

**CORRESPONDENCE
IN LIEU OF
DIRECTORS' MEETING
MONDAY, JULY 4, 2005**

I. MAYOR

- *1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For May - (See Release)
- *2. NEWS RELEASE - RE: Equipment Malfunction Temporarily Interrupts 911 Phone Service -(See Release)
- *3. NEWS RELEASE - RE: Mayor Seng Announces Health Insurance Deal To Save City \$1 Million -(See Release)
- *4. NEWS ADVISORY - RE: Mayor Coleen Seng's schedule includes the following events: For June 23rd, June 24th & June 27th.... - (See Advisory)
- *5. NEWS RELEASE - RE: Public Invited To Dedication Of New Park -(See Release)
- *6. NEWS RELEASE - RE: Teen Center Now Open At Park Middle School - (See Release)
- *7. NEWS RELEASE - RE: Mayor Invites Area Residents To City's Fourth of July Celebration -Annual event returns to Oak Lake Park for third year-(See Release)
- *8. Washington Report - June 17, 2005.
- **9. NEWS RELEASE - RE: Seng Balances City Budget Without Raising City Property Tax Rate -(See Release)
- **10. NEWS RELEASE - RE: Mayor Says City Economy Is Strong: Calls On All Lincolniters To Market City To Attract Jobs - (See Release)
- **11. Washington Report - June 24, 2005.

II. DIRECTORS

FINANCE DEPARTMENT/AUDIT

- *1. Material from Mark Leikam, City of Lincoln Keno Auditor - RE: March 31, 2005 Quarterly Keno Audit -(See Material)

FINANCE DEPARTMENT/BUDGET

- **1. Material from Steve Hubka - RE: June Sales Tax Reports -(See Material)

FINANCE DEPARTMENT/CITY TREASURER

- *1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - May 2005.

HEALTH

- *1. Health Department Report - May, 2005- (See Attached Report) (Copy of this Report on file in the City Council Office.)
- *2. NEWS RELEASE - RE: Hot Weather Alert -(See Release)
- *3. NEWS RELEASE - RE: Pets and Hot Weather -(See Release)

PLANNING

- **1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants RE: Vintage Heights 22nd Addition Final Plat #05014-Generally located at S. 88th St. and Foxtail Dr. -(See Letter)
- **2. Annexation by Ordinance -Ordinance No. 18526-Effective: May 3, 2005 - 218 Acres.

PLANNING COMMISSION FINAL ACTION

- **1. Pre-Existing Special Permit #31A (Expansion of licensed premises- on-sale alcohol - 5555 Superior Street) Resolution No. PC-00931.

- **2. Pre-Existing Special Permit #32A (Expansion of nonconforming use- on-sale alcohol - 2801 N.W. 48th Street) Resolution No. PC-00932.
- **3. Special Permit #05027 (10400 South 56th Street) Resolution No. PC-00933.
- **4. Special Permit #05028 (On-sale alcohol - 2102 Adams Street) Resolution No. PC-00934.
- **5. Special Permit #05029 (4800 South 112th Street) Resolution No. PC-00935.
- **6. Special Permit #05030 (6100 North 56th Street) Resolution No. PC-00936.
- **7. Preliminary Plat #05011 - Crossbridge 1st Addition (East of North 27th Street, south of Fletcher Avenue) Resolution No. PC-00938.
- **8. Use Permit #05005 - (Office/medical building-southwest of South 37th and O Streets) Resolution No. PC-00937.

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Water Main Project For Lincoln Public Schools @ Yankee Hill School-Executive Order #72714 - (See Advisory)
- *2. Public Works & Utilities ADVISORY - RE: 27TH & Yankee Hill - Project #701596A-Section of 27th Street to Close Monday for Construction -(See Advisory)

WEED CONTROL AUTHORITY

- *1. Combined Weed Program - City of Lincoln - May 2005 Monthly Report.

WOMEN’S COMMISSION

- **1. Report from Bonnie Coffey - RE: Director’s Report - May 2005 -(See Attached Report)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- *1. E-Mail from Russ Bayer sent to Jon Camp - RE: Requested change to the Comp Plan/Theatre Policy - (See E-Mail)
- **2. E-Mail from Florafae & Burdette Schoen to Jon Camp with response from Karen Sieckmeyer, Public Works & Utilities Dept. - RE: Street Closing (See E-Mail)

JONATHAN COOK

- 1. Request to Public Works & Utilities Department - RE: Driveway cracking - (RFI#124 - 6/10/05). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#124 - 6/17/05.**

COUNCIL - RFI'S

- 1. Request to Public Works & Utilities Department - RE: Salt Creek Floodplain segment of South Beltway - (RFI#1 - 6/28/05)
- 2. Request to Police Chief Casady - RE: Loud music from car stereos - (RFI#2 - 6/28/05)
- 3. Request to June Pederson, Aging Services Director - RE: Senior Center - (RFI#3 - 6/28/05)
- 4. Request to Urban Development Department - RE: The Kinder-Care at 17th & South-BryanLGH/West not renewing their contract - (RFI#4 - 6/28/05)

V. MISCELLANEOUS

- *1. E-Mail from Rocky Weber - RE: Strongly urge you to take any and all steps necessary to resolve the issues with ITI over the relocation of the Old Cheney, Warlick Blvd. intersection -(See E-Mail)

- *2. Letter from Mark Hunzeker, For the Firm, Pierson/Fitchett Law Firm - RE: Items 34 through 38, inclusive of today's agenda-Bill Nos. 05R-134, 05-85, 05-86, 05R-135, and 05R-136 - (Council received copies of this letter on 6/20/05)(See Letter)
- *3. E-Mail from Mary Roseberry-Brown - RE: Salt Creek Floodplain segment of South Beltway -(See E-Mail)
- *4. E-Mail from Vicki Sullivan - RE: CATS!!!! -(See E-Mail)
- *5. E-Mail from Mark Dietel - RE: Loud music from car stereos -(See E-Mail)
- *6. E-Mail from Teresa Mulkey Predmore - RE: Recent newspaper article from Ms. Eschliman -(See E-Mail)
- *7. E-Mail from Kaye Finch - RE: Has some concerns with a couple of items that will affect the kids and parents of Lincoln -(See E-Mail)
- *8. Letter & Report from Terry Bundy, LES - RE: Proposed Rate Schedules, Service Regulations and 2005 Cost Analysis Summary - For Rates Effective August 1, 2005 - (Council copies places in their Thursday packets on 6/23/05) (Copy of Report on file in the City Council Office) (See Attachments)
- *9. 2 -Letter's from Delores Eberhardt - RE: Senior Centers -(See Letters)
- **10. Letters from Mary Hepburn O'Shea, LMHP, O.U.R. Homes (Organized Unit Responsibility Homes)- RE: Assisted Living Rates and Mental Health -(See Letters)
- **11. E-Mail from Nikki LaPointe - RE: 4th of July Celebration for next year - (See E-Mail)
- **12. Letter from Thomas Schleich, Chair, LES Administrative Board to Greg Vasek, President, Linweld, Inc. - RE: August 1, 2005 Proposed Rate Increase -(See Letter)

- **13. E-Mail from Dee Ann Herrington - RE: Concerned about South 14th Street between Old Cheney & Pine Lake -(See E-Mail)

VI. ADJOURNMENT

***HELD OVER FROM JUNE 27, 2005.
ALL HELD OVER UNTIL JULY 11, 2005.**

da070405/tjg



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 27, 2005

FOR MORE INFORMATION: Steve Hubka, City Budget Officer, 441-7698

SENG BALANCES CITY BUDGET WITHOUT RAISING CITY PROPERTY TAX RATE

“Our community demands effective and responsive public safety services. Our residents want outstanding parks, trails, and libraries. They also want new opportunities for jobs and growth. I am proposing a budget that accomplishes those priorities and does not raise the City property tax rate,” said Mayor Coleen J. Seng in releasing the proposed fiscal year 2005-2006 City budget.

Seng described the budget as “lean” and stressed there were no new spending programs. The City tax-supported operating budget will increase 2.3 percent over the current year, excluding the voter-approved storm bond and the additional 27th pay period. The proposed general fund operating budget will be \$131 million. Seng complimented City department directors for their fiscal management. “We made tough choices and developed a plan that kept spending in check,” she said.

Last month, Lincoln voters increased the City property tax rate from 29.4 cents to 30 cents per \$100 of assessed value when they passed the storm water bond. That voter approval increased the City property tax rate. This year, the calendar shifts one extra pay period into the budget, causing 27 pay periods instead of the normal 26. This occurs about every 11 years and adds \$2.9 million to the budget for one year. The following year then will show only 26 pay periods for City employees.

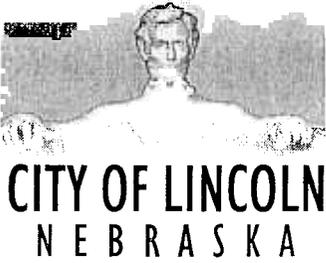
The City’s property tax rate would remain level from last year under the Mayor’s proposal with the exception of the voter-approved storm sewer bond.

Seng said funding police and firefighter services was a high priority in developing the budget. “Lincoln has a low crime rate and outstanding emergency response. Our police, firefighters and paramedics are the reason, and they are key to maintaining a safe and livable community for families.” Mayor Seng said quality of life amenities such as parks, pools, libraries and trails are preserved in the budget. Libraries and pools will be open the same number of hours as this summer.

“Creating the climate for the Lincoln Partnership for Economic Development and private business to create jobs is a primary focus of my administration. We must continue our policy of investing in the Capital Improvement Program to attract new employers. My budget maintains funding to the Lincoln Partnership for Economic Development and designates construction funds to extend sewer lines to the 800-acre industrial park near Interstate 80 and Northwest 48th Street,” Seng said.

The budget proposes \$588,229 in service reductions to offset the increased costs of higher fuel prices and the new obligation for the State Fair local 10- percent match and to avoid the need for increasing the City property tax rate. A total of 17.9 full-time equivalent positions, which include a number of part-time and full-time jobs, would be eliminated from the budget. No uniformed police or fire personnel would be reduced. “We had to make tough choices to maintain key essential services and still keep taxes low,” Mayor Seng said. Seng noted that she is discussing the annexation of the State Fair with State and Fair officials.

“We started this budget process facing a funding gap of more than \$8 million. After a lot of hard work and consultation with the City Council, I am proud to propose a balanced budget that protects taxpayers, funds essential public safety services and priorities that matter to Lincoln residents, and moves forward our community vision of the future,” Seng concluded.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 27, 2005

FOR MORE INFORMATION: Mark Bowen, Mayor's Office, 441-7511

MAYOR SAYS CITY ECONOMY IS STRONG; CALLS ON ALL LINCOLNITES TO MARKET CITY TO ATTRACT JOBS

Financing infrastructure needed to create jobs, maintaining Lincoln's quality of life and holding the line on taxes were the key themes Mayor Coleen J. Seng stressed in her annual State of the City address Monday afternoon.

"Our economy is strong and growing. City government is well-managed and frugal. Taxes are low and will stay that way," Seng told the Lincoln City Council and guests in the Council Chambers.

Seng's speech highlighted the local employers who have added jobs. According to the State Labor Department, local jobs are up more than 1,300 above last year. She outlined the City's progress toward creating a new industrial park in west Lincoln and breaking ground later this year for the first sewer trunk pipe into the Stevens Creek basin for future development east of Lincoln. Seng stressed the progress on building the Antelope Valley flood control project and the State's progress on the south beltway.

To address the ongoing street funding gap, the Mayor told the Council she will introduce a multi-phased infrastructure package that includes adoption of the RUTS (Rural to Urban Transition Streets) program, continuing to seek changes in the State gas tax formula and a renewed discussion of a local occupation tax on unleaded fuel.

Seng said Lincoln is a strong, growing community, with City property taxes lower than three-fourths of the state's cities. "Our greatest challenge continues to be how to provide infrastructure," she said. "To paraphrase a line from the movie Field of Dreams, 'If you build it, they will come.' But if we don't build the infrastructure, jobs won't come."

Maintaining clean, desirable neighborhoods is a top priority, Seng said, and revitalizing the 48th and "O" Street area will improve both the business and residential neighborhoods. Seng also announced she will unveil an interactive Internet program later this year for residents to submit inquiries and track the resolution of complaints.

Seng called on Lincoln residents to adopt her positive attitude to promote the community and its strengths. "Lincoln is succeeding, and we can be proud of our City," she said. "We are adding population and adding jobs. Despite these positives, some naysayers look at the glass as half-empty. But the rest of us look at Lincoln's growth and our strong economy and celebrate our successes. We are optimistic about our abilities. We are Lincoln and proud of it. At the same time, we must do more, and we are."

"Visitors, out-of-town friends and business colleagues will repeat what you say about your hometown of Lincoln," she said. "Lincoln is a great town, a great community, and a community of opportunity. If we are not optimistic about our own community, don't expect others to be."

