

**DIRECTORS' MEETING**  
**MONDAY, NOVEMBER 5, 2007**  
**11:00 A.M.**  
**COUNTY/CITY BUILDING**  
**CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. NEWS RELEASE - RE: Mayor Presents September Award of Excellence to Tim Beckman, Public Works & Utilities Department, StarTran Field Supervisor.
- \*2. NEWS RELEASE - RE: Public Invited to Dedication of Prairie Building Addition Tuesday, October 30, 2007 at 4:00 p.m.
- \*3. Washington Report, October 19, 2007.
- 4. NEWS ADVISORY - RE: The media invited to cover the annual meeting between the Lincoln and Omaha City Councils on 11/01/07 at Haymarket Park.
- 5. Washington Report, October 26, 2007.

**II. DIRECTORS**

**CITY ATTORNEY**

- \*1. Memo from City Attorneys' Office - RE: Randy Thimm Claim Against City.
- \*2. Letter to Randy Thimm from Connor Reuter, Assistant City Attorney - RE: Claim Against City.

**FINANCE**

- 1. Memo from Don Herz, Finance Director. EMS Reports.
  - a) Billing Data to September 1, 2007; and
  - b) EMS Receipts and Expenditure Data to September 1, 2007.

**FINANCE/BUDGET**

- \*1. October Sales Tax Reports for the Month of August:
  - a) Actual Compared to Projected Sales Tax Collections;
  - b) Gross Sales Tax Collection (with Refunds Added Back In) 2002-2003 Through 2007-2008;
  - c) Sales Tax Refunds 2002-2003 Through 2007-2008; and
  - d) Net Sales Tax Collection 2002-2003 Through 2007-2008.

**FINANCE/TREASURER**

- \*1. Investment Report for Quarter Ending May 31, 2007.

**HEALTH**

- \*1. NEWS RELEASE - RE: Last Household Hazardous Waste Collection.
- \*2. NEWS RELEASE - RE: Safe Kids: Lincoln-Lancaster County Provides Halloween Safety Tips.

**PLANNING**

- \*1. Annexation by Ordinance #18991 - Effective: October 2, 2007, 39.5 Acres.
- \*2. Memo from Marvin Krout, Planning Director - RE: Bike Lanes Update.
- 3. Firethorn 27<sup>th</sup> Addition - Final Plat #07060 - Generally Located at South 84<sup>th</sup> Street & Montello Road.

**PLANNING COMMISSION**

\*1. Action by Planning Commission, October 24, 2007.

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

1. Special Permit #1992A - Edenton Woods Community Unit Plan (Ashbrook Drive & Hwy 2) - Resolution No. PC-01085.
2. Special Permit #07045 - Alltel Wireless Facility (South 74<sup>th</sup> Street & Saltillo Road) Resolution No. PC-01086.

**PUBLIC WORKS & UTILITIES**

\*1. ADVISORY - RE: 16" Water Main Project in Holdrege Street to Start - Executive Order No. 79014.

**III. CITY CLERK**

\*1. LES Resolution 2007-14.

**IV. COUNCIL REQUESTS/CORRESPONDENCE**

**JONATHAN COOK**

\*1. Correspondence from Alison Stewart - RE: Support of Proposed Bus Routes.

**DAN MARVIN**

\*1. Letter from Luke Scholl - RE: Do Not Demolish the Jack Magorian Shooting Range.

**V. MISCELLANEOUS**

- \*1. Email from Randy Ralston - RE: Approval of Bringing Capital Humane Society into Discussion of Contracting Both Animal Control and Animal Sheltering Services.
- \*2. Email from Darrell & Donna Best - RE: Date of Expiration of Lincoln Fire Departments Emergency Ambulance Contract?
3. Email from Gabby Evans, Stephen Memorial Animal Shelter Director, Oskaloosa, IA - RE: Animal Control in Lincoln.
4. Email from LaDonna VanArsdall - RE: Keep Capital Humane Society from Taking Over Animal Control.
5. Email from Elizabeth A. Snuttjer - RE: Animal Control Needs to be Separate from the Humane Society.
6. Lincoln Electric System (LES) Document Review of 2008 Operating and Capital Budget (Material for Pre-Council on 11/05/07 at 10:00 a.m.)
7. Email from Joyce Porter - RE: Consider an Alternative to Having the Lincoln Humane Society Getting Involved in Animal Control.
8. Email from Richard O'Hearn - RE: Use Both North and South Bound Bike Lanes, Consider Some East West Lanes.
9. Letter from Christopher Jackson Ways - RE: Suggest Installing Drinking Fountains.

10. Note and Newspaper Article from Nancy Russell on State Fair Grounds.
11. Media Release from Lori Seibel, CHE - RE: Community Health Endowment Elects Officers.
12. Email from Marilyn Scheffler - RE: Mandatory Spay Neuter Proposal Comments.
13. Email from Laurie De La Cruz - RE: Comments on Animal Laws.
14. Letter from George Foster - RE: Opposed to a Contract with the Capital Humane Society for Animal Control Services. Supportive of Animal Control with City Staff.
15. Media Release from Lori Seibel, CHE - RE: Community Health Endowment Announces Funding for Fiscal Year 2007-2008.

