06R-34, Agreement between the City and the Nebraska Department of Roads Associated with the Linear Park on the North Side of the South Beltway. (See Memo)

PLANNING

1. Memo from Marvin Krout RE: Comprehensive Plan Amendment No. 05010- 40th and Rokeby Road Notification from Planning Department (See Attachment)
2. Letter from Brian Will to Nichole Pecka RE: Rolling Hills Ridge 1st Addition Final - FPPL#05133, Generally Located at South 21st and Ridgeline Drive. (See Letter)

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 06006 (Off sale alcohol - North 33rd and Superior Street) Resolution No. PC-00981.

PUBLIC WORKS AND UTILITIES

1. Response email from Scott Opfer to Ken Svoboda RE: Trucks legally parking along S. 26th Street and E Street. (See email)
2. Letter from Randy Hopkins to Ron Shelley, 930 Old Cheney Road RE: Old Cheney Road from Salt Valley View to the Railroad Tracks - Parking. (See Letter)
3. Letter from Randy Hopkins to John Zimmer IV, 920 Old Cheney Road; Paul & Kathy Arndt; Joannie Miller; Jack Loos and Scott Loos RE: Old Cheney Road from Salt Valley View to the Railroad Tracks - Parking. (See Letter)
4. Letter from John Callen to City Council Members RE: Draft Technical Information for Salt Creek Floodplain Mapping Update. (See Letter)

STARTRAN

1. Memo from Larry Worth RE: Summary of StarTran Town Hall Meeting of 02/25/06 (See Memo)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

KEN SVOBODA

1. Letter to Mayor Seng RE: Urging Kennel Contract Request for Proposal Process to Begin. (See Letter)

V. MISCELLANEOUS

1. Email from Keith Dubas - RE: Theater Policy (See Email)

2. Email from Latch's, Inc. with Attached Purchasing Alliance Contract No. 42595 Recommendation from Vince Mejer, Purchasing Agent. (See Email and Attachment)
3. Email from Stephanie Dohner RE: Council Feedback on Drug Court Graduations. (See Email)
4. Email from Barbara Haith RE: Multiplex Theaters. Theater Competition Healthy for City and Opposed to City Supported Monopoly. (See Email)
5. Email from Jamie Ivey RE: Stop light at 27th and Wildcat Drive.(See Email)
6. Email from Barbara Loos RE: Construction at 48th and "O" Streets. During Construction Intersection Dangerous. (See Email)
7. Email from Brad Loos RE: 48th and "O" Street Construction. Safety Concerns for Pedestrians and Drivers. (See Email)
8. Email from Mitchell Cohn RE: Disagree with Douglas Theater Policy. (See Email)
9. Email from Martell Hergenrader RE: Left Hand Turn on N. 27th Street from Fletcher to I-80. (See Email)
10. Email from Kim Gibson RE: Oppose Right Turn Only Medians at 27th and Wildcat Drive. (See Email)
11. Letter from Jeffrey Tangeman, President, Everett Neighborhood Association, to Stuart A. Marx RE: Opposition to Ray's Luv Shop, 1415 South Street. (See Letter)
12. Media Release from Community Health Endowment of Lincoln RE: Community Health Endowment Seeks Applicants for Innovative Projects to Combat Methamphetamine. (See Release)
13. E-mail, Note and Letter, from Fred Freytag RE: "O" Street Widening Project at 46th Street. (See Email)
14. Newspaper Article sent from Keith L. Hatfield RE: Port Richey Water Impact Fee to Increase After 16 Years. (See Article)

VI. ADJOURNMENT

**DIRECTORS' MEETING
MINUTES
MONDAY, MARCH 13, 2006
CONFERENCE ROOM 113**

Council Members Present: Ken Svoboda, Chair; Patte Newman, Vice-Chair; Dan Marvin, Jonathan Cook, Robin Eschliman, Jon Camp, Annette McRoy.

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Rick Hoppe, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative; and Coby Mach, LIBA.

I. MAYOR

Mayor Coleen Seng stated in regards to their last Pre-Council morning on the Police & Fire Pension Audit, Don Taute (Personnel Director) talked about some legislation coming forward. If you recall when we were working on the budget there was the figure of \$179,500 (inaudible) to our level that we needed to be and so Council will be receiving that legislation. We have been working on this for a long time.