- more -

Seng described how she meets regularly with Lincoln residents in their homes all over the City. She asks them to invite their friends and relatives, co-workers and neighbors so she can listen to the people. "It is part of who I am, and it is part of the leadership I have always provided to this community," she said. "I am an inclusive servant leader who involves the community to build consensus and make decisions. As your Mayor, I may speak softly, but I am not shy about enforcing a bold vision for Lincoln that is always expanding."

Seng called the 2005-2006 budget "lean" and stressed there were no new spending programs. The City tax-supported operating budget will increase 2.3 percent over the current year, excluding the voter-approved storm sewer bond and the infrequent additional 27th pay period. The proposed general fund operating budget will be \$131 million.

The Mayor thanked City Council members for their contributions to the upcoming budget. She also complimented City department directors for their fiscal management. "We made tough choices and developed a plan that kept spending in check," she said.



INSIDE:

TRANSPORTATION.....1
FEDERALISM1
PUBLIC SAFETY2
TELECOMMUNICATIONS.....2
ENERGY3
UPDATES3
GRANT OPPORTUNITIES.....3

Washington Report

Archived at:
[www.capitaledege.com/
archive.html](http://www.capitaledege.com/archive.html)

Carolyn C. Chaney
Washington Assistant
chaney@capitaledege.com

Christopher F. Giglio
Washington Assistant
giglio@capitaledege.com

Elizabeth Montgomery
Washington Assistant
montgomery@capitaledege.com

1212 New York Ave., NW
Suite 250
Washington, DC 20005

(202) 842-4930
Fax: (202) 842-5051

T-21 NEGOTIATORS MAKE PROGRESS ON FUNDING ISSUES

TRANSPORTATION

As transportation reauthorization negotiations advance, MTBE rumored to be inserted into the highway bill. Lead negotiators on the surface transportation reauthorization bill have been meeting nonstop in an effort to beat a June 30 deadline and avoid an eighth short-term extension. They are reportedly close to a deal that would fund highway, transit and highway safety programs at \$286.5 billion through fiscal year 2009, more than the House-approved level of \$284 billion and below the Senate level of \$295 billion.

While the overall funding level is still not yet set in stone, the negotiators did agree on two significant issues. First, it was agreed that at least 90.2 percent of total highway funding would be used for direct allocations to states. This is a similar percentage (or “scope”) used in the original TEA-21 law. It was also decided that the funding set aside for demonstration projects in the bill would be 60 percent for the House and 40 percent for the Senate, which could mean a reduction of 25 percent of the House projects. Earmarked projects outside of the specific demonstration projects account would be split 50-50 among the chambers. Still unresolved, however, is the issue of the guaranteed rate of return on a state’s contributions to the federal Highway Trust Fund, as well as the split between highways and transit.

While this week’s activity was the first significant progress of the conference, it remains to be seen whether a clear path for passage of the bill has been set. The President has yet to comment on the \$286.5 billion rumor, for instance, and to this point has shown no interest in budging one dollar from his stance on \$283.9 billion. Even if the larger issues are resolved over the weekend, it is likely to take some time to complete drafting of a final bill, meaning it is likely

that another extension will be necessary to prevent the law from expiring next Thursday. Congress is scheduled to begin a week-long Independence Day recess next Friday, so the extension would last at least until Members return on July 11.

Meanwhile, House Energy and Commerce Committee Chairman Joe Barton (R-TX) has been working on a legislative strategy to insert MTBE liability protection language into the highway bill in order to get around a stalemate on the issue in the energy bill. His theory is that Members are less likely to block the politically-popular highway bill and would be willing to swallow the MTBE provisions. MTBE is a gasoline additive that in some instances has contaminated local water supplies. MTBE producers have been seeking exemptions from liability with regard to that contamination, and opponents have successfully filibustered the bill over the provision.

Several sources confirmed that such discussions are ongoing, but were unable to say if House Transportation and Infrastructure Committee Chairman Don Young (R-AK) is seriously considering the proposal. So far, Young has not allowed any extraneous provisions to the highway bill, but House Majority Leader Tom DeLay (R-TX), a strong supporter of the MTBE exemption is also an influential conferee.

FEDERALISM

Supreme Court backs local eminent domain powers. The United State Supreme Court yesterday upheld the rights of local governments to use their powers of eminent domain for economic development purposes.

The 5-4 ruling in the case *Kelo v. City of New London* is a significant affirmation of local government authority. In his opinion for the

majority, Justice John Paul Stevens noted that the Court should not “second guess” local governments with regard to promoting economic development in their individual communities. Opponents of the ruling argued that it represented a severe violation of private property rights, and invoked the Fifth Amendment to the Constitution, which allows for the taking of public property only in cases OF public use, which some define narrowly as infrastructure such as highways and bridges and not land distribution or condemnation of slums.

The case revolved around a decision by the City of New London, Ct to allow for a 90-acre waterfront development of office buildings, upscale housing, a marina, and other facilities near a \$300 million research center being built by Pfizer Pharmaceuticals. City officials touted the plan as generating hundreds of jobs and raising \$680,000 annually in property tax revenue. However, owners of 15 homes -- which were not “blighted” by any definition -- on the proposed site refused to move and sued the City for abuse of its eminent domain powers. The Connecticut Supreme Court upheld the City’s development plan, so the homeowners appealed the case to the U.S. Supreme Court.

Justices Kennedy, Souter, Ginsberg, and Breyer joined Stevens in the majority. Justice Sandra Day O’Connor, on the other hand contributed a strongly worded dissent claiming that the ruling favors powerful developers over small property owners. “Nothing is to prevent the State from replacing any Motel 6 with a Ritz Carleton, any home with a shopping mall, or any farm with a factory,” she wrote. O’Connor was joined by Justices Rehnquist, Scalia, and Thomas in the minority.

National League of Cities President Anthony Williams, the Mayor of Washington, DC, praised the ruling and thanked the Court for preserving “one of the most powerful tools city officials have to rejuvenate their neighborhoods.”

PUBLIC SAFETY

Senate appropriators increase funding for state and local law enforcement.

Members of the Senate Appropriations Committee approved the Commerce, Justice, and Science fiscal year 2006 spending bill Thursday by unanimous vote. Approved Tuesday in subcommittee, the measure provides a total of \$48.9 billion, of which \$48.6 billion is discretionary funding. The Justice Department would receive \$21.2 billion, one percent less than in the House version and three percent less than the Administration’s request, but one percent more than the department received in the current fiscal year.

Senate appropriators followed the House version of the bill (HR 2862), which was passed last week, by providing more funding for grants to state and local law enforcement than President Bush requested. However, the bill provides less funding for state and local law enforcement assistance than last year. Highlights include:

- \$177 million for Edward Byrne Formula Grants (\$348 million in the House; \$629 million in FY 2005)
- \$137 million for Community Oriented Policing Services (COPS) technology (\$520 million in the House; \$601 million in FY 2005)
- \$60 million to combat methamphetamine abuse (\$60 million in the House; \$67 million in FY 2005)
- \$386 for the Office on Violence Against Women (\$387 million in the House; \$384 million in FY 2005)

TELECOMMUNICATIONS

McCain, Lautenberg unveil broadband bill. Backed by a strong coalition of local government organizations, consumer advocates and computer industry organizations, Senators John McCain (R-AZ) and Frank Lautenberg (D-NJ) introduced legislation (S 1294) yesterday that would preempt state laws that prohibit local governments from providing high-speed Internet service.

Introduction of the bill, dubbed the “Community Broadband Act of 2005,” comes on the heels of a study that found that the United States ranks 12th among industrialized countries in broadband deployment, lagging far behind even relative newcomers such as South Korea. It also comes in the wake of spirited and deep-pocketed campaigns by regional bell operating companies (Bell South, Qwest, SBC and Verizon) in several states to enact laws barring local government from offering broadband service. Their efforts met with success in Colorado, Nebraska and Pennsylvania and bills are pending in Louisiana and Michigan. Their efforts failed in Illinois and Texas, though the effort in Texas may be revived during a special session of the Legislature called to address school finance.

The Bells have also moved their efforts to the federal level. Recently, Rep. Pete Sessions (R-TX) introduced legislation (HR 2726) that would specifically prohibit local governments from offering any telecommunications service, including broadband, in any location where a corporation or other private entity offers a “substantially similar service.” In addition, the National Governor’s Association and other state government organizations are expected to oppose McCain/Lautenberg, arguing that it is a preemption of state’s rights.

Neither S 1294 nor HR 2726 will see Senate or House action anytime soon. Congress will instead address this issue as part of comprehensive telecommunications legislation it considers later this year or next year.

ENERGY

Senate expected to reach a vote on final passage of the comprehensive energy bill next week. Although much progress was made this week, the Senate was unable to complete its work last night.

Highlighting the debate this week was the rejection of an amendment by Senators John McCain (R-AZ) and Joe Lieberman (D-CT) to set mandatory caps on U.S. greenhouse gas emissions to combat global warming. Also defeated was an amendment to prevent the federal government from approving siting of Liquefied Natural Gas facilities in a state without the approval of the Governor. The Senate also rejected an amendment that would have required local involvement in wind power project siting and authorization of market-based rates for sales of electricity from the wind power projects.

Final passage of the energy bill is expected on Tuesday. A difficult conference with the House is expected, as there are some major differences in the bill. Drilling in Alaska, MTBE liability, and tax breaks for conservation and renewable energies are some of the issues that will cause controversy.

UPDATES

The following are brief updates of issues covered in recent issues of the Washington Report:

Transportation-HUD Appropriations

The House Appropriations Committee approved the FY 2006 spending bill for the Departments of Transportation, Treasury, and Housing and Urban Development this week, and no major changes were made to the measure that was approved on the subcommittee level last week. Chief among the concerns of local governments is a funding recommendation for Amtrak (\$550 million) that would force the closure of most long-distance routes. In addition, while the Community Development Block Grant program would remain at HUD, the subcommittee suggested a 6 percent cut to the program in FY 2006. An amendment to increase funding for both CDBG and Amtrak was defeated along party lines. *See June 17 Washington Report for additional details.*

Labor-HHS-Education Appropriations

Today the House was poised to approve the FY 2006 spending bill for the Departments of Labor, HHS and Education. There have been no changes to the funding levels of most major programs, and most of the floor debate revolved around funding for the Corporation for Public Broadcasting (CPB). Members voted to restore \$100 million in (CPB) funding that was rescinded by the Appropriations Committee last week. *See June 10 Washington Report for additional details.*

Water Resources

The House Transportation and Infrastructure Committee approved the Water Resources Development Act (WRDA) of 2005 this week. The measure authorizes nearly 700 projects and studies for flood control, navigation, and other water-related projects by the U.S. Army Corps of Engineers. The politically-popular bill is traditionally considered every two years by Congress, but controversy over proposed reforms at the Corps has prevented the passage of a bill since 2000. As a result, there are an unusually large number of projects waiting for authorization. Sponsors hope to bring the bill to the House floor sometime in July. *See June 17 Washington Report for additional details.*

GRANT OPPORTUNITIES

Environmental Protection Agency,

June 24: The EPA has published revised state allotment percentages for the Drinking Water State Revolving Fund program. According to the formula that EPA uses to distribute funds, each state receives a minimum share of one percent of total funds, and the remaining funding is distributed based on need. These revised percentages are in effect for fiscal years 2006 through 2009. For more information and a list of each state's allotment, see *Federal Register* 36583-36586.

Department of Health and Human

Services: The Office of Refugee Resettlement is accepting applications for the Discretionary Funds for Projects to Establish Individual Development Account (IDA) Programs for Refugees.

Through the program, local governments are awarded grants to set up IDAs for refugees, match the refugees' contributions to their accounts, and provide training and financial counseling. The program aims to promote financial independence for refugees, particularly new refugees, through such savings accounts. There is \$1.5 million available for approximately eight awards of up to \$400,000. There is no required match, and the deadline to apply is July 21, 2005, and for more information, see:

www.acf.hhs.gov/grants/open/HHS-2005-ACF-ORR-ZI-0093.html.

Environmental Protection Agency:

The EPA has announced the availability of funds and solicited applications for the Local-Scale Air Toxics Ambient Monitoring Grants program. This grant is for projects designed to assist state and local communities in identifying and profiling air toxics sources, developing and assessing emerging measurement methods, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. Total program funding is estimated to be \$6.25 million with an award ceiling of \$500,000 for the 15 expected awards. Applications must be postmarked by August 22, 2005. For more information, please see:

www.epa.gov/oar/grants/05-16.pdf.

Publication, Department of Justice:

The Office of Juvenile Justice and Delinquency Prevention has published the Title V Community Prevention Grants Program 2003 Report to Congress. The Title V program supports efforts to reduce juvenile delinquency and promote positive development among young people. The report reviews the program, its activities, and the way communities responded to the loss of formula-based funding in 2003. The report can be found at:

www.ojjdp.ncjrs.org/publications/PubAbstract.asp?pubi=12166.

