

**CORRESPONDENCE
IN LIEU OF
DIRECTORS' MEETING
MONDAY, MAY 23, 2005**

I. MAYOR

- *1. NEWS ADVISORY & NEWS RELEASE - RE: CORRECTIONS:
Construction On 84th Street Progressing South - The attached release was sent out Friday, May 13th. We have three corrections to the previous release. The first two are indicated with capital letters: - (See Attached News Release for corrections)
- *2. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m. Thursday, May 19th in the reception area outside the Mayor's Office -Topics will include the nomination for Planning Commission, the summer swimming pool schedule, and other topics -(See Advisory)
- *3. NEWS RELEASE - RE: Seng Announces Progress on 48th and "O"
Redevelopment -(See Release)
- *4. NEWS RELEASE - RE: Mayor Announces Winners Of Annual Water Conservation Art Contest-(See Release)
- *5. NEWS RELEASE - RE: Mayor Institutes Voluntary Watering Plan-Mayor calls for continued water conservation -(See Release)
- *6. NEWS RELEASE - RE: University Place Pool To Open For Holiday Weekend-Other pools and Woods "sprayground" to open June 4th -(See Release)
- *7. NEWS RELEASE - RE: Mayor Seng Nominates Esseks For Planning Commission -(See Release)
- *8. NEWS RELEASE - RE: Mayor Seng Receives Offer To Buy Surplus City Building-(See Release)
- *9. NEWS RELEASE - RE: Mayor Announces Events Facility Task Force - (See Release)

- *10. Washington Report - May 13, 2005.

II. DIRECTORS

HUMAN SERVICES

- *1. Report - 'Ride For Five' Low-Income Transportation Pilot Project Final Report, October 1, 2004 -March 31, 2005 - Submitted by Kit Boesch; Technical and Data Contributions by: Volunteer Partners - StarTran- Department of PW/U - (Council copies of this Report placed in their file folders on 5/17/05)(Copy of this Report on file in the City Council Office)

PLANNING

- *1. Letter from Mayor Coleen Seng to Lincoln/Lancaster County Planning Commission Mary Bills-Strand, Chair -sent to Council Office by Jean Walker - RE: Item #7: Comp Plan Amendment # 05011, to rezone land at the Lancaster Event Center for commercial development-Annual Review Public Hearing-5/18/05- Mayor Seng requesting that at the conclusion of the public hearing the Commission vote to place this request on pending - (See Letter)
- *2. Response E-Mail from Marvin Krout to Peter Katt - RE: SWAT Report Update – Is Rome Burning? - (See E-Mail)
- *3. Letter from Brian Will to Dr. R. Samuel Bryant - RE: Piester Addition - Final Plat #05017 - Generally located at South 80th Street & Preserve Lane - (See Letter)
- *4. Letter from Becky Horner to Brian D. Carstens, Brian D. Carstens & Associates - RE: Flat Iron Crossing Addition Final Plat #04139-Generally located at N. 33rd and Apple Street - (See Letter)

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit #05021 (On-sale alcohol - Ramos Pizza - 2435 So. 48th Street) Resolution No. PC-00925.

- *2. Special Permit #05018 (Early Childhood Care Facility - 2030 N. 29th Street) Resolution No. PC-00924.

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Sidewalk Repair Advisory- Project #702167 -(See Advisory)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

ANNETTE McROY

- 1. Request to Lynn Johnson, Parks & Recreation Director - RE: Skateboard Park in NW Lincoln - (RFI#165 - 5/05/05)

PATTE NEWMAN

- 1. Request to Don Taute, Personnel/ Bill Kostner, Risk Management - RE: Concerned that his insurance company was being over-charged for a Dec. 3, 2004 accident in the East Campus area - (RFI#35 - 5/16/05)

TERRY WERNER

- 1. Request to Personnel Department - RE: 'M' class employees - (RFI#143 - 5/02/05)

V. MISCELLANEOUS

- *1. E-Mail from Jennifer Augstums - RE: Closing swimming pools -(See E-Mail)
- *2. E-Mail from Rachel Larson - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)

- *3. E-Mail from Kay Fleig - RE: Closing swimming pools -(See E-Mail)
- *4. E-Mail from Kathy Rico - RE: Closing swimming pools -(See E-Mail)
- *5. E-Mail from Diane Stewart - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)
- *6. Letter from Annabelle Neemann - RE: The Hartland Home Development located between North 14th & 7th Street, Fletcher Ave. to Humphrey Ave. - (See Letter)
- *7. Letter from John & Alene Holt - RE: Why won't the City approve the use of a resin sleeve for the use of private homeowners?- (See Letter)
- *8. Letter from Denise & Larry Maack & family - RE: Proposal of the Annexation #05006; Change of Zone #05024, from AG Agricultural to R-3 Residential; Special Permit #05015, Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation #05002 on property generally located at N.14th Street and Humphrey Avenue -(See Letter)
- *9. Letter from Bruce Spilker - RE: Annexation #05006; Change of Zone #05024, From AG Agricultural to R-3 Residential; Special Permit #05015, Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation #05002, on property generally located at N. 14th Street and Humphrey Avenue -(See Letter)
- *10. Letter from Keith Spilker - RE: Annexation #05006; Change of Zone #05024; Special Permit #05015, Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation #05002 at N. 14th Street & Humphrey Avenue-(See Letter)
- *11. Note Card from Ruth Mussmann - RE: Opposed to the Wal-Mart at 84th & Adams -(See Note Card)
- *12. E-Mail with attached Letter from Todd Wicken - RE: Comprehensive Plan Amendment #05012 -(See E-Mail & Letter)
- *13. E-Mail from William J. Rogers Jr. - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)

- *14. E-Mail from Eric Larson - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)
- *15. 6 - E-Mail's from James Takacs; Citizen; Karin Kotschwar, Lincoln Neighborhood Alliance; Maurice Titsworth; Ronell Titsworth; Coby Mach, LIBA; - RE: Supports North Hills Comprehensive Amendment - (See E-Mail's)
- *16. E-Mail from Thomas Varner - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)
- *17. 5 -E-Mail's from John Brown II; Brian Jackson; Mark Kenne; Michael Wittrock; Christina Wittrock; - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail's)
- *18. 3 -E-Mail's from Lori Ann Pippitt; Michael Archer; Karon Harris; - RE: North Hills Comp Plan Amendment #05005 & Comp Plan Amendment #05012 -(See E-Mail's)
- *19. Faxed Petition with 11 signatures - RE: Opposed to the construction of the Wal-Mart at 84th & Adams -(See Petition)
- *20. Letter from Shelley Eitel - RE: Please don't turn down the low-income transportation for people with handicaps -(See Letter)
- *21. Letter & Material from Neal Grummert, Twisted Steele Inc. D.B.A. Lazzari's - RE: Our application for a sidewalk café - we were denied by the Sidewalk Café Committee and we are appealing this denial in front of the City Council on Monday, May 23rd - (See Material)
- *22. E-Mail from Carol Brown - RE: Economic Development/Tourism -(See E-Mail)
- *23. Letter - RE: "Global Oil Production" -(See Letter)

VI. ADJOURNMENT

***HELD OVER UNTIL JUNE 6, 2005.**

da052305/tjg



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: May 16, 2005

FOR MORE INFORMATION: Brian Dittmann, Public Works and Utilities Dept., 441-8326

The attached release was sent out Friday, May 13. We have three corrections to the previous release. The first two are indicated with capital letters:

In the fifth paragraph, the first sentence said the intersection of 84th and Old Cheney would close for about two weeks. The intersection will be closed until December.

In that same paragraph, the word “on” has been changed to “to.”

On the second page, the tentative schedule, we have eliminated time references in the first four bullet points.

We apologize for any confusion.



CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

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FOR IMMEDIATE RELEASE: May 13, 2005

FOR MORE INFORMATION: Brian Dittmann, Public Works and Utilities Dept., 441-8326

CONSTRUCTION ON 84TH STREET PROGRESSING SOUTH

Construction on the 84th Street traffic safety and storm sewer improvements is resuming southward, requiring a series of closures beginning May 16th. The closures are necessary to allow for the installation of a 48-inch water main through the intersection of 84th and Old Cheney Road, as well as the relocation of two major gas mains in that intersection.

“We must take full advantage of peak construction season, so we are asking motorists for their continued patience as we become more aggressive toward completion of all street lanes on this complicated project this fall,” said Karl Fredrickson, Director of the City Public Works and Utilities Department. “Our goal is to have the entire project area open to traffic by December, barring bad weather and unforeseen complications.” Fredrickson said some temporary lane restrictions will be necessary until mid-2006 for work on retaining walls, sidewalks, street lights and seeding.

The continued widening of 84th Street south of Montello Road began in March 2004. The improvements include three separate projects in a four-mile area from Montello Road to Amber Hill Road. The construction has been completed from Cheney Ridge Road south.

Because local access within the project area will change several times over the next few months, motorists are encouraged to view the latest information and maps on the City Web site at lincoln.ne.gov (keyword: 84th).

On May 16 (weather permitting), the intersection of 84th Street and Old Cheney will close UNTIL DECEMBER. Current closures in the project area are Pagoda Lane at Pioneers Boulevard and 84th Street between Old Cheney Road and Pioneers Boulevard. Residents along Pagoda Lane, Mandarin Circle and Kathy Lane can connect to 84th Street and Pioneers Boulevard by going east TO Pioneer Greens Drive, which then veers north to Pioneers Boulevard. East-west traffic can cross 84th Street at both Mandarin Circle and Kathy Lane locations.

The project is being built by private contractors.

The **TENTATIVE** schedule for the remaining portions of the projects is attached.

84TH STREET PROJECTS TENTATIVE SCHEDULE

Week of May 16th -

Total closures:

- Pagoda Lane at Pioneers Boulevard
- 84th Street between Old Cheney Road and Augusta Drive
- 84th Street between Mandarin Drive and Pioneers Boulevard
- Old Cheney Road from 82nd to 88th streets

Residents along Pagoda Lane, Mandarin Circle and Kathy Lane will have access to 84th Street and Pioneers Boulevard by going east on Mandarin Drive to Pioneer Greens Drive to Pioneers Boulevard.

Residents north and east of the 84th Street and Old Cheney Road intersection will connect to 84th Street at Augusta Drive and go north on 84th Street to Mandarin Drive, then east to Pioneer Greens Drive for access to Pioneers Boulevard, 84th and 98th streets.

Residents south and east of the 84th Street and Old Cheney Road intersection will have access to Old Cheney Road and be detoured east to 98th Street for access to Pine Lake Road and to travel east and west.

May 23rd through mid- to late June -

Total closures:

- Pagoda Lane at Pioneers Boulevard
- Pioneers Boulevard from 80th Street to 84th Street
- 84th Street from Cheney Ridge Road to Augusta Drive
- Old Cheney Road from 82nd Street to 88th Street

Residents along Pagoda Lane, Mandarin Circle and Kathy Lane will have access to 84th Street via Pioneer Greens and will be able to travel north on 84th Street to Van Dorn Street.

Residents north and east of the 84th Street and Old Cheney Road intersection will connect to 84th Street at Augusta Drive, allowing them to use the Pioneers Green detour to go north on 84th Street to Van Dorn Street.

Residents south and east of the 84th Street and Old Cheney Road intersection will have access to Old Cheney Road and be able to travel east to 98th Street. They also will have access to Pine Lake Road and be able to travel east and west.

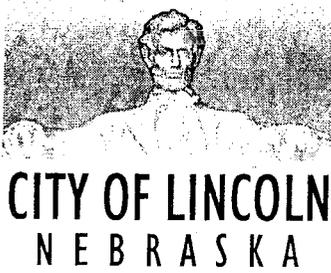
Mid- to late June through late November -

Total closures:

- 84th Street from Cheney Ridge Road to Augusta Drive
- Old Cheney Road from 82nd to 88th streets

Residents north and east of the 84th Street and Old Cheney Road intersection will connect to 84th Street at Augusta Drive, allowing them to go north on 84th Street to Pioneers Boulevard.

Residents south and east of the 84th Street and Old Cheney Road intersection will have access to Old Cheney Road and be able to travel east to 98th Street. They also will have access to Pine Lake Road and be able to travel east and west.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

DATE: May 18, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, May 19** in the **reception area outside the Mayor's Office, second floor of the County-City Building, 555 South 10th Street.**

Topics will include the nomination for Planning Commission, the summer swimming pool schedule, and other topics.



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: May 18, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Wynn Hjermstad, Urban Development Dept., 441-8211

SENG ANNOUNCES PROGRESS ON 48TH AND "O" REDEVELOPMENT

Mayor Coleen J. Seng announced today she has selected the Pinnacle Point proposal for the redevelopment of the north side of 48th and "O" streets. The Mayor ordered negotiations to begin immediately on a redevelopment agreement. The Pinnacle Pointe Redevelopment Proposal calls for a multi-use commercial center, that includes Pinnacle Bank and Hy-Vee, Inc.

Pinnacle Pointe was one of two proposals submitted for developing the north side of the 48th and "O" area. Mayor Seng appointed a citizen review committee to review the two proposals for the north side and the one proposal submitted for the south side. Negotiations are already under way on a redevelopment agreement for the proposal submitted for the south side by West Gate Bank, Runza National Inc. and Village Development Inc., which represents Walgreen's. Redevelopment agreements must be approved by the City Council.

"I am pleased we are moving forward on the redevelopment of this area, which has been mostly vacant and deteriorating for a few years," said Mayor Seng. "These are high quality projects with very qualified developers. I am confident that these proposals will restore this area to a vital and productive center for new jobs and commerce."

The area bounded by 48th, 52nd, "R" and "N" streets was declared blighted in August, making potential developers eligible for tax-increment financing. The redevelopment area is almost 42 acres of prime retail and commercial property sitting in the center of the city.

The 48th and "O" Street intersection is the second busiest in Lincoln. The City is planning to schedule the widening of "O" Street at the same time as the redevelopment project to be cost efficient and minimize inconvenience to the public and area businesses.

The City announced earlier this month that it had received a \$128,200 federal grant to assess the need for environmental cleanup at the site, which was the location of several auto dealerships and related businesses. Lincoln will use the funds to conduct site assessments and develop a plan for cleaning up any contaminants.



NEWS RELEASE

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OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7547
Jerry Obrist, Lincoln Water System, 441-7571

MAYOR ANNOUNCES WINNERS OF ANNUAL WATER CONSERVATION ART CONTEST

Mayor Coleen J. Seng today announced the winners of the annual water conservation busboard contest. Lincoln fifth-graders were invited to participate in the art contest, sponsored by the Mayor's Water Conservation Task Force. The winning entry was submitted by Monica Claesson, who is home-schooled at Oakview Christian School. Her artwork will be displayed on two StarTran busboards.

"This contest is a great way to showcase the talents of our young people," said Mayor Seng. "It's also a great way to get them thinking about water conservation at an early age. If they are to make intelligent decisions about water and the environment in general, they must be taught not only scientific facts, but also to value and respect our natural resources."

Second place was awarded to Emmie Farrar of Hawthorne Elementary, and the third-place award went to Katelynn Young of Hawthorne Elementary. Honorable mention awards were presented to Mikayla Findlay from Hawthorne Elementary and Jackie Osenbaugh from Morley Elementary.



CITY OF LINCOLN
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FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Jerry Obrist, Lincoln Water System, 441-7571

MAYOR INSTITUTES VOLUNTARY WATERING PLAN

Mayor calls for continued water conservation

Mayor Coleen J. Seng today encouraged Lincoln residents to voluntarily practice outdoor water conservation this summer by following the designated day schedule instituted last year. She encouraged good stewardship of the local water supply while other parts of the state remain in drought conditions.

“The Lincoln water supply is in good shape as we approach summer,” said Mayor Seng. “But we all know from living in Nebraska, that our situation can change. Weather experts suggest that the drought has not gone away, and the Mayor’s Water Conservation Task Force and I are encouraging conservation practices as we prepare for the summer months.”

