IN LIEU OF
DIRECTORS' MEETING
MONDAY, NOVEMBER 26, 2007

I. MAYOR -

***1. NEWS RELEASE - RE: Mayor Presents October Award Of Excellence.
***2. NEWS ADVISORY - RE: CHANGE - The time and date for the news conference on the Star City Holiday Parade has been changed from 10:00 a.m., Nov. 8th to 10:30 a.m., Nov. 15th.
***3. NEWS RELEASE - RE: Open House Planned On Improvements To East Adams.
***4. NEWS RELEASE - RE: Preliminary Statistics Show EMS To Finish Year With Small Profit.
***5. NEWS RELEASE - RE: Harris Overpass To Close Monday.
***6. Monthly Report from NHHS - State Water Tests.
***7. NEWS ADVISORY - RE: Mayor Chris Beutler will make two announcements on Thursday, November 8th at 9:00 a.m. and 10:00 a.m.
***8. NEWS RELEASE - RE: Lincoln Named Nation's Top Digital City - Web site celebrates 12th anniversary ranked number one for comparable cities.
***9. NEWS RELEASE - RE: Beutler Appoints MaClean As Director Of Public Works & Utilities.
***10. Washington Report - November 2, 2007.
**11. NEWS ADVISORY. Mayor Beutler's Public Schedule. Week of November 10 through 16, 2007. (Sent to City Council via email on November 9, 2007)
**12. NEWS ADVISORY. Mayor Beutler Will Present 2007 Gerald Henderson Human Right Award at 3:00 pm, Wednesday, November 14, 2007 in the Mayor's Conference Room, 555 South 10th Street.
**13. NEWS ADVISORY. Mayor Beutler and Star City Holiday Parade Representatives News Conference, Thursday, November 15, 2007 at 10"30 am at the Float Factory in Waverly.
**14. NEWS RELEASE. Mayor Presents Human Rights Award to Beatty Brasch.
**15. NEWS RELEASE. Mayor Announces Plans for Star City Holiday Parade.
**16. Washington Report. November 9, 2007.
17. NEWS ADVISORY. Mayor Beutler's News Conference, Tuesday, November 20, 2007 at 555 South 10th Street, 9:00am Regarding City Council's Action on Living Wage (Council received this Advisory on 11/19/07)
18. NEWS RELEASE. Mayor to Veto Living Wage Exemption.
19. Washington Report. November 20, 2007.
20. NEWS ADVISORY - RE: Mayor Beutler will name a new aide for economic development at a news conference TODAY (11/21/07) at 2:30 p.m.
21. NEWS RELEASE - RE: Section Of Browning Street To Close Tuesday.
22. NEWS RELEASE - RE: Park Free For Star City Holiday Parade.
23. NEWS RELEASE - RE: Beutler Names Economic Development Aide.

II. DIRECTORS

COUNTY ELECTION COMMISSIONER -

1. Letter & Material from David J. Shively, Election Commissioner to Mayor Beutler and Chairman Dan Marvin - RE: Letter to remind you of a Nebraska law that requires political subdivisions to inform the Election Commissioner of any needed adjustments to election district boundaries at least five months prior to any election.

FINANCE/CITY TREASURER -

***1. Resolution - Investment Report for the year ending August 31, 2007.

2. Monthly City Cash Report for October, 2007.

PLANNING -

***1. Letter from Tom Cajka to Lyle Loth, ESP - RE: Hartland Homes NW 6th Addition Final
Plat #07067 - Generally located at NW 48th Street and W. Madison Avenue.

***2. Letter & Material from Brian Will to Property Owners - RE: Administrative Amendment #07104 to The Preserve on Antelope Creek - Use Permit #125.

**3. Bill #07R-229, Special Permit No. 07047, 10th and Military Road. Plan to Bring Parking Stalls up to 107 for Apartments.

**4. Memo from William J. Wayne Regarding Bill #07R-228, #07-171, #07-172 and #07R-229, 10th and Military Road.

5. Letter from Tom Cajka to Property Owners - RE: Administrative Amendment #071112 to Stone Bridge Creek SP#1845.

PLANNING COMMISSION FINAL ACTION .....

**1. Special Permit No. 07049. On-Sale Alcohol, 710 Hill Street. Resolution No. PC-01087.

PUBLIC WORKS & UTILITIES -

**1. Harris Overpass to Close Monday, November 12, 2007. "O" Street; 2nd - 9th. Project #791781.

**2. Comp Plan Conformance 07022, Special Permit 07047, Change of Zone 07055 REVISED. Percentage of Allowable Fill of 60%, not 40%, for Area of Proposed Development.

III. CITY CLERK -

1. Email Letter of Appeal from Danelle Catlett on Planning Commissioner's Approval of Special Permit 07049.

IV. COUNCIL REQUESTS/CORRESPONDENCE -

<u>DAN MARVIN</u>

**1. Email from Milt Schmidt, United Way Public Sector and Labor Campaign Specialist. Why is City Council trying to take away wages?

JOHN SPATZ

1. E-Mail from Irakli Loladze - RE: Support for the Lincoln Parks & Rec. indoor shooting range.

V. MISCELLANEOUS -

***1. Email from Andrea Dickey - RE: LES rate increase.

***2. Letter from Wendy Birdsall, CCE, President, Lincoln Chamber of Commerce - RE: Our city living wage ordinance (Council received on 11/05/07 before Formal Council Meeting)

***3. Letter & Material from Diana McGinnis to L. Lynn Rex, Executive Director, League of Nebraska Municipalities - RE: Model Municipal Ordinance (For a Parallel Accounting of Municipal Finances in Constitutional Dollars).

***4. Letter from Glenn D. Johnson, General Manager, Lower Platte South Natural Resources District - RE: North 10th Street & Military.

***5. Email from Tammy Hanel - RE: Animal Control.

**6. Letter from Mark A. Brohman, Executive Direction of NE Environmental Trust. Against Proposals 07R-227, 07R-228, 07-171 and 07-172, building in the flood plain.

**7. Email from Vic Covalt. Reject Jon Camp's attack on the right of all persons to receive a living wage.

**8. Email from Cookie Wittler. Reject Jon Camp's attack on the right of all persons to receive a living wage.

**9. Correspondence through InterLinc. Why is Council trying to take wages away from people who do not make enough money to support themselves now? From Milt Schmidt.

**10. Email from Jeanne Kern. Special Permit 07047 The location, on taking land in the 100-year flood plain and making low cost housing, is terrible. Deny request.

**11. Email from Robert and Phyllis Narveson. Oppose Bill No. 07r-229, Special Permit 07047. Development is located in the 100 year flood plain.

**12. Email from Joyce Coppinger. Deny plan approval to build low-income housing in the flood plain along Salt Creek.

**13. Email from Rosemary Thornton. Vote No on project for building on the 100 year flood plain of Salt Creek.

**14. Email from Maribeth Milner. Strongly oppose building permanent structure on flood plains.

**15. Email from Karen Davis. Creekside Village doomed to failure. Do not approve in the flood plain.

**16a. Email from Bill Wayne. Reconsider request for housing construction on the Salt Creek flood plain.

**16b. Statement from William J. Wayne, Professor Emeritus, Geology on flood plains.

**17. Correspondence on Lincoln InterLinc from Bill Crawford. Concerns regarding homeless population in Lincoln.

**18. Email from David Wasson. Vote against Creekside Village Development, Bill No. 07R-229, Special Permit 07047.

**19. Email from Mary Rauner. Questions regarding the flood plain housing proposal. Other proposals should have been considered.