**Actual Compared to
Projected Sales Tax Collections**

	VARIANCE				
	2004-05 PROJECTED	2004-05 ACTUAL	FROM PROJECTED	\$ CHANGE FR. 03-04	% CHANGE FR. 03-04
SEPTEMBER	\$4,515,734	\$4,512,303	(\$3,431)	\$128,424	2.93%
OCTOBER	\$4,727,381	\$4,541,471	(\$185,910)	(\$18,923)	-0.41%
NOVEMBER	\$4,759,942	\$4,586,261	(\$173,681)	\$279,549	6.49%
DECEMBER	\$4,303,478	\$4,174,828	(\$128,650)	\$251,162	6.40%
JANUARY	\$4,547,686	\$4,043,044	(\$504,642)	(\$233,565)	-5.46%
FEBRUARY	\$5,600,491	\$5,692,517	\$92,026	\$484,330	9.30%
MARCH	\$4,156,954	\$4,059,634	(\$97,320)	\$102,351	2.59%
APRIL	\$3,907,319	\$4,028,088	\$120,769	\$337,718	9.15%
MAY	\$4,536,832	\$4,608,034	\$71,202	\$161,033	3.62%
JUNE	\$4,357,746	\$4,522,924	\$165,178	\$118,273	2.69%
JULY	\$4,477,137				
AUGUST	\$4,737,625				
TOTAL	\$54,628,325	\$44,769,105	(\$644,458)	\$1,610,354	4.69%

**GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-2000	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FR. PRIOR YEAR	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$3,592,214	\$3,758,935	\$3,844,150	\$4,239,938	10.30%	\$4,453,875	5.05%	\$4,648,160	4.36%
OCTOBER	\$3,831,639	\$4,273,028	\$4,116,763	\$4,464,191	8.44%	\$4,670,587	4.62%	\$4,706,690	0.77%
NOVEMBER	\$4,067,052	\$4,060,765	\$4,125,824	\$4,407,744	6.83%	\$4,526,166	2.69%	\$4,687,792	3.57%
DECEMBER	\$3,668,154	\$3,824,569	\$3,855,906	\$4,034,958	4.64%	\$4,314,111	6.92%	\$4,500,338	4.32%
JANUARY	\$3,896,477	\$3,968,572	\$4,140,990	\$4,046,633	-2.28%	\$4,335,924	7.15%	\$4,264,010	-1.66%
FEBRUARY	\$4,917,238	\$4,895,886	\$4,982,568	\$5,224,986	4.87%	\$5,531,405	5.86%	\$6,086,841	10.04%
MARCH	\$3,259,926	\$3,731,090	\$3,908,567	\$4,076,943	4.31%	\$3,980,041	-2.38%	\$4,158,874	4.49%
APRIL	\$3,454,776	\$3,126,694	\$3,641,403	\$3,711,803	1.93%	\$3,889,388	4.78%	\$4,097,988	5.36%
MAY	\$4,098,255	\$4,061,857	\$3,949,873	\$4,184,028	5.93%	\$4,602,788	10.01%	\$4,730,317	2.77%
JUNE	\$3,619,721	\$3,741,325	\$3,856,119	\$4,169,550	8.13%	\$4,599,245	10.31%	\$4,557,735	-0.90%
JULY	\$3,948,039	\$3,804,895	\$4,033,350	\$4,105,554	1.79%	\$4,391,257	6.96%		
AUGUST	\$4,062,654	\$4,093,476	\$4,231,174	\$4,402,156	4.04%	\$4,893,438	11.16%		
TOTAL	\$46,416,145	\$47,341,091	\$48,686,688	\$51,068,484	4.89%	\$54,188,225	6.11%	\$46,438,746	3.42%

Year to date vs.
previous year

**CITY OF LINCOLN
SALES TAX REFUNDS
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-00	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FR. PRIOR YEAR	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR
SEPTEMBER	(107,766)	(\$472,215)	(\$646,545)	(\$48,531)	-92.49%	(\$69,997)	44.23%	(\$135,858)	94.09%
OCTOBER	(375,346)	(\$127,363)	(\$379,290)	(\$64,605)	-82.97%	(\$110,193)	70.56%	(\$165,219)	49.94%
NOVEMBER	(123,176)	(\$448,872)	(\$132,336)	(\$134,088)	1.32%	(\$219,454)	63.66%	(\$101,531)	-53.73%
DECEMBER	(36,049)	(\$193,085)	(\$240,014)	(\$177,459)	-26.06%	(\$390,445)	120.02%	(\$325,510)	-16.63%
JANUARY	(1,145,096)	(\$352,999)	(\$74,082)	(\$306,467)	313.68%	(\$59,315)	-80.65%	(\$220,967)	272.53%
FEBRUARY	(8,072)	(\$115,206)	(\$509,277)	(\$61,404)	-87.94%	(\$323,218)	426.38%	(\$394,324)	22.00%
MARCH	(196,501)	(\$303,779)	(\$428,507)	(\$17,601)	-95.89%	(\$22,759)	29.30%	(\$99,240)	336.05%
APRIL	(219,339)	(\$478,438)	(\$333,878)	(\$281,861)	-15.58%	(\$199,018)	-29.39%	(\$69,900)	-64.88%
MAY	(200,539)	(\$79,461)	(\$176,292)	(\$275,081)	56.04%	(\$155,787)	-43.37%	(\$122,283)	-21.51%
JUNE	(108,185)	(\$47,618)	(\$127,168)	(\$138,914)	9.24%	(\$194,593)	40.08%	(\$34,811)	-82.11%
JULY	(193,310)	(\$235,932)	(\$181,863)	(\$563,339)	209.76%	(\$42,086)	-92.53%	(\$162,998)	287.30%
AUGUST	(155,756)	\$0	(\$63,949)	(\$341,868)	434.60%	(\$531,884)	55.58%		
TOTAL	(2,869,134)	(\$2,854,968)	(\$3,293,201)	(\$2,411,218)	-26.78%	(\$2,318,751)	-3.83%	(\$1,832,641)	2.56%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-00	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FROM PR. YEAR	ACTUAL 2003-2004	% CHG. FROM PR. YEAR	ACTUAL 2004-2005	% CHG. FROM PR. YEAR
SEPTEMBER	\$3,484,448	\$3,286,720	\$3,197,606	\$4,191,407	31.08%	\$4,383,878	4.59%	\$4,512,303	2.93%
OCTOBER	\$3,456,293	\$4,145,665	\$3,737,474	\$4,399,587	17.72%	\$4,560,394	3.66%	\$4,541,471	-0.41%
NOVEMBER	\$3,982,687	\$3,611,894	\$3,993,488	\$4,273,655	7.02%	\$4,306,712	0.77%	\$4,586,261	6.49%
DECEMBER	\$3,668,154	\$3,631,485	\$3,615,893	\$3,857,499	6.68%	\$3,923,666	1.72%	\$4,174,828	6.40%
JANUARY	\$2,751,381	\$3,615,574	\$4,066,908	\$3,740,166	-8.03%	\$4,276,609	14.34%	\$4,043,044	-5.46%
FEBRUARY	\$4,909,166	\$4,780,680	\$4,473,291	\$5,163,582	15.43%	\$5,208,187	0.86%	\$5,692,517	9.30%
MARCH	\$3,063,425	\$3,427,311	\$3,480,060	\$4,059,342	16.65%	\$3,957,283	-2.51%	\$4,059,634	2.59%
APRIL	\$3,235,437	\$2,648,256	\$3,307,525	\$3,429,942	3.70%	\$3,690,371	7.59%	\$4,028,088	9.15%
MAY	\$3,897,718	\$3,982,395	\$3,773,581	\$3,908,947	3.59%	\$4,447,001	13.76%	\$4,608,034	3.62%
JUNE	\$3,497,973	\$3,693,707	\$3,728,951	\$4,030,637	8.09%	\$4,404,651	9.28%	\$4,522,924	2.69%
JULY	\$3,948,039	\$3,568,964	\$3,851,488	\$3,542,215	-8.03%	\$4,349,171	22.78%		
AUGUST	\$3,906,898	\$4,093,476	\$4,167,224	\$4,060,288	-2.57%	\$4,361,554	7.42%		
TOTAL	\$43,801,620	\$44,486,126	\$45,393,489	\$48,657,267	7.19%	\$51,869,477	6.60%	\$44,769,104	3.73%

Year to date vs.
previous year



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director
Mary E. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

June 27, 2005

Terry Rothanzl
Engineering Design Consultants
2200 Fletcher Ave. Suite 102
Lincoln, NE 68521

RE: Vintage Heights 22nd Addition Final Plat #05014 Generally located
at S. 88th St. and Foxtail Dr.

Dear Terry:

Vintage Heights 22nd Addition generally located southeast of S. 84th St. and Old Cheney Rd. was approved by the Planning Director on June 21, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all **new** lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

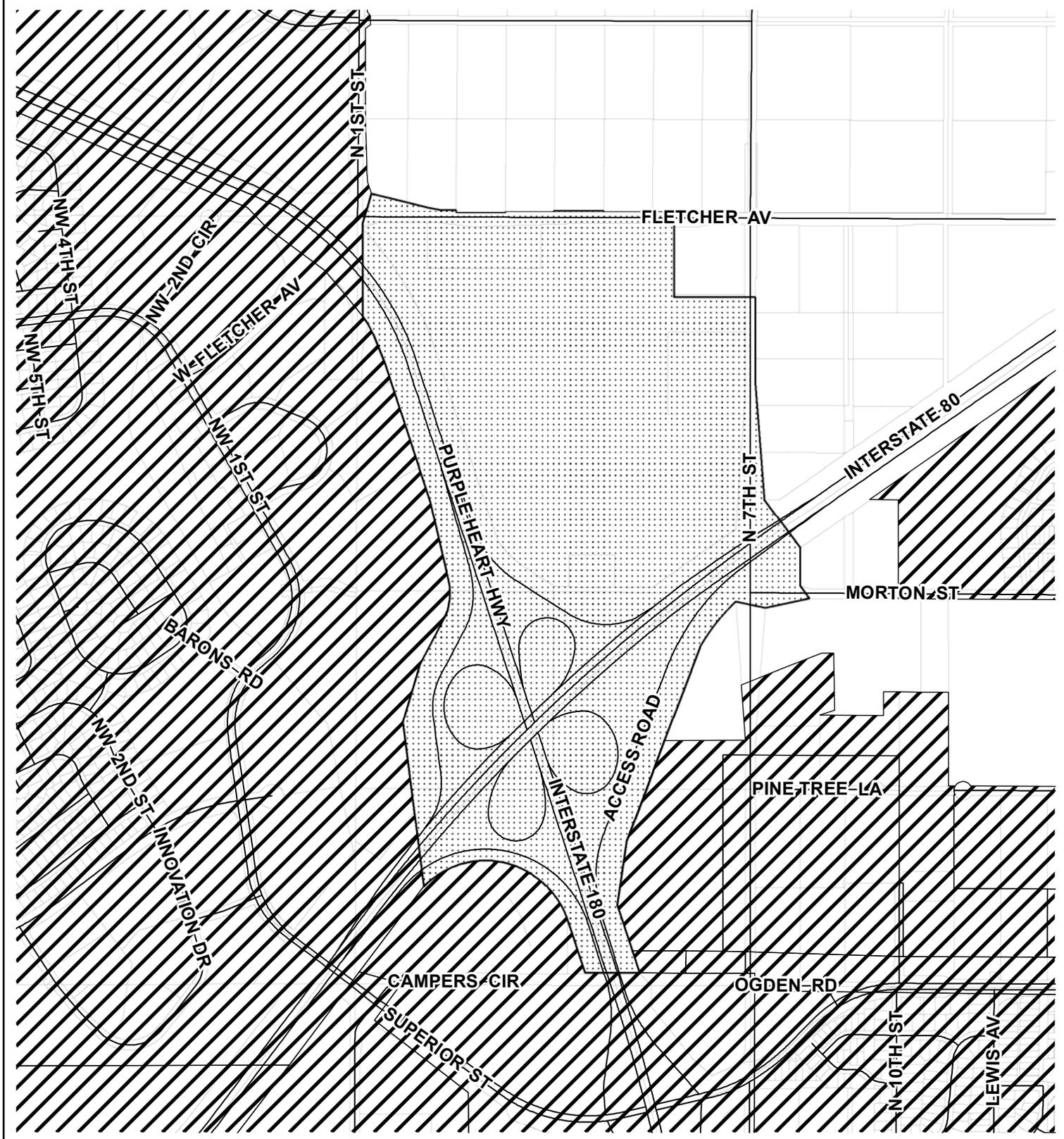
Sincerely,

Tom Cajka
Planner

CC: Robert Hampton
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
File

I:\Boilerplates\Approval.wpd

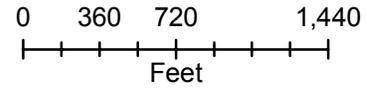
LINCOLN
The Community of Opportunity



Annexation by Ordinance
 Ordinance No. 18526
 Effective: May 3, 2005
 218 Acres



-  Area of Annexation
-  Current City Limits



**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Pre-Existing Special Permit No. 31A**
(Expansion of licensed premises - on-sale alcohol - 5555 Superior Street)
Resolution No. PC-00931

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Larson, seconded by Carlson, to approve **Pre-Existing Special Permit No. 31A**, with conditions, requested by Allen Enterprises, for expansion of the licensed premises for the sale of alcoholic beverages for consumption on the premises to include a beer garden at Earl's Tavern located at 5555 Superior Street.