The Lincoln area has had near-normal precipitation as of mid-May, but Platte River flows are slightly below normal. The Platte River wellfield that supplies the City of Lincoln with its drinking water is 96 percent full. Reservoir systems on the North Platte River are only 30 percent full.

Those with street addresses ending in an even number, including zero, are asked to voluntarily limit outdoor water use (watering lawns and washing vehicles) to Wednesdays, Fridays and Sundays. Those with addresses ending in odd numbers are asked to voluntarily limit outdoor watering to Tuesdays, Thursdays and Saturdays. Those property owners with more than one street address at the same location can choose either daily schedule and notify the Lincoln Water System (LWS) of their decision.

Public Utilities Administrator Steve Masters said residents have done a good job conserving outdoor water in the past. He reminded residents that the City’s water fees are structured to encourage conservation. “The more water you use, the higher your rate, so those who water excessively this summer can expect high water bills,” Masters said.

Water is billed by the unit. One unit is 100 cubic feet of water or about 750 gallons. The price is 93 cents per unit for the first eight units (about 6,000 gallons). The price increases to \$1.28 per unit for the next 15 units (11,250 gallons). It increases again to \$1.89 per unit for every 750 gallons above 15 units. A complete description of water rates and the City’s Water Management Plan are available on the City Web site, lincoln.ne.gov, under Public Works and Utilities.

-more-

Voluntary Watering Days

May 19, 2005

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In addition to following the designated day system, LWS and the Mayor's Water Conservation Task Force recommend:

- watering during the cool part of the day;
- not watering when it is windy;
- adjusting sprinklers to water only the lawn, and not the sidewalk or street;
- using a broom, not a hose and water, for outdoor cleaning; and
- washing your car with a pail of soapy water, using the hose only to rinse the car.

Masters encouraged those who have automatic lawn irrigation systems to set their sprinklers to utilize the designated watering days the Mayor has requested. He praised Lincoln for continuing to practice water conservation, noting that many Lincoln citizens have already set their systems to operate in the morning, the cooler part of the day.

“Our statistics show that enough people are conforming to our conservation suggestions that our peak time for water usage has shifted from later in the day to earlier in the day,” said Masters. “Residents have always shown a willingness to assist with our water management practices in the past. I’m confident they’ll follow suit this time as well, and we appreciate their help.” Masters said that the use of designated days also helps to level the daily usage of water throughout the week.



NEWS RELEASE

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OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Lynn Johnson, Parks and Recreation Director, 441-8265
Holly Lewis, Recreation/Aquatics Manager, 441-7960
J.J. Yost, Planning and Construction Manager, 441-8255

UNIVERSITY PLACE POOL TO OPEN FOR HOLIDAY WEEKEND

Other pools and Woods "sprayground" to open June 4

Mayor Coleen J. Seng today announced that the University Place Pool, 2000 North 48th Street, will be open from 1 to 5 p.m. Saturday, May 28 through Monday, May 30 for the Memorial Day weekend. Lincoln's other ten outdoor public pools, including Star City Shores, will open for the season Saturday, June 4 and are scheduled to remain open through Sunday, August 21.

The new interactive water playground or "sprayground" at Woods Pool, 3200 "J" Street, also will open June 4. The sprayground replaced the wading pool and features 28 water play and spray features. "We're very excited to be opening this new outdoor water recreation activity," said Parks and Recreation Director Lynn Johnson. "It will provide a lot of fun for children and families as water sprays, splashes and tumbles onto visitors." Admission to the new sprayground is included in the admission fee to Woods Pool.

Pool information, including the hours of operation, is available on the City Web website, lincoln.ne.gov (keyword: pools). Season pool passes and group discount coupon books are available at the Aquatics Office on the second floor of the "F" Street Community Center, 1225 "F" Street. In addition, registration is available for summer swimming and diving leagues for children 6 to 18 years of age at the Aquatics Office before June 4, or at pools after the beginning of the season. There is a \$5 discount for those registering for leagues before June 4.

Johnson said all 11 public outdoor pools are fully funded for this summer.



NEWS RELEASE

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FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Mark Bowen, Mayor's Office, 441-7511

MAYOR SENG NOMINATES ESSEKS FOR PLANNING COMMISSION

Mayor Coleen J. Seng announced today that she is nominating Dick Esseks to the Lincoln-Lancaster County Planning Commission.

Esseks oversees three U.S. Department of Agriculture grant research projects at the University of Nebraska-Lincoln and is an instructor of public administration at the University of Nebraska at Omaha.

Esseks served on the Mayor's screening committee for the selection of the Director of the City Public Works and Utilities Department this year. He is a member and current Chair of the County Ecological Advisory Committee. In addition, he serves on the Mayor's Environmental Advisory Committee.

"Dick's background in studying land use and the issues of housing affordability at the city and county level will be an excellent addition to the Planning Commission. He shares my priority of creating opportunities for job expansion thorough smart growth," Seng said.

Esseks has a bachelor's degree in history from Oberlin College, a master's degree in regional studies and a Ph.D. in political science from Harvard University. He has written several publications on topics including agricultural land conservation and municipal growth.

Esseks would replace Dan Marvin who was elected to the Lincoln City Council earlier this month. His nomination will be sent to the City Council and the County Board for consideration.



NEWS RELEASE

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OFFICE OF THE MAYOR

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FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Jeff Cole, Urban Development, 441-7866

MAYOR SENG RECEIVES OFFER TO BUY SURPLUS CITY BUILDING

Mayor Coleen J. Seng announced today that a local development group has approached the City with an offer to purchase the City-owned “K” Street storage building at 440 South 8th Street and is interested in redeveloping it into residential housing.

The Downtown Master Plan being developed identifies the area where the “K” Street building is located as potential future residential urban housing. This building currently serves as a storage facility for City, County and State public records and a police evidence warehouse. It also houses a few small City offices.

“Given the unexpected nature of this offer, I think it is only fair that the City examine the private offer and find out if there are others who may have an interest in purchasing the ‘K’ Street building for a use that would be compatible with the residential use envisioned by the proposed Downtown Master Plan currently under discussion,” said Mayor Seng.

The building was built about 1930 and served for 50 years as a power plant. It was decommissioned in 1984. It was declared surplus property in 1987 by the City of Lincoln, and sat vacant until 1994. At that time, the building was converted into a warehouse facility when the City, Lancaster County and the State of Nebraska entered into an agreement to use the building as a storage facility for public documents.

“With its distinctive architecture and quality construction, proximity to downtown and the Haymarket, scenic views of the Capitol building and excellent access to the Interstate and airports, I can understand the private interest in redeveloping the building into quality downtown housing,” Seng said.

The Mayor said the offer was made by Heathrow Development, LLC of Lincoln, Nebraska, whose principals are Matt Maude and Katie Halperin. The amount of the offer was not disclosed. The Mayor said the City would maintain the offers as sealed bids to be fair to all those who may want to make an offer. She added that if the City decided to accept any offer, it would have to be for the fair market value of the building as determined by an independent appraisal. The building does not have an assessed value since it is a public building and has never been on the property tax rolls.

- more -

“K” Street Building

May 19, 2005

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If the building were sold to a private developer, it would be added to the property tax base and begin generating property tax revenue for the first time in the building’s history. It could also spur additional private redevelopment that would help kickoff ideas emerging in the proposed Downtown Master Plan currently being discussed.

Mayor Seng indicated that the interest to purchase the building actually comes at an opportune planning moment. Storage at the “K” Street building will reach capacity in the next few years, and a decision will need to be made about accommodating the future storage needs of the City, County and State for public documents. The Mayor said since future needs will need to be addressed, she will convene a panel to develop recommendations on how to meet the long-term record storage needs of the City, County and State.

“The requirements for storing and protecting original public documents have changed since the ‘K’ Street building was converted to a warehouse,” Seng said. “Since there is interest in the current building to put it on the property tax rolls in a higher and better use, it makes financial sense to examine the purchase offers to see if a replacement facility that meets the newer standards and serve future storage needs could be developed with the proceeds of the sale of this building. We don’t know what the outcome will be, but we need to see if it makes financial sense for the taxpayer.”

The Mayor said others with a serious interest in purchasing the building with the intent of redeveloping the “K” Street storage building should submit a formal letter of interest to the City Purchasing Department by Friday, June 24, 2005. Those interested in the building should contact Vince Mejer in the City Purchasing Office.



CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: May 19, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Mark Bowen, Mayor's Office, 441-7511

MAYOR ANNOUNCES EVENTS FACILITY TASK FORCE

Mayor Coleen J. Seng announced today the organizations that will participate in the Events Facility Task Force. Mayor Seng said the task force will focus on a unified discussion that must occur to determine how all potential new or expanding facilities would complement or compete with each other.

"I recognize with the need for a new convention and arena facility, but this community cannot afford all the proposals," said Mayor Seng. "I will push the task force for coordination of the proposals because the community's financial resources are limited. The lack of coordination between these separate venues speaks to the need to focus the vision."

On Wednesday, as the Mayor had requested, the Lincoln-Lancaster County Planning Commission placed the Lancaster County Agricultural Society expansion proposal on pending following its public hearing.

The task force will include representatives from the Lancaster County Event Center, Pershing Center, State Fair Park, the University of Nebraska-Lincoln Devaney Sports Complex and Lied Center, the City of Lincoln, the State of Nebraska, the County Board, the Chamber of Commerce, the Downtown Lincoln Association, the Convention and Visitors Bureau and the West Haymarket Business Study Group.

The Mayor said the group will begin meeting in June. She said the group will:

- examine which proposals offer the best opportunity to meet the sports, conference, convention and entertainment markets that generate the most economic opportunity for Lincoln;
- discuss the source of the proposals' funding and the impact on the taxpayers' obligation to subsidize any of the proposals;
- examine how to prevent duplication and whether proposals can be combined or partnered; and
- discuss which proposals provide the most flexibility and opportunity for partnership.

Seng repeated her earlier comment that "Lincoln needs to prevent duplication. Working together, we must make the most of our limited public resources to ensure success. Pursuing multiple strategies without regard to the impact on other facilities may well result in failure. To remain competitive, Lincoln needs a new arena and more quality convention space."

Washington Report

Vol. 11 No. 13
May 13, 2005

City of Lincoln -- Washington Office

Pentagon Releases BRAC List

INSIDE

Base Closure 1
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Base Closure

Pentagon releases base closure list. The Defense Department released a list of 209 bases and facilities, including 33 major bases, it is proposing to close or realign. The closures are expected to save \$49 billion over the next 20 years. Under the law governing this round of base closures, the Defense Department was required to submit their list no later than Monday, May 16.

The list now goes to the Base Closure and Realignment Commission, which has until September 8 to issue a final list of bases targeted for closure or realignment. Congress then has 30 legislative or 60 calendar days to approve the list and send it to the President.

Connecticut (8,586 lost jobs) leads the list of the hardest hit states, followed by Maine (6,938 lost jobs), Alaska (4,619 lost jobs) and the District of Columbia (6,496 lost jobs). In addition, the list calls for eliminating or transferring to the United States 13,503 jobs at unspecified bases overseas.

Big winners on the list include Maryland (9,293 new jobs), Georgia (7,423 new jobs), Texas (6,150 new jobs) and Colorado (4,917 new jobs).

In Nebraska, the Defense Department is calling for the elimination of reserve centers in Lincoln (Navy - loss of 7 military jobs), Columbus (loss of 31 military jobs), Grand Island (Army - loss of 31 military jobs), Kearny (Army - loss of 8 military jobs) and Omaha (Navy - loss of 19 military and 13 civilian jobs) and for the realignment of Offutt Air Force base, which would gain 54 military jobs but lose 158 civilian jobs. Overall, Nebraska would see the loss of 42 military and 171 civilian jobs.

Transportation

Senate increases highway bill by roughly \$11 billion. Defying President Bush's veto threats, the Senate passed, 76-22, an amendment offered by Senator Charles Grassley (R-IA) and Max Baucus (D-MT), the Chairman and the Ranking Member of the Finance Committee, that would increase highway and transit funding by \$11 billion during Senate consideration of legislation (HR 3), which would reauthorize highway, transit and highway safety programs. The Grassley-Baucus amendment brings the bill's total spending on highway, transit and highway safety programs to \$295 billion over six years. The funding total includes \$199 billion for highway programs and \$46.6 billion for transit.

The vote was a big victory for proponents of increased highway and transit spending and for Environment and Public Works Committee Chairman James Inhofe (R-OK) who insists that he needs the increased funding to adequately address the donor state issue. The increased funding would come from increased enforcement of the federal gas tax and by shifting some tax breaks for alternative fuels from the Highway Trust Fund to the General Fund. In response to the White House veto threat, both Grassley and Baucus countered that the increased spending would not require higher taxes and, given the revenue neutrality of their amendment, they see no reason for the veto threat. The margin of approval for the Grassley/Baucus amendment was well beyond the 67 votes needed to override a veto.

The Senate, still facing 150 amendments to the bill, is not expected to complete work on the bill until next Tuesday, deflating Inhofe's hopes to reauthorize the surface transportation bill before the end of the month, when the current extension expires. Another extension, through the July Fourth recess is now expected. Amendments the Senate will consider include: interstate truck size limits, stricter seat belt laws

Washington Report

Carolyn C. Chaney
Washington Assistant
chaney@capitaleedge.com

Christopher F. Giglio
giglio@capitaleedge.com

Elizabeth Montgomery
montgomery@capitaleedge.com

1212 New York Avenue, NW
Suite 250
Washington DC 20005

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

and increased subsidies for transit riders. The Senate may also consider an amendment offered by Senator Jeff Sessions (R-AL) to bring the cost of the bill back to \$284 billion, with the cuts falling disproportionately on transit.

Water Resources

House panel clears Army Corps spending measure. The Energy and Water Subcommittee of the House Appropriations Committee cleared the FY 2006 Energy and Water spending bill. The measure includes funding for the civil works programs of the Army Corps of Engineers.

Facing tight budget constraints, the bill provides \$4.7 billion for the Army Corps of Engineers civil works projects, \$293 million less than FY 2005 but \$414 million more than the Administration requested. For the third straight year, the bill would not provide funding to initiate new projects or for any unauthorized projects. Speaking to the press, Subcommittee Chairman David Hobson (R-OH) said that while there are many worthy projects throughout the country, he wants to focus on completing "high priority projects that are already underway."

The full Appropriations Committee is expected to consider the bill, which also funds the Department of Energy, next week. In addition to rank and file unhappiness about the lack of funding for individual Army Corps of Engineers projects, the bill must overcome controversies over nuclear waste storage and nuclear weapons research.

Updates

The following are updates on items that have been included in the Washington Report in recent weeks:

< The House Appropriations Committee approved the FY 2006 spending bills for the Interior Department and Environment

(which includes EPA) and the Department of Homeland Security with no major changes to the versions approved last week on the subcommittee level. (See *May 5 Washington Report* for additional details.)

< The House approved legislation (HR 1279) that would increase penalties for federal gang-related crimes. The bill has significant differences with its Senate counterpart (S 155), which allows for increased spending on gang prevention initiatives, and does not include mandatory minimum sentences that are a centerpiece of the House bill. The House approved an amendment to HR 1279 offered by Representative Eddie Bernice Johnson (D-TX) that would authorize the Justice Department to create a gang database that could be shared with local law enforcement agencies. (April 22 *Washington Report*)

< A subcommittee of the House Education and Workforce Committee approved legislation (HR 2123) to reauthorize the Head Start program. The measure does not contain a provision supported by the White House to create a pilot program to allow states to administer local programs. (May 5 *Washington Report*)

< The Senate approved the conference report to the \$82 billion FY 2005 emergency supplemental appropriations bill for overseas military operations, clearing the bill for the President's signature. Reports are that the White House may make an additional request of \$25 billion for war-related items before the end of the summer.