**20. Email from Susan Samson. Opposed to location for proposed Creekside Village.

**21. Letter from Robert Boyce (Sent to each Council Member individually). Vote against requested exception to the Comprehensive Plan permitting the building of Creekside Village.

**22. Email from Nancy Shelley. Find better site for Creekside Village.

**23. Email from Arlys Reitan. Building should not be done in flood plains. How are certain groups able to obtain waivers and exceptions to the rule?

**24. Email from Sue Wurm. Opposition to Bill No. 07R-229, Special Report 07047.

**25. Email from Cindy Weiss. Proposed housing on a floodplain in Lincoln is total madness.

**26. Email from Susan E. Allen. Opposed to Bill No. 07R-229, Special Permit 07047. Not a good location in the Salt Creek floodplain.

**27. Letter from the Multicultural Advisory Committee. MAC voted to opposed exempting nonprofit organization from Lincoln's Living Wage Ordinance. Supports present Ordinance 2.81 as is.

28. Letter from Kristen Traver. Supports a catch-and-release spay-neuter program in Lincoln.

29. Email from Carita Baker. Opposed to Housing Project in Antelope Valley. (Distributed to Council Members Before Meeting on 11/19/07)

30. Correspondence from Bill Crawford in support of the Creekside Village Project. (Distributed to Council Members Before Meeting on 11/19/07)

31. Email from Jackie Barnhardt. Consider responsibility of building in a flood plain.

32. Correspondence received through Lincoln InterLinc from Dick Boyd. Opposed to building in a flood plain. While working witnessed two tremendous floods.

33. Email from Melvin Burbach thanking Council Members for listening to speakers regarding the 10th and Military development, with the exception of Robin Eschliman.

34. Email from Marvin L. Lyman. Lammle property located at 98th and Merion Circle.

35. E-Mail from Jeanette Fanmeyer - RE: Proposed housing in North Bottoms.

36. E-Mail from Patte Newman - RE: North Bottoms surplusing.

VI. ADJOURNMENT

***** HELD OVER FROM NOVEMBER 12, 2007.**
**** HELD OVER FROM NOVEMBER 19, 2007.**
ALL HELD OVER UNTIL DECEMBER 3, 2007.

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CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: November 19, 2007
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will discuss tonight's City Council action on the living wage at a news conference at **9 a.m. Tuesday, November 20** in the **reception area outside the Mayor's Office, 555 South 10th Street.**

The Council is scheduled to vote on an amendment to exempt nonprofit organizations from the City's living wage ordinance.

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 20, 2007
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR TO VETO LIVING WAGE EXEMPTION

Mayor Chris Beutler today announced his intention to veto the City Council decision last night to exempt nonprofit organizations from the City's living wage ordinance.

"I will not divide our community by moving Lincoln forward for only a selected few," said Beutler. "The living wage is simple justice and fairness for our working poor. This value should be built into our economic system just as we have built scores of other values into our economic system over the decades. Government works best when it rewards work – not when it forces people onto the welfare rolls. The best anti-poverty program ever devised is a fair wage for a hard day's work."

The City Council passed the living wage ordinance in March 2004. It requires companies with at least 10 employees who have City contracts worth $25,000 or more to pay full-time employees a minimum hourly salary, adjusted annually. It is currently $10.92 per hour or $9.93 per hour with health insurance benefits.

A study conducted by the Nebraska Appleseed Center for Law in the Public Interest in the summer of 2006 found that the living wage ordinance, "has not caused an increase in service payments or contract costs for the government."

Beutler said leaders of local nonprofit organizations opposed the exemption. "They are saying loud and clear: 'It is wrong for us to lead the fight for self-sufficiency and then turn around and pay insufficient wages to our own workers,'" said Beutler. "I heard Pastor Tom Barber of the City Mission say this, and it moved me that an organization that struggles to raise every dime it can to help people would set a high standard. It moved me that St Monica's, an organization dedicated to helping end alcohol and drug dependency among women, aspires to fair wages for its employees. It made me ask, 'how can the City of Lincoln, in good conscience, aim for so much less?'"

Mayor Beutler said he plans to veto the Council action as soon as the proceedings of Monday's meeting are delivered to his office. The City Clerk has 48 hours after adjournment to forward Council action to the Mayor, and the Mayor has seven days after that to return it to the City Clerk with his approval or veto.

"I believe strongly in economic development and in the opportunities that Antelope Valley, the new arena and new roads will create. I will fight for them because it is the right thing to do for our future," said Beutler. "I will be a Mayor that makes City Hall more business-friendly, but not a Mayor that makes it less family-friendly. I will seek out money for new growth, but I will not take money from struggling people who work hard, play by the rules, and contribute to our community."

- 30 -

CITY OF LINCOLN Washington Office

Volume 13, Issue 37
November 20, 2007

INSIDE:

CONGRESS.....1
PUBLIC SAFETY 2
HEAD START.....2
TELECOMMUNICATIONS.....2

CONGRESS BREAKS WITHOUT A BUDGET DEAL

CONGRESS

With no budget deal in sight, Congress takes a two-week break. Members of the House and Senate returned to their home districts late last week, but to the dismay of most rank-and-file members, they will have to return to Washington in two weeks in the hopes of breaking a logjam with the White House on the FY 2008 budget.

Over one month into FY 2008, only one (Department of Defense) of the 12 annual spending bills has been signed into law. With the November 16 expiration of the Continuing Resolution keeping government operations running, the President last week signed into law a second CR that will expire on December 14. There was no shortage of news regarding spending, however, including:

- The House failed to override the President's veto of the FY 2008 appropriations bill for the Departments of Labor, HHS, and Education;
- The House approved the House-Senate conference report to the FY 2008 appropriations bill for the Departments of Transportation and HUD, although the 270-147 margin was short of the necessary margin to override the President's expected veto (see November 9 *Washington Report* for additional details on the bill).
- A House-Senate conference committee to the FY 2008 appropriations bill for the Departments of Commerce and Justice was cancelled due to opposition by Hispanic Democrats over language that would bar the Equal Employment Opportunity Commission from taking action against organizations with English-only work rules.

There are reports that the House Democratic leadership has offered to meet the President halfway on the $22 billion difference the two sides have regarding domestic discretionary spending, but the White House continues to hold firm. If the differences cannot be reconciled, there is a chance Congress could revert to the tactic Democrats used last year – fund programs through a year-long CR in which most programs receive their FY 2007 levels and selected programs could receive increases. Member-directed earmarks would also be in jeopardy under that scenario.

A number of other matters that congressional leadership had hoped to complete prior to Thanksgiving were left unfinished, including: a reauthorization of the State Children's Health Insurance Program (SCHIP); Senate action on a farm bill; and Senate action on a package that would extend a number of tax credits and "patch" anticipated problems with the Alternative Minimum Tax (AMT).

The House and Senate both expect to return to work on December 3. Technically, the Senate will remain in session and hold pro-forma sessions in which no business will be conducted on November 20, 23, 27, and 29. Senate Majority Leader Harry Reid (D-NV) does not want to give the President an opportunity to make "recess appointments" that would allow him to fill vacancies without Senate confirmation votes.

DUE TO THE CONGRESSIONAL RECESS, THE NEXT WASHINGTON REPORT WILL BE SENT ON DECEMBER 7

Washington Report

Archived at: www.capitaledge.com/archive.html

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PUBLIC SAFETY

House approves prisoner re-entry measure. The House approved legislation (HR 1593) last week that would create and assist programs to improve outreach to prisoners with the goal of reducing recidivism.