## **VI. ADJOURNMENT**

**\*HELD OVER FROM OCTOBER 29, 2007.**

**DIRECTORS' MEETING  
MINUTES  
MONDAY, NOVEMBER 5, 2007  
11:00 A.M.  
COUNTY/CITY BUILDING  
CONFERENCE ROOM 113**

**Council Members Present:** Dan Marvin, Chair; Robin Eschliman, Vice-Chair; Jon Camp, Jonathan Cook, John Spatz, Ken Svoboda, Doug Emery

**Others Present:** Mayor Chris Beutler, Rick Hoppe, Trish Owen, Denise Pearce, Lin Quenzer, Mayor's Office; City Clerk Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff; and Deena Winter, Lincoln Journal Star Representative

Meeting convened at 11:12 a.m.

Location Announcement of the Nebraska Open Meetings Act: A Copy of the Nebraska Open Meetings Act is Located on the Wall at the Rear of this Room.

**I. MAYOR -**

Mayor Chris Beutler reported there is so much good news going on in the Mayor's Office involving meetings with different people that want to do things with the City, but once in a while you get some bad news. The State Forester Officer came into the Mayor's Office the other day and wanted to talk about a situation going on with ash trees that landed in Michigan and started devastating the ash trees in Michigan. It has now spread east to Pennsylvania and across Illinois in a westerly direction and it's expected only a matter of time before it gets to Nebraska in a matter of four to six years. About a fourth to a fifth of our tree cover are ash trees and they are expecting currently devastation along the lines of what happen to our elm trees a number of years ago. So, we are getting information from the Parks Department and we are going to send out a plan on what we need to do to prepare for the worse and eventually we will be talking to Council about it.

Lynn Johnson (Parks & Recreation Director) stated it's an Asian insect and it was imported they thinks with pallets or something and the first place it showed up as the Mayor said was in the upper Midwest. The insect itself moves about 300 feet the way it is moving is in fire wood and right now there is no control for it, science has not caught up with it yet. The estimate the State Forester had in terms of cost for removal and replacement of just the public trees is about \$38 million. Mayor Beutler commented remember our public trees are only about a fifth of our private trees. Mr. Johnson stated it's as close as eastern Iowa at this point and there's nothing we can do about it. The USDA is involved at this point, it has also been transferred with nursery sod and they are regulating fire wood movement and regulating sale of nursery sod as well and part of it is private that somebody loses a tree in their yard they cut it up and then they hale it to go camping or they

give it to somebody. The State Patrol is also being much more diligent about watching fire wood loads as they travel along the interstate corridors in this area as well. Mayor Beutler commented the problem has multiple aspects in the sense that people are still planting ash trees and developers are still planting ash trees in new developments and they probably should be more cautious. So, we need to think about all of these different things in terms of coming up with some kind of a policy that makes sense.

Dave Landis (Urban Development Director) reminded Council will convene as the Board of Equalization to equalize assessments for the Downtown Business Improvement District, The Core Business Improvement District Overlay and The Maintenance Improvement Business District. The Downtown Lincoln Association and Dallas McGee from his office will be at the meeting today.

- \*1. NEWS RELEASE - RE: Mayor Presents September Award of Excellence to Tim Beckman, Public Works & Utilities Department, StarTran Field Supervisor. — NO COMMENTS
- \*2. NEWS RELEASE - RE: Public Invited to Dedication of Prairie Building Addition on 10/30/07 at 4:00 p.m. — NO COMMENTS
- \*3. Washington Report, October 19, 2007. — NO COMMENTS
- 4. NEWS ADVISORY - RE: The media invited to cover the annual meeting between the Lincoln and Omaha City Councils on 11/01/07 at Haymarket Park. — NO COMMENTS
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## **II. DIRECTORS -**

### **CITY ATTORNEY -**

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**FINANCE -**

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**FINANCE/BUDGET -**

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- \*2. NEW RELEASE - RE: Safe Kids: Lincoln-Lancaster County Provides Halloween Safety Tips. — NO COMMENTS

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

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## **PUBLIC WORKS & UTILITIES -**

\*1. ADVISORY - RE: 16" Water Main Project in Holdrege Street to Start - Executive Order No. 79014. — NO COMMENTS

## **III. CITY CLERK -**

City Clerk Joan Ross stated they have a 'Miscellaneous Referral Sheet' today which is not attached but because we are not having a meeting next week, she thought they would just go ahead having the routine items. The Clerk's Letter and Mayor's Approval of Resolutions and Ordinances passed by the City Council on October 29, 2007. The Report from City Treasurer of franchise tax for the month of September 2007 from Aquila. The Report from City Treasurer of E911 surcharge for the month of August 2007: TWC Digital Phone LLC; September 2007: AT&T Comm. of Midwest, Level 3 Comm. LLC, TWC Digital Phone LLC; 3<sup>rd</sup> Quarter 2007: Windstream; and the report from City Treasurer of Telecommunications Occupation Tax. So, all routine items and placed on file and will be part of the Action Sheet.