< The House approved legislation (HR 1544) that would alter the

formulas for programs that allocate federal Homeland Security funds to states so that they are based more on threat intensity. That measure also has significant differences with its Senate counterpart, which maintains higher minimum allocations for states with lower threat levels. (April 15 and 22 *Washington Report*)

Grant Opportunities

Department of Health and Human Services: The Office of Refugee Resettlement has announced the availability of Discretionary Funds for Refugee Microenterprise Development Projects. The purpose of microenterprise development is to assist refugees in becoming economically self-sufficient and to help refugee communities in developing employment and capital resources. Eligible applicants include state and local governments. Total program funding is estimated to be \$1,200,000 with an award ceiling of \$500,000 per budget period for 12 estimated awards. Applications must be postmarked by July 5, 2005. For more information about this grant, please see <http://www.acf.hhs.gov/grants/open/HS-2005-ACF-ORR-RG-0094.html>.

Department of Health and Human Services: The Office of Public Health Research (OPHR) has announced the availability of fiscal year 2005 funds for the support of grant applications for Centers of Excellence in Public Health Informatics. The goal of the initiative is to develop interdisciplinary approaches to electronic health record support of public health functions. Total program funding is estimated to be \$3,000,000 and three awards are expected to be given. State and local governments are eligible to apply. Letters of Intent are due June 3 and applications are due June 17, 2005. For more information please see <http://www.cdc.gov/od/pgo/forminfo.htm>.

Department of Health and Human

Services: The Office of Public Health Research (OPHR) announces the availability of fiscal year 2005 funds for the support of grant applications for Excellence in Health Marketing and Health Communication. The goal of the initiative is to develop interdisciplinary approaches to motivate the public and health professional to access, use and act upon new knowledge. State and local governments are eligible to apply. Letters of Intent are due June 3, and applications are due June 17. Please see <http://www.cdc.gov/od/pgo/forminfo.htm> for more information.

May 11, 2005

Lincoln-Lancaster County Planning Commission
Mary Bills-Strand, Chair
Lincoln-Lancaster County Planning Department
555 S. 10th Street
Lincoln, NE 68508

Dear Chairwoman Bills-Strand:

On May 18, 2005, the Commission is scheduled to hold a public hearing on the Lancaster County Agricultural Society's Comprehensive Plan Amendment No. 05011, to rezone land at the Lancaster Event Center for commercial development. I am writing to request that at the conclusion of the public hearing the Commission vote to place this request on pending.

There are several ideas circulating in the community about possible new event facilities. Before any action is taken on the Event Center request, Lincoln must determine how all these facilities would complement or compete with each other in the long run. We can't afford not to have this discussion.

The community's financial resources are limited and the lack of coordination between these separate venues speaks to the need to create a focused vision for the future. I will be inviting leaders who represent each of these venues to join me in charting a course for that future.

To remain competitive, Lincoln needs a new arena and more high quality convention space. The Convention, Sports and Leisure study released in December 2004 urged Lincoln to add convention space and to replace Pershing Center. If any doubt remained about the need, it should have vanished when the high school state wrestling tournament announced it would leave Lincoln because the current facilities no longer meet their needs.

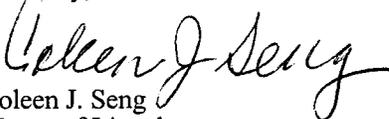
The Lancaster County Agricultural Society has indicated adoption this amendment would be a first step toward building an arena and another pavilion. Recently, a group of private business people and the City has been exploring John Q. Hammons' offer to partner with the City on a future facility that could replace Pershing Center and create additional quality convention space.

Meanwhile, State Fair Park, which is owned by the State of Nebraska, also is developing plans for its future that must be considered. Finally, we have to think about the future role of the Devaney Center, which is part of the University of Nebraska-Lincoln.

I support the Comprehensive Plan. But most importantly, Lincoln needs to prevent duplication. Working together, we must make the most of our limited public resources to ensure success. Pursuing different strategies without regard to the impact on other facilities may well result in failure.

I therefore ask that after the public hearing on the Lancaster County Agricultural Society's Comprehensive Plan Amendment No. 05011, to rezone land at the Lancaster Event Center for commercial development, the Planning Commission vote to place this request on pending.

Sincerely,


Coleen J. Seng
Mayor of Lincoln

cc: Lincoln City Council
Lancaster County Board
Lancaster County Agricultural Society
Chancellor Perlman, University of Nebraska-Lincoln
Rick Bjorklund, Nebraska State Fair
Pershing Center Advisory Board

F:\FILES\MAYOR\2005,MayorSeng,Letters,Speeches,Memos\PlanningCommission,BillsStrand,Mary,05-11-2005,EventCenterA
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MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Office of the Mayor
555 South 10th Street
Suite 208
Lincoln, Nebraska 68508
402-441-7511
fax: 402-441-7120
mayor@ci.lincoln.ne.us

Marvin S Krout/Notes

05/17/2005 05:20 PM

To "Peter Katt" <LawKatt@Pierson-Law.com>

cc City Council Members, Coleen J Seng/Notes@Notes

bcc Jean L Walker/Notes

Subject RE: SWAT Report Update -- Is Rome Burning?

Peter: I am responding to your inquiry addressed to Mike Dekalb and Becky Horne in Planning about the effort to develop a subarea plan for the area north of Salt Creek from Little Salt Creek to North 56th Street, where you have been representing several property owners.

I need to take the blame for creating expectations that were not fulfilled -- by encouraging staff to undertake a special study of this area over two years ago, shortly after arriving here in Lincoln. I knew something of the controversy regarding the tiger beetles, and I thought we might be able to develop some special development guidelines for this area that could serve as a model for how development could proceed in proximity to these unique habitats with minimum impact. As it turned out, the two planners who "volunteered" to work on this effort were also involved in other important projects, such as streamlining our review processes and conducting the studies on acreages that were directed by the Comprehensive Plan. When asked by them which projects come first, I told them to place this one behind those others. We also had hoped that a planning intern then working in our department was going to deliver on his promise to put additional time into this project as part of his graduate studies, but that did not happen. Finally, in preliminary meetings held with local experts on the tiger beetle and its habitat, we were told that the available "science" was not adequate to develop reliable guidelines.

I understand that Mike already responded to your inquiry indicating that the Mayor had encouraged Fish and Wildlife to complete their assessment, regardless of the outcome. I agree that this question of the beetles' status has been in limbo for too long. Looking at the scientific facts, it is hard for me to believe that the City ever could have prevented the listing of this very endangered species. Official listing at least should lead to more funds becoming available to purchase land and easements, do more research, and prepare those guidelines.

Also, regarding your reference to Rome burning:

The rumors that Nero fiddled while that city burned are simply not confirmed. Historical accounts show that he ran around Rome trying to direct the firefighting efforts. But the rumors resulted in his needing to find a scapegoat. He chose a small sect called the Christians, and they were literally fed to the lions in public spectacles after the fire. And the result of the burning? A more spectacular Rome was built, a city of marble and stone instead of wood, with wide streets, pedestrian arcades, and ample supplies of water to stop any future fires.

I think planners probably identify more with the scapegoats than with the emperor. And as for the city burning: who knows? maybe Lincoln will be a little more spectacular as a result of saving those beetles.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377



**CITY OF LINCOLN
NEBRASKA**

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

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

May 17, 2005

Dr. R. Samuel Bryant
6612 Almira Lane
Lincoln, NE 68516

RE: Piester Addition - Final Plat #05017
Generally located at South 80th Street & Preserve Lane

Dear Dr. Bryant,

Piester Addition generally located at South 80th Street & Preserve Lane was approved by the Planning Director on May 17, 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 recording fee and signed subdivision agreement have been received.

Sincerely,

Brian Will
Planner

xc:

[Redacted]
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

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

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508

402-441-7491

fax: 402-441-6377

May 17, 2005

Brian D. Carstens
Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512

RE: Flat Iron Crossing Addition Final Plat #04139, Generally located at
N. 33rd and Apple Street

Dear Mr. Carstens,

Flat Iron Crossing Assition generally located at N. 33rd and Apple Street was approved by the Planning Director on May 17, 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,

Becky Horner, 441-6373, rhorer@lincoln.ne.gov
Planner

CC: Rose Investments, 2057 Wilderness Ridge Drive, 68512
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
File

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**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : May 12, 2005

RE : **Special Permit No. 05021**
(On-sale alcohol - Ramos Pizza - 2435 So. 48th Street)
Resolution No. PC-00925

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 11, 2005:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 05021**, with conditions, requested by Ramos Pizza, for authority to expand the area where the sale of alcoholic beverages for consumption on the premises is allowed, on property located at 2435 South 48th Street (½ block south of the intersection of South 48th Street and Normal Boulevard).

Motion to approve, with conditions, carried 9-0: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson 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
Jeff Dodge, 415 N. 44th St., #1216, 68503
Ramos Pizza, Inc., 2435 S. 48th Street, 68506
Westfork Downs, 8909 Saltillo Road, 68526
Mike Dennis, South 48th Street Neighborhood, 1845 S. 48th Street, 68506

RESOLUTION NO. PC- 00925

SPECIAL PERMIT NO. 05021

1 WHEREAS, Ramos Pizza, Inc. has submitted an application designated
2 as Special Permit No. 05021 for authority to sell alcoholic beverages for consumption
3 on the premises generally located at Ramos Pizza, 2435 s. 48th Street, legally
4 described as:

5 Lot 431, Irregular Tract, in the Southwest Quarter of Section
6 32, Township 10 North, Range 7 East of the 6th P.M.,
7 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 Ramosk Pizza, Inc., hereinafter referred to as
17 "Permittee", to sell alcoholic beverages for consumption on the premises on property

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

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

7 2. Before receiving building permits the construction plans must
8 conform to the approved plans.

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

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

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

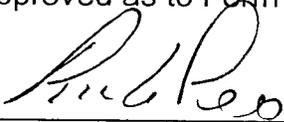
18 6. The Permittee shall sign and return the City's letter of acceptance
19 to the City Clerk within 30 days following approval of the special permit, provided,
20 however, said 30-day period may be extended up to six months by administrative
21 amendment. The City Clerk shall file a copy of the resolution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

DATED this 11th day of May, 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 : May 12, 2005

RE : **Special Permit No. 05018**
(Early Childhood Care Facility - 2030 N. 29th Street)
Resolution No. PC-00924

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 11, 2005:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 05018**, with conditions, requested by Inna Strilkivsky, for authority to operate an early childhood care facility for up to 12 children in a dwelling not used as the permanent residence of the child care provider, on property located at 2030 N. 29th Street, Apt. #2.

Motion to approve, with conditions, carried 9-0: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson 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
Inna Strilkivsky, 2030 No. 29th Street, 68503
Clinton Neighborhood (2)

RESOLUTION NO. PC- 00924

SPECIAL PERMIT NO. 05018

1 WHEREAS, Inna Strilkivsky has submitted an application designated as
2 Special Permit No. 05018 for authority to operate an early childhood care facility for up
3 to 12 children in a dwelling not used as the permanent residence of the child care
4 provider on property located at 2030 N. 29th Street, Apt. 2, and legally described to wit:

5 Lots 18-20, Block 10, Junction Place; located in the
6 Southwest Quarter of Section 18, Township 10 North, Range
7 7 East, 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 early
12 childhood care facility 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.

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

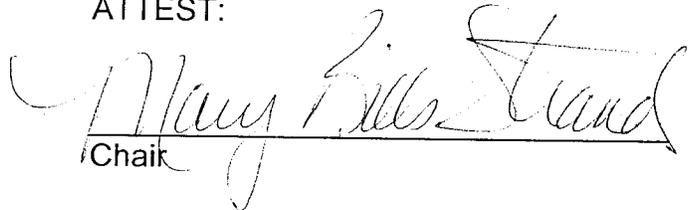
1 That the application of Inna Strilkivsky, hereinafter referred to as
2 "Permittee", to operate an early childhood care facility for 12 children be and the same
3 is hereby granted under the provisions of Section 27.63.070 of the Lincoln Municipal
4 Code upon condition that construction of said early childhood care facility be in strict
5 compliance with said application, the site plan, and the following additional express
6 terms, conditions, and requirements:

- 7 1. This permit approves the operation of an early childhood care
8 facility for up to 12 children.
- 9 2. The licensed care provider need not reside in this facility.
- 10 3. Before receiving building permits:
 - 11 a. The construction plans must conform to the approved plans.
 - 12 b. The operation and the premises must meet appropriate local
13 and state licensing requirements, including compliance with
14 health codes.
- 15 4. Before occupying this early childhood care facility all development
16 and construction must conform to the approved plans.
- 17 5. The site plan approved by this permit shall be the basis for all
18 interpretations of setbacks, yards, locations of buildings, location of parking and
19 circulation elements, and similar matters.
- 20 6. The terms, conditions, and requirements of this resolution shall be
21 binding and obligatory upon the Permittee and the Permittee's successors and assigns.
22 The building official shall report violations to the City Council which may revoke the
23 special permit or take such other action as may be necessary to gain compliance.

1 7. 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.

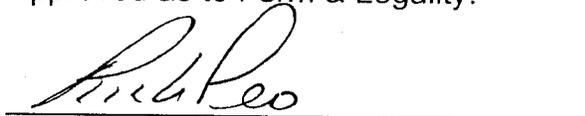
7 The foregoing Resolution was approved by the Lincoln City-Lancaster
8 County Planning Commission on this 11 day of May, 2005.

ATTEST:

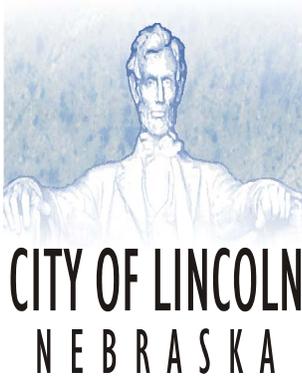


Chaik

Approved as to Form & Legality:



Chief Assistant City Attorney



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

May 13, 2005

SIDEWALK REPAIR ADVISORY **Project #702167**

The Public Works & Utilities Department has awarded a sidewalk repair contract for repair of the public sidewalks in several areas of Lincoln. Due to safety concerns, this includes repairs to the sidewalk adjacent to your residence. The marked section of sidewalk will soon be removed and replaced.

The contractor's work will include removal and replacement of these marked areas of sidewalk. If the sidewalk in your drive is marked, the replacement of this sidewalk will prevent use of the drive until the work is completed and the concrete has been allowed to cure and strengthen. The contractor will attempt to coordinate the removal of this sidewalk to allow you to get your vehicle out of the drive. The contractor's work will be limited to replacing the defective sidewalk and cleanup of the disturbed area. This work does not include reseeding the areas along the sidewalk.

If you have a sprinkler system, it is advisable that you mark the location of the sprinkler lines and heads.

If you have any questions regarding this work, please contact the sidewalk office at 441-7541.

The contractor for this project is Erich Broer Construction. The phone number for their office is 438-2165.

Harry Kroos, Project Manager
441-7541
429-4872



Joan V Ray

05/13/05 08:57 AM

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

----- Forwarded by Joan V Ray/Notes on 05/13/2005 09:01 AM -----



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov
>**

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

05/12/2005 07:50 PM

InterLinc: City Council Feedback for
General Council

Name: Jennifer Augstums
Address: 831 so. 17th
City: Lincoln, NE, 68508

Phone:
Fax:
Email: jujujell@yahoo.com

Comment or Question:

My opinion is that if we provide the kids with a healthy alternative to video games and other various indoor activities during the summer, the children of our communities will appreciate spending their time with nature and exercise. Lincoln is a growing city, and to actually reduce the number of safe play areas at the expense of the small ones blatantly disregards their rights to have low-cost summer fun.