Mayor Seng commented Ken (Svoboda) you had a letter in the packet about talking with the Nebraska Humane Society, she thinks Wednesday they are coming to Lincoln. She knows that he had a tour of the facility and everything she has heard is pretty good. Mr. Svoboda commented impressive facility, impressive group.

[Diane Gonzolas handed out a letter to Council-RE: 84th & Adams Street proposed development.] Mayor Seng stated she has a statement regarding 84th & Adams and read it to Council. After reading statement, she commented that's what she is recommending and hoping that someone will be willing to do this amendment which Dana Roper has for them. Mr. Roper handed out copies of the amendment to Council. *[See Attachments 'A' and 'B'.]*

Mayor Seng called on Directors. Police Chief Casady reported there were some prostitution arrests over the weekend. Saturday morning, Sergeant Mike Bassett, Sergeant Tim Kennett and I were at a meeting at the 'F' Street Community Center for couple hours. It was a really good meeting had about 40 people attend, stakeholders, people in the Near South and South Salt Creek neighborhood attended the meeting. We had a lot of good dialog about some of the problems and challenges the neighborhood is facing, one of the things that we heard a lot of

concern over was the number of people that are driving through the area and apparently looking for prostitutes, although, we made a lot of prostitution arrests in this general vicinity that night. That night we put an undercover unit out and in about three hours from about 10:30 p.m. Saturday night until 1:30 a.m. Sunday morning we arrested 5 men who had offered anywhere from \$10.00 to \$40.00 our undercover officer for sex acts. Two people approached her and offered to be her business manager; 5 men offered as he said money for sex; two people approached her and wanted to know if she had any drugs that she could sell them; one prostitute approached her and basically told her to get off her corner; and another prostitute approached her and kind of befriended her and gave her advice on how to pursue her trade more effectively and offered her a place to live. Chief Casady commented we are not going to let this happen, we're going to continue to work hard in this neighborhood to try to arrest people that are committing these kinds of acts and we will not stand by and let people that are cruising through this neighborhood looking for prostitutes or people who are committing acts of prostitution take over a neighborhood.

Mr. Marvin thanked Chief Casady for doing that, it is certainly needed. He has talked to people over at LAP about trying to get some kind of a patrol officer in that area and he would like him to consider it and if that is something they can work in their budget or not. Chief Casady stated 'Free To Grow' is a project of the Robert Wood Johnson Foundations funded by them but works for the head start to provide basically mental health services and substance abuse services to families of young children. It has been a real effective program in Lincoln for that area which it was targeted for, he thinks that's largely because it was a very small area and was selective for those exact problems. Chief Casady commented he is really disturbed by this, and we are not going to let it go, we are going to continue to do these undercover details.

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1. NEWS RELEASE - RE: Lincoln-Lancaster County Health Department Providing Special HIV/STD Clinic Tonight. — NO COMMENTS

PARKS AND RECREATION

1. Memo from Lynn Johnson - RE: Resolution 06R-34, Agreement between the City and the Nebraska Department of Roads Associated with the Linear Park on the North Side of the South Beltway. — Lynn Johnson stated this memo is regarding Agenda Item #7, after our meeting last week he had a chance to talk with Nicole Fleck-Tooze (Public Works & Utilities) and she talked to the Department of Roads representative. They are willing to do the same thing they are doing for the linear park for some of the floodplain area and so we are requesting this item be placed on pending until May 15th for public hearing and action. The Watershed Management Division has requested the agreement be

further amended to include areas of floodplain within the South Beltway corridor protection area. Requesting additional time to finalize the language of this amendment to the agreement. [*#7, 06R-34, Approving an Agreement between the City and State Dept. of Roads to identify a corridor for a linear park on the north side of the South Beltway between 27th & 84th Streets.*]

PLANNING

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2. Letter from Brian Will to Nichole Pecka - RE: Rolling Hills Ridge 1st Addition Final - FPPL#05133, Generally Located at South 21st and Ridgeline Drive. — NO COMMENTS

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STARTRAN

1. Memo from Larry Worth - RE: Summary of StarTran Town Hall Meeting of 02/25/06. — NO COMMENTS

III. CITY CLERK

City Clerk Joan Ross stated on their Agenda for today, they have the Mayor's Annual Award of Excellence.