Nearly 650,000 people are released from federal and state prisons each year, and recent studies indicate that over two-thirds of the released state prisoners will be re-arrested for a felony or serious misdemeanor within three years. According to the legislation, studies also show that: between 15 and 27 percent of prisoners expect to go to a homeless shelter upon release; 70 percent of state prisoners used drugs regularly before going to prison, and less than 32 percent of state prison inmates have at least a high school diploma.

HR 1593 would reauthorize, for two years at $55 million annually, a Department of Justice program that provides demonstration grants to state and local governments and non-profits for programs that address prisoner reentry issues. Among the other initiatives that the measure would authorize over the next two years include:

- $15 million per year for programs in jails that continue or improve drug treatment programs;
- $15 million per year for grants to non-profit organizations that run mentoring programs for released prisoners and their families;
- $10 million per year for demonstration projects in jails that provide family-based substance abuse treatment, and
- $10 million per year for programs that provide alternatives such as mandatory drug treatment to reentry to prison.

Similar legislation (S 1060) has been approved by the Senate Judiciary Committee but has not been scheduled for floor consideration.

HEAD START

Congress clears Head Start measure. By votes of 381-36 and 95-0, the House and Senate cleared legislation (HR 1429) to reauthorize Head Start through FY 2012. President Bush is expected to sign the bill when it reaches his desk.

Passage of the bill marks the first time in over a decade that Congress has reauthorized the popular early childhood education program. In past years, efforts to reauthorize the program bogged down with disagreements over the Bush Administration's proposal to turn the program into a block grant to the states and to exempt religious organizations from discrimination rules when hiring Head Start teachers. While the Administration's proposal failed to garner enough support in Congress for final passage, in past years it garnered enough support to stymie passage of rival proposals.

As cleared by Congress, the bill rejects the Administration proposal. Instead, it would continue to send funds directly to Head Start providers and apply hiring rules to all Head Start providers. However, the bill increases oversight and regulation of Head Start providers, including tighter accounting standards and more frequent audits. In addition, the bill requires half of all Head Start teachers to have at least a bachelor's degree in early childhood education or a related field by 2013. It also expands eligibility for Head Start from children in families earning 100 percent of the federal poverty level to children from families earning 130 percent of the federal poverty level and requires Head Start providers to coordinate their curriculum with that of the local school district.

HR 1429 authorizes $7.35 billion for Head Start in FY 2008, $7.65 billion in FY 2009, $7.995 billion in FY 2010 and "such sums as may be necessary in FY 2011 and FY 2012. Congress appropriated $6.9 billion for the program in FY 2007. The FY 2008 Department of Health and Human Services Appropriations bill recently vetoed by the President includes $7 billion for Head Start.

TELECOMMUNICATIONS

House clears broadband map bill. The House unanimously passed legislation (HR 3919) that would require the Federal Communications Commission (FCC) and the National Telecommunications and Information Administration (NTIA) to conduct an annual inventory of broadband services throughout the country. The House passed the bill under an expedited procedure that limits debate, bars amendments and requires a two-thirds super majority for passage.

As cleared by the House, the bill would require the FCC and NTIA to produce a broadband service map, including the speed of service and the type of technology used to offer the service. The bill would also require the two agencies to produce a supplemental annual report that compares domestic broadband deployment with that of 75 communities from 25 other countries chosen by the FCC.

In addition, HR 3919 would authorize $275 million over three years for grants to state and local planning agencies to develop broadband deployment strategies and $60 million over three years for grants to states to conduct their own broadband deployment surveys.

The bill now heads to the Senate, which has not considered similar legislation.

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: November 21, 2007
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will name a new aide for economic development at a news conference **TODAY at 2:30 p.m.** in the **Mayor's Conference Room, 555 South 10th Street.**

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: November 21, 2007
FOR MORE INFORMATION: Al Lee, Public Works and Utilities, 441-6092

SECTION OF BROWNING STREET TO CLOSE TUESDAY

Beginning at 9 a.m. Tuesday, November 27, Browning Street between 32nd and 34th will close for one day, weather permitting, for the removal of temporary small speed bumps. The small speed bumps have been in place since late summer as part of a research project to see if vehicle speeds and vehicle volume were reduced.

Browning Street is expected to reopen in time for the late afternoon commute, weather permitting.

For more information on Public Works and Utilities construction projects and street closures, visit the City Web site at lincoln.ne.gov (keyword: projects).

- 30 -

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 21, 2007
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Ken Smith, Parking Manager, 441-7548
Deb Johnson, Parade Executive Director, 434-6901

PARK FREE FOR STAR CITY HOLIDAY PARADE

Mayor Chris Beutler today announced that parking will be free in downtown City-owned garages for the 23rd annual Star City Holiday Parade December 1. The parade is presented by Verizon Wireless and produced by Updowntowners, Inc. and the City of Lincoln.

City Parking Manager Ken Smith said free parking will be available to those entering garages marked with the green "P" logo from 6 a.m. to 3 p.m. Pre-parade entertainment begins at 10 a.m., and the parade begins at 11 a.m. The parade begins at 10th and "O" streets and ends at 13th and "M" streets. An awards ceremony will begin about 12:45 p.m. in the Lancaster Ballroom at the Cornhusker Marriott.

Smith said the City Parking Office offers a variety of programs to make downtown parking easier, including "iPark," debit cards and online payments and accounts. More information, including a map of City-owned and private parking garages and lots is available at the City Web site, lincoln.ne.gov (keyword: parking), and www.parkitdowntown.org. The Parking Office can be reached at 441-6472.

More information on the Star City Parade is available on the City Web site at lincoln.ne.gov and at www.starcityholidayparade.org. The Parade office number is 434-6902.

- 30 -

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 21, 2007
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Rick Hoppe, Mayor's Office, 441-7511

BEUTLER NAMES ECONOMIC DEVELOPMENT AIDE

Mayor Chris Beutler today named Mike Lang as an aide for economic development in his office. Lang has been the Director of Business Retention and Expansion for the Lincoln Partnership for Economic Development (LPED) since June 2006. He previously worked for the Lincoln Electric System (LES) for 23 years. He will begin work in the Mayor's Office February 1.

"The addition of Mike to our team is another step forward in my plan to energize the City's economic development efforts," said Beutler. "We need to create the right conditions for growth so employers will locate and expand in Lincoln."

Lang said he will focus on recruiting, retaining and expanding "primary" employers – those who export at least half of their products or services outside of the local economy. "This is the area in which we can have the greatest impact because it means bringing outside dollars into our community," said Lang. "I believe in Lincoln and in its future, and I look forward to the challenge of making our economic development efforts even more successful."

Beutler said Lang's primary duty will be to implement the centralized development services center. "As a long-time economic development professional in this community, Mike understands what needs to be done to cut red tape and smooth the process for job creation. He also has a strong track record of working with existing businesses to expand."

At LPED, Lang said he worked closely with businesses and community organizations on retention and expansion activities. At LES, he held the first full-time position created for economic development at the utility. Lang has a bachelor's degree in business administration from Doane College and a master's in community and regional planning from UNL.

"Mike has the skills we need to take our economic development efforts to the next level," said Beutler. "With the creation of the MOVE Council to examine policy and plan for the future and the work of Dave Landis as Urban Development Director, we already are making great progress."
Beuter created the MOVE (Mayor's Opportunities for a Vibrant Economy) Council in May. Former State Senator Landis has been City Urban Development Director since June 1.