Joan V Ray
05/13/05 09:23 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Support for North Hills Comp Plan Ammendment

----- Forwarded by Joan V Ray/Notes on 05/13/2005 09:26 AM -----



"Rachel Larson"
<rachelelaron@gmail.com>
05/12/2005 10:01 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Rachel Larson
1839 Kennedy Drive
402.450.6985



Joan V Ray

05/13/05 11:04 AM

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

----- Forwarded by Joan V Ray/Notes on 05/13/2005 11:08 AM -----



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov
>**

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

05/13/2005 11:05 AM

InterLinc: City Council Feedback for
General Council

Name: Kay Fleig
Address: 2343 South 39th St.
City: Lincoln, NE, 68506

Phone: 402-770-0781
Fax:
Email: kfleig@neb.rr.com

Comment or Question:

The message is in response to the proposal to close multiple swimming pools in Summer of '06.

PLEASE reconsider this decision. This is one of the only affordable avenues for kids to participate in during the summer. So many of the summer programs and camps require high dollars to participate and are short-lived.

PLEASE consider finding alternative ways of funding the pools in Lincoln! As taxpayers, we certainly give our fair share of each check to the state - do whats right with it. Give our kids a chance to be active in a positive environment.

The 4 pools that would be left open will certainly not be large enough to accomodate all the kids that use the pools in Lincoln. That's why we go to the smaller pools - the large ones are packed and typically Woods has the older high school crowd.

I can't even put into words (tactfully and professionally) how upset I am to hear this. It just doesn't make sense. I'm sure there are other alternatives to fund.

Kay Fleig
Mother of 3 kids (elementary, jr. hi and hi school)
Southeast Lincoln



Joan V Ray

05/13/05 11:15 AM

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

----- Forwarded by Joan V Ray/Notes on 05/13/2005 11:19 AM -----



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov
>**

05/13/2005 11:17 AM

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

InterLinc: City Council Feedback for
General Council

Name: Kathy Rico
Address: 5345 Meredith St
City: Lincoln, NE 68506

Phone: 402-483-4748
Fax: 402-458-6614
Email: Kbrrico@aol.com

Comment or Question:

Please do not close any swimming pools. This will greatly impact the quality of life in Lincoln. We need to pools to be in the neighborhoods so they are accessible to all kids. Exercise and keeping kids busy is too important.



Joan V Ray

05/13/05 01:30 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Support for North Hills Comp Plan Ammendment

----- Forwarded by Joan V Ray/Notes on 05/13/2005 01:34 PM -----



"Diane Stewart"
<diastew4@aol.com>

05/13/2005 01:07 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Diane Stewart
1750 Kennedy Dr
438-8878

RECEIVED
MAY 13 2005
CITY COUNCIL
OFFICE

City Council

5-10-05

I Am writing this letter in regards to the Hartland Home Development located between North 14th AND 7th street, Fletcher Ave to Humphrey Ave.

I Am Asking that the Council take a look at 70 ACRES to be developed. This would be the same as a trailer court if they are allowed to space them so close together. Trees will have to be cut down that have been planted for a purpose.

Please check out the road situation. It is a freeway on Fletcher Ave taking in Milford, Raymond, Ceresco AND Malcolm. Seventh Street, is being used for the go between. Fallbrook to Stone Bridge AND vice a-versa. North 14th is closed now AND the dust is flying high. 626 Apts At least 1 car per apt. 326 houses probably more cars. 1100 more cars than now, with the roads to be closed down is not too healthy. Accidents ready to happen!

No schools
Bussed to Capital Beach

Maybe this could be put on the back burner until the other 5 projects are done AND the roads are finished so we will have a way in and out of our residence.

I hope the acreages now, that would surround the project, won't have to get rid of their animals LLAMAS, cows, horses, pigs AND DUCKS, geese & quines.

Some are hobbies AND some are
lively hood.

If this land was wide open AND no
one surrounding it, probably would be a
different situation.

Please take this very serious before
voteing the way it is now, especially for
safety purposes.

Annabelle Neemann
Annabelle Neemann
7001 No 7
435-7001

May 13, 2005

MAY 16 2005
CITY COUNCIL
OFFICE

Mayor Colleen Seng and
City Council Members:

Our information: The use of a resin sleeve in an old sewer line can make the sewer like new and eliminate a lot of problems. We also understand that the resin sleeve is used commercially in Lincoln, and can be used outside the city limits.

Our question: Why won't the city approve the use of a resin sleeve for the use of private homeowners??

Our problems: A beautiful home with a sewer line that is 80 plus years old.

A clay pipe sewer line that is loose at the joints and allows tree roots to come in.

A sewer line that for the past 25 or 26 years has backed up regularly, going from once every 2 years or so to every year and now every 6 months.

A very unhealthy mess in our basement every time the sewer backs up.

An expense of several hundred dollars a year for sewer cleaning, and a one time expense for an outside clean-out site to be put in.

The dread of the expense and mess if the sewer line decides to collapse completely. Our sewer line runs under our garage floor.

Our solution: Having a resin sleeve put in before the sewer line collapses.

We are not wealthy people and this is our home, the only one we have ever owned. We've invested a lot of money to take make a beautiful, comfortable home out of what was basically a dump when we bought it 31 years ago. We need to get our sewer problem solved as quickly and as economically as possible. We hope you will re-think the approval of the resin sleeve for private home owner use. I'm sure there are lots of people, like us, out there that would be very grateful.

Sincerely:

John E. and Alene J. Holt
2208 North 56th Street

Attention: City Council Members

MAY 16 2005

CITY COUNCIL
OFFICE

I would like to address you,

RE: proposal of the Annexation No. 05006; Change of Zone No 05024, from Ag Agricultural to R-3 Residential; Special Permit No. 05015, Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation No. 05002 on property generally located at N. 14th Street and Humphrey Avenue.

My husband and I, Larry and Denise Maack reside at 535 Pennsylvania Avenue in Lincoln, NE. We are very concerned with this proposal and are not at all in favor of it. We believe that it will lower our property value and change in a negative manner the appeal that we have tried to create in our neighborhood. We live on an acreage and have invested a great deal into our property and this was our objective when we moved into this neighborhood. We believe our investment will not stay at the value it is now if this waiver is passed. We are not in favor of reduction of lot sizes and do not want to see starter homes in our area that we have readily invested in. We would be in favor of a middle market development instead. We have moved here to be away from these starter home areas. The Fall Brook idea is an asset to this neighborhood and we welcome a development that would compliment it. This waiver would not enable the prospective development to compliment Fallbrook or our neighborhood. In this growing beautiful community, I do not understand why you would develop an area with large gorgeous homes on large lots in Fallbrook so that you could reduce value by putting a large development of new tiny homes on very crowded insufficient lots.

Also, we have a definite concern with the large amount of traffic that would also plaque our neighborhood due to such a heavily populated area. The streets of Humphrey and Pennsylvania are still undeveloped and this could cause unnecessary problems with a high volume of traffic. We feel this would be a threat to residents and may endanger our families. We are not opposed to the growth of Lincoln but would like to see it continue to be a pleasant and safe place for us to raise our family instead of bringing down our property value and putting us at risk.

Sincerely,

Residents of 535 Pennsylvania Ave.

Denise & Larry Maack and family

Larry Maack
Denise Maack

Would you like this in your neighborhood?

May 13, 2005

Terry Werner
City County Office
County-City Building
555 South 10th Street
Lincoln, NE 68505

123
MAY 16 2005
CITY COUNCIL
OFFICE

Re: Annexation No. 05006; Change of Zone No. 05024, From Ag Agricultural to R-3 Residential; Special Permit No. 05015, Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation No. 05002, on property generally located at N. 14th Street and Humphrey Avenue

Dear Mr. Werner:

On April 27, 2005 the Lincoln City-Lancaster County Planning Commission approved the above reverenced community unit plan. I am writing to request that the City Council reverse that approval.

Currently R-3 zoning requires a lot width of 50 feet and minimum lot area of 6,000 square feet. The CUP as approved would waive these minimums to 41 feet and 4,500 square feet respectively. It is because of this waiver that I feel the reversal is necessary.

As an acreage home owner in this area it is exciting to see the new development that has begun to the north of I-80. The Fallbrook development is a perfect example of a CUP that breaks the stereotype of north Lincoln being something less then the neighborhoods "down south", neighborhoods of small houses, starter homes and small lots. In short lower income living. Fallbrook, with its large lot size and green space, it has proven to be an excellent neighbor to the existing acreages. It is proof that north Lincoln can be and is attractive to all Lincolnites regardless of income level.

Hartland's CUP does have the benefit of 24 acres of green space due to flood corridor easement. While this green space is a desirable neighborhood quality and does appeal to its acreage neighbors, the small lot size continues the negative stereotype of small home living.

I realize that every residential development in this area is not going to match the scale of Fallbrook. I do hope that as CUP's come before the council that consideration be given to existing acreage owners and our desire to see north Lincoln rise above its negative stereotype. By maintaining the R-3 zone requirements on minimum lot size and area, not only can Lincoln continue to grow to the north but that growth can add value to the existing neighborhoods both acreage and residential.

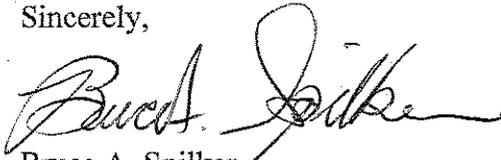
Lincoln is a growing community. I am excited about that growth and support residential development in this area. While not every development can be a "Fallbrook", by not

79

allowing the waiver of lot size and area, Hartland's Garden Valley CUP can be a welcomed addition to the neighborhood. Something the city of Lincoln and existing acreage owners can be happy about. When this action comes before the City Council please reconsider the waiver of lot size in this development.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. Spilker". The signature is fluid and cursive, with a large initial "B" and "S".

Bruce A. Spilker
280 Pennsylvania Avenue
Lincoln, NE 68521

PM
/

May 16, 2005

RECEIVED
MAY 17 2005
CITY COUNCIL
OFFICE

Patte Newman, City Council Member
County-City Building
555 South 10th Street
Lincoln, Nebraska 68508

Re: Annexation No. 05006; Change of Zone No. 05024; Special Permit No. 05015,
Hartland's Garden Valley Community Unit Plan; and Street and Alley Vacation No.
05002 (14th Street and Humphrey Avenue)

Dear Ms. Newman:

On April 27, 2005, the Lincoln City-Lancaster County Planning Commission approved the above referenced action items. The CUP as approved contains two provisions that I ask you to reconsider and reverse.

Minimum average lot width for the zoning requested is 50 feet. Similarly, the minimum lot area is 6,000 square feet. The CUP as approved would waive these minimums to 41 feet and 4,500 square feet respectively. Nearly 90 of the 326 lots proposed require the lot width and area waiver.

The R-3 residential zoning contains the above minimum lot standards and they should be adhered to. By allowing these waivers a whole new set of minimum standards are being created for this zoning designation without appropriate community input and involvement. In the end, the community no longer knows what the minimum standards are for an R-3 zoning.

The applicant has stated that the waiver is required due to all of the green space in the development and the high cost of the property. Some 24 acres of green space are included due to a flood corridor easement. This was known to the developer prior to purchase of the property. The neighborhood should not suffer a poor business decision by the developer. The very existence of this large green space would be a natural for a different type of development. Green space is a highly desirable neighborhood quality. This could be used to the developer's advantage with a change in the business model for this property to be a more predominately middle market development instead of a predominately starter home development. In short, a mix of housing could be accomplished without the waiver.

It has also been pointed out that the proposed density is relatively low at 3.60 units per acre (326 units on about 90 acres). However, an adjustment should be made in this case due to the unusually large amount of green space. Using just buildable space raises the density to 4.90 units per acre (326 units on about 66 acres). This is relatively high for single family residential development. That is not my definition of low density. I doubt that many of the future residents of the neighborhood would define that as low density.

The market value of small homes on small lots will always be relatively low, and will negatively affect the value of nearby properties. North Lincoln residents have worked very hard to reverse the perception that this is a less desirable part of town to live in. The waiver of lot sizes and smaller homes will continue this perception

Granting of the waiver will impact the choices for future development of adjacent property. The small lot sizes and lower overall value of the homes would likely eliminate a Fallbrook type of development on adjacent property.

Traffic is also a concern for the increased density of this development. Surrounding roads will be impacted. In many cases, these roads are not designed for any additional traffic than exists today. 7th street and Humphrey Avenue will have increased traffic but remain gravel rather than pavement. 14th street, Pennsylvania Avenue and Humphrey Avenue are not ready to handle the increased volume of traffic. Granting of the lot waivers only heightens this problem.

I object to the lot size waivers and ask that you reconsider the waiver of lot sizes in this development. Continued approval of ever smaller lots is not a good trend for Lincoln. Lincoln prides itself on having a small town feel within a larger city atmosphere. The continued shrinkage of housing lots is a big city problem that Lincoln should avoid.

The second item of concern is the street layout. As originally submitted to planning staff by the applicant, the CUP requested a block length waiver and pedestrian easement. Planning staff recommended denial of this waiver. The applicant again requested the waiver and easement to the Planning Commission on April 27. The applicant also displayed a second plan that added an additional street to eliminate the waiver and easement. A version of the CUP was then approved without the waiver and easement.

The additional second street creates two stubs into my property that are 220 feet apart. The second street detracts from any future development of my property due to the increased infrastructure and loss of lot area. It is estimated additional costs of \$50,000-\$75,000 would be incurred. I have no current plans to develop this property. However, this CUP application has forced me to look at options. Attached to this letter is one possible development arrangement on my property. The street added would enter my property at approximately lot #4.

The second street also has negative consequences for the resulting neighborhood. The street would be constructed across an existing natural drainage area. Green space and trees will be lost in the process. Both of those items add to a desirable residential neighborhood.

Due to the compressed short time between planning staff recommendation of denial and the meeting of April 27, I feel the affect on my property was not properly considered. Nor were alternatives explored. The applicant was able to rearrange the plan to add the street and not lose any lots. I was able to meet with both parties to share my concerns but the "solution" had already been determined. I would like to be part of the solution rather than an after-thought.

I feel that the original waiver and easement should be allowed. The approved solution was a second street just 220 feet from the first street. For those 220 feet the neighborhood lost green space and trees. In addition, development costs for both the applicant and any development on my property were increased. There are more negatives associated with this additional street than positives. At the least, it appears there may be other alternatives in street design that could be made which would also eliminate the need for the waiver and easement. For instance, it appears that if the intersection of 11th and Fletcher were moved further west the same goal could be accomplished without a loss of lots on the part of the developer.