Items 1 & 2 will be called together. [*#1, Application of Four Sons, Inc. dba Havelock Social Hall for a Class I liquor license at 4538 N. 62nd Street.; and #2, Manager application of Todd J. Corliss for Four Sons, Inc. dba Havelock Social Hall at 4538 N. 62nd Street.*]

Regarding Items 4, 5, & 6, she knows that John Hewitt will be at the meeting, should she call these items together or separate? Mr. Svoboda commented they are separate locations, but we have not seen any correspondence on denying any of these, so when can call them together and allow John to speak once. But, if we need to separate them out we will do so. [*#4, 06R-39, Approving Playmakers at 640 West Prospector as a keno satellite site.; #5, 06R-40, Approving Lancaster's at 3800 Old Cheney Road as a keno satellite site.; and #6, 06R-41, Approving Spikes Beach Bar & Grille at 2300 Judson as a keno satellite site.*]

She pointed out to Council some Motions-To-Amend, Item 17 has one; Item 22 has one through six; Item 23 has one through 7; Item 24 has one; and Item 26 has two.

Ms. Newman stated for Item 26 what is Amendment #1, it's been so long ago. She knows Amendment #2 is the one the Mayor just handed out to them. Ms. Newman asked City Clerk Joan Ross if she could make sure they all know what that is before they get that far today at the meeting? City Clerk Joan Ross said yes.

Mr. Cook commented he has some questions about a few different Agenda items. We have a memo from Rick Peo (City Attorney's Office) dated February 3rd that has an amendment #1 is this still relevant. Dana Roper (City Attorney) replied yes. This is a new Motion-To-Amend #2 which is very similar to the one that was presented back on February 3rd. Noting, there's an added sentence 'For the purposes of this square foot occupancy restriction, building shall include permanent outdoor sales and display areas'. Also, 05-165A & B these amendments are for 'B' clarifying A is the south side of the street and the residential and it already contains a restriction of 100,000 square feet on the south side commercial; and 'B' is the larger development. He just wants to make sure he has that cleared and Rick Peo's memo is still correct, but as far as an annexation agreement or anything else at this point nothing is signed. City Clerk Joan Ross stated correct and indicated Items 27 & 28 go to pending. City Clerk Joan Ross stated they will have to bring something forward. Marvin Krout (Planning Director) stated generally there would be motions on Items 27 & 28 and then be placed on pending indefinitely.

Regarding the landscaping ordinances, should he ask his questions now because they may require couple of additional amendments to be prepared. Mr. Svoboda stated he thinks instead of doing it here, he would just a soon do it on the dias if there's additional amendments. Mr. Cook indicated they need to be written up. Indicating he wanted to ask about on Item 24 (06-6) which is the various widths and tree deal, there's an amendment that will handle the tree issue. He had a question about page 2/line 1 which was the 100 feet for nonurban major streets, we have passed RUTS and RUTS specifically talks about 120 feet. So, he's wondering if we should have an amendment now that we have this interlocal that deletes it and says in accordance with the Comprehensive Plan and Interlocal Agreements or something. Nicole Fleck-Tooze (Public Works & Utilities) commented yes. Mr. Cook commented okay maybe somebody could prepare that before today's meeting.

Regarding Item 22 (06-5) since we still have this issue of site distances and so forth under discussion, it specifically says that it would apply the design standards for zoning regulations. But, can we clarify and add maybe the words Title 3 of the design standards because that's the zoning regulation portion. Mr. Cook commented he will check with Dana Roper (City Attorney) after the meeting to point out exactly what he is talking about. Mr. Svoboda asked Marvin Krout (Planning Director) if they could delay for one week again in order to prepare the amendments? Adding, Mr. Cook can work with Dana (Roper) and Marvin (Krout) to put those together. Mr. Krout indicated he would rather delay them especially since Rick Peo (City Attorney's Office) is out today.

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP -

Mr. Camp stated in yesterday's newspaper Deena Winter had a big article on compensation and he is kind of concerned from an accountability standpoint, it talks about Dave Engler making \$54,000 annually. Mr. Camp commented Don Herz (Finance Director) or Don Taute (Personnel Director) according to information that you provided in 2005 Mr. Engler made \$64,704.67 which is \$10,000 higher than what is recorded and then also in 2004 he made \$61,751.07. He was wondering if they could explain the variance in those numbers. Don Herz stated he did not talk to Dave so he does not know where they came up with that number. Noting, he was in the pre-council this morning so he has not had a chance to actually look at that difference but he plans to look at it over the lunch hour. Don Taute stated the information that was provided to the newspaper was just full-time employee regular pay, it did not include any overtime cost for any employee in the list that is in the article with respect to the numbers you just mentioned. He can only assume that would of been included in the speciality pay or overtime something

along those lines which are not going to be included in the numbers that we provided that are off of our payroll system the actually cost to the department for purpose of total employee compensation. Maybe the information (inaudible) finance would have been W-2 information which would be the only thing he could address without looking at it specifically. Mr. Camp commented the article said it included overtime. Mr. Taute commented he's not sure that would be accurate, but he does not know that for a fact without looking at it. He can look at the information that the newspaper was given for that particular individual and tell you exactly what it was. Mr. Camp commented okay, he thinks it's important to clarify because it is off quite a bit.