Lang's position will be funded by the City and Lancaster County.

LANCASTER COUNTY NEBRASKA

David J. Shively
Commissioner
Maura Kelly Tolzin
Chief Deputy

RECEIVED
NOV 20 2007
CITY COUNCIL OFFICE

Election Commissioner
601 North 46th Street
Lincoln, Nebraska 68503-3720

Telephone: (402) 441-7311
FAX: (402) 441-6379

November 13, 2007

The Honorable Chris Beutler
Mayor, City of Lincoln
555 South 9th Street
Lincoln, NE 68508

Mr. Dan Marvin, Chair
Lincoln City Council
555 South 9th Street
Lincoln, NE 68508

Dear Mayor Beutler and Chairman Marvin:

This letter is to remind you of a Nebraska law that requires political subdivisions to inform the Election Commissioner of any needed adjustments to election district boundaries at least five months prior to any election.

Neb. Rev. Stat. § 32-552(1) (Reissue 2004) states in relevant part:

At least five months prior to an election, the governing board of any political subdivision requesting the adjustment of boundaries of election districts shall provide written notification to the election commissioner or county clerk of the need and necessity of his or her office to perform such adjustments.

The City of Lincoln/Lancaster County Planning Department regularly notifies my office once each City of Lincoln annexation has been approved and has become effective. At that point, my office has made the necessary adjustments based on the aforementioned statute.

The last annexation notification received by my office from the Planning Department was for an area near 87th and Leighton Streets (Ordinance No. 18991) which was effective October 2, 2007 . If there have been or will be any new annexations to become effective since that date through Thursday, December 13, 2007, I must receive written notification from the City of Lincoln no later than the close of business on Thursday, December 13, 2007 in order for any voters residing in the new or annexed area to be eligible to vote on any City of Lincoln issue that may be on the ballot for the May 13, 2007 Primary Election. For any boundary changes approved and to become effective from December 14, 2007 through and including June 4, 2008, I must receive notification from you no later than the close of business on Wednesday, June 4, 2008 in order for those affected voters to be eligible to vote in any city issue which may be on the November 4, 2008 General Election ballot.

I am enclosing a copy of a Lancaster County Attorney's opinion regarding this issue.

As in the past, a copy of a map of the annexed areas provided by the Planning Department is sufficient for my office to make the appropriate adjustments to our voter data base as long as they are provided to my office at least five months prior to any election. If you have any comments or concerns regarding this matter, please feel free to give me a call.

Sincerely,

David J. Shively
Election Commissioner

DS/s
Enclosure

c: Dana Roper, City Attorney
Marvin Krout, Planning Department
Lincoln City Council Members

GARY LACEY
LANCASTER COUNTY ATTORNEY
575 South 10th Street
Lincoln, Nebraska 68508-2866

402.441.7321 / TELECOPIER 402.441.7336

Joe Kelly, Chief Deputy

January 26, 2007

LANCASTER COUNTY
ELECTION COMMISSION
2007 JAN 29 PM 4: 28

David Shively
Election Commissioner
601 North 46th Street
Lincoln, Nebraska 68503-3720

Re: Eligibility of Voters Within Proposed Annexed Area (Firethorn)

Dear Mr. Shively:

In your letter dated December 21, 2006, you requested the opinion of this office regarding the eligibility of voters within an area that may be annexed by the City of Lincoln in the near future, to vote in upcoming elections. Such annexation involves the Firethorn area which is located east of the city limits. Specifically, you requested our opinion regarding whether the voters within the proposed annexed area would be eligible to vote in the April 3rd Primary and May 1st General Election should the annexation become effective prior to either of those elections. Your letter also inquired about the applicability of Neb. Rev. Stat. § 32-552(1) to offices elected by district and those elected at- large.

Neb. Rev. Stat. § 32-552(1) (Reissue 2004) states in relevant part:

> At least five months prior to an election, the governing board of any political subdivision requesting the adjustment of boundaries of election districts shall provide written notification to the election commissioner or county clerk of the need and necessity of his or her office to perform such adjustments.

It is our opinion that Section 32-552(1) is applicable to your inquiry on the eligibility of voters within the proposed annexation area. Although not specific to annexations, Section 32-552(1) requires the governing board of the City to provide written notification to your office of the need and necessity to perform any adjustments of election district boundaries. Your office does not have the statutory authority to adjust the boundaries on your own volition; rather, the City is required to request such adjustment in writing. Furthermore, the reference to "boundaries of election districts" in Section 32-552(1) most likely applies to those offices elected by district and those elected at-large, particularly in light of the proposed adjustment of boundaries effected by

the annexation. The proposed annexation will not only adjust the boundaries of a particular city precinct, but will also implicitly adjust the boundaries of the City limits for at-large elections. Section 35-552(1) does not specifically address "city limit boundaries" and there is no statute that specifically grants the Election Commissioner the statutory authority to adjust city limits after an annexation occurs; yet, Section 32-552(1) appears to accomplish such adjustment. Likewise, in *Pelzer v. City of Bellevue*, 200 Neb. 541 (1978), a citizen challenged the validity of redistricting ordinances passed by the city council of Bellevue on the grounds of the Equal Protection Clause. The ordinances were passed following a substantial annexation (approximately 1,200 individuals) in an attempt to adjust and equalize the population of the election districts of the city. In upholding the redistricting ordinances, the Nebraska Supreme Court held that "whenever an area is annexed to a city subsequent to the most recent federal census, the population of that area must be taken into account in any subsequent redistricting, in addition to the population of the city as determined by the federal census." *Id.* at 543. Although the case did not address Section 32-552(1), nor the city's request to the election commission to adjust the election boundaries, the Court's holding implies that subsequent to an annexation, action needs to be taken to adjust the election districts of the city.

After concluding that Section 32-552(1) is applicable to the eligibility of the voters within the proposed annexation area, it is evident that such individuals will not be eligible to vote in either the Primary or General Election. Section 32-552(1) provides that the request to adjust boundaries of election districts must be accomplished at least five months prior to an election. It is our understanding the annexation of the Firethorn area will be acted upon by City Council in February or March of 2007. Pursuant to Article V, Section 2 of the Lincoln City Charter, all ordinances take effect fifteen days after passage. Thus, a request by the City to adjust the boundaries of election districts, at any time in the next few months, cannot be accomplished by your office, as the request is clearly not five months prior to the upcoming elections.

This conclusion seems to be in line with Neb. Rev. Stat. § 79-475 (2005 Supp), which provides a waiting period for a school boundary change as a result of annexation. Section 79-475 states that whenever a school district is merged into a Class IV school district, "such merger shall be effective on July 1 immediately following the effective date of the change of city or village boundaries which caused the merger..." Thus, if the proposed annexation of the Firethorn area is approved in February or March 2007, the school boundary change would not be effective until July 1, 2007, and the voters within that area would not be permitted to vote in any school district election prior to July 1, 2007, or for a period of five (5) months thereafter pursuant to provisions of Neb. Rev. Stat. 32-552(1).

Finally, it is our understanding that in the past when annexations have occurred, the City of Lincoln-Lancaster County Planning Department sends your office a copy of the ordinance approving the annexation and a copy of a map adjusting the City limits. Your office has treated

this written notification as a request to adjust the boundaries of election districts pursuant to Neb. Rev. Stat. § 32-552(1). Your office has adjusted the city precinct boundaries and also the overall City limits upon receipt of the annexation ordinance and map. It appears that both the City and your office are substantially complying with Section 32-552(1) and should continue with such practice.