Motion to approve, with conditions, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Pearson, Esseks and Bills-Strand voting 'yes'; Taylor voting 'no'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Allen Enterprises, 5555 Superior Street, 68504
Earl Allen, 5725 Aylesworth, 68505
Rick Albro, Havelock Neighborhood Assn., 6642 Morrill Avenue, 68507

RESOLUTION NO. PC- 00931

PRE-EXISTING SPECIAL PERMIT NO. 31A

1 WHEREAS, Allen Enterprises has submitted an application designated as
2 Pre-existing Special Permit No. 31A for expansion of the licensed premises for the sale
3 of alcoholic beverages for consumption on the premises to include a beer garden at the
4 Earl's Tavern, 5555 Superior Street, legally described as:

5 Irregular Tract Lot 111 SE except north part for Road,
6 Section 5, Township 10 North, Range 7 East, Lancaster
7 County, Nebraska (exception described in Instrument #89-
8 18514);

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this expansion of the permit to sell alcoholic beverages on the premises will not
11 be adversely affected; and

12 WHEREAS, said site plan together with the terms and conditions
13 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
14 Municipal Code to promote the public health, safety, and general welfare.

15 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
16 County Planning Commission of Lincoln, Nebraska:

17 That the application of Allen Enterprises, hereinafter referred to as
18 "Permittee", to expand the premises to sell alcoholic beverages for consumption on the

1 premises on property legally described above be and the same is hereby granted under
2 the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that
3 operation of said licensed premises be in strict compliance with said application, the site
4 plan, and the following additional express terms, conditions, and requirements:

5 1. This permit approves the expansion of the area designated for the
6 sale of alcoholic beverages for consumption on the premises as shown on the site plan.

7 2. Before receiving building permits:

8 a. The Permittee must submit six copies of a revised site plan
9 showing a parking plan including floor area/parking space
10 calculations approved by Public Works and Utilities, and
11 submit the documents and plan to the Planning Department
12 for review and approval.

13 b. The construction plans must conform to the approved plans.

14 3. Before the sale of alcohol for consumption on the premises, all
15 development and construction must conform to the approved plans.

16 4. The site plan approved by this permit shall be the basis for all
17 interpretations of setbacks, yards, locations of buildings, location of parking and
18 circulation elements, and similar matters.

19 5. The terms, conditions, and requirements of this resolution shall be
20 binding and obligatory upon the Permittee, their successors, and assigns. The building
21 official shall report violations to the City Council which may revoke the special permit or
22 take such other action as may be necessary to gain compliance.

1 6. The Permittee shall sign and return the City's letter of acceptance
2 to the City Clerk within 30 days following approval of the special permit, provided,
3 however, said 30-day period may be extended up to six months by administrative
4 amendment. The City Clerk shall file a copy of the resolution approving the special
5 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
6 paid in advance by the Permittee.

DATED this 22nd day of June, 2005.
Attest:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Pre-Existing Special Permit No. 32A**
(Expansion of nonconforming use - on-sale alcohol - 2801 N.W. 48th Street)
Resolution No. PC-00932

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Larson, seconded by Carlson, to approve **Pre-Existing Special Permit No. 32A**, with conditions, requested by Duane Hartman Investments, Inc. and Overland Station Bar, for authority to expand the nonconforming use of licensed premises for the sale of alcoholic beverages for consumption on the premises to include a beer garden at the Overland Station Bar located at 2801 N.W. 48th Street.

Motion to approve, with conditions, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Pearson, Esseks and Bills-Strand voting 'yes'; Taylor voting 'no'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Byron Bloom, Overland Station, 2801 N.W. 48th St., 68524
Duane Hartman Investments, P.O. Box 22787, 68542
Jeff Schwebke, Arnold Heights N.A., 4230 N.W. 54th St., 68524
Karen Griffin, Arnold Heights N.A., 3931 Castle Drive, 68524

RESOLUTION NO. PC- 00932

PRE-EXISTING SPECIAL PERMIT NO. 32A

1 WHEREAS, Duane Hartman Investments Inc. and Overland Station Bar
2 have submitted an application designated as Pre-existing Special Permit No. 32A to
3 expand the nonconforming use of licensed premises for the sale of alcoholic beverages
4 for consumption on the premises to include a beer garden at the Overland Station Bar
5 located at 2801 N.W. 48th Street, and legally described as:

6 Lots 1, 2, 35, 36, 37, 38, 39, 40, and 41, Block 5, Airport
7 Heights, Lincoln, Lancaster County, Nebraska;

8 WHEREAS, the real property adjacent to the area included within the site
9 plan for this expansion of the permit to sell alcoholic beverages on the premises will not
10 be adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions
12 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
13 Municipal Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
15 County Planning Commission of Lincoln, Nebraska:

16 That the application of Duane Hartman and Overland Station Bar,
17 hereinafter referred to as "Permittee", to expand the nonconforming use of the premises

1 to sell alcoholic beverages for consumption on the premises on property legally
2 described above be and the same is hereby granted under the provisions of Section
3 27.63.280 of the Lincoln Municipal Code upon condition that operation of said licensed
4 premises be in strict compliance with said application, the site plan, and the following
5 additional express terms, conditions, and requirements:

6 1. This permit approves the expansion of the area designated for the
7 sale of alcoholic beverages for consumption on the premises as shown on the site plan.

8 2. Before receiving building permits:

9 a. The Permittee must complete the following instructions and
10 submit the documents and plan to the Planning Department
11 for review and approval.

12 i. Submit six copies of a revised site plan that includes
13 an accurate scale, all parking spaces, and identifies
14 property lines. This must include a six-foot wide
15 pedestrian access area between any adjacent parking
16 spaces and the proposed beer garden.

17 ii. Provide the floor area/parking calculations showing
18 the total amount of floor area.

19 b. The construction plans must conform to the approved plans.

20 3. Before the sale of alcohol for consumption on the premises, all
21 development and construction must conform to the approved plans.

22 4. The site plan approved by this permit shall be the basis for all
23 interpretations of setbacks, yards, locations of buildings, location of parking and
24 circulation elements, and similar matters.

1 5. The terms, conditions, and requirements of this resolution shall be
2 binding and obligatory upon the Permittee, their successors, and assigns. The building
3 official shall report violations to the City Council which may revoke the special permit or
4 take such other action as may be necessary to gain compliance.

5 6. The Permittee shall sign and return the City's letter of acceptance
6 to the City Clerk within 30 days following approval of the special permit, provided,
7 however, said 30-day period may be extended up to six months by administrative
8 amendment. The City Clerk shall file a copy of the resolution approving the special
9 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
10 paid in advance by the Permittee.

DATED: June 22, 2005.

Attest:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Special Permit No. 05027**
(10400 South 56th Street)
Resolution No. PC-00933

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Larson, seconded by Carlson, to approve **Special Permit No. 05027**, with conditions, requested by Ryan and Jennifer Omel, for authority to construct a second dwelling unit for a domestic employee, on property located at 10400 South 56th Street.

Motion to approve, with conditions, carried 9-0: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Pearson, Esseks and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Ryan and Jennifer Omel, P.O. Box 23047, 68542
Darrell Best, 10000 S. 56th Street, 68516
Louis Havlat, 10405 Ricky Road, 68516

RESOLUTION NO. PC-00933

SPECIAL PERMIT NO. 05027

1 WHEREAS, Ryan and Jennifer Omel have submitted an application
2 designated as Special Permit No. 05027 for authority to construct a second dwelling unit
3 for a domestic employee on property located at 10400 South 56th Street and legally
4 described as:

5 Lot 30, I.T., except the west 50 feet, located in the Northwest
6 Quarter of Section 3, Township 9 North, Range 7 East of the
7 6th P.M., Lancaster County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
9 held a public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood,
11 and the real property adjacent to the area included within the site plan for this second
12 dwelling unit will not be adversely affected by granting such a permit; and

13 WHEREAS, said site plan together with the terms and conditions
14 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
15 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
16 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of Ryan and Jennifer Omel, hereinafter referred to as
4 "Permittee", to construct a dwelling unit for a domestic employee in an accessory
5 building be and the same is hereby granted under the provisions of Section 27.63.640
6 the Lincoln Municipal Code upon condition that construction of said accessory building
7 be in strict compliance with said application, the site plan, and the following additional
8 express terms, conditions, and requirements:

9 1. This permit approves a dwelling unit for a domestic employee in an
10 accessory building on the premise.

11 2. Before occupying the accessory building, all development and
12 construction must conform to the approved plans.

13 3. Before occupying the accessory dwelling unit, the City-County
14 Health Department must approve the water and wastewater systems.

15 4. The site plan, approved by this permit, shall be the basis for all
16 interpretations of setbacks, yards, locations of buildings, location of parking and
17 circulation elements, and similar matters.

18 5. The terms, conditions, and requirements of this resolution shall be
19 binding and obligatory upon the Permittee and the Permittee's successors and assigns.
20 The building official shall report violations to the City Council which may revoke the
21 special permit or take such other action as may be necessary to gain compliance.

22 6. The Permittee shall sign and return the City's letter of acceptance
23 to the City Clerk within 30 days following approval of the special permit, provided,
24 however, said 30-day period may be extended up to six months by administrative

1 amendment. The City Clerk shall file a copy of the resolution approving the special
2 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
3 paid in advance by the Permittee.

4 The foregoing Resolution was approved by the Lincoln City-Lancaster
5 County Planning Commission on this 22 day of June, 2005.

ATTEST:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Special Permit No. 05028**
(On-sale alcohol - 2102 Adams Street)
Resolution No. PC-00934

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Larson, seconded by Carlson, to approve **Special Permit No. 05028**, with conditions, requested by Kendra Brock and Jeff Frederick, for authority to sell alcoholic beverages for consumption on the premises generally located at The Bristo Ballroom, 2102 Adams Street.

Motion to approve, with conditions, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Pearson, Esseks and Bills-Strand voting 'yes'; Taylor voting 'no'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Kendra Brock, 3451 N. 52nd, 68504
Jeff Frederick, 14700 Country Lane, 68517
Zan It, LLC, P.O. Box 80612, 68501

RESOLUTION NO. PC- 00934

SPECIAL PERMIT NO. 05028

1 WHEREAS, Kendra Brock and Jeff Frederick have submitted an applica-
2 tion designated as Special Permit No. 05028 for authority to sell alcoholic beverages for
3 consumption on the premises generally located at The Bristo Ballroom, 2102 Adams
4 Street, legally described as:

5 Lot 56, Irregular Tract, located in the Southeast Quarter of
6 Section 12, Township 10 North, Range 6 East of the 6th
7 P.M., Lancaster County, Nebraska; and

8 WHEREAS, the real property adjacent to the area included within the site
9 plan for this permit to sell alcoholic beverages on the premises will not be adversely
10 affected; and

11 WHEREAS, said site plan together with the terms and conditions
12 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
13 Municipal Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
15 County Planning Commission of Lincoln, Nebraska:

16 That the application of Kendra Brock and Jeff Frederick, hereinafter
17 referred to as "Permittee", to sell alcoholic beverages for consumption on the premises

1 on property legally described above be and the same is hereby granted under the
2 provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that
3 operation of said licensed premises be in strict compliance with said application, the
4 site plan, and the following additional express terms, conditions, and requirements:

5 1. This permit approves the sale of alcohol for consumption on the
6 premises as designated on the site plan.

7 2. Before receiving building permits:

8 a. The Permittee must submit the six copies of a revised site
9 plan that includes a parking and access plan and a drainage
10 plan approved by the Public Works & Utilities Department to
11 the Planning Department for review and approval.

12 b. The Permittee must submit an ownership certificate
13 prepared and signed by an attorney, title company, or
14 abstractor. It must include the legal description of the
15 subject property.

16 c. The construction plans must comply with the approved
17 plans.

18 3. Before the sale of alcohol for consumption on the premises, all
19 development and construction must conform to the approved plans.

20 4. The site plan approved by this permit shall be the basis for all
21 interpretations of setbacks, yards, locations of buildings, location of parking and
22 circulation elements, and similar matters.

1 5. The terms, conditions, and requirements of this resolution shall be
2 binding and obligatory upon the Permittee, its successors, and assigns. The building
3 official shall report violations to the City Council which may revoke the special permit or
4 take such other action as may be necessary to gain compliance.