JONATHAN COOK -

Mr. Cook stated he would like to speak with Karl Fredrickson (Public Works & Utilities Director), Police Chief Casady, and I think Lynn Johnson (Parks & Recreation Director) wanted to talk to me. Mr. Cook asked Lynn Johnson if he called the guy who was asking about (inaudible). Mr. Johnson stated he has not spoke with him yet but he will call him again today. Mr. Cook stated okay.

ROBIN ESCHLIMAN - NO COMMENTS

DAN MARVIN -

Mr. Marvin mentioned he has an appointment today from 12:00 to 1:00 p.m.

ANNETTE McROY -

Ms. McRoy stated it's baseball season and she is already getting e-mails about parking and traffic in the North Bottoms. So, she wanted to talk with Ann Harrell, Police Chief Casady and Public Works about what we've done in the past and when we're going to start doing enforcement down in the North Bottoms.

PATTE NEWMAN -

Ms. Newman stated Mayor Seng received the Girl Scouts' highest honor, the "Thanks Badge II for Continuing Service". Ms. Newman asked Mayor Seng to tell us about it? Mayor Seng commented the pin is right here and showed them. It was a very nice award, it's a Girl Scout Award from the National Organization who presented it to her on Saturday morning. It was very enjoyable and thanked Patte (Newman) for asking. Everyone congratulated Mayor Seng.

Ms. Newman stated she has a question about the smoking ban and how it is being enforced. She has heard there are people smoking in the Country Club and it's not being enforced; there are two bars downtown Duggan's and Beacon Lounge that got building permits approved by the Health Department and then the Police have gone in and cited them after they have done what they said they were going to do with approvals; heard something about Foxy Lady and then heard about (inaudible) shop. Ms. Newman asked Bruce Dart (Health Director) if he can tell them how these things are being handled? Bruce Dart commented we can have this discussion after the meeting is over, if she would like, but he thinks they are being consistent across the board. Some of the information that she just brought out is not completely accurate, we are checking some of the places. Ms. Newman asked if it's on a complaint basis of how they are enforcing it? Mr. Dart stated they're doing checks on facilities that we knew choose not to be in compliance and the rest are complaint basis. Ms. Newman thanked Mr. Dart, they'll talk afterwards.

Ms. Newman commented to Karl Fredrickson (Public Works & Utilities Director) do you want to talk about "O" Street on detours and what's going on there since we are hearing back from people. Karl Fredrickson stated we are underway in construction and removal of pavement. The detour seems to be working quite well, the times that he has drove it during peak hours seem to be going quite well. He thinks the newspaper and the radio stations have done a fabulous job of informing people. The flip side of that there is a lot of people avoiding "O" Street and businesses are now after a week have been starting to say their business has dropped off. We know that street construction impacts businesses, we do have access to all those businesses so people can get to them, but traffic does flow smoothly.

KEN SVOBODA -

1. Letter to Mayor Seng - RE: Urging Capitol Humane Society Request for Proposal Process to Begin. — Mr. Svoboda stated to Tammy Grammer on the Directors' Agenda under his Council requests could she change the wording where it says "Urging Capitol Humane Society Request" to "Urging Kennel Contract Request", so it is correct on the Agenda. Tammy Grammer stated okay.