If you have any further questions or concerns, please do not hesitate to contact our office.

Respectfully,

GARY E. LACEY
COUNTY ATTORNEY

Kristy Bauer
Deputy County Attorney

cc: Kerry Eagan, Chief Administrative Officer
Dana Roper, City Attorney

GEL/KM

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

NOVEMBER 20, 2007

TO: **MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS**

FROM: **FINANCE DEPARTMENT / CITY TREASURER**

SUBJECT: **MONTHLY CITY CASH REPORT**

The records of this office show me to be charged with City cash as follows at the close of business October 31, 2007:

Balance Forward	$	$227,921,689.24
Plus Total Debits October 1-31, 2007	$	$24,267,103.08
Less Total Credits October 1-31, 2007	$	($28,418,862.31)
Cash Balance on October 31, 2007	**$**	**$223,769,930.01**

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

U. S. Bank Nebraska, N.A.	$	($95,170.97)
Wells Fargo Bank	$	($85,697.91)
Wells Fargo Bank Credit Card Account	$	($8,033.06)
Cornhusker Bank	$	$64,373.09
Pinnacle Bank	$	$69,909.28
Union Bank & Trust Company	$	$244,951.16
West Gate Bank	$	$74,654.63
Idle Funds - Short-Term Pool	$	$42,434,481.77
Idle Funds - Medium-Term Pool	$	$181,029,528.35
Cash, Checks and Warrants	$	$40,933.67
Total Cash on Hand October 31, 2007	$	**$223,769,930.01**

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of $23,344,579.86 representing authorized investments of the City's funds.

ATTEST:

Teresa J. Meier, Deputy for
Joan E. Ross, City Clerk

Melinda Jones
Melinda Jones, City Treasurer

CITY OF LINCOLN · FOUNDED JULY 29, 1867 · INCORPORATED APRIL 7, 1869 · SEAL · LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT
AS OF OCTOBER 31, 2007

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLMC FGLMC D67795	3128F7UU6	12/01/2009	$1,191,991.00	$32,434.49	1.02	$33,136.25
FHLMC GOLD POOL A61256	3128KRMD3	11/01/2036	$3,168,920.00	$3,049,260.25	1.01	$3,078,178.21
FNMA FNCL 254725	31371K4J7	05/01/2033	$500,000.00	$275,801.90	0.97	$266,919.09
FNMA FNCL 254592	31371KXV8	12/01/2032	$3,100,000.00	$1,477,826.95	0.97	$1,433,017.61
FNMA FNARM 303824	31373UPH4	07/01/2025	$1,600,000.00	$26,852.13	1.01	$27,249.90
FHLMC 3015 HF	31395XN68	08/15/2035	$8,095,000.00	$7,002,314.07	0.97	$6,762,764.21
FNMA FNCL 703944	31401CBM4	05/01/2033	$8,365,000.00	$4,263,960.46	0.97	$4,126,630.23
FNMA FNARM 725674	31402DFP0	07/01/2034	$7,285,000.00	$4,476,534.30	0.99	$4,411,596.35
FNMA POOL 725772	31402DJR2	09/01/2034	$8,500,000.00	$5,891,767.61	0.97	$5,700,367.05
FNMA POOL 761335	31403XY82	04/01/2019	$7,275,000.00	$4,384,947.69	0.97	$4,266,446.23
FNMA FNCL 805211	31406BR85	01/01/2035	$3,520,000.00	$2,987,296.61	0.94	$2,803,446.13
USBANK NE		**TOTAL PLEDGED**	**$52,600,911.00**	**$33,868,996.46**		**$32,909,751.26**
G2SF 3274 6.50%	36202DT76	08/20/2032	$30,800,000.00	$2,271,124.55		$2,356,268.56
WELLS FARGO BANK NE		**TOTAL PLEDGED**	**$30,800,000.00**	**$2,271,124.55**		**$2,356,268.56**
FHLB 4.00	3133XAT56	03/10/2008	$250,000.00	$250,000.00		
FHLB 4.30%	3133XBNR2	04/18/2008	$400,000.00	$400,000.00		
UNION BANK		**TOTAL PLEDGED**	**$650,000.00**	**$650,000.00**		
FHLB 4.10%	3133X8SD5	10/13/2009	$1,000,000.00	$1,000,000.00		
FHLB 4.00%	3133X4NY3	06/25/2009	$1,200,000.00	$1,200,000.00		
FHLB 3.75%	3133MVNP4	02/06/2008	$833,333.33	$833,333.33		
CORNHUSKER BANK		**TOTAL PLEDGED**	**$3,033,333.33**	**$3,033,333.33**		
FHLB STEP UP 2.4%	31339XUE2	01/09/2009	$2,000,000.00			
FHLB STEP UP 5.0%	3133X5C97	03/25/2011	$2,000,000.00			
WEST GATE BANK		**TOTAL PLEDGED**	**$4,000,000.00**			
FHLB DISCOUNT NOTE	313384QM4/001	12/14/2007	$1,950,000.00	$1,950,000.00		
TIER ONE BANK		**TOTAL PLEDGED**	**$1,950,000.00**	**$1,950,000.00**		

CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER
lincoln.ne.gov

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

Eugene W. Carroll, Chair
City-County Planning Commission

555 South 10th Street
Suite 213
Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

November 21, 2007

RE: **Administrative Amendment #071112 to Stone Bridge Creek SP #1845**

Dear Property Owner:

The purpose of this letter is to advise you that the Lincoln/Lancaster County Planning Department has received an application for an Administrative Amendment to Special Permit #1845, Stone Bridge Creek Community Unit Plan.

Administrative Amendments can be approved by the Director of Planning and do not require public hearings before either the Planning Commission or City Council.

The applicant is proposing that the special permit be amended to allow either a single-family house or a duplex on four corner lots. The lots are located at the southeast corner of N. 15th St. & Salida Dr., 7544 N. 16th St., 7445 N. 16th St. and 7200 Whitewater Ln. Since you are property owners abutting these four lots we are notifying you and request your comments.

Please respond by December 3, 2007 if you are in support or oppose this application so your reaction can be considered.

If you have any questions or would like additional information, please feel free to contact me at 441-5662, tcajka@lincoln.ne.gov

Sincerely,

Tom Cajka

Tom Cajka
Planner

xc: City Council
Pamela Dingman, EDC
Rod Hornby, Rembolt Development

Q:\AA\AA07000\AA07112 Stone Bridge Creek notice.tjc.wpd

LINCOLN
The Community of Opportunity

"Solid Rock Gymnastics"
<solidrock@neb.rr.com>

11/16/2007 10:25 AM

To "J Ross" <JRoss@ci.lincoln.ne.us>

cc "m hunzeker" <mhunzeker@baylorevnen.com>, "planning" <plan@lincoln.ne.gov>, "Dan Lesoing" <dlesoing@windstream.net>, <JWalker@ci.lincoln.ne.us>,

bcc

Subject permit # 07049 appeal

Dear City Council,

My name is Danelle Catlett. I would like to appeal the planning commissions approval of special permit # 07049.