5 6. The Permittee shall sign and return the City's letter of acceptance
6 to the City Clerk within 30 days following approval of the special permit, provided,
7 however, said 30-day period may be extended up to six months by administrative
8 amendment. The City Clerk shall file a copy of the resolution approving the special
9 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
10 paid in advance by the Permittee.

11 The foregoing Resolution was approved by the Lincoln City-Lancaster
12 County Planning Commission on this 22 day of June, 2005.

ATTEST:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : June 24, 2005

RE : **Special Permit No. 05029**
(4800 South 112th Street)
Resolution No. PC-00935

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Larson, seconded by Carlson, to approve **Special Permit No. 05029**, with conditions, requested by Timothy Clare, Trustee of the Lawrence Francis Revocable Trust, for authority to construct a second dwelling unit for a domestic employee, on property located at 4800 South 112th Street.

Motion to approve, with conditions, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Pearson, Esseks and Bills-Strand voting 'yes'; Taylor voting 'no'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Brian D. Carstens and Associates, 601 Old Cheney Road, Suite C, 68512
Timothy Clare, Trustee, 1201 Lincoln Mall, 68508

RESOLUTION NO. PC-00935

SPECIAL PERMIT NO. 05029

1 WHEREAS, Timothy Claire, Trustee of the Lawrence Francis Revocable
2 Trust, has submitted an application designated as Special Permit No. 05029 for
3 authority to construct a second dwelling unit for a domestic employee on property
4 located at 4800 South 112th Street, and legally described as:

5 Lot 20, I.T., located in the Northeast Quarter of Section 7,
6 Township 9 North, Range 8 East of the 6th P.M., Lancaster
7 County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
9 held a public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood,
11 and the real property adjacent to the area included within the site plan for this second
12 dwelling unit will not be adversely affected by granting such a permit; and

13 WHEREAS, said site plan together with the terms and conditions
14 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
15 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
16 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of Timothy Claire, Trustee of the Lawrence Francis
4 Revocable Trust, hereinafter referred to as "Permittee", to construct a dwelling unit for a
5 domestic employee in an accessory building be and the same is hereby granted under
6 the provisions of Section 27.63.640 the Lincoln Municipal Code upon condition that
7 construction of said accessory building be in strict compliance with said application, the
8 site plan, and the following additional express terms, conditions, and requirements:

9 1. This permit approves a dwelling unit for a domestic employee in an
10 accessory building on the premise.

11 2. Before occupying the accessory building, all development and
12 construction must conform to the approved plans.

13 3. Before occupying the accessory dwelling unit, the City-County
14 Health Department must approve the water and wastewater systems.

15 4. The site plan, approved by this permit, shall be the basis for all
16 interpretations of setbacks, yards, locations of buildings, location of parking and
17 circulation elements, and similar matters.

18 5. The terms, conditions, and requirements of this resolution shall be
19 binding and obligatory upon the Permittee and the Permittee's successors and assigns.
20 The building official shall report violations to the City Council which may revoke the
21 special permit or take such other action as may be necessary to gain compliance.

22 6. The Permittee shall sign and return the City's letter of acceptance
23 to the City Clerk within 30 days following approval of the special permit, provided,
24 however, said 30-day period may be extended up to six months by administrative

1 amendment. The City Clerk shall file a copy of the resolution approving the special
2 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
3 paid in advance by the Permittee.

4 The foregoing Resolution was approved by the Lincoln City-Lancaster
5 County Planning Commission on this 22 day of June, 2005.

ATTEST:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Special Permit No. 05030**
(6100 North 56th Street)
Resolution No. PC-00936

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Carlson, seconded by Carroll, to approve **Special Permit No. 05030**, with conditions, as amended, requested by David Benes Farms, LLC, for authority to store and sell agricultural pesticides and herbicide chemicals in the existing building, on property located at 6100 North 56th Street.

Motion to approve, with conditions, as amended, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Esseks and Bills-Strand voting 'yes'; Pearson voting 'no'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Mark Hunzeker, P.O. Box 95109, 68509
David Benes Farms, LLC, 2389 County Road 23, Valparaiso, NE 68065
Sampson Construction Co., 3730 S. 14th Street, 68502
John W. Hoffman, Bryan Cave, LLP, One Metropolitan Square, 211 N. Broadway,
Suite 3000, St. Louis, MO 63102-2750

RESOLUTION NO. PC- 00936

SPECIAL PERMIT NO. 05030

1 WHEREAS, David Benes Farms, LLC has submitted an application
2 designated as Special Permit No. 05030 for authority to store and sell agricultural
3 chemicals in the existing building on property located at 6100 North 56th Street,
4 generally located at North 56th and Fletcher Avenue, and legally described to wit:

5 Lot 33, Irregular Tract, located in the Southwest Quarter of
6 Section 33, Township 11 North, Range 7 East, Lancaster
7 County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
9 held a public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood,
11 and the real property adjacent to the area included within the site plan for this storage
12 and sale of agricultural chemicals will not be adversely affected by granting such a
13 permit; and

14 WHEREAS, said site plan together with the terms and conditions
15 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
16 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
17 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of David Benes Farms, LLC, hereinafter referred to as
4 "Permittee", to store and sell agricultural chemicals be and the same is hereby granted
5 under the provisions of Sections 27.47.030 and 27.63.290 of the Lincoln Municipal
6 Code upon condition that said storage and sale of agricultural chemicals be in strict
7 compliance with said application, the site plan, and the following additional express
8 terms, conditions, and requirements:

- 9 1. This approval permits the sale and storage of agricultural pesticides and
10 herbicide chemicals.
- 11 2. Before initiating the agricultural chemical storage and sales:
 - 12 a. All buildings must meet Building, Fire and Life Safety Codes.
 - 13 b. All applicable federal, state, and local environmental codes must be
14 met.
 - 15 c. All applicable state and local requirements must be met.
 - 16 d. The construction plans must comply with the approved plans.
 - 17 e. There shall be no repackaging or re-mixing of any chemicals on-site.
 - 18 f. There shall be no outdoor storage of any chemicals.
- 19 3. The site plan approved by this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and
21 circulation elements, and similar matters.
- 22 4. This resolution's terms, conditions, and requirements bind and obligate the
23 permittee, its successors and assigns.

1 5. The applicant shall sign and return the letter of acceptance to the City
2 Clerk within 30 days following the approval of the special permit, provided, however,
3 said 30-day period may be extended up to six months by administrative amendment.
4 The clerk shall file a copy of the resolution approving the special permit and the letter of
5 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
6 applicant.

7 The foregoing Resolution was approved by the Lincoln City-Lancaster County
8 Planning Commission on this 22 day of June, 2005.

ATTEST:

*/S/ ORIGINAL SIGNED BY
MARY F. BILLS-STRAND*

Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 24, 2005

RE : **Preliminary Plat No. 05011 - Crossbridge 1st Addition**
(East of North 27th Street, south of Fletcher Avenue)
Resolution No. PC-00938

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Carlson, seconded by Pearson, to approve **Preliminary Plat No. 05011, Crossbridge 1st Addition**, with conditions, as amended, requested by Austin Realty Company, to incorporate an existing outlot from the King Ridge Use Permit area into the existing Crossbridge Preliminary Plat area and for a right-in, right-out access to the property from North 27th Street, including waivers of stormwater detention and turn-around radius, on property generally located east of North 27th Street, south of Fletcher Avenue.

Motion for approval, with conditions, as amended, carried 9-0: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Pearson, Esseks and Bills-Strand voting 'yes'.

The Planning Commission action on this preliminary plat is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission. The Planning Commission action approving the associated Change of Zone No. 05039 from B-2 Planned Neighborhood Business District to H-3 Highway Commercial District, is tentatively scheduled for public hearing before the City Council on Monday, July 18, 2005, 1:30 p.m.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Mark Park, Olsson Associates, 1111 Lincoln Mall, 68508
Mark Hunzeker, P.O. Box 95109, 68509
Austin Realty Co., 8644 Executive Woods Drive, 68512

RESOLUTION NO. PC- 00938

1 WHEREAS, Austin Realty Company has submitted the preliminary plat of
2 Crossbridge 1st Addition for acceptance and approval together with a request pursuant to
3 Section 26.31.010 of the Lincoln Municipal Code to waive the requirements for storm water
4 detention and turnaround radius in subdivisions; and

5 WHEREAS, the Planning Director has recommended conditional approval of said
6 preliminary plat and the waivers of storm water detention and turn around radius are acceptable
7 to the Director of Public Works & Utilities.

8 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
9 Planning Commission that the preliminary plat of Crossbridge 1st Addition, generally located
10 east of North 27th Street, south of Fletcher Avenue as submitted by Austin Realty Company is
11 hereby accepted and approved, subject to the following terms and conditions:

- 12 1. Revise the preliminary plat to show:
 - 13 a. Either:
 - 14 i. No direct vehicular access to N. 27th Street from this plat; or
 - 15 ii. Show a temporary right turn lane extending 150 feet south of the
16 plat and construction of a third northbound lane of paving N. 27th
17 Street abutting the plat, and prior to final plat, secure agreement
18 from the property owner to the north to dedicate an additional ten
19 feet of right-of-way for N. 27th Street and pave a third northbound
20 lane on N. 27th Street from the north line of this plat to Fletcher.
 - 21 b. Utility easements to the satisfaction of the L.E.S.
 - 22 c. Revisions to the satisfaction of the Public Works and Utilities Department.
 - 23 d. Revisions to the satisfaction of the Watershed Management section of the
24 Public Works and Utilities Department.
 - 25 e. Sidewalks along N. 27th Street.
 - 26 f. A sidewalk from N. 27th Street along the south side of Outlot B to the
27 sidewalk along the east side of the Outlot to the satisfaction of the
28 Planning Department.

- 1 2. The City Council must approve Change of Zone 05039.
- 2 3. Final Plats will be approved by the Planning Director after:
- 3 a. The sidewalks, streets, drainage facilities, street lighting, landscape
4 screens, street trees, temporary turnarounds and barricades, and street
5 name signs have been completed or the subdivider has submitted a bond
6 or an escrow of security agreement to guarantee their completion.
- 7 b. The private roadway is completed between this preliminary plat and
8 Enterprise Drive access to N. 27th Street.
- 9 c. The subdivider has signed an agreement that binds the subdivider, and
10 its successors and assigns:
- 11 i. to complete the paving of Crossbrige Road shown on the final plat
12 within two (2) years following the approval of this final plat.
- 13 ii. to complete the installation of sidewalks along both sides of
14 Crossbrige Road and along the east side of N. 27th Street as
15 shown on the final plat within four (4) years following the approval
16 of this final plat.
- 17 iii. to complete the public water distribution system to serve this plat
18 within two (2) years following the approval of this final plat.
- 19 iv. to complete the public wastewater collection system to serve this
20 plat within two (2) years following the approval of this final plat.
- 21 v. to complete the enclosed private drainage facilities shown on the
22 approved drainage study to serve this plat within two (2) years
23 following the approval of this final plat.
- 24 vi. to complete the installation of private street lights along
25 Crossbrige Road within this plat within two (2) years following
26 the approval of this final plat.
- 27 vii. to complete the planting of the street trees along Crossbrige
28 Road and along the east side of N. 27th Street within this plat
29 within four (4) years following the approval of this final plat.
- 30 viii. to complete the installation of the street name signs within two (2)
31 years following the approval of this final plat.
- 32 ix. to complete the installation of the permanent markers prior to
33 construction on or conveyance of any lot in the plat.
- 34 x. to timely complete any other public or private improvement or
35 facility required by Chapter 26.23 (Development Standards) of the
36 Land Subdivision Ordinance which have not been waived but
37

- 1 which inadvertently may have been omitted from the above list of
2 required improvements.
- 3 xi. to submit to the Director of Public Works a plan showing proposed
4 measures to control sedimentation and erosion and the proposed
5 method to temporarily stabilize all graded land for approval.
- 6 xii. to comply with the provisions of the Land Preparation and Grading
7 requirements of the Land Subdivision Ordinance.
- 8 xiii. to complete the public and private improvements shown on the
9 preliminary plat
- 10 xiv. to maintain the outlots and private improvements on a permanent
11 and continuous basis.
12
- 13 xv. to maintain the street trees along the private roadways on a
14 permanent and continuous basis.
- 15 xvi. to maintain and supervise the private facilities which have
16 common use or benefit on a permanent and continuous basis, and
17 to recognize that there may be additional maintenance issues or
18 costs associated with providing for the proper functioning of storm
19 water detention/retention facilities as they were designed and
20 constructed within the development.
- 21 xvii. to retain ownership of and the right of entry to the outlots in order
22 to perform the above-described maintenance of the outlots and
23 private improvements on a permanent and continuous basis.
24 However, Owner(s) may be relieved and discharged of such
25 maintenance obligations upon creating in writing a permanent and
26 continuous association of property owners who would be
27 responsible for said permanent and continuous maintenance
28 subject to the following conditions:
29
- 30 (1) Owner shall not be relieved of Owner's maintenance
31 obligation for each specific private improvement until a
32 register professional engineer or nurseryman who
33 supervised the installation of said private improvement has
34 certified to the City that the improvement has been
35 installed in accordance with approved plans.
- 36 (2) The maintenance agreements are incorporated into
37 covenants and restrictions in deeds to the subdivided
38 property and the documents creating the association and
39 the restrictive covenants have been reviewed and
40 approved by the City Attorney and filed of record with the
41 Register of Deeds.
- 42 xviii. to submit to the lot buyers and builders a copy of the soil analysis.