V. MISCELLANEOUS

1. E-Mail from Keith Dubas - RE: Theater Policy. — NO COMMENTS
2. E-Mail from Latch's, Inc. with Attached Purchasing Alliance Contract No. 42595 Recommendation from Vince Mejer, Purchasing Agent. — NO COMMENTS

3. E-Mail from Stephanie Dohner - RE: Council Feedback on Drug Court Graduations. — NO COMMENTS
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12. Media Release from Lori Seibel, Community Health Endowment of Lincoln - RE: Community Health Endowment Seeks Applicants for Innovative Projects to Combat Methamphetamine. — NO COMMENTS
13. E-Mail & Material from Fred Freytag - RE: “O” Street Widening Project at 46th Street. — NO COMMENTS
14. Newspaper Article from Keith L. Hatfield - RE: Port Richey Water Impact Fee to Increase After 16 Years. — NO COMMENTS

ADDENDUM - (For March 13th)

I. MAYOR -

1. NEWS RELEASE - RE: Mayor Seng's Public Schedule Week of March 11 through 17, 2006-Schedule subject to change. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Seng To Receive Girl Scouting's Highest Adult Award Saturday. — NO COMMENTS
3. NEWS RELEASE - RE: Open House Set On Stormwater Improvements. — NO COMMENTS
4. NEWS RELEASE - RE: Public Invited To Meeting On Southwest Wastewater Facility. — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Maribeth Milner - RE: I support the current Neighborhood Center Plan. — NO COMMENTS
2. E-Mail from Fay Welsch - RE: Please DENY the Wal-Mart at 84th & Adams area. — NO COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:43 a.m.

dm031306/tjg



MAYOR COLEEN J. SENG

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March 13, 2006

TO - City Council
FROM - Mayor Coleen J. Seng *CJS*
RE - 84th & Adams Street proposed development

During the past few weeks, I have had a number of conversations with the developer and his representatives about the residential and commercial project proposed at 84th and Adams streets. I have kept the conversations low key to respect the confidentiality of the private developer. As I said last December, this is a land use issue and I examine it from that perspective.

The project proposes to expand the housing in Lincoln and create a new neighborhood of more than 1,100 residential dwellings. The housing development is linked with a retail development. The retail center exaggerated the definition of a neighborhood center by proposing an oversized "big box" anchor store. The proposed oversized big box store would have been larger than the largest big box store in the largest regional shopping centers in Lincoln. Neighborhood centers range in size up to 250,000 square feet (sf) and include a variety of services offered by a variety of retail operations dividing up the commercial footage.

Neighborhoods tend to want to locate near those types of neighborhood commercial centers. This has been a question of how large of a big box building is appropriate in a neighborhood shopping center. A big box of 230,000 sf more accurately fits in larger shopping centers. The City Council earlier rejected a Community Center designation for this site. The originally proposed single large oversized big box of nearly 230,000 sf of retail space under one roof does not fit a neighborhood center.

Some members the Council had talked about 100,000 square feet as a possibility. That started the discussion. We have looked at what has been range of "big box" anchors in neighborhood centers to determine what would be appropriate for a "big box" in new neighborhood center.

The anchor building in several existing neighborhood centers generally occupy between 52 percent and 72 percent of the total retail square footage of those neighborhood shopping centers. As a land use question it appears logical that something larger than 100,000 sf is appropriate to apply to this new situation in order to maintain the neighborhood character of a new neighborhood shopping center in a new neighborhood.

In reviewing the information and consulting with Planning Department, I believe 175,000 sf is acceptable and can accommodate retailers. An anchor store of 175,000 sf would be of similar ratio and maintain the character of the traditional neighborhood centers that we have in Lincoln. This would also be appropriate to apply to other new neighborhood centers.

The Law Department has prepared an amendment to allow a big box store of 175,000 square feet in a neighborhood shopping center to reflect this decision. It would maintain the character of a neighborhood shopping center and allow retail services in the area.

FAFILES\MAYOR\2006,MayorSeng,Letters,Speeches,Memos\CityCouncil,03-13-2006,84th&Adams.wpd



05-165B

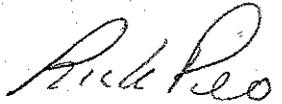
SUBSTITUTE
MOTION TO AMEND NO. 2

I hereby move to amend Bill No. 05-165B in the following manner:

1. On page 5, line 29, insert an open parentheses in front of the number "50,000."
2. On page 5, line 30, after the closed parentheses following the word "criteria", insert the following language: provided that no more than a total of 175,000 square feet, may be occupied in a single building. For the purposes of this square foot occupancy restriction, building shall include permanent outdoor sales and display areas.
3. On page 5, line 30, strike the first "and" and insert the words This approval also grants before the word "waivers."

Introduced by:

Approved as to Form & Legality:



Chief Assistant City Attorney

Requested by: Planning Department

Reason for Request: To limit the maximum size of a single commercial building on the north side of Adams Street to 175,000 square feet.