For Item 11, they should have received in their packet a Motion-To-Amend #1. [*#11, 07R-227, Special Permit 1992A-Application of John and Andrea Schleich to amend the Edenton Woods 1<sup>st</sup> Community Unit Plan to allow an additional 33 dwelling units and to waive the maximum block length and to allow roll-over curbs, on property generally located at Ashbrook Drive and Highway 2.*]

For Item 15, they should have received in their packet a Motion-To-Amend #1. She also handed out a Motion-To-Amend #2 for this item. [*#15, 07R-229, Special Permit 07047-Application of Hoppe, Inc. to develop the 10<sup>th</sup> and Military Community Unit Plan for 61 multi-family units and 10 single-family attached units, with requested waivers of the required screening, reduction in parking, reduction in the front yard setback, stormwater detention, spacing of local streets to major streets, and minimum elevation of streets in a floodplain, on approximately 6.18 acres generally located at N. 10<sup>th</sup> Street and Military Road.*]

Mr. Cook commented regarding Items 11 & 15 on the Motions-To-Amend that were mentioned the Motions-To-Amend for 07R-227 and 07R-229 say requested by applicant as opposed to Motion-To-Amend #2 says requested by Tom Cajka in the Planning Department. Mr. Cook commented he has no problem with the Planning Department making requests but how is it the applicant can make a request to the Law Department to prepare amendments? Dana Roper (City Attorney) replied he does not think the applicant made the request to the Law Department, he thinks it must have been through the Planning Department. Marvin Krout (Planning Director) commented he has not seen those amendments, so he cannot tell him what they are. Mr. Cook commented he's just curious about it because really only Council members or staff should be able to prepare amendments and not applicants. Applicants should not be able to call the Law Department and ask for amendments to be prepared, if applicants want one

prepared they should call a Council member and the Council member should request it to the Law Department. He knows that's the way Mark Hunzeker does it, he will prepare it himself or he will talk to Council members. So, he was just wondering, if there was some procedural issue because these are controversial amendments and don't appear to have been requested by anyone but the applicant. Mr. Roper stated he will check on it.

\*1. LES Resolution 2007-14. — NO COMMENTS

#### **IV. COUNCIL REQUESTS/CORRESPONDENCE -**

##### **JON CAMP -**

Mr. Camp asked Dana Roper if they are any further on Randy Thimm's request on a claim other than denial about paint spray on his truck? Dana Roper (City Attorney) replied he will check on it, he thought they had referred it on to a contractor. Karl Fredrickson (Public Works & Utilities Director) responded he believes that's correct, they had to get a little more information about it, he thinks the contractor was there and that's why they are insured. Nicole Fleck-Tooze (Public Works) stated she thinks the problem was early on that it was a different location as Karl (Fredrickson) said they did not think there was a contractor in the location that had originally been provided but once they clarified that there was a contractor in the location which was the reason for the Law Department's denial. She thinks it has all been prepared by the Law Department and it is ready to go. Mr. Camp commented his understanding it was recommended denial. Mr. Roper responded recommended denial by the City because it's been referred to the contractor.

##### **JONATHAN COOK - NO COMMENTS**

\*1. Correspondence from Alison Stewart - RE: Support of Proposed Bus Routes. — NO COMMENTS

##### **DOUG EMERY - NO COMMENTS**

##### **ROBIN ESCHLIMAN - NO COMMENTS**

##### **DAN MARVIN - NO COMMENTS**

\*1. Letter from Luke Scholl - RE: Do Not Demolish the Jack Magorian Shooting Range. — NO COMMENTS

##### **JOHN SPATZ - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

**V. MISCELLANEOUS -**

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### **ADDENDUM - (For November 5<sup>th</sup>)**

#### **I. MAYOR -**

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of November 3 through November 9, 2007 - Schedule subject to change. — NO COMMENTS
2. NEWS RELEASE - RE: Lincoln Fire And Rescue Urges Residents To "Change Your Clock, Change Your Battery"(Council received Release on 11/01/07 in their Thursday packet). — NO COMMENTS

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

#### **III. CORRESPONDENCE -**

##### **A. COUNCIL REQUESTS/CORRESPONDENCE -**

###### **DAN MARVIN**

1. E-Mail Letter from Lisa J. Good - RE: City Maintenance Shop issues. — NO COMMENTS

##### **B. DIRECTORS AND DEPARTMENT HEADS - NONE**

##### **C. MISCELLANEOUS -**

1. E-Mail from Camilla Svoboda - RE: New Arena vs. existing buildings. — NO COMMENTS

2. E-Mail from Dick & Joyce Vosteen - RE: West Denton Road. — NO COMMENTS
3. E-Mail from Sara Beninghaus - RE: West Denton Road. — NO COMMENTS
4. E-Mail from SW McGovern - RE: Quest Center not big enough. — NO COMMENTS

[End of Addendum]

**VI. MEETING ADJOURNED - Approximately at 11:25 a.m.**

**\*HELD OVER FROM OCTOBER 29, 2007.**

dm110507/tjg