I trust you will receive a copy of my letter in opposition and the lengthy e mail dialogue between the applicant and myself. My main concern is the future / potential uses allowed by this permit. I obviously would not want a "Cheetahs" type of establishment next to my gymnastics school and I hope that you would not as well. While this type of establishment is not the intended use of this applicant, Dan Lesoing, the approval of this permit which remains with the property creates the potential for such in the future. While I have no reservations regarding the current applicants upright and moral character, I cannot say the same about a future tenant/owner. While I understand that Dan has no intentions, at this time, of serving alcoholic beverages during tournaments and other activites that are held the rear portion of this buidling (known as the Bison Youth Sports Complex), there is nothing in the permit that restricts or prohibits this now or in the future. When the current applicant ceases to be the tenant &/or managment or the property changes hands who knows what could happen. In addition, an undesirable type of establishment would greatly reduce the property values in this area.

As the applicant stated in the planning commission hearing, with the permit he will be doing nothing that he hasn't already been doing for the last 2.5 years with regards to the Courtside Banquet Hall. He was even willing to rescind the application if he could be granted more or unlimited SDL's. It is my understanding, from the applicant, that the Lincoln Police Department does not want this and is forcing him to persue an alcohol permit. It is my understanding that the reason the police department wants this permit is that it will allow the LPD to have more control and jurisdiction over the events and the establishment. I do not know if this is the case, but I would argue that the current management is doing a fabulous job running these events without incident for the past 2.5 years. I also do not buy that argument that the facility management has less contol on an event with an SDL. I am not familiar with the process of obtaining an SDL, but I would assume the City has more control in approving the event in which liquor is to be sold. The managment establishes hours of operation, rules and guidelines for facility rental just as I do when my gymnastics school is rented by an outside group.

Worst case scenario for the applicant, if the permit is denied, is he gets to keep doing what he has been doing. Worst case scenario for me, if the permit is granted, is a very undesirable type of establishment in the future that would greatly reduece my propery value and hinder my ability to successfully operate. Dan has indicated that the Courtside Banquet Hall and Bison Youth Sports Complex is not his primary business or source of income. Solid Rock Gymnastics is my primary business, only source of income as well as a real estate investment and I need to protect it.

Planning would suggest that I opened myself up to this possibility by building in the I-1 zone. I would respond today just as I have 3 times previously in my own special permit procedures with the city. "Where else would you approve a 22' high, 16,000 square foot, metal building ? In what other zone is land affordable enough for this large of a buildiing for this, low profit margin, type of business? Why are gymnastics , dance and cheer facilities treated differently than other youth sporting facilities within the City. I have wrestled with the city about this issue since 1995. As I noted before the planning commission, I hope that something is being done to solve the indescepancies that exist in the zoning

codes, but back to the issue at hand.

I would prefer the permit not be issued at all. I have many customers who feel the same. I could easily fill the chambers at the council meeting with people against this permit but I prefer not to tie up the process this way and sit through an hour of oppositional testimony . I prefer that the applicant continue to do business the way he has been for the past 2 1/2 years. He can continue to obtain the SDL's for the events whose host would like to provide alcohol to their attendees. Going from the SDL's to a blanket permit only puts one businesss in jeopardy and that is Solid Rock Gymnastics

If the council considers granting this permit, I strongly reccommend and request that the following amendment/condition be added to the permit. A similar condition was placed on the special permit associated with the banquet hall located in the old Hinky Dinky market in northeast Lincoln.

Under special permit # 07049, for the authority to sell alchoholic beverages for consumption on the premises, on property described as lot 149 I.T., located in the SW 1/4 of Section 35-10-6, Lancaster County, Nebraska, located at 710 Hill Street, the following amendment shall be added and apply to the permit;

"The sale and consumption of alcoholic beverages will only be permitted during events/activites, including but not limited to wedding receptions, office parties, family reunions and gatheriings, and by the patrons of those events, that utilize only the front / southern 7,684 square feet currently known as the Courtside Banquet Hall , located at 710 Hill Street. Alcoholic beverages may not be sold to or consumed by ***any*** *persons during events /activites, including but not limited to wedding receptions, office parties, family reunions and gatheriings, sporting, music, amusement or entertainment events that utilize either the entire physical building at 710 Hill Street including both the Courtside Banquet Hall and the Bison Youth Sports Complex or the rear / northern 29,066 square feet currently know as the Bison Youth Sports Complex exclusively."*

If the permit is issued, this amendment will allow the applicant to continue doing business as he has in the Courtside Banquet Hall. It will prohibit him, or any future tenant/owner, from extending the sale and consumption of alcohol during concurrent events or events that utilize the rear portion exclusively or entire building. While only the Courside Banquet Hall portion of this building would be licensed for sale and consumption, nothing prohibits an event attendee from consuming alcohol and then entering or reentering an event held in the back. You might as well permit the entire property if this going to be allowed. This is what I want prohibited. This will be a much safer scenario considering the number of children coming and going from these two facilities.

The applicant fully understands my concerns regarding future use and would not like to see the use of the building turn into something undesirable as well. Whille we both have concerns regarding the consumption of alcoholic beverages at youth sporting and other large events now and in the future. A blanket alcohol permit will provide no control on this. We have established a mutual respect and understand each must do what is in our own best interest. We agreed we must let the powers that be, in this case the city council, make the final decisions.

Thank you for your time and consideration.
I can be reached for further information, questions or comments at 402-440-1310.

Danelle Catlett
Owner / Head Coach

Solid Rock Gymnastics
402.476.4774
www.solidrockgymnastics.com

Irakli Loladze
<loladze@mac.com>
11/20/2007 02:57 PM

To jspatz@lincoln.ne.gov
cc Rachel Carlson <theansweris42@inebraska.com>, tgrammer@lincoln.ne.gov, reschliman@lincoln.ne.gov
bcc
Subject theansweris42@inebraska.com

History: This message has been forwarded.

Dear Mr. Spatz,

I am writing to you to express my support for Lincoln Parks and Recreations Indoor Shooting Range. The Shooting Range provides an exemplary service to our community at extremely low cost.
This Fall I enjoyed a shooting class. Instructors are dedicated, very knowledgeable and friendly. Some work as volunteers, yet provide top-notch teaching.
If the city decided to demolish this facility, I urge you to support a construction of its replacement.

Kind regards,

Irakli Loladze

Irakli Loladze, Ph.D.

http://www.math.unl.edu/~iloladze

Department of Mathematics

University of Nebraska - Lincoln

Lincoln, NE 68588-0323

iloladze@math.unl.edu

402-472-3549

fax 413-215-7100

Burr Hall Room No. 321
1701 N 35th Street
Lincoln, NE 68503

RECEIVED
NOV 16 2007
CITY COUNCIL
OFFICE

November 8, 2007

Lincoln City Council
555 S 10th St
Lincoln, NE 68508

Dear City Council Members,

For every person born in Nebraska, there are forty-five kittens. Many of these kittens end up in animal shelters, getting struck by cars or dying of disease. A catch-and-release spay/neuter program should be implemented in Lincoln to avoid more of these unwanted cats.

From September 2004 to August 2005, twenty-three cats were impounded every day, coming to a total of 8,519 cats that year. Out of these impounded cats, 5,310 were euthanized. This unneeded killing of cats could be avoided if more cats were spayed and neutered.

Simply spaying or neutering one cat can greatly decrease the number of unwanted cats and kittens. One un-spayed female cat and one un-neutered male cat and their offspring result in 420,000 kittens in seven years. This is because the original pair of cats has a litter and their litter has a litter and so on.

One argument against this kind of program is that this program costs too much. The cost of caring for unwanted cats in a shelter is over $100 per animal. The cost of catching, spaying or neutering and releasing is about $35-$50 per cat.

According to Spay/Neuter Your Pet located in Medford Oregon, "Studies have proven that trap-neuter-release is the single most successful method of stabilizing and maintaining healthy feral cat colonies with the least possible cost to local governments and residents, while providing the best life for the animals themselves."