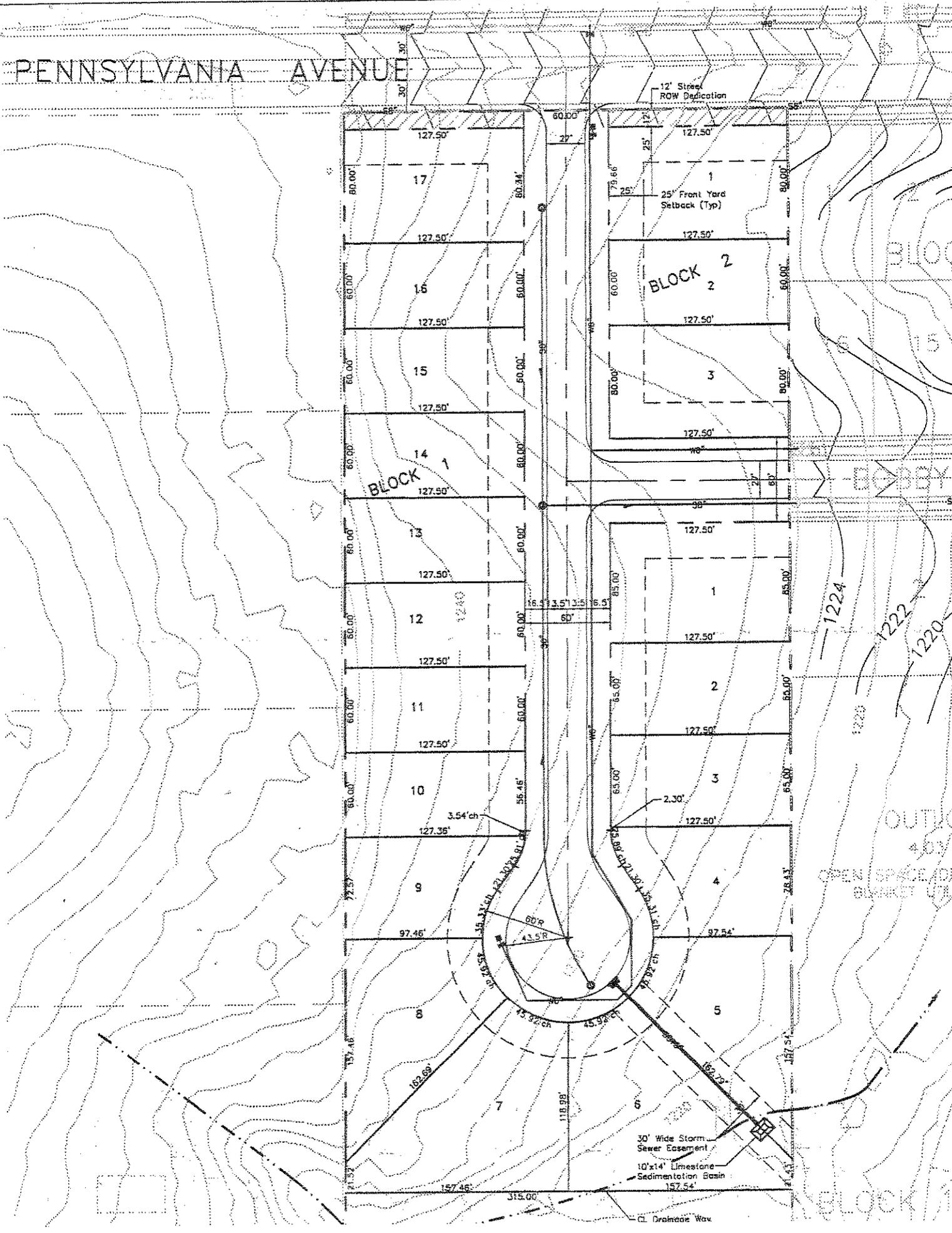
I support expanded residential development. However, I would like to see it be "smart" development. Please reconsider these two issues in the CUP.

Thank you for your attention to this matter.

Sincerely,


Keith Spilker
900 Fletcher Ave.
Lincoln, NE 68521
476-9347 hm

PENNSYLVANIA AVENUE



5/22/05

City Council

I live just west of 84th St and I would prefer not to have Walmart built east of 84th. The lights + truck noise would be very disturbing. Kahoa + Faith Lutheran school are close by - Crossing 84th St - Adults crossing 84th east to west recently - Fortunately traffic slowed down so they made it OK - I would prefer no more Walmart in Lincoln but at least send them north of Adams street

RECEIVED

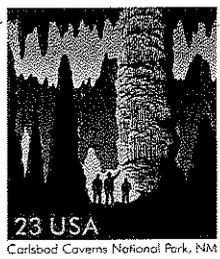
MAY 17 2005

CITY COUNCIL OFFICE

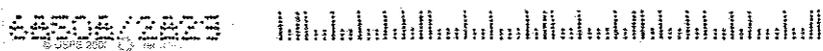
Ruth Mussmann

211

Ms. Ruth Mussmann
2320 Nancy Dr.
Lincoln, NE 68507-3369



City Council Office
County City Bldg 555 S 10th St
Lincoln NE 68508





Joan V Ray

05/17/2005 02:20 PM

To: Todd Wicken <twicken@dor.state.ne.us>

cc:

Subject: Re: Comprehensive Plan Amendment 05012 

Dear Mr. Wicken: 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@ci.lincoln.ne.us

Todd Wicken <twicken@dor.state.ne.us>



Todd Wicken

<twicken@dor.state.ne.us>

05/17/2005 01:08 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Comprehensive Plan Amendment 05012

Please distribute among Council members.
Thank You

(See attached file: City Council letter.doc)

Todd Wicken

2740 North 89th St.

Lincoln, NE 68507



402-479-4462 (work) City Council letter.doc

May 12, 2005

Lincoln City Council
555 South 10th, Room 111
Lincoln, NE

Re: Comprehensive Plan Amendment 05012
Northeast corner of 84th and Adams Streets

Dear Council members:

I wish to urge you to pass the above referenced Comp. Plan amendment for the following reasons:

1. The passage of the amendment would move the Commercial Center designation from the Southeast corner to the Northeast corner away from the existing Prairie Village Development and Faith Lutheran Church and School. The goal of the neighborhood and church is to protect our property from a Big Box store that could locate in the southeast corner with the current Comprehensive Plan.

2. The change of designation of the property in the southeast corner to neighborhood center, would guarantee that a Big Box store could not locate in this quadrant as it would no longer conform to the comprehensive plan. The northeast corner makes more sense and would provide the buffers between residential uses in any Planned Unit Development which this body may hear in the future.

I am not naïve enough to think that no commercial development will ever happen in this area. It seems to make more sense to locate the Commercial Center to the north of Adams Street where future planning can be incorporated into a well thought out development.

I do not believe that I need remind you that this is a land use issue and NOT a Wal Mart issue. Any future commercial use by any business would have its hearing before you in the future, after the planning commission has reviewed the plans.

Sincerely,

Todd W. Wicken
2740 North 89th Street
Lincoln, NE 68507

CC: File



"William J. Rogers Jr."
<Wrogers@teledyne.com>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/17/2005 03:14 PM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
William J. Rogers Jr.
5821 Kennedy Ct.
476.3113



"Eric Larson"
<eric@4w.com>

05/17/2005 02:46 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammdment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Eric Larson
1839 Kennedy Dr
402-450-6756



Joan V Ray
05/17/2005 04:54 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Re: North Hills Comprehensive Amendment

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray
05/17/2005 02:14 PM

To: "James M. Takacs" <jmt6232@yahoo.com>
cc:
Subject: Re: North Hills Comprehensive Amendment 📎

Dear Mr. Takacs: 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@ci.lincoln.ne.us

"James M. Takacs" <jmt6232@yahoo.com>



"James M. Takacs"
<jmt6232@yahoo.com>
05/15/2005 03:16 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: North Hills Comprehensive Amendment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

From: James M. Takacs, 5601 North 18th Street

Dear Government Official:

As a resident of the North Hills neighborhood, I urge your support of the North Hills Comprehensive Amendment recently submitted by Councilperson Annette McRoy.

Thank you for your consideration and assistance.

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray
05/17/2005 02:15 PM

To: lorilkeith@aol.com
cc:
Subject: Re: North Hills Comprehensive Amendment 📎

Dear Citizen: 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@ci.lincoln.ne.us

lorilkeith@aol.com



lorilkeith@aol.com

05/15/2005 11:14 PM

To: council@lincoln.ne.gov, plan@lincoln.ne.gov
cc:
Subject: North Hills Comprehensive Amendment

I will not be able to attend the Council meeting on May 18th but wanted to voice my opinion. I have concerns that by decreasing the lanes of Fletcher Ave from 4+1 to 2+1, we will be forcing the traffic through our neighborhood (ie: down Folkway). I would rather see Fletcher be able to handle the traffic coming and going to whatever is build at 14th and Fletcher than to bring them through our neighborhood. Folkway can not handle much more traffic than it already gets and forcing more onto it will end up causing may problems directly in the neighborhood rather than on the outskirts. Thanks for letting me have my say. Just wanted you to know that not all the neighbors agree with those who are speaking against Fletcher being 4+1 lanes. Thanks again and have a nice day.

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray

05/17/2005 02:16 PM

To: "Kotschwar, Karin" <Karin.Kotschwar@MetroGroupCorp.com>
cc:
Subject: Re: Comprehensive Plan Amendment submitted by North Hills Neighborhood

Dear K. Kotschwar: 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@ci.lincoln.ne.us

"Kotschwar, Karin" <Karin.Kotschwar@MetroGroupCorp.com>



"Kotschwar, Karin"
<Karin.Kotschwar@Me
troGroupCorp.com>

05/16/2005 11:11 AM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Re: Comprehensive Plan Amendment submitted by North Hills Neighborhood

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />
May 16, 2005

To Whom It May Concern:

Re: Comprehensive Plan Amendment submitted by North Hills Neighborhood

On April 24, 2005, JR Brown presented the North Hills Neighborhood Comprehensive Plan Amendment to the Lincoln Neighborhood Alliance (LNA) Board. After much discussion, the LNA Board agreed to support the North Hills Neighborhood Comprehensive Plan Amendment as follows:

LNA believes that the commercial layout and street layout should be redesigned to:

- 1) move any high impact commercial uses away from the residential area,
- 2) encourage smaller neighborhood commercial uses and design them to accommodate easy pedestrian access from the residential area,
- 3) move Fletcher Avenue north to allow some lower impact, better integrated commercial uses as a buffer to the residential area.

If the current street and commercial layout continues, LNA supports leaving Fletcher Avenue 2+1 in order to minimize noise and traffic and improve safety.

Thank you for your consideration.

Karin Kotschwar
For the Lincoln Neighborhood Alliance

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray
05/17/2005 02:24 PM

To: "Maurice Titsworth" <diamondpines@hotmail.com>
cc:
Subject: Re: Support for North Hills Comp Plan Ammendment 

Dear M. Titsworth: 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@ci.lincoln.ne.us

"Maurice Titsworth" <diamondpines@hotmail.com>



"Maurice Titsworth"
<diamondpines@hotmail.com>

05/17/2005 02:09 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Maurice Titsworth
1850 Harding Ct
4024383086

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray
05/17/2005 02:43 PM

To: "Ronell Titsworth" <ronell@alltel.net>
cc:
Subject: Re: Support for North Hills Comp Plan Ammendment 📧

Dear R. Titsworth: 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@ci.lincoln.ne.us

"Ronell Titsworth" <ronell@alltel.net>



"Ronell Titsworth"

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>



<ronell@alltel.net>
05/17/2005 02:42 PM

cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Ronell Titsworth
1850 Harding Court
438-3086

----- Forwarded by Joan V Ray/Notes on 05/17/2005 04:54 PM -----



Joan V Ray
05/17/2005 04:48 PM

To: "LIBA" <coby@liba.org>
cc:
Subject: Re: Position Statement 

Dear Mr. Mach: 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@ci.lincoln.ne.us

"LIBA" <coby@liba.org>



"LIBA"
<coby@liba.org>
05/17/2005 02:57 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Position Statement

May 17, 2005

Dear Lincoln City Council,

As you know, the Lincoln Independent Business Association (LIBA) is always looking for ways to achieve efficiencies in our local government. It is with this goal in mind that we would like to bring two items to your attention.

First, we would encourage the City Council to quickly assess the contract situation with the Capitol Humane Society. This problem needs to be solved quickly and in a way that will best serve pets and their owners, as well as Lincoln taxpayers. It is unfair to expect the Humane Society to continue providing these services without a contract, and the lack of a contract could lead to the dissolving of cooperative services. Because the Humane Society is subsidized with voluntary donations from the public, we feel that having the City of Lincoln assume this responsibility will cost taxpayers more money than the Humane Society now charges. We urge the City Council to take prompt and responsible action on this matter.

Second, LIBA is concerned that the costs of moving three structures (triplets) out of the Antelope Valley project is cost prohibitive. In a conversation with Ed Zimmer on May 10, 2005, it appears that the city is moving forward with plans to relocate and rehabilitate the triplets at a cost of \$660,000. We hope the city has made some effort to negotiate with the State Historical Society and Federal Government to eliminate the relocation project because we believe there is a better use for taxpayer funds.

We thank you for your consideration of our views on these matters and look forward to working with you in the future.

Sincerely,
Coby Mach
Lincoln Independent Business Association
Executive Director
For the Board

Pc. Mayor Coleen Seng



"THOMAS K.VARNER"
<TVARNER@neb.rr.com>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/17/2005 08:18 PM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
THOMAS K.VARNER
1810 maze ct
4024740026



"JohnR Brown II."
<johnbro2@hotmail.com>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/17/2005 09:20 PM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
JohnR Brown II.
2201 Elba circle
435-6686



"Brian D Jackson"
<bjack78@hotmail.com
>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/17/2005 09:21 PM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Brian D Jackson
5633 Harding Drive
402-435-6646



"Mark A. Kenne"
<markkenne@aol.com
>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/18/2005 05:43 AM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Mark A. Kenne
5460 Rockford Drive
402-409-9699



"Michael R. Wittrock"
<user198293@aol.com
>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/18/2005 08:25 AM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Michael R. Wittrock
1824 Kennedy Dr.
4024741470



"Christina R. Wittrock"
<chrisdiva2@aol.com>

05/18/2005 12:50 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammdment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Christina R. Wittrock
1824 Kennedy Dr.
(402) 474-1470



"Lori Ann Pippitt"
<lpippitt@aol.com>

05/18/2005 04:06 PM

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammdment

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
Lori Ann Pippitt
5450 Rockford Drive
402-477-8093



"MICHAEL ARCHER"
<jartomid@hotmail.com>

To: <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>
cc: <mayor@lincoln.ne.gov>
Subject: Support for North Hills Comp Plan Ammendment

05/18/2005 04:50 PM

To: Lincoln City Council
Lincoln/Lancaster County Planning Commission
Cc: Colleen Seng, Mayor

Dear Government Official:

I'm writing to call your attention to Comprehensive Plan Amendment #05005. This amendment has been introduced by Councilperson Annette McRoy on behalf of the North Hills Neighborhood. The main intent of this amendment is to reduce the negative impact our neighborhood will have by the construction of a four plus one lane arterial street. We believe this amendment reaches an acceptable compromise between all interested parties.

I am asking for your full support in approving this amendment and this very important neighborhood issue.

Sincerely,
MICHAEL ARCHER
5630 NORTH 18TH STREET
402-438-7625



"Gary Harris"
<Garyandkaron@msn.
com>

05/18/2005 05:09 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Comprehensive Plan Amendment No. 05012

Dear Council Members,

Please vote to adopt Comprehensive Plan Amendment No. 05012.

Thank You

Karon Harris
Member of Faith Lutheran Church
8701 Adams.

Get more from the Web. FREE MSN Explorer download : <http://explorer.msn.com>

DEAR CITY COUNCIL MEMBERS
 PLEASE DON'T TRUN DOWN
 THE LOW INCOME
 TRANSPORTACHIN PEPOL
 WITH HANDECAPS THAT ONLY
 GET PAID 75 A PCE. THINK
 ABOUT THEM I MAKE 6.50
 AN HOUR I CAN'T AFORED
 30.00 DOLLER VERY WEEK
 FOR GREEN TICKETS IF YOU
 CAN FOUND IT IN YOUR
 I ASK YOU PLEASE TO
 FOLLOW YOUR HEART, BUT
 I BAG OF YOU HAS EVERY
 WYUKA P.D. ON BACK

Shelley L. Eitel
 829 South 50th
 Lincoln, NE 68510

RECEIVED
 MAY 18 2005
 CITY COUNCIL
 OFFICE

CITY COUNCIL MEMBERS
 555 S 10TH ST
 LINCOLN, NE 68508

Wyuka
 a place of rest
 Funeral Home - Cemetery - Park
 3600 "O" Street | Lincoln, NE 68510 | (402) 474 - 3600
 www.wyuka.com

Commemorating the life entrusted to us.

TO HELP US.

YOURS
~~SHELLEY EITEL~~
 SHELLY EITEL
 IF YOU DO TRUN DOWN
 YOU WILL BE HURTIN
 HANVOY CAP IN THE
 WOULD



RECEIVED
 MAY 18 2005
 CITY COUNCIL
 OFFICE

Twisted Steele Inc. D.B.A. Lazzari's
1434 O St.
Lincoln, NE. 68508

May 18, 2005

555 S. 10th St.

RECEIVED
MAY 18 2005
CITY COUNCIL
OFFICE

Dear City Council Member:

My name is Neal Grummert, and I am one of the owners of Lazzari's. I am writing this letter in regards to our application for a sidewalk café. We were denied by the Sidewalk Café Committee and we are appealing this denial in front of the City Council on Monday May, 23rd. This letter is accompanied by a set of plans, our menu, and our liquor license history. After reading this letter and reviewing the other information; if you have any questions please call me at any time at 770-6994.