1
2
3
4
5
6
7
8
9
10

xix. to relinquish the right of direct vehicular access from Outlots A and B to N. 27th Street.

d. Administrative amendment to King Ridge Use Permit #103B is completed to remove this portion of the property from the use permit legal description and site plan drawing.

BE IT FURTHER RESOLVED that the following waivers are hereby granted:

1. A waiver of the Stormwater Drainage Design Standards requiring on-site detention of storm water.

2. A waiver of the Private Roadway Design Standards requiring a turn around radius at the end of the private roadway.

DATED: June 22, 2005.

ATTEST:

*/S/ Original signed by
MARY F. BILLS-STRAND*

Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : June 29, 2005

RE : **Use Permit No. 05005**
(Office/medical building - southwest of South 37th and O Streets)
Resolution No. PC-00937

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 22, 2005:

Motion made by Taylor, seconded by Carroll, to approve **Use Permit No. 05005**, with conditions, as amended, requested by Gregg and Cindy Trautman, for authority to construct a 5,000 sq. ft. office/medical building on property located southwest of the intersection of South 37th and "O" Streets.

Motion to approve, with conditions, as amended, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Esseks and Bills-Strand voting 'yes'; Pearson voting 'no'.

The Planning Commission's action on the use permit is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

On June 22, 2005, the Planning Commission also recommended approval of the associated Change of Zone No. 05043 from R-4 to R-T, which is scheduled for public hearing before the City Council on Monday, July 18, 2005, 1:30 p.m.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Brian Carstens & Associates, 601 Old Cheney Road, Suite C, 68512
Gregg and Cindy Trautman, 8001 Brookfield Drive, 68506
Hartley Neighborhood Association (4)
Witherbee Neighborhood Association (2)

RESOLUTION NO. PC- 00937

USE PERMIT NO.05005

1 WHEREAS, Gregg and Cindy Trautman have submitted an application in accordance
2 with Section 27.28.090 of the Lincoln Municipal Code designated as Use Permit No. 05005 to
3 construct a 5,000 square foot office/medical building on property located southwest of
4 the intersection of South 37th and O Streets, and legally described to wit:

5 Lots 18 and 19, Block 9, Young's Hyland Park, Lincoln, Lancaster
6 County, Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site plan for this
8 construction of commercial and office area will not be adversely affected; and

9 WHEREAS, said site plan together with the terms and conditions hereinafter set forth
10 are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
11 the public health, safety, and general welfare.

12 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster County Planning
13 Commission of Lincoln, Nebraska:

14 That the application of Gregg and Cindy Trautman, hereinafter referred to as
15 "Permittee", to construct a 5,000 square foot office/medical building be and the same is hereby
16 granted under the provisions of Section 27.28.090 of the Lincoln Municipal Code upon condition
17 that construction and operation of said office/medical building be in strict compliance with said
18 application, the site plan, and the following additional express terms, conditions, and require-
19 ments:

1 1. This permit approves a 5,000 square foot office/medical building, subject to
2 Change of Zone No. 05043 being approved by the City Council.

3 2. The Permittee must revise the site plan as follows:

- 4 a. Add a 10-foot utility easement along the west lot line as requested by the
5 June 1, 2005 LES report.
- 6 b. Show the location of the sanitary sewer on the north and west property
7 lines and easements for the sanitary sewer.
- 8 c. Show the existing storm sewer and easement.
- 9 d. The building envelope on the north side must be changed to allow the
10 required 20-foot depth of the parking stalls.
- 11 e. Make corrections to the satisfaction of Public Works and Utilities
12 Department.
- 13 f. Correct the overlapping text between the building and the alley on the
14 Landscape Plan.
- 15 g. Correct the quantity of Colorado Spruce in the landscape schedule.
- 16 h. Add a note to the plans stating "early childhood care facilities shall be
17 prohibited."
- 18 i. Show the changes to the site plan reflected in the attached site plan
19 which was submitted to the Planning Commission at the public hearing on
20 June 22, 2005.

21 3. Before receiving building permits:

- 22 a. The Permittee must submit a revised and reproducible final plan including
23 five copies to the Planning Department for review and approval.
- 24 b. The construction plans must comply with the approved plans.
- 25 c. Final plats must be approved by the City.

1 4. Before occupying the building, all development and construction must comply
2 with the approved plans.

3 5. All privately-owned improvements, including landscaping and recreational
4 facilities, are to be permanently maintained by the owner or an appropriately established owners
5 association approved by the City.

6 6. The site plan accompanying this permit shall be the basis for all interpretations of
7 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
8 matters.

9 7. This resolution's terms, conditions, and requirements bind and obligate the
10 permittee, its successors and assigns.

11 8. The applicant shall sign and return the letter of acceptance to the City Clerk
12 within 30 days following the approval of the special permit, provided, however, said 30-day
13 period may be extended up to six months by administrative amendment. The clerk shall file a
14 copy of the resolution approving the special permit and the letter of acceptance with the
15 Register of Deeds, filling fees therefor to be paid in advance by the applicant.

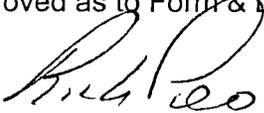
16 9. The site plan as approved with this resolution voids and supersedes all
17 previously approved site plans, however all resolutions approving previous permits remain in
18 force unless specifically amended by this resolution.

ATTEST:

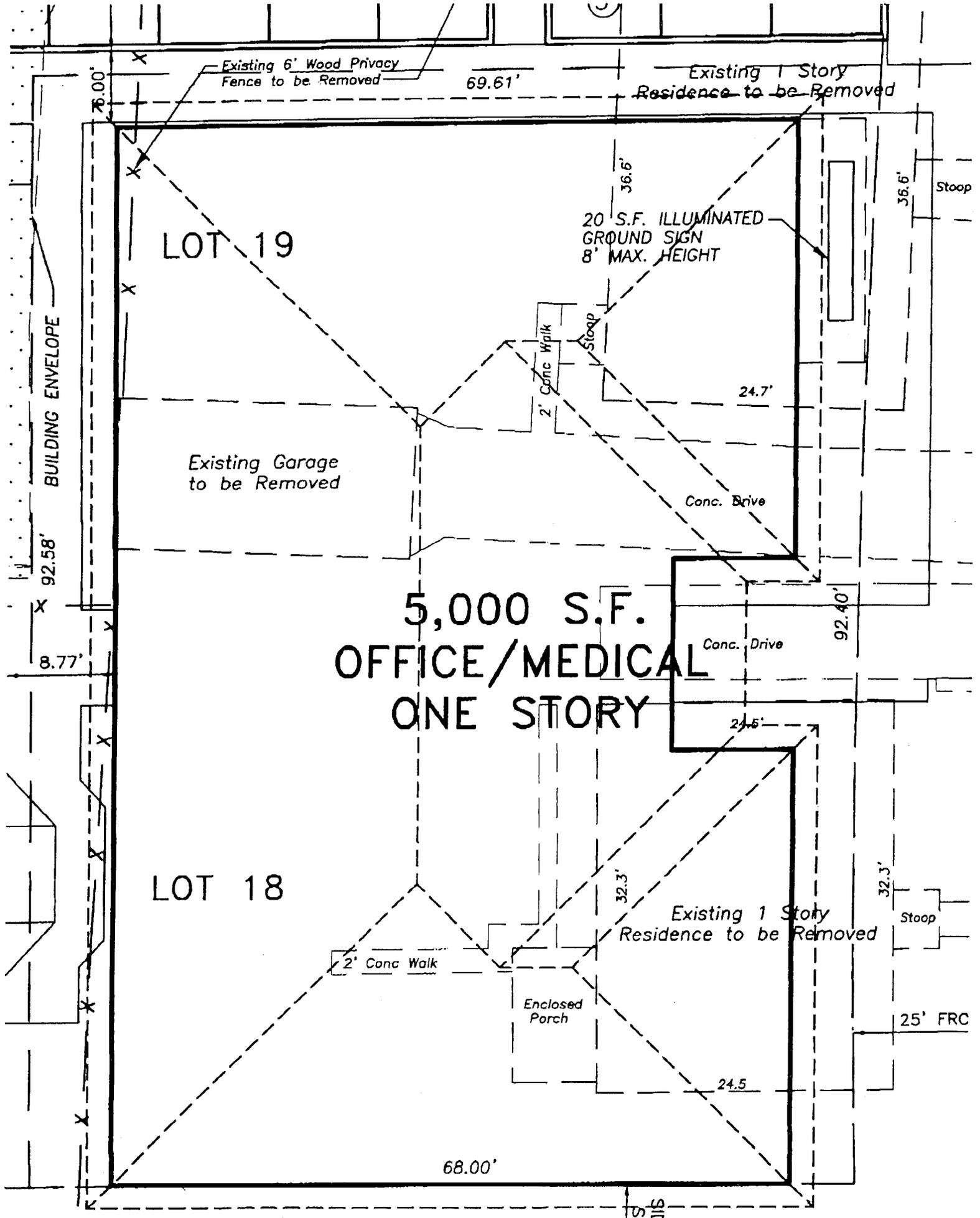
*/S/ ORIGINAL SIGNED BY
MARY F. BILLS-STRAND*

Chair

Approved as to Form & Legality:



Chief Assistant City Attorney



TO: LLWC Commissioners
Mayor Coleen J.Seng
Lincoln City Council Members
Lancaster County Board of Commissioners
Lancaster County Towns/Villages/Boards

FROM: Bonnie Coffey/Lincoln-Lancaster Women's Commission

DATE: 5/31/05

SUBJECT: Director's Report – May 2005

Notes

- I was on vacation May 31 – June 3.
- LLWC's Public Information Specialist, Diane Mullins, injured her knee and had knee surgery and recovery May 23-27.

Community Learning Center (CLC) Initiative

Background: The City of Lincoln was one of eight cities nationwide to receive a thirty-month technical assistance grant to engage the city in CLCs; I served as point person for that grant, and continue to serve on the management team for the CLC initiative in Lincoln. Community Learning Centers are partnerships that provide opportunities and support services that lead to improved student learning, stronger families and stronger communities. There are currently 15 CLCs in Lincoln funded by a blended stream of 21st Century, PEN and grant monies; an additional four were added as a result of an additional grant from the State of Nebraska.

In addition, a Nebraska CLC Network has been established; I represent the City of Lincoln on that Network.

- A Nebraska CLC Network conference call was held on 5/12; the group has decided to hold a "Hot Topics" audio conference call on a regular basis to address concerns of Nebraska communities who are working on implementing CLCs. The first call is slated for June 23 and will focus on the Full Service Community Schools Bill.
- The Lincoln CLC Leadership Council met on 5/13; some of the good news shared was the recent announcement that Nebraska Senator Ben Nelson and Maryland Representative Steny Hoyer have reintroduced the 'Full Services Community Schools Act.' This federal bill would provide incentives and financial support for the development of community schools.

Community Services Initiative (CSI)

Background: CSI is the implementation of plans developed through a community-wide survey of gaps in human services needs; due to a reconfiguration, oversight and clerical support of CSI was awarded to the Human Services Federation (HSF). This restructure combines the seven original coalitions into four (with two others being folded under Urban Development and the Health Department). The restructure provides for paid staffing of the coalitions and dissolution of the Steering Cabinet. Paid staff will now comprise the steering committee, removing the need for chairs and co-chairs. The Early Care & Education and Youth Development Coalitions have been re-combined and are being staffed by contracted personnel, Nancy Rosenow and Tracy Gordon. The group is now focusing on quality of

early care and education standards.

●The Early Care & Education and Youth Development Coalition met on 5/26. the whole group discussed the upcoming June 17 Mayor's Summit, "One Vision, One Voice." I have agreed to serve as a facilitator at the summit; some 100 people have indicated they will attend. After the group discussion, the Early Care & Education and Youth Development groups broke out; Early Care & Education is working on pilot Quality Standards for child care facilities for the state.

Women's Leadership

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health."

●"Save the Date" letters went out to women's organizations for the upcoming non-partisan "Ready to Run" workshop on October 15 at Mahoney State Park. This workshop is designed to provide women in the Lincoln/Omaha area information and resources on running for office. A recent Omaha World Herald article noted that there are no women currently serving on the Omaha City Council. A steering committee comprised of women from Lincoln and Omaha has been formed; in addition to commissioners from LLWC, Kathie Uhrmacher, Danja Pegram-Siders and Nancy Intermill, the Lincoln contingent includes Kathy Campbell and Kim Robak. The Curriculum Committee is currently lining up presenters and topics; the group will meet again on 10 in Omaha. This program is modeled after "Ready to Run" developed by the Center for American Women in Politics (CAWP) at Rutgers University, who has granted LLWC permission to use their logo and materials. CAWP is hoping to attend the October event, as we are the first state to initiate their program.