Catch-and-release spay/neuter programs don't cost more they only help animal's live longer, healthier lives.

Spaying before a female comes into heat helps keeps her from getting cancers such as uterine, mammary and ovarian. Neutering males will prevent them from fighting, making it safer for pet cats to be outside. By preventing fighting, rates for disease, such as feline leukemia, will become drastically lower.

A Catch-and release spay/neuter program would not only help feral cats

live healthier, longer lives, but will keep pet cats safe from harm. This program will help reduce the number of unwanted cats sheltered, euthanized and killed by disease and cars every day.

Sincerely,

Kristen Traver

Kristen Traver
Freshman fisheries and wildlife major
University of Nebraska-Lincoln
ktraver1@bigred.unl.edu
402-533-8667

RECEIVED
NOV 16 2007
CITY COUNCIL
OFFICE

<cb41051@alltel.net>
11/19/2007 03:42 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject

Lincoln City Council Members,

I urge you not to betray the public trust by changing the rules regarding the vote on the housing project in Antelope Valley tonite.

I am opposed to this project for a number of reasons;
Beyond the obvious, that you don't build housing in a flood plain, I don't believe in segregating low income housing and believe that it should be spread throughout the community.

Carita Baker, Lincoln

RECEIVED
NOV 19 2007
CITY COUNCIL
OFFICE

Testimony by Bill Crawford

Before the Lincoln City Council

Hearing on Creek Side Village Project

11/19/07

Good evening Chairman Marvin and other members of the City Council. My name is Bill Crawford, and I am pleased to testify this evening in support of the Creek Side Village program. Creek Side Village is an important step in the right direction for persons who are low-income and people with mental illness.

Creek Side Village is important for several reasons:

a. People with low incomes and/or mental illness have great difficulty finding *affordable* housing

b. It's a humane approach (people with mental illness and people who are impoverished won't freeze this winter)

c. Get people back on track (financially)

d. Help people recover from mental illness

e. Helps connect people to necessary services and supports

f. Increases community participation by people with disabilities or who are low-income

g. Helps with getting jobs (difficult to get a job without a permanent address)

Thank you for the opportunity to speak before you tonight. I appreciate your time and effort, and I hope that you will support the development of Creek Side Village. It's the right thing to do.

If you have any questions, I would be more than happy to answer them.

Jacqueline Barnhardt
<jacquelinefoments@hotmail.com>
11/19/2007 05:54 PM

To <mayor@ci.lincoln.ne.us>, <council@lincoln.ne.gov>
cc
bcc
Subject building in the flood plain

Dear Mayor Beutler and City Council members,
I regret that I am unable to attend the hearing today as I had hoped. But I did want to add the voice of one more active, registered active voter on the issue of building in the flood plain.

It is the job of responsible government to be protecting the floodplain, not developing it. Houses in the flood plain? It is your charge to protect people. I urge you to practice responsible government and reject any amendment to allow for development resulting in loss of flood storage.

This would set a president leading to further development and more loss of flood storage. Consider the responsibility you will bear of your decision when eventually a flood happens. This is the trust the with which citizens have empower you.

Sincerely,
Jackie Barnhardt
3001 S. 13th St
Lincoln, NE 68502

Connect and share in new ways with Windows Live. Connect now!

WebForm
<none@lincoln.ne.gov>
11/19/2007 06:25 PM

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

InterLinc: City Council Feedback for
General Council

Name: Dick Boyd
Address: 1811 Sussex Place
City: Lincoln, NE.68506

Phone: 402-484-0446
Fax: N/A
Email: dickb68506@yahoo.com

Comment or Question:
City Council:
I had hope to be able to testify at the hearing this afternoon on the flood plain issue, however,I have an conflict and am unable to attend. Therefore this e-mail

I retired from the insurance industry with 39 years experience which involved two of the following in two state just north of Nebraska. The floods will remain in my mind forever and would hate to see the same thing happen in Lincoln.

The first was the flood of 1972 in Rapid City, South Dakota, when 238 people were killed ! This was on June 9-10 of that year when heavy rains produced a record floods on Rapid Creek and other streams. In addition to the dead 3057 people were injuried. The damaged to homes involved 1,335 and over 5,000 automobiles.

Rapid City now has a flood-plain management program , known as the "greenway" concept, whereby the flood plain was converted into large parks along Rapid Creek.

The second experience was in Grand Forks and Fargo, North Dakota,in 1997, when the River River flooded between these two cities.

Grand Forks had the most damage where the flood stage was 28 feet, however, the crest was 54.4 feet. They evacutated 46,600 poeple which was 90% of the population.
Also 75% of the homes or 8600 were damaged with two bllion dollars of damage. As a side issue, these people wer without running water for 13 days and 23 days without drinkable water.

If you recall the flood, the downtown fires that started which destroyed many of the downtown businesses

They claimed that the flood was one of those 100 year floods, however, it nearly happened again in 1999 when the Red River crested at 44.3 feet.

I would be pleased to discuss these two floods with any or all of the City Council.

One last remark, why have a comp. plan when it is disregarded? What did it

cost to develop the plan?
What if they built the housing development and lives are lost in a flood would the city have some legal liability?

Thank you
Dick Boyd
Am sending again because I am not sure the "sent to" was marked correctly. Had checked each individual,however, now note that may not work.

"Sheryl Burbach"
<sburbach@windstream.net>
11/19/2007 10:39 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject Thanks, but...

City Council Members,

I have been watching the public testimony on the proposed 10th & Military development. As the hour grows late, I appreciate your time spent listening to the many speakers who have come forward to the microphone. That is, with the exception of Robin Eschliman. Her demeanor this evening has been combative and disrespectful. She scolded a woman whom she felt insulted her by the testimony she had given, and yet earlier in the evening she berated a couple of citizens who had thoughtfully given their opinions. If this is standard operating procedure for her, then she is obviously unfit for public service.

The people sitting in the gallery have been there just as long as the council members. They too have likely missed supper and are cranky. They have taken the time to be engaged in the public process. Should they not be treated with the same respect that city staffers, developers and former council members receive?

To answer a couple of Councilman Eschliman's questons:
1) Tornados go wherever they choose. If we are to live in North America, we need to except a certain amount of risk in that regard. However, wise people in tornado alley make sure they have a basement under them, or a shelter nearby. Floodwaters on the other hand follow a predictable course. It's called the stream. Building in the flood plain increases the likelyhood that you will get wet. Building outside the floodplain GUARANTEES that you won't. Is that clear enough?
2) Gun range vs. homelessness. The idea that Lincoln can have either a shooting range, or homelessness is ridiculous. What other city assets should we sacrifice to provide low income housing? Perhaps the brillant idea of selling the Highlands golf course.

Note: I would have addressed this note directly to Councilman Eschliman, but an direct e-mail address was not available.

Melvin Burbach
400 W. Dilin Street
Lincoln, NE 68521
402-475-0201
402-304-7584
sburbach@windstream.net

MjlLnk@aol.com
11/20/2007 02:18 PM

To commish@lancaster.ne.gov, council@lincoln.ne.gov
cc
bcc
Subject LAMMLE PROPERTY LOC. AT 98TH & MERION CIRCLE

ATTENTION: 1. **BERNIE HEIER, VICE CHAIR. COUNTY COMMISSIONERS**
2. JOHN CAMP, CITY COUNCILMAN

Dear Bernie & John: "Guy Lammle" has moved (relocated) two pieces of what was originally one very large yellow metal building onto a site located at 98th and "Merion Cir.",Lancaster County.