The main reason for this sidewalk café is to expand our seating capacity and add a new dimension to Lazzari's. Over the last two years our lunch crowd and business has grown significantly. There are days usually Friday and Tuesday, where every table and chair is occupied in our building. The sidewalk café would allow us to seat more people, and give our customers the opportunity to sit outside and enjoy the wonderful Nebraska weather. Another area where the addition of a sidewalk café could benefit our business would be during the dinner hours. The ability to have customers eat dinner outside would definitely be a major draw to help increase sales. The hours of the sidewalk café will not be the same as our existing hours. Currently we are open from 11:00 a.m. to 1:30 a.m., but the outside patio will only be open from 11:00 a.m. to 11:00 p.m. The reasoning for the shortened hours is to prevent any possible liquor problems due to the increased number of patrons on O St. After 11:00.

Lazzari's has been open for almost 12 years, and I am proud to say that I have worked here for almost 10 years and owned it for the past 5 years. My business partners and I have remodeled and rebuilt many parts of Lazzari's in the past 5 years. We are continually trying to improve and increase business, and we feel the addition of a sidewalk café would help accomplish increased revenue and improve the look and feel of our business. Currently on the block of "O" street which we are located on, there are two sidewalk cafes on the south side of the street, but none on the north side where we exist. We feel the addition of a sidewalk café would help the look and feel of the north side of "O" street. The actual fence would be built by professional welders; the lamps will be made from stained glass by an artist, and the flowering done by Lanoha nursery. The chairs and tables will be made from carbon steel by a company named SiteScapes, located right here in Lincoln. We feel the sidewalk café we have planned would add beauty and value to the entire downtown area.

After going through the application process we have the support of the sidewalk café committee, except for the police department. I also attended a Urban Development Committee meeting, and the committee voted to approve our plan. I personally met with all nine committee members and found a problem with only Chief Cassidy. The chief explained his reasoning for being against our application, and I can appreciate his concerns, but he had the same concerns for the two sidewalk cafes across the street and they still exist today. If the sidewalk café would be so detrimental to our business area there is no way we would apply for such a possible problem. I feel that the addition of a sidewalk café would not hurt our area and we have the support from our neighbors including; The Brass Rail, Iguana's, and Bodegas Alley. Once again if there are any questions or concerns please do not hesitate to call me at 770-6994.

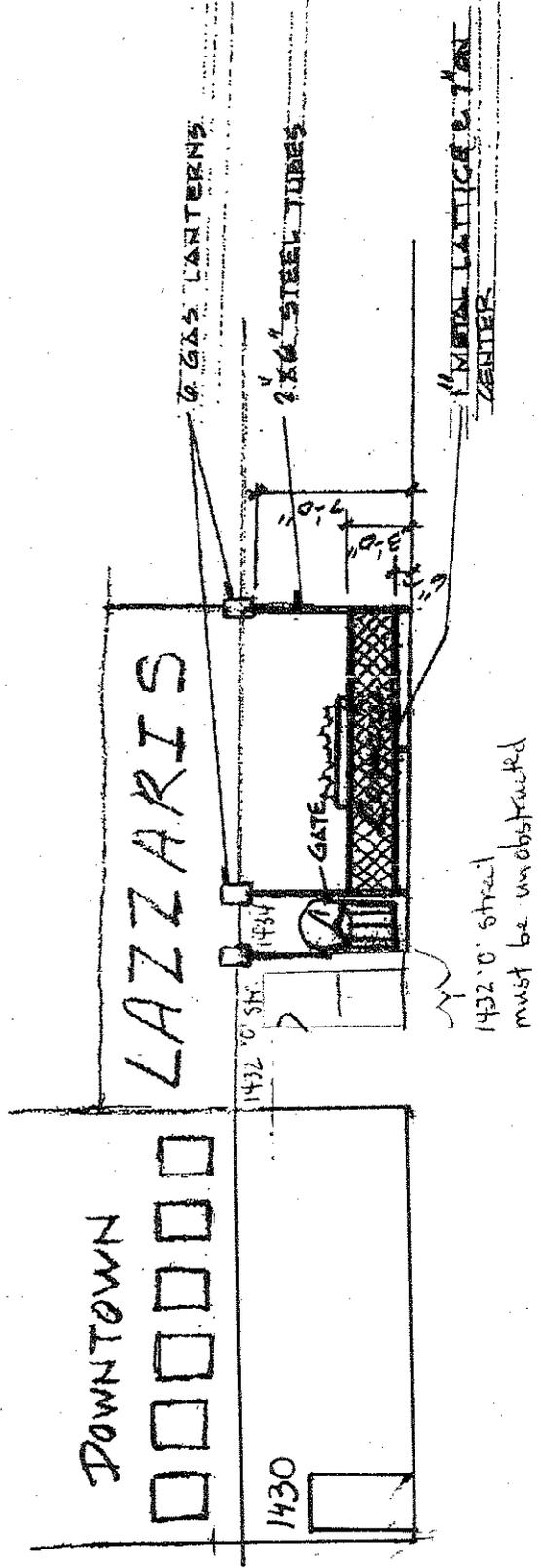
Sincerely,

A handwritten signature in black ink, appearing to read 'Neal Grummert', written in a cursive style.

Neal Grummert

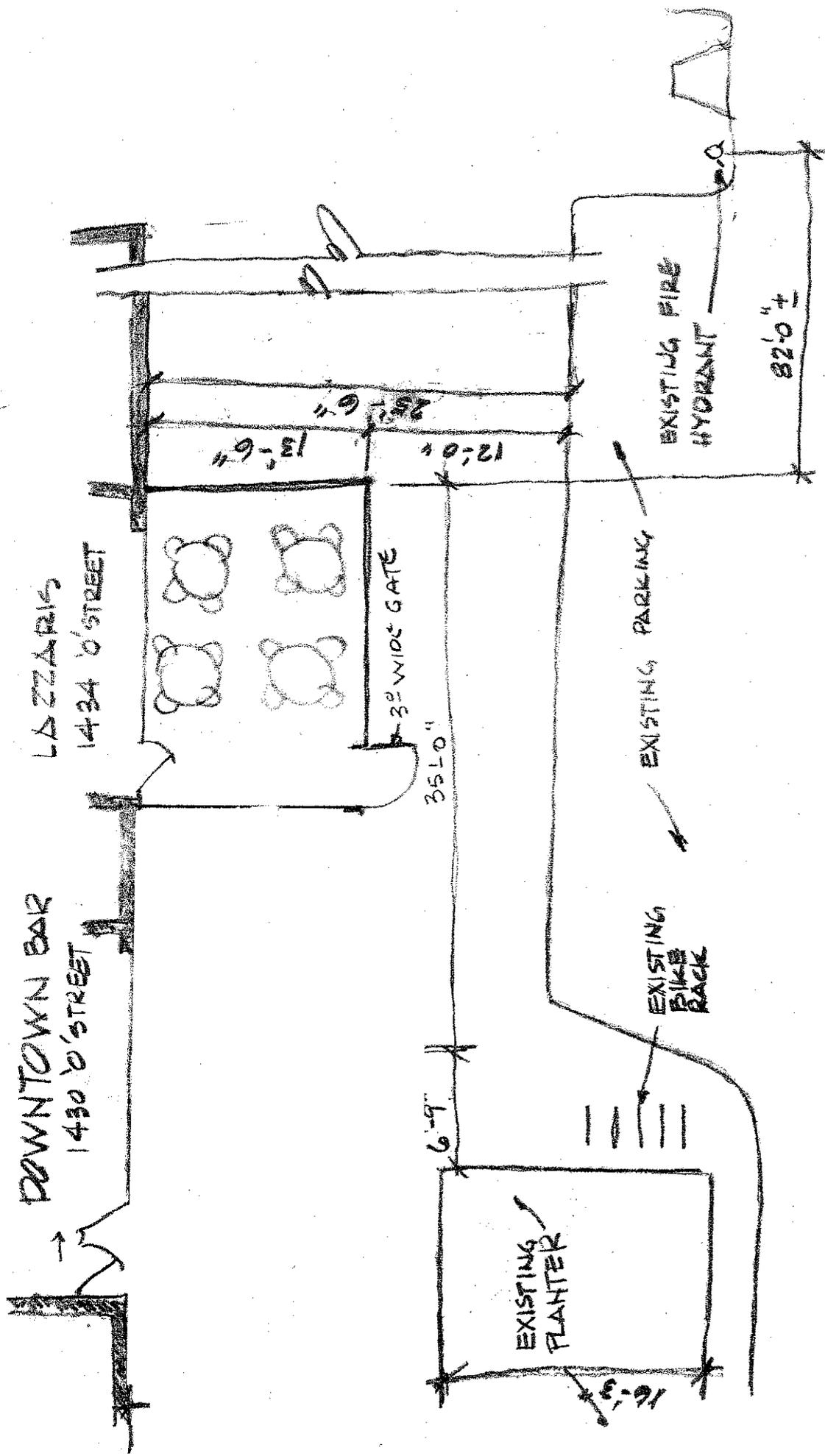
Fence design for 1430 '0' street + 1434 '0' street

RECEIVED
MAY 18 2008
CITY COUNCIL
OFFICE



DOWNTOWN BAR
1430 W STREET

LAZZARIS
1434 W STREET



SIDEWALK CAFE
1430 & 1434 W STREET

SCALE: 1/8" = 1'-0"



PLAN 'A'
618.75 SQ. FT.



1910 Brower Rd.
Lincoln, NE 68502

PF: 402/421-9464 | WEBSITE: www.sitescapesonline.com
FX: 402/421-9479 | E-MAIL: info@sitescapesonline.com

TITLE

VERANDA
BACKED CHAIR

PRODUCT NO.

VR5-3010

INCH TOLERANCES U.O.S.

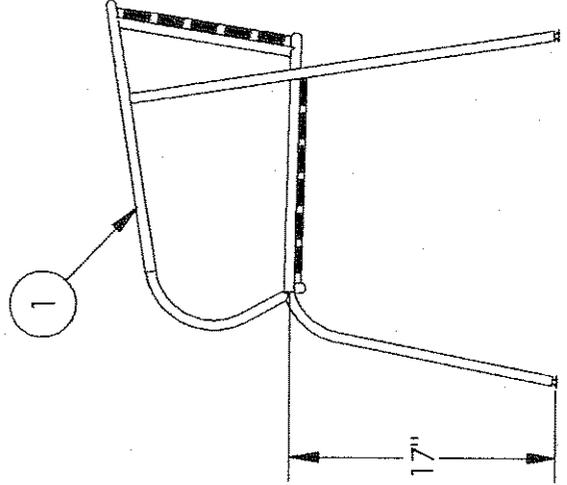
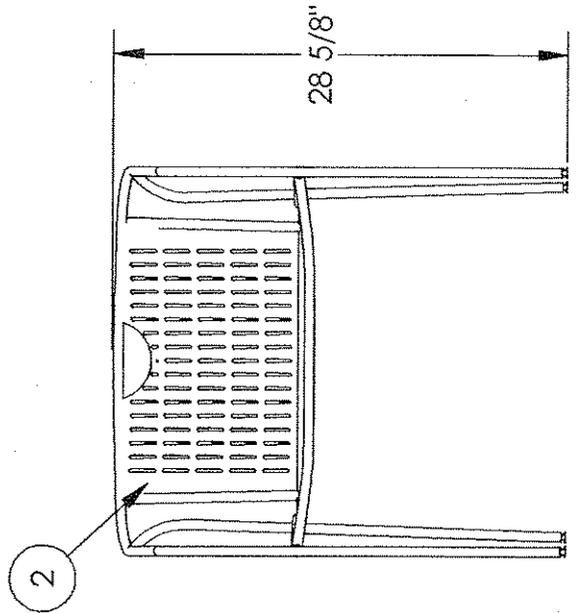
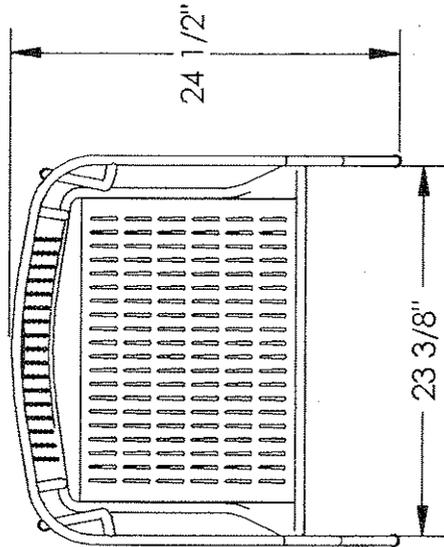
FRACTION--±1/16"

ANG-----±1°

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SITESCAPES, INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SITESCAPES, INC. IS PROHIBITED.

* Available in powder coat and DuraCoat finishes

* Products are shipped fully assembled



MATERIALS LIST:

- (1) Frame - ϕ 5/8" Solid Steel Round Bar
- (2) Seat Panels - 14 GA. Steel Sheet

RECEIVED
MAY 18 2001
CITY COUNCIL
OFFICE



1910 Brower Rd.
Lincoln, NE 68502

PF: 402/421-9464 | WEBSITE: www.sitescapesonline.com
FX: 402/421-9479 | E-MAIL: info@sitescapesonline.com

TITLE

VERANDA TABLE

PRODUCT NO.

VR6-1100

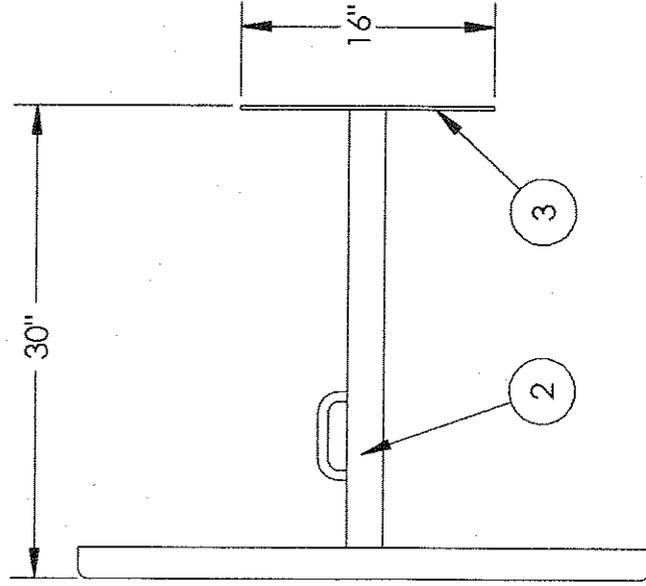
INCH TOLERANCES U.O.S.
FRACTION-- $\pm 1/16$ "
ANG----- $\pm 1^\circ$

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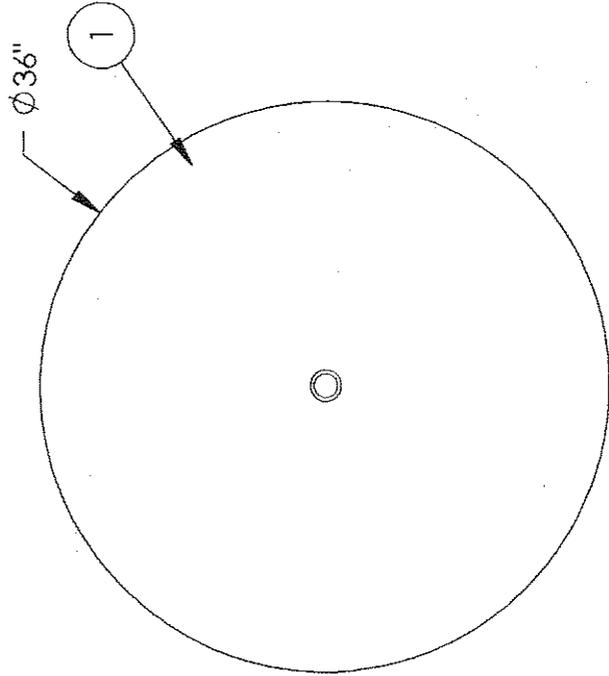
* Available in powder coat and DuraCoat finishes
* Products are shipped fully assembled