●LLWC co-sponsored the "Women and Money" conference last year; the main sponsor called early in May to let us know that they would not be continuing their sponsorship, so LLWC has taken up the mantle. Logistics and requirements were tweaked, and the conference is on track for Saturday, September 24 at the University of Nebraska – Lincoln City Campus Student Union. We already have 2 major sponsors lined up, with more coming in daily. The conference will feature scholarships for low-income women, the possibility of "Money Mentors" and a follow-up plan that will keep women on track so that in 2006, they can attend a more advanced session. Currently, one session in Spanish will be provided; it is hoped that next year's event will provide an entire track in Spanish. The possibility of offering future sessions in Arabic is being explored. Also planned for the future is a track for teen women, "Dollar Divas." The registration fees have been drastically dropped, from \$50 to \$25, which includes a continental breakfast, luncheon and materials.

●For the past several months, I have been working with Sonny Valentine at Clear Channel Communications and Douglas Theatres on an idea I brought back from my visit to

Cincinnati to visit my daughter. Evidently, several communities across the country offer matinees specifically for mothers; the lights are turned up a bit more so mothers can see their children and the volume is turned down so as not to startle babies. Sonny and I created a short overview with our desire to establish "My Movies for Mommies" in Lincoln. In late May, we heard from Debby Brehm of Douglas Theaters that they were happy to work with us in creating this program here in Lincoln. The first will be a pilot; Sonny and I will meet in June to craft details and to talk with theatre managers on how best to implement this innovative program aimed at stay-at-home moms.

Women's Health

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health." LLWC Director Bonnie Coffey serves as a liaison to the Family Violence Council and Co-Chair of the Changing Attitudes Committee (a subcommittee formed to implement part of the FVC strategic plan to address community attitudes concerning violence).

- As a member of AARP's 'Core Group,' I attended a luncheon on 5/4 to hear updates on the issues surrounding social security.
- The much anticipated arrival of the audio cassettes in Arabic finally happened! One Thousand cassettes were picked up and finalize the last piece of the Women's Health Project." Cindy Lange-Kubick wrote a story about the project and the tapes, which was picked up by the Kaiser Health Foundation. Requests for not only the tapes, but the "My Medical Records Manager" are coming in quickly. Zainab Al-Baaj of Faces of the Middle East picked up over 100 to distribute to Middle Eastern grocery stores in the Lincoln/Lancaster County area.
- The Healthy Kids: 2010 Breastfeeding Task Force continues to fine-tune a poster design to promote breastfeeding in the Lincoln/Lancaster County area. It is hoped that these will be ready for the next main group meeting in June.

Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC).

Background: For several years, LLWC has been an active member of TPPC. LLWC's director has served as president and currently provides Communications/PR support.

- "Sex, Drugs and Rock & Roll: What Parents Need to Know" was presented on 5/19 from 7-9 pm at BryanLGH West. Mayor Seng opened the forum to those who attended, and an excellent panel presented information on the current issues around teenchildren. Included on the panel were: T.J. McDowell, moderator; Teri Effle, Lincoln Council of Alcoholism and Drugs; Officer Rich Hubka, LPD School Resource Officer at Northeast High School; Nancy wolfe, SCIP Team Leader; David Humm, Lincoln-Lancaster County Health Department; and Peggy Olson, Human Sexuality Educator with Planned Parenthood. Parents attending

asked great questions at this forum designed to provide information on how parents can become good teachers of sex and sexuality to their children. TPPC is looking to repeat this forum in October, National Family Sexuality Education Month.

- May is National Teenage Pregnancy Prevention Month, and TPPC helped get the word out about an online quiz to determine their risk taking quotient at www.teenpregnancy.org. The quiz is designed to help teens make good decisions about risky behaviors.

- Locally, TPPC marked National Teenage Pregnancy Prevention Month by sending twice-weekly postcards for the entire month to elected and appointed officials and policy-makers in Lincoln and Lancaster County. Each card will have facts and statistics on teen pregnancy and births. TPPC has been initiating this mailing for the past three years.

Media/PR/Speaking

- Information was shared on My 106.5 FM on 5/4 on the upcoming Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC) forum, "Sex, Drugs and Rock & Roll: What Parents Need to Know" and on 5/18, information about May as National Teenage Pregnancy Prevention Awareness Month was shared.

- LLWC and the Commission on Human Rights continue to receive positive feedback from our presentations for Career Classes at all of Lincoln's high schools. Members of LLWC and HRC presented joint sessions on 5/2 (Northeast High School) and on 5/11 (North Star High School).

- On 5/24, I spoke at Southeast Community College on women's issues, how women won the vote and the importance of voting. As a result, two young women who had not been previously registered to vote indicated their strong intent to register and vote in the next election.

Meetings/Public Contacts

- Becky Gould, a staff attorney for the Nebraska Appleseed Center for Law in the Public Interest, and I had lunch on 5/7; Nebraska Appleseed does considerable work with women in our community, and opportunities for collaboration exist.

- With four new commissioners onboard, LLWC's president, Kathie Uhrmacher and I presented orientation on 5/9. It is LLWC's practice to provide an orientation session for new commissioners to help them understand their role on an advisory board, open meeting laws and to encourage their participation.

- As a member and founder of Lincoln's first noontime chapter of American Business Women's Association (ABWA), I attended the monthly meeting on 5/10 to hear LLWC's "Woman Artist of the Year" award recipient, Joy Ritchie, PhD, as the luncheon speaker.

- The League of Women Voters (LWV) 'Lunch and Learn' series held its last meeting on 5/19.

WomenTalk

Background: This unique television series addressing the issues that impact women was

inaugurated in January 2000, and is the only one of its kind in the city/county; all of the programs since its inception have been underwritten by the Lincoln Journal Star and are at no cost to LLWC.

- With much anticipation, the newly-built set for the WomenTalk programs was delivered on 5/17, set up and a run-through was conducted. Art Kuhr is the designer and producer of the set; we are delighted to have had a private funder supplement funds from the Friends of LLWC to pay for the set.
- "Overexposed – The Dangers of Tanning" was taped on 5/19 with LLWC commissioner Jeri Brandt, PhD as comoderator and guests Dr. Ann Lott and Jill Allen as guests.
- Upcoming programs include:
 - July 2005 – "Invited In: Internet Predators"
 - September 2005 – "How to Get Ahead Without Going to the Golf Course"
 - November 2005 – "Crystal Catastrophe: Women and Meth"
- A meeting will be held on June 8 to establish program themes for the 2005/06 season and to approach the Lincoln Journal Star for continued funding.

Regularly Attended Meetings

- LLWC Staff Meetings are held each Monday at 9 a.m. to review the week, touch base and coordinate schedules and activities.
- Each Monday at 10:45 a.m., I attend the Directors Meeting held with City Council.
- Each Wednesday from 9-11 a.m., I attend the Mayor's Cabinet meeting. Weekly reports are e-mailed to the Mayor each Monday morning.
- The LLWC monthly meeting was held May 11; since there is no June meeting, minutes of that meeting will be distributed with the July agenda .
- I attended the annual Mayor's Cabinet Retreat on 5/20 at the Ortner Center on Union College.



Karen K Sieckmeyer/Notes

06/27/05 02:09 PM

To CouncilPacket/Notes@Notes

cc Mayor/Notes@Notes, Karl A Fredrickson/Notes@Notes

bcc

Subject Fw: STREET CLOSING...

Bill Nass called Florafae and assured her that she would be able to her dead-end street. The Maintenance Section had been doing repairs on the storm sewer which involved closing a portion of West Stockwell. Since the repairs being made were dependent on the weather, home owners were not notified in advance. Repairs were completed on the same day and the street was back open to traffic.

Roger Tiedeman also stopped and visited with Florafae while working in the area.

Karen Sieckmeyer
Executive Secretary
Public Works/Utilities
555 South 10th
402-441-7566



campjon@aol.com

05/30/2005 03:25 PM

To kfredrickson@ci.lincoln.ne.us

cc

Subject Fwd: STREET CLOSING...

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

-----Original Message-----

From: CAMP JON

To: kfredrickson@ne.lincoln.gov

Cc: ercadiakees@alltel.net; dpodany@ci.lincoln.ne.us

Sent: Mon, 30 May 2005 16:23:19 -0400

Subject: Fwd: STREET CLOSING...

Karl:

Please see the following email I received concerning West Stockwell. Can you or your staff provide immediate assistance to ensure Florafae and her neighbors understand the nature of the work and how they can best navigate during the construction?

Thank you,

Jon

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

-----Original Message-----

From: Florafae Schoen <ercadiakees@alltel.net>
To: CAMPJON@aol.com
Sent: Mon, 30 May 2005 12:48:27 -0500
Subject: STREET CLOSING...

Dear Mr. Jon Camp

Sorry to bother you on Memorial Day, but, we have an unexpected problem that will cause havoc in our neighborhood, and, I am hoping you can help us.

The Sunday Lincoln Journal Star Street Closing column lists our street, (West) Stockwell at Folsom, is to be closed from May 31, to June 3, for "storm drain culvert". We appreciate the storm drain being repaired, but, West Stockwell is a **DEAD END STREET!** We were not notified of this action, and, if the street is totally closed to traffic, we and our neighbors have no way to get out or back into our home property during this time. We cannot park the cars along Folsom Street, and, even if we could, there are some neighbors who are unable to walk that far.

Any suggestions???

Thank you!

Florafae and Burdette Schoen
815 West Stockwell
Lincoln, NE 68522
402-423-3931

O.U.R. HOMES
(ORGANIZED UNIT RESPONSIBILITY HOMES)
2445 "R" STREET
LINCOLN, NE 68503
PHONE: (402) 474-4944
FAX: (402) 474-4923

MARY HEPBURN O'SHEA, LMHP (730-3619)
CEO and LICENSED MENTAL HEALTH
PRACTITIONER

June 24, 2005

ROBERT F. HEPBURN (474-2121)
BUSINESS and PERSONNEL MANAGER

BRIAN WATKINS, (730-8000)
ASSISTANT DIRECTOR &
ASSISTANT LIVING ADMINISTRATOR

PHYLLIS KRULL, (474-4922)
RESIDENT ACCOUNTS MANAGER

SHELLEY HEPBURN, (474-4922)
ASSISTED LIVING ADMINISTRATOR

ERIC HEPBURN (474-2121)
PROPERTY MANAGEMENT SUPERVISOR

SONDRA HEPBURN, LPN (486-3130)
DAY CENTER INTAKE and HEALTH
SUPERVISOR

ARIF SATTAR, M.D. (730-5759)
MEDICAL DIRECTOR

RECEIVED
JUN 27 2005
CITY COUNCIL
OFFICE

Re: Assisted Living Rates
and Mental Health

Lincoln City Council
555 S. 10th Street
Lincoln, Nebraska 28508

Dear Council Members:

I have enclosed some letters I wrote to the Governor and Health and Human Services in an effort to get the assisted living rate increased by \$10 a day. There is no way to provide the staff necessary to operate at the present \$31 a day and I have outlined those reasons in the letter to HHS.

My main reason for writing you is just so you understand many people coming out of our State hospitals do need supervision of their medication on a daily basis and someone to cook their meals. For the past 43 years we have been able to take care of this population and we have tried to keep a low profile for the sake of our clients and go quietly about our business which is providing good care at the rate the State is willing to pay. I am sure you realize you can't even get a good motel room for \$31 a day and we are expected to provide 3 meals, snacks, housekeeping, administering medications and 24 hour staff on grounds. We have around 300 people in our homes.

The Council has nothing to do with setting the rate. However, as keepers of our city, it would be irresponsible of me not to alert you to the problems so when the police or other people in the community complain you realize the State needs to take some responsibility for this if they want to empty our hospitals. Bryan West Mental Health Unit is usually full and people are pushed out before they are ready many times when they do get in. Nationwide our jails are crammed with people who are mentally ill and it would be a much better solution to house them where they can be supervised and kept constructively occupied rather than ending up in jail at a much higher price.

All of us need to be concerned with the issue of homelessness and particularly as it relates to the mentally ill. If there is anything you can do in political circles relating to the State, we would really appreciate it. If you cannot, then at least you will have been informed. If any of you would like to visit our facilities, I would be glad to show you around so you know what is going on.