I cannot believe this was allowed (or allowable) by either the City and/or County. "It" is located right on the edge and I'm not certain "who/whitch" has jurisdiction (and this may be part of the issue).

The two "pieces" are located on either and both sides of Merion Cir. (entrance to multimillion dollar residences located on the N.E. corner of "Hi Mark" golf course).
The exact location has had a history of water seapage (a "wetlands area") and in close proximity to 98th St., soon to be widened

I would appreciate a specific site inspection to provide "first - hand" knowledge and perspective with the objective being "Was this done within the scope of legal possibilities ?" Is there anything that can be done to reverse this act of "in your face" to the neighborhood. I have been told that "Guy" was asked "How/why would you do this ?" and his reply was "Because I could." I cannot believe (he) could receive or have authority, to do such a revolting thing to our City/County.....

Thank you in advance for your attention, concern and response.
I am writing this to both of you, as you will know wherein the responsibility lies...Thank you for your understanding of this.....

Marvin L Lyman
4800 So. 98 St.
Lincoln, NE, 68526
Tele: 402,489 - 6131
Cell 560 - 6562

****
Check out AOL's list of 2007's hottest products.
(http://money.aol.com/special/hot-products-2007?NCID=aoltop00030000000001)

"Jeanette Fanmeyer"
<jako@inebraska.com>
11/21/2007 07:26 AM

To <council@lincoln.ne.gov>
cc
bcc
Subject Purposed housing in North Bottoms

As a resident of Arnold Heights I really have a problem with the way this project has been handled. The developer did not work with the neighborhood in good faith. In my opinion bully tactics were used in much the same way that a business did when they tried to stop the developement of the Ashley Heights housing in my neighborhood. This took a couple of years of hard work by the neighborhood association to get the housing developement. The neighborhood has grown significantly since. We did not loose a park as North Bottoms will. We gained one. The shooting range needs to stay. As for the developement of the shooting range at 48 and Superior, forget that. My husband is a avid shooter at the gun club ajacent the the Game and Parks purposed facility and that is years away. The way this bunch of people fight like cats and dogs the shooting range will never happen if it is moved from the current location. I know these people on a first name basis.
My neighborhood had the play ground equipment suddenly removed from the 'tanker hill' park and Parks and Rec refused to replace anything. The neighborhood association and Lincoln Housing Authority had to work together to establish the Eagles View Park so that the neighborhood children have a playground. North Bottoms does not have such a advocate. Do not the new residents of the purposed developement also deserve a park?
My neighborhood has empty rental homes. We have great bus service and a grocery store. Oh and by the way, low income people, home owners, a low crime rate and few college kids. Don't tell me that housing is not available.
As I told John Spatz recently, I do not want my tax dollars lining the pockets of rich developers. This was in reference to the arena development at Hay Market. It also applies here. If this project is viable as a business plan, then it is profitable as a privately funded project.
Mental health issues are something I am very aware of. A family member jumped off an interstate overpass into traffic leaving two young children without a mother.
Last of all, the developer has not followed the rules established by the city of Lincoln by not having all the paper work done in a timely manner. Do not consider this until all the paper work in done and the public has had an opportunity to voice their opinion on this issue.

"Patte Newman"
<pattenewman@neb.rr.com>
11/21/2007 11:45 AM

To <council@lincoln.ne.gov>
cc
bcc
Subject North Bottoms surplusing

As per Robin's request Monday night - here are some of the questions raised by either staff in the reports in the Council packet or the general public as crucial to making an educated decision on this project. As I said, many were technical details that in my 8 years experience on both Planning Commission and City Council would never have bumped this past the intense scrutiny of Planning Commission approval to pass on for a final vote on Council. And I have serious reservations involving due process that it's simply not acceptable to even consider deleting a unanimous condition of the Commission when it brings into question whether an issue is or is not in compliance with the Comprehensive Plan.

- ownership title question of this parcel and whether the City can even sell it or if it reverts to federal ownership if the City surpluses it

- army corp of engineer's approval of proximity to Salt Creek levee

- compensatory storage plan

- floodplain elevation and amount of fill - without impacting trunk sewer

- grading plan

- evacuation plan (not required but with waiver of roadway to BELOW 50 yr standard perhaps a wise request?) Has anyone looked at a

City's liability for approving a housing development next to a levee when concerns have been raised?

- Sidewalks are not show on plan

- Developer is required to pay for internal streets and connectors. Has that commitment been made?
- Is this subject to impact fees?

- If this is surplused and passed on to new ownership and approvals are not obtained, then what? Can the new owner sell without conditions to someone else?

- What exactly will the applicant pay for this land? (The City paid $800,000 for one tiny lot at 48th & O but sells six acres for maybe $450,000? Doesn't sound right.)

- Was this an open bid process? Camp, Eschliman and LIBA have raised concerns in the past that other RFP processes were too short a time frame for proper proposals and not public enough.

Since one person (Mary Rauner) already came forward saying she approached the City about a project with geriatric housing on this site and the City said they had no plans to surplus public owner

floodplain land. Who makes policy decisions like this?

- What tax money will replace the shooting range? This provides rec and educational opportunities for youth. We've been told the State does NOT have the funding. We know the City does not.

The requirements for new facilities are very strict and expensive. What is the exact cost to move this?

- What will be done with PBC storage buildings? Are those costs considered here somewhere?

Who makes the decision on what the applicant pays and what monies any level of taxpayer subsidizes if approval is given now before all those details are worked out? If the cost of relocating a shooting range is a half million but the issue is correcting blight of a building that would cost less than that to remove.... perhaps a better choice is to cut your losses, knock that down, plant more trees and be done with it.

Is approving this project before these details are worked out putting the City in **a better position** for **negotiating** prices and costs with the developer? Who is being the fiscal watchdog on this?

Has the Council performed due diligence on this one? The NE Police Substation was scrutinized to the order of a 14 page RFI by Camp and 4 pages by Eschlimann and hours of questions and Position statements by LIBA encouraging open bid processes.

My biggest concern is open, transparent process in city government. The City of Lincoln needs to have the same rules and regulations and policies and standards for EVERYONE.

Past councils have struggled with the process of this type of project. Again, the rules need to apply the same way to everyone. Does the Council care about doing the right thing so there is never a semblance of cronyism, favoritism or back door dealings. Unfortunately, when complete data is not available and policies (like surplusing public owned land in the floodplain) seem to change mysteriously in the night by some unknown force, it does not make the public trust government any more.

You don't UN-DO public policy that has been years in the making and passed through all sorts of public processes with one fell swoop. Surplusing this property is a tremendous mistake; floodplain management-wise, policy-wise AND process-wise.

AD D E N D U M
T O
D I R E C T O R S' A G E N D A
MONDAY, NOVEMBER 26, 2007

I. MAYOR - NONE

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP -

1. E-Mail from Milo Cress - RE: Minimum Wage-"Living Wage"-Override the Veto.

B. DIRECTORS AND DEPARTMENT HEADS -

HEALTH -

1. NEWS RELEASE - RE: 115 Youth From 40 Schools Will Perform In The Clean Sweep Kids Trash Can Band Promoting The Star City Holiday Parade As A Litter Free Event.

C. MISCELLANEOUS -

1. E-Mail from Russell Miller - RE: Protection of Floodplain and Ordinance 07R-228 Housing Project at 10th & Salt Creek.

2