MATERIALS LIST

- (1) Table Top - 14 Ga. Spun Steel
- (2) Support Post - $\phi 3"$ x 1/8" Steel Tubing
- (3) Base Plate - $\phi 16"$ x 1/4" Steel Plate



FRONT VIEW



TOP VIEW

RECEIVED STATE OF NEBRASKA LIQUOR CONTROL COMMISSION

MAY 18 2004

CITY COUNCIL OFFICE

INQUIRE

LICENSE NUMBER 50888

RETAIL

CLASS C ALCOHOLIC LIQ ON/OFF SALE

OWNERSHIP C I - INDIVIDUAL P - PARTNERSHIP C - CORPORATION

BOND INFORMATION BOND COMPANY BOND NUMBER START DATE CANCEL DATE

RESTRICTIONS

PREMISE INFORMATION

TRADE NAME DOWNTOWN-LAZZARI'S ADDRESS-1 1430-1434 'O' ST ADDRESS-2 CITY LINCOLN ZIP 68508 COUNTY 02 LANCASTER CORP. LIMITS Y (Y OR N) PHONE 402 475 5556

LICENSE DESCRIPTION MAIN FLOOR 46' X 140' W/BASEMENT, EXCLUDING GARAGE AREA 21' X 18' TO THE WEST

GENERAL INFORMATION

OWN LEASE REPLACING SECURITY HEARING SUSPENDED LICENSE EXP PREMISES EXP. LIC. NO. COST COST START DAYS DATE (Y OR N) DATE

N 11302004 26895 10312004

DEPRESS : ENTER - PROCESS PF12 - HISTORY PA1 - RETURN TO MENU

STATE OF NEBRASKA
LIQUOR CONTROL COMMISSION

LICENSE NUMBER 50888
CATEGORY R

LAST PAGE

INQUIRE HISTORY

| ACTION
CODE | ACTION | ACTION
DATE | DATE
ENTERED | DOCUMENT
NUMBER | FILM
ROLL | PAGE |
|----------------|-----------------|----------------|-----------------|--------------------|--------------|-------|
| ===== | ===== | ===== | ===== | ===== | ===== | ===== |
| 000 | NEW APPLICATION | 03082001 | 03272001 | 0050888 | 01011 | 01125 |
| 088 | CORRECT LICENSE | 03282001 | 03292001 | 0000011 | 01011 | 01375 |
| 135 | INV. REV. FINAL | 04132001 | 04132001 | 0000015 | 00015 | 00399 |
| 105 | AG. APPROVE | 04172001 | 04172001 | 0000016 | 01016 | 01248 |
| 125 | LOCAL APPROVE | 04192001 | 04202001 | 0000011 | 01011 | 00187 |
| 115 | FIRE APPROVE | 04202001 | 04202001 | 0000012 | 01012 | 00182 |
| 050 | ISSUE LICENSE | 04202001 | 04202001 | 0000012 | 01012 | 00183 |
| 001 | RENEW APP. | 10102001 | 10102001 | 0000039 | 01039 | 00574 |
| 001 | RENEW APP. | 10212002 | 10212002 | 0000041 | 02041 | 00159 |
| 001 | RENEW APP. | 09182003 | 09182003 | 0000029 | 03029 | 01372 |
| 817 | MINOR CONS/POSS | 11222003 | 12022003 | 0120301 | 03042 | 01379 |

Warning letter

DEPRESS: ENTER - RETURN PF8 - BACKWARD PF9 - FORWARD PA1 - RETURN TO MENU



"Carol B"
<carolserv@hotmail.com>

05/19/2005 10:20 AM

To: commish@co.lancaster.ne.us, council@ci.lincoln.ne.us,
Mayor@ci.lincoln.ne.us, MKrout@ci.lincoln.ne.us
cc: bbohrer@LCOC.com, jmaul@lincoln.org
Subject: Economic Development/Tourism

<http://www.pinerunracing.com/faqs.html>

This is what Lincoln/Lancaster County needs for economic development and tourism. Please consider looking into this kind of venue for the community!

Carol Brown

P.S. The Brainerd Minnesota track brings in 500 million dollars per season, per Rod Wolter 618-407-6629 who manages the Brainerd track. Rod has consulted with Greg Sanford 429-3364 to bring a similar venue to Lincoln/Lancaster County! Lets help make this happen!!!!

Other resources:

<http://www.brainerdracewayandresort.com/>

<http://www.mapmakers.com/racetracks.html>



"Carol B"
<carolserv@hotmail.com>
m>

05/19/2005 11:44 AM

To: commish@co.lancaster.ne.us, council@ci.lincoln.ne.us,
Mayor@ci.lincoln.ne.us, MKrout@ci.lincoln.ne.us
cc: bbohrer@LCOC.com, jmaul@lincoln.org
Subject: Economic Development/Tourism

Excuse me! I must have had my finger on the 0 key too long. It should read 5 million dollars per season not 500 million dollars per season!
Carol Brown

<http://www.pinerunracing.com/faqs.html>

This is what Lincoln/Lancaster County needs for economic development and tourism. Please consider looking into this kind of venue for the community!

Carol Brown

P.S. The Brainerd Minnesota track brings in 500 million dollars per season, per Rod Wolter 618-407-6629 who manages the Brainerd track. Rod has consulted with Greg Sanford 429-3364 to bring a similar venue to Lincoln/Lancaster County! Lets help make this happen!!!!

Other resources:

<http://www.brainerdracewayandresort.com/>

<http://www.mapmakers.com/racetracks.html>

RECEIVED

MAY 19 2005

CITY COUNCIL
OFFICE

To Whom it may concern

"Global Oil Production" by James Howard Kunstler... *The Long Emergency* will be published in May 2005 by the Atlantic Monthly Press. He has written several books about suburbia and cities, including *The Geography of Nowhere*.

This article has some very sobering things to consider. However, why not think about what we all know...that the fossil fuels are indeed limited. We know that oil imports have been so very important. The author claims that we have peaked on our oil production. He says that oil will become much more expensive.

If that is the case he predicts we need to change and will, whether we want to or not. Here are some of the articles ideas that have to do with cities and planning for more local food production that is more labor intensive. Food must be grown near the places which people live.

"Before long suburbia will fail us. We made the ongoing development of it the basis of our economy, and when we have to stop making more of it, the bottom will fall out of our economy. That is already happening, by the way, and the process will accelerate as the air goes out of the housing bubble. The air will go out of the housing bubble because it was sustained by unprecedented amounts of supernaturally cheap credit. Credit ultimately derives from a consensus that a society has good prospects for wealth production. In a permanent oil crisis, suburban development will become self-evidently worthless and credit will evaporate.

As I said, these circumstances will require Americans to live differently and to do so whether they like it or not. The global oil peak will eventually put an end to activities that have become "normal" in American life, such as easy motoring, commercial aviation for the masses, national chain-store shopping, theme park tourism, centralized schooling, cheap groceries, and much more. There will be no more cheap long-range transport. Anyway, friction over oil supplies will probably alter our trade relations with the countries to whom we have "outsourced" so much of our manufacturing.

The author predicts that within five years we will be living in a very different world. Prepare for a very abrupt social and economic change. It has happened many times before in human history. It seems unthinkable to us in America, perhaps for two reasons: because we have been comfortable for so long and become accustomed to things not changing much at all, and because we tend to place a lot of faith in being magically rescued by technology.

Someday offshore wind derricks may outnumber oil platforms.

Prepare to be a good neighbor is what he says.

For the complete article see
[www. Back HomeMagazine.com](http://www.BackHomeMagazine.com)

Solutions for us here in Lincoln....

Bike racks by businesses with locks to rent.
Green space for gardens. More clothes lines. More mulch making centers. From yard wastes. More gardens. Solar orientations for builders, wind and solar panels and energy storage batteries....

City planners, lets base our economy on trade, still, but please also think about sustainable economy of energy. Why can't the 0 street blight area at 48th street be a wind park????? Or a solar , geothermal collector site with large panels and storage batteries that can send out electricity....

Office

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, MAY 23, 2005**

I. MAYOR

1. NEWS RELEASE - RE: City Receives Two Awards For WorkPlace Safety - (See Release)
2. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of May 21 through 27, 2005- Schedule subject to change -(See Advisory)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Larry Keiter to Jon Camp - RE: The proposed Wal-Mart at 84th & Adams - (See E-Mail)

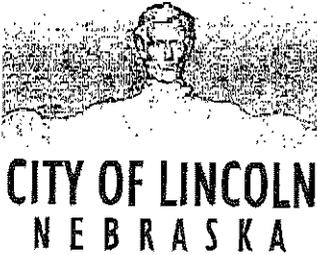
B. DIRECTORS AND DEPARTMENT HEADS

HEALTH

1. Physician Advisory from Bruce Dart - RE: Bordetella Pertussis - (See Advisory)
2. NEWS RELEASE - RE: Pertussis (Whooping Cough) Cases Increasing in Lancaster County -(See Release)

C. MISCELLANEOUS

1. E-Mail from Lori Humlicek - RE: The proposed site for Wal-Mart at 84th & Adams -(See E-Mail)
2. E-Mail from Peter Katt, Pierson, Fitchett, Hunzeker, Blake & Katt, Attorney At Law to Rick Peo, City Law Department - RE: Dan Marvin Voting Conflict - (See E-Mail)
3. E-Mail from Susan Schulte - RE: Proposed Wal-Mart at 84th & Adams -(See E-Mail)



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

LINCOLN-LANCASTER COUNTY PERSONNEL DEPARTMENT
Risk Management, 555 South 10th Street, Lincoln, NE 68508, 441-7671, fax 441-6800

FOR IMMEDIATE RELEASE: May 20, 2005

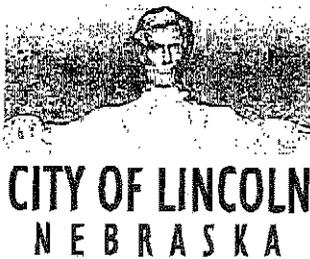
FOR MORE INFORMATION: Bill Kostner, Risk Manager, 441-6009

CITY RECEIVES TWO AWARDS FOR WORKPLACE SAFETY

The City of Lincoln recently received two awards in recognition of its outstanding workplace safety program:

- The City received an Award of Honor with Distinction from the National Safety Council, Greater Omaha Chapter May 19. The award was presented for outstanding occupational health program results and achievement for seven consecutive years. The presentation was made at the Safety and Health Summit and Trade Show in Omaha.
- The City received a 2004 Star Award at the Nebraska Safety Council's Safety and Health Conference at the Cornhusker Hotel in Lincoln April 27. The award was presented in recognition of the City's outstanding record in the areas of injury prevention and safety policies and practices.

"Safety is a win-win solution," said Bill Kostner, Risk Manager for the City of Lincoln. "It results in safe and healthy employees, who come to work and go home daily without being injured. They know their employer cares about their welfare and are therefore more productive. Everyone wins when you have a safe workplace."



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: May 20, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of May 21 through 27, 2005 *Schedule subject to change*

Saturday, May 21

- Volunteer at Food Share - 7:30 a.m., fourth Presbyterian Church, 5200 Francis
- Stand for Children, remarks and proclamation - 10 a.m., Children's Museum, 1420 "P" Street
- Haywood School tour - stop by between 1:30 and 4 p.m., 1223 North 9th Street

Sunday, May 22

- Buddha birthday celebration, remarks - noon, Quang Buddhist Center, 216 West "F" Street
- Carrie Oldfield fund-raiser - stop by between noon and 5 p.m., Firefighters Reception Hall, 241 Victory Lane
- Bag Lady Social (American Cancer Society fund-raiser)- 2 p.m., Hillcrest Country Club, 8901 East "O" Street

Monday, May 23

- Better Business Bureau Integrity Awards Luncheon - 11:30 a.m., Cornhusker Hotel, Grand Ballroom, 333 South 13th Street

Tuesday, May 24

- KLIN call-in show - 8:10 a.m., 4343 "O" Street
- Youth Leadership Lincoln graduation dinner - 6 p.m., BryanLGH East Plaza, 1500 South 58th Street

Wednesday, May 25

- Geographic Information Systems Symposium, remarks - 8 a.m., Cornhusker Hotel, Lancaster Room, 333 South 13th Street
- East Rotary Club luncheon, remarks - 11:45 a.m., Valentino', 70th and Van Dorn streets
- Northeast High School open house for student-built home - 5 p.m., 3416 "X" Street

Thursday, May 26

- Strong Kids Awards, remarks - 4:30 p.m., Elliott Elementary auditorium, 225 South 25th Street
- Neighborhoods Inc. celebration of student-built house - 5 p.m., 1233 South 16th Street

Friday, May 27

- International visitors from Senegal - 9 a.m., Mayor's Conference Room, 555 South 10th Street
- International visitor from Italy - 9:30 a.m., Mayor's Office, 555 South 10th Street
- Rotary celebration of 100th anniversary of goal to eradicate polio, proclamation - noon, State Capitol, room 1023



campjon@aol.com
05/23/2005 10:51 AM

To: jray@ci.lincoln.ne.us
cc:
Subject: Fwd: 84th and Adams, Wal-mart

Joan:

Please distribute this to the Council members.

Jon

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

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

From: Larry Keiter <LKEITER@neb.rr.com>
To: jcamp@lincoln.ne.gov
Sent: Sun, 22 May 2005 23:15:53 -0500
Subject: 84th and Adams, Wal-mart

Jon Camp,

My name is Larry Keiter, I am a resident of Lincoln Ne, and I work for Wal-mart.

I am a District Manager for Wal-mart Stores, and have worked for this company for 19 years.

I am originally from Hartington Ne, and My wife is from Aurora Ne.

I look forward to Meeting you Monday Night at the Public Hearing, and ask that you truly consider the proposal for the Wal-mart store on 84th and Adams. More importantly, I want to ensure you have a accurate insight into My Company.

I had a meeting with Roger Larson and the Chamber Directors Friday the 20th. Roger admitted he "blew it" on the planning commissions vote.

I told Roger, I am not worried about the vote, or about 84th and Adams. However, I am concerned about perceptions about My Company, Wal-mart. It bothered me that Roger felt! Wal-mart was not beneficial to our Community. After our meeting, I dispelled many myths that Roger had. Myths about not paying a good wage, about not promoting Women, and about not giving benefits, about not being a good business partner for the City of Lincoln.

Infact:

- our average wage in Lincoln is over 10 dollars per hour
- Two of the Three Store managers in our Lincoln Sam's and Wal-mart Stores are Female, and will be present Monday Night
- We employ 65% of the 1200 associates in Lincoln as full time, but also offer all benefits including Health and Life Insurance to Full and Part time associates.
- We have a Community Coordinator, and Promotional committee that see our funds are giving to Schools, Organizations, and many different fundraisers.

After our Meeting, Roger encouraged me to get this information to the Council Members, and that is what I hope to do.

He did give us some good feed! back, such as being more visible and consider placing an ambassador, such as himself or like business person in the Civic, and Business arena. He is doing something similar for Wells Fargo. Roger admitted an admiration for Wal-mart, however he is concerned that our growth does create an awesome responsibility. He also said, that although we have been giving donations to those who ask, He urged us to do more.

I was taught growing up on a Farm in Rural Northeast Nebraska, that no matter who you work for, you are still working for yourself. My message to our associates is that no matter where our stores will be located, we have to do our best to be good citizens, and good Business members of our community. If we do that, we will always have a place in our Customers Neighborhoods, and in the Cities we belong to.

I look forward to supplying you with any facts, and look forward to serving the community of Lincoln as our Customers, and business and community leaders see fit.