Sincerely,

Mary Hepburn O'Shea, LMHP

O.U.R. HOMES

(ORGANIZED UNIT RESPONSIBILITY HOMES)

2445 "R" STREET
LINCOLN, NE 68503
PHONE: (402) 474-4944
FAX: (402) 474-4923

MARY HEPBURN O'SHEA, LMHP (730-3619)
CEO and LICENSED MENTAL HEALTH
PRACTITIONER

June 24, 2005

ROBERT F. HEPBURN (474-2121)
BUSINESS and PERSONNEL MANAGER

BRIAN WATKINS, (730-8000)
ASSISTANT DIRECTOR &
ASSISTANT LIVING ADMINISTRATOR

PHYLLIS KRULL, (474-4922)
RESIDENT ACCOUNTS MANAGER

SHELLEY HEPBURN, (474-4922)
ASSISTED LIVING ADMINISTRATOR

ERIC HEPBURN (474-2121)
PROPERTY MANAGEMENT SUPERVISOR

SONDRA HEPBURN, LPN (486-3130)
DAY CENTER INTAKE and HEALTH
SUPERVISOR

ARIF SATTAR, M.D. (730-5759)
MEDICAL DIRECTOR

RECEIVED
JUN 27 2005
CITY COUNCIL
OFFICE

Re: Assisted Living Rates

Honorable Governor David Heineman
State Capitol
Lincoln, Nebraska 68509

Dear Governor Heineman:

I have enclosed a letter I have written to Nancy Montanez so that you understand the problems we are facing in the assisted living business. I have worked both at Lincoln Regional Center as a social worker in charge of getting people out of the hospitals in 1960 to 1964 when the population went from 1700 to 450 and then as Director of Southeast Psychiatric Clinic where I did the leg work to get Blue Valley Mental Health Center and Lancaster Mental Health Center started. That was years ago and that is actually when President Kennedy did what was necessary to get deinstitutionalization started. Your wanting to decrease hospital beds or close them is no new thing. The truth of the matter is our State hospitals were decreased in populations as was BSDC many years ago and what is there now is needed.

My colleagues and the newspaper would indicate you are interested in helping those with mental illness. I do not doubt your goodwill and intentions. I have to believe you are not aware of what is really happening or what already happened in the past. The people O.U.R. Homes is serving are really great people but I have never in my history seen the physical problems they have developed in addition to the mental illness. Our jails are full, our community hospitals cannot meet the need and Psych-Res-Rehab is not geared for the diabetes, incontinence, breathing problems being caused by the physically compromised residents we are getting. O.U.R. Homes is happy to help. We love what we do but I plead with you to please help us get the rate up so we can keep our residents safe and healthy and the community also protected.

Sincerely,

Mary Hepburn O'Shea, LMHP
Licensed Mental Health Practitioner

O.U.R. HOMES

(ORGANIZED UNIT RESPONSIBILITY HOMES)

2445 "R" STREET

LINCOLN, NE 68503

PHONE: (402) 474-4944

FAX: (402) 474-4923

June 24, 2005

MARY HEPBURN O'SHEA, LMHP (730-3619)
CEO and LICENSED MENTAL HEALTH
PRACTITIONER

BRIAN WATKINS, (730-8000)
ASSISTANT DIRECTOR &
ASSISTANT LIVING ADMINISTRATOR

SHELLEY HEPBURN, (474-4922)
ASSISTED LIVING ADMINISTRATOR

SONDRA HEPBURN, LPN (486-3130)
DAY CENTER INTAKE and HEALTH
SUPERVISOR

ROBERT F. HEPBURN (474-2121)
BUSINESS and PERSONNEL MANAGER

PHYLLIS KRULL, (474-4922)
RESIDENT ACCOUNTS MANAGER

ERIC HEPBURN (474-2121)
PROPERTY MANAGEMENT SUPERVISOR

ARIF SATTAR, M.D. (730-5759)
MEDICAL DIRECTOR

RECEIVED
JUN 27 2005
CITY COUNCIL
OFFICE

Re: Crisis in Assisted Living

Nancy Montanez, Director
Health and Human Services
301 Centennial Mall South
Lincoln, Nebraska 68509

Dear Ms. Montanez:

O.U.R. Homes has been in the assisted living business for 43 years -- probably longer than any other agency in the State. In 43 years we have never been as desperate as we are now. We are paid only \$31 a day (\$957 a month) for three meals a day, twenty-four hour supervision, monitoring of medications and in some cases administering medications, plus housekeeping. One cannot even get a decent motel room for \$31, yet we are expected to meet several books of regulations -- "Regulations Governing Licensure of Assisted Living Facilities" (51 pages), "Nebraska Food Code" (95 pages), "Regulations Governing the Practice of Nursing" (91 pages), "Statutes Relating to Medication Aides and other Unlicensed Persons" (30 pages). In addition to that you have fire codes, building codes, zoning codes. To do these things, staff have to meet all kinds of various licensures or registrations which takes training and then in-service training. Through these 43 years I have been able to meet the various ever changing regulations. So, what's new?

(1) Our workman's compensation went from \$70,000 to \$145,000 this year because they threw us in a nursing home category. This has happened because of all the people coming out of nursing homes who need physical care and that staff is at high risk for injury. Initially assisted living was for those "not in need of nursing home care." Now we have people on oxygen, people who have to do accu-checks on their glucose level, people who are incontinent and people on so many different medications I wonder how they can even walk around. I have taken 75 medication administration records to Sharon Johnson at HHS to illustrate exactly what we are faced with. A very few of our 300 residents are medicaid waived and that rate is \$2,199 - This is adequate. However the majority of my clients are younger and have a mental health problem as well as physical problems and it is (1) difficult to get them waived plus (2) the waiver slots are full. It's a great program and saves the State millions of dollars instead of paying \$200 a day in a nursing home. It needs to be funded.

(2) Gasoline prices have gone up which has affected our food budget -- the past year our raw food costs have gone from \$130 to \$165 per month per client.

(3) Liability insurance went so high I had to drop it so we are floating around out here in a high risk business with no insurance. Other operators

have also dropped it. People who are serving the low income people at the \$957 rate are trying to get out of the business.

(4) The governor and legislature are pushing to close Norfolk Regional Center and push people rapidly through the mental health system. Unfortunately as a mental health practitioner I can tell you this is a very unwise decision as other States have already found out. Nationwide the jail population has increased as the mental health hospitalization system decreased. People are in the streets. Yes, Douglas County does need their own mental health in-patient hospital that should receive State funds. Douglas County already fulfills some of that need as does Immanuel Hospital -- but we need a hospital to serve the northeast part of the State as well. It does not save money to close it -- it just strains some other part of the tax-payer system such as the jails and community hospitals that cannot meet the need - their beds are full. Mary Lanning Hospital at Hastings was even sending their patients to North Platte. Some of our residents have had to wait over six hours in the emergency room at Bryan Hospital West because they had to discharge someone (probably prematurely) before they could admit anyone else. Some even wait in the emergency room overnight.

If you want people out of the hospitals and out of the nursing homes adequately funded assisted living facilities can certainly help meet that need. As a social worker, I am not interested in competing with assisted living operators charging \$3,000 a month. People who can pay that certainly don't need me. I am interested in providing the physical care the mental health clients need whose systems are being drastically compromised by the myriad of drugs they take to try and maintain some semblance of sanity.

This is the least we need to continue in operation:

- (1) \$1275 per month for assisted living.
- (2) Title XX Adult Day Care -- five days a week.

This is almost \$1,000 cheaper per month than it would be to waiver these clients but it would allow us to hire the nursing and activity staff they need to be safely maintained in the community.

Any help you can give will be greatly appreciated. Also, please feel free for you or any of your staff to call me to come for a visit if you would like to see what is really going on.

Sincerely,

Mary Hepburn O'Shea, LMHP
Licensed Mental Health Practitioner

RECEIVED
JUN 27 2005
CITY COUNCIL
OFFICE

CC: Governor David Heineman
Senator Jim Jensen - Health and Human Services Committee
Richard Nelson - HHS Finance and Support
Colleen Seng - Lincoln Mayor
Lincoln City Council
Lancaster County Commissioners



Joan V Ray/Notes
06/29/2005 03:55 PM

To NIKKITONY1@aol.com
cc
bcc
Subject Fw: Fourth of July Celebration

Dear Ms. Lapointe: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@lincoln.ne.gov
NIKKITONY1@aol.com



06/29/2005 03:36 PM

To parks@ci.lincoln.ne.us, council@ci.lincoln.ne.us,
mayor@ci.lincoln.ne.us, plan@ci.lincoln.ne.us
cc
Subject Fourth of July Celebration

Dear City Of Lincoln Officials,

I am writing to ask about the Fourth of July Celebration for next year. We have always enjoyed the events you put on at Holmes Lake. I understand that the celebration had to be move because of the clean up and restoration of the lake but an article in last moths Journal Star (May 23) says it is 95% complete. So we are wondering when will the celebration be returning to Holmes Lake Park. My family, friends and neighbors are all hoping it will be next year, as I'm sure others that live in this area do also. We all want the celebration to be returned to it's traditional Home.

I am a resident of Lincoln and have been for the past 12 years and plan on living here for decades to come. I want to enjoy taking my family and friend to the celebration and watching the grand fireworks Display at Holmes Lake Park.

Thank you for your time,
Nikki LaPointe



L I N C O L N E L E C T R I C S Y S T E M

June 29, 2005

Mr. Greg Vasek
President
Linweld, Inc.
2900 South 70th Street, Suite 400
Lincoln, NE 68508

Re: August 1, 2005 Proposed Rate Increase

Dear Mr. Vasek:

Thank you for your letter of June 8, 2005, regarding the Lincoln Electric System (LES) proposed rate adjustment. I have forwarded your letter to the balance of the LES Administrative Board members for their review. LES continues to enjoy the opportunity to be Linweld's low cost electric service provider in Lincoln and Waverly. We are thankful to have Linweld, a leading employer and business in the Lincoln economy, and we appreciate your commitment to the community.

We understand your concern that Linweld's electric rates are proposed to increase about 12% compared to the system average increase of 9%. Further we understand how economically challenging this increase can be to Linweld's operations. This increase is directly due to the dramatic increases in external costs associated with producing energy. The increases relate to costs which we have no ability to control, including natural gas market prices, wholesale market electric prices, coal prices and coal freight costs and the drought conditions in western Nebraska and Wyoming. Because the cost increases are so predominantly within the energy component, we feel the more energy intensive customers should receive a larger share of the increase. We conduct detailed rate design studies in an attempt to have each class of customers pay rates that reasonably reflect the cost of service within guidelines determined by the LES Administrative Board. At the conclusion of the 2005 Cost of Service Study, we continue to find ourselves in a position where the largest users pricing is still below cost of service by approximately 9%.

Competitively, LES prides itself on the fact that we continue to be in the lowest 10% energy providers across the country. After the implementation of the 2005 increase, LES rates remain highly competitive. We are maintaining a second lowest cost position within the region for the highest load factor, most energy intensive consumers. The LES Administrative Board and Management are working hard to

Mr. Greg Vasek
June 29, 2005
Page 2

assure that we maintain this economically favorable position, as you have rightly pointed out.

Your letter proposed that we look at time of use rates in order to help large customers. We are willing to look at rate alternatives. LES staff during the last year have initiated a study, in conjunction with utilities and economists from around the country, on the development of alternative rate methods and structures. Included in this study, are time of use (TOU) rates which typically help customers that are able to shift load to off-peak periods. That will be a challenge with Linweld's very high load factor but we are nevertheless willing to continue to work with Linweld to investigate ways to reduce your energy costs. J. Todd Hall, Vice President, Consumer Services will follow up to start the discussions of how we can work together to help you achieve your business goals.

Thank you again for your comments.

Sincerely,



Thomas Schleich
Chair, LES Administrative Board

TGS:cls

c: Terry L. Bundy, LES Administrator and CEO
LES Administrative Board
Lincoln City Council



Joan V Ray/Notes
06/24/05 08:49 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: InterLinc: Council Feedback

----- Forwarded by Joan V Ray/Notes on 06/24/2005 08:51 AM -----



**DO NOT REPLY to this -
InterLinc
<none@lincoln.ne.gov>
06/23/2005 08:36 PM**

To General Council <council@lincoln.ne.gov>
cc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Dee Ann Herrington
Address: 1320 Aberdeen Ave.
City: Lincoln, NE 68512

Phone: 402-423-5816
Fax: none
Email: dherrin@lps.org

Comment or Question:

I live along South 14th Street between Old Cheney and Pine Lake. As you know this road was widened last Summer. I have been in contact with Charlie Wilcox (?) who works on these projects about the state of our property after the widening. We have a privacy fence which is on our property and did not have to be moved for the widening. However the ground has not been replaced to its former height and we have approximatley 1-2" of dirt up against the fence. In some areas it is even more. I am afraid the fence is going to deteriorate much faster due to this. I was told that Pavers would be out to take care of it and have yet to see or hear from them.

I also am concerned about the replacement grass. My husband and I spent about 12 hours last Fall pulling weeds in the parking (that was affected in front of our house) plus the water to get it re-established. Since the seed for the South 14th section was not put down until the end of May or beginning of June we cannot afford to get it established. And until the ground level problem is solved we will not spend the time or energy to pull the weeds.

I would appreciate your attention to the state of this road. The project has been done for awhile and the medians are full of weeds.

Thank you for your time.

Sincerely,

Dee Herrington