Sincerely,
Larry Keiter
Wal-Mart Stores
Lincoln Ne
Lgkeite@wal-mart.com
402-484-0012

May 20, 2005

To: All Physicians, Administrators and Laboratory Personnel

From: Bruce Dart, MS, and Health Director

Subject: Physician Advisory

Bordetella Pertussis

The Lincoln-Lancaster County Health Department has investigated 36 cases of pertussis in Lancaster County with onset of symptoms in 2005. Nineteen of these were laboratory confirmed cases. Two of the lab confirmed cases were in infants under 6 months of age. Between October and December of 2004, three lab confirmed cases of pertussis were reported in infants under 6 months of age. All five of these infants required hospitalization.

In addition to the nineteen lab confirmed cases, the remaining 17 individuals were close contacts of a laboratory confirmed case, and had a cough lasting two weeks or more and either paroxysmal coughing and/or post-tussive vomiting but were not lab confirmed. These individuals are defined as epidemiologically confirmed cases.

B. pertussis Cases Lancaster County (2004-2005)

| Age | Lab
Confirmed | Epidemiologic Case |
|-----------------|--------------------------|---------------------------|
| < 6 months | 5 | |
| 6 months- < 1yr | | |
| 1 - 2 years | 2 | 2 |
| 3 - 5 years | 1 | 3 |
| 6 - 10 years | 2 | 4 |
| 11 - 19 years | 6 | 14 |
| 20 - 29 years | 1 | 7 |
| 30 - 39 years | 2 | 2 |
| 40 - 49 years | 4 | 1 |
| 50 + | 2 | |
| Totals | 25 | 33 |

Created May 19, 2005

OVER

We are asking that physicians continue to maintain a high index of suspicion for pertussis in patients presenting with an acute illness characterized by a prolonged cough. Pertussis is highly communicable in the early catarrhal stage and at the beginning of the paroxysmal cough stage (first 2 weeks). Thereafter, communicability gradually decreases and becomes negligible in about three weeks, despite persisting spasmodic cough with whoop. When treated the patient is no longer contagious after the fifth day following initiation of treatment with an appropriate antibiotic.

Pertussis should be considered when evaluating patients with an acute cough illness lasting two weeks or longer, irrespective of immunization status. It should also be considered when evaluating patients who have had contact with an individual diagnosed with pertussis in the preceding 21 days. Only symptomatic persons should be tested. Asymptomatic persons should not be tested, regardless of whether there has been contact with a case or whether an outbreak is occurring.

Serology is NOT recommended as a diagnostic test for *Bordetella pertussis*. Serology is not currently standardized in the U.S. and, therefore, is not considered reliable for laboratory confirmation. The two recommended diagnostic tests for *Bordetella pertussis* infection are PCR and culture. The challenge of laboratory diagnosis is two-fold: specimen collection requires an appropriately collected nasopharyngeal swab, and successful culture requires careful specimen handling, along with the use of special transport and culture media.

The PCR swab should be maintained, stored, and transported in a dry fashion. No transport media is necessary. For the culture, when possible, the specimen should be immediately plated on full-strength Regan-Lowe media or Bordet-Gengou media, and incubated. If prompt inoculation and incubation is not possible, the swab should be inserted into specialized *Bordetella* transport media (half-strength Regan-Lowe media is acceptable). The inoculated transport medium should be kept cool or refrigerated to prevent overgrowth of normal respiratory flora. The specimen should be transported as quickly as possible to a laboratory where it can be plated onto the appropriate media and observed for 10 days.

Prompt diagnosis of *Bordetella pertussis* infections is crucial. It will ensure that the appropriate disease control measures and necessary antibiotic prophylaxis of contacts can be accomplished quickly.

All household contacts of a pertussis case should be treated regardless of immunization status or age. Chemoprophylaxis should be considered for adults who have close or extensive contact. Other contacts outside the home that are symptomatic should be evaluated and treated as necessary. Asymptomatic contacts outside the home need not be treated.

Erythromycin estolate (40-50 mg/kg per day orally in four divided doses; maximum, 2 g/day) for 14 days is the drug of choice. Erythromycin resistance has been rarely reported. Azithromycin or Clarithromycin is as effective as Erythromycin and has fewer adverse effects and better compliance.

Azithromycin (10-12 mg/kg on day 1, orally, than 5 mg/kg per day orally for days 2-5; maximum 600 mg/day)

Clarithromycin (15-20 mg/kg per day orally in two divided doses; maximum, 1 g/day for 7 days)

Bordetella pertussis infections should be reported to the Lincoln-Lancaster County Health Department at 441-8053 (Monday–Friday 8:00–4:30) or after hour and weekends call 441-8000 and ask for the Communicable Disease program.

Physician Advisory Available By E-Mail

Physicians, Advance Nurse Practitioners, Physician Assistants, Health-Care and Laboratory Administrators can receive periodic physician advisories by e-mail. Send an e-mail to ttimmons@ci.lincoln.ne.us with your name, type of practitioner (MD, ARNP, PA-C, Administrator, etc.) and location of practice.

PC: Mayor Coleen J. Seng
Board of Health
Steven Rademacher, MD, Medical Consultant
Thomas Stalder, MD, Medical Consultant
James Nora, MD, Medical Consultant
Joan Anderson, Executive Director, Lancaster County Medical Society



CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 N Street, Lincoln NE 68510 • Phone: 441-8000
Fax: 441-8323 or 441-6229

www.ci.lincoln.ne.us

FOR IMMEDIATE RELEASE: May 23, 2005
FOR MORE INFORMATION: Bruce Dart, MS, 402-441-8001
Health Director

Tim Timmons, R.N., 402-441-8056
Communicable Disease Program Supervisor

Pertussis (Whooping Cough) Cases Increasing in Lancaster County

The Lincoln-Lancaster County Health Department has investigated 36 cases of pertussis ("Whooping Cough") since January of this year. A total of 22 cases of pertussis were investigated in 2004. Five of the cases were in infants under six months of age. Infants do not typically begin the four dose series of immunizations against pertussis until two months of age. Children who are younger than seven years of age should have received at least four doses of pertussis vaccine (DTaP vaccine). Parents are strongly encouraged to be sure their children are current on all immunizations and that every effort is made to begin and continue infant immunizations on time. Parents who are unsure of their child's immunization status should contact their health care provider or the Lincoln-Lancaster County Health Department at 441-8065. Pertussis vaccine is not available at this time for adults or children age seven and older.

Bruce Dart, Health Director, urged parents with infants to avoid taking them to places that have large crowds of people and to avoid having them in close contact with individuals who have a persistent cough. Very young and unvaccinated infants are at highest risk of severe, complicated pertussis and death.

Pertussis, also known as "Whooping Cough," is a bacterial infection of the respiratory tract. It causes violent spells of coughing that may be followed by difficulty in breathing, vomiting, or "whooping" (a rapid in-drawing of air). Coughing due to pertussis usually lasts more than two weeks and sometimes up to two months and can be complicated by pneumonia, seizures, encephalopathy or death. Pertussis is highly contagious during the first 2-3 weeks of coughing. It is spread by airborne droplets of the bacteria that are coughed or sneezed into the air by the infected person. Adults, teens and vaccinated children who become infected with whooping cough often have mild symptoms. Antibiotics are used to treat both the infected individual and all household contacts, regardless of their immunization status. Contacts outside the home that are symptomatic should be evaluated by their healthcare provider.

Parents of infants with an unexplained persistent runny nose, sneezing, fever and a dry, irritating cough lasting more than a few days should contact their healthcare provider. Any individual who develops episodes of short, rapid coughs followed by a quick, deep breath ("whoop") should contact their healthcare provider.



Joan V Ray
05/19/05 03:45 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: 84th & Adams/Wal-Mart Proposal

----- Forwarded by Joan V Ray/Notes on 05/19/2005 03:46 PM -----



Lori Humlicek
<lhumlicek@faithlincoln.org>
05/19/2005 02:06 PM

To: reschliman@naifmarealty.com, marvinforcouncil@nebl.rr.com,
ksvoboda@alitel.net, campjon@aol.com, amcroy@ci.lincoln.ne.us,
council@ci.lincoln.ne.us
cc:
Subject: 84th & Adams/Wal-Mart Proposal

Dear City Council Members:

As a resident of Regent Heights and a member of Faith Lutheran Church, I am writing this e-mail regarding the proposed site(s) for Wal-Mart.

The City Planning Commissioners voted against Option A to locate the proposed Wal-Mart on the northeast corner of 84th & Adams. Therefore, what is left is Option B which is to locate Wal-Mart on the southeast corner of 84th & Adams. I am completely opposed to Option B. I feel very strongly that a large box store directly west of Faith Lutheran Church & School would be detrimental to the ministry at Faith. Safety of our children, crime, alcohol, tobacco, firearms, traffic, trash, etc., are of great concern. Please do not consider this as a viable location for Wal-Mart.

Option A would have been the lesser of two evils. If Wal-Mart would be located on the northeast corner, then Faith Lutheran would not have Wal-Mart as their front-door neighbor directly to the west. However, anywhere on 84th & Adams is still too close to a school with 300+ children. Faith Lutheran School operates a summer program, also. I believe that a 24/7 operation so close to Faith Lutheran is not acceptable due to the concerns listed above. Would the City consider a Wal-Mart so close to an LPS school? I don't think so! The City would have too many tax payers up-in-arms! Please put some thoughtful (and prayerful) consideration into your decision making process. A big box store and a church/school are not a healthy mix.

Please consider a different site for Wal-Mart. Faith Lutheran Church & School and the surrounding neighborhood would truly appreciate it!

Sincerely,

Lori K. Humlicek



Joan V Ray
05/23/05 11:16 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: RE: Dan Marvin Voting Conflict

----- Forwarded by Joan V Ray/Notes on 05/23/2005 11:16 AM -----



"Peter Katt"
<LawKatt@Pierson-Law.com>
05/23/2005 10:48 AM

To: "Rick Peo" <rpeo@ci.lincoln.ne.us>
cc: "Dan Marvin" <dmarvin@neb.rr.com>, "City Council" <council@ci.lincoln.ne.us>
Subject: RE: Dan Marvin Voting Conflict

Rick:

I called and left a vmail message for you just a bit ago. In visiting with others about this issue, someone came up with a very good question that I think clearly identifies a huge problem with the current advice:

What about all of the other commissions and Boards that City Council members serve on and vote on items that are then brought before the Council? This would include Public Building Commission, Park and Rec advisory Board, Health Dept. and the list could go on. How are those advisory Boards different? Those would create an even greater problem since the Council members continue their membership on the other Boards/Commissions and have not even resigned like Dan has from Planning Commission.

Will this be decided before tonight's hearing? Are you going to present anything? Will you support a delay to June 6th to further flesh this issue out?

Give me a call so I know what your office will be doing on this tonight.

Peter

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

From: Peter Katt
Sent: Thursday, May 19, 2005 8:41 AM
To: Rick Peo
Subject: Dan Marvin Voting Conflict

Rick:

Given the fact that the hearing is Monday on the 84th & Adams proposal, I wanted to get to you what research I have completed to date on the legal issue as to whether or not Dan can vote on matters that were before him at the Planning Commission. I attach my Clerk's memo and an interesting AG's opinion just release in April. The formatting in the attachment is not the best but you can also get to it at the AG's website.

While my clerk's Memo is not as organized or polished as I might want it, I believe all of the substantive points can be found within it by which I am of the opinion that Dan is required to vote on this matter.

In summary:

1. The one legal authority you rely upon is not applicable due to the fact in that case the individual held both positions simultaneously. That is not the case with Dan. He has resigned from PC and has now assumed his duties as a council person. He is wearing only one hat at a time.

2. The City Code and Council Rules require council members present at a meeting to vote unless they have a conflict of interest.

3. The only recognized conflict of interest in the City provisions and accountability and disclosure is a personal financial interest.

4. Given the fact that a specific vote total of 5 or more is required for this Comp Plan amendment to pass, disqualifying one of the members raises the percentage needed dramatically. I think that creates a much greater due process problem and potential challenge by my client than some theory that he can't vote twice. I have found no basis for that claim.

5. Absent any clear, binding legal precedent, it is my opinion that the City's mandatory voting obligation for Council members should be the over riding public policy that controls.

If you agree with me it seems we need have no further discussion. If you disagree, perhaps this question should be sent over to Accountability and Disclosure for a written ruling. I can live with their conclusion if it is different than mine.

In terms of timing, I understand Annette will be out of town on the 23rd. Accordingly, I will ask the Council to hold over the vote until June 6th so that all of them will have an opportunity to vote on this matter. If the Council does hold this over until then, we would not need to have an answer on the Marvin question until then.

Let me know what you decide.

Peter W. Katt
Pierson, Fitchett, Hunzeker, Blake & Katt
1045 Lincoln Mall
P.O. Box 95109
Lincoln, NE 68509
Phone: 402-476-7621
Fax: 402-476-7465
E-Mail lawkatt@pierson-law.com

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This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail and delete the message. Thank you.
=====



Joan V Ray
05/23/05 11:48 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Proposed Walmart

----- Forwarded by Joan V Ray/Notes on 05/23/2005 11:48 AM -----



Susie Schulte
<sgschulte79@yahoo.com>
05/23/2005 11:23 AM

To: council@ci.lincoln.ne.us, jcamp@lincoln.ne.gov, jcook@lincoln.ne.gov, dmarvin@lincoln.ne.gov, amcroy@lincoln.ne.gov, pnwman@lincoln.ne.gov, ksvoboda@lincoln.ne.gov, reschliman@lincoln.ne.gov, ksvoboda@alltel.net, marvinforcouncil@neb.rr.com, reschliman@naifmarealty.com
cc:
Subject: Proposed Walmart

Dear City Council Members:

I am writing today one more time to you all regarding the proposed Walmart. I hope to attend the meeting tonight but it is also awards night for my senior daughter at her school and my children are the most important things in my life as are yours to you.

Most of you know I am a resident of East Lincoln in Regent Heights. I live off of 84th & Leighton and it is a beautiful quiet area to live in. My youngest daughter attends Faith Lutheran school and my older three are active in many youth activities there. The 84th Street traffic is dangerous at the Adams intersection and I worry about my youthful drivers and remind them even if the light turns green to wait - there usually is a semi or rock truck that still flies through there. It has happened to me many times myself.

For the first time in my life I have never been opposed to anything more than Walmart coming it on either side of Adams. I did NOT sign the petition at Faith Lutheran and my pastor knows I did not. The Faith congregation is SCARED TO DEATH you will put Walmart next to us so that is why that petition was drawn up. I am scared to. Should I be in Lincoln, Nebraska? Sounds crazy doesn't it?

We went out to Grand Island last week to a soccer game for my 8th grader. Out by Fonner Park is the new Walmart going in. It is HUGE and it is out away from anything else. I encourage you to go out and see it or at least go out to York, theirs is way out also closer to an interstate. They take up so much space it is unbelievable. How could it even fit at 84th and Adams next to a church/school of 300 plus children or even on the north side?

I will say it again if I wanted to shop at a Walmart they are both 10 minutes from this area. So many residents out here are opposed and I can only hope and pray that they have gotten in touch with you all before with their concerns.

Please consider quieter businesses out here.

I love my local merchants on 70th & Vine and Havelock and at 66th and Cotner. I know exactly what will happen to them eventually if Walmart comes into this area. There really are alot of elderly people over here that love the convenience of small businesses.

I wish I could sit down and talk with each and every one of you regarding this matter. What if you child or children attended that school would that make a difference? It will turn our parking lot into rat race with semis and excess cars that feel they could park closer in our lot on busy days.

I thank you for listening and I do plan on being there after my daughter receives her awards for academics.

I pray you will stand up and do the right thing for East Lincoln and put Walmart way out farther by the Interstate where it should belong.

Very Sincerely,

Susan Schulte
8120 Whitney Court
466-1239
Cell 416-0921

Do you Yahoo!?

Yahoo! Mail - Find what you need with new enhanced search.

http://info.mail.yahoo.com/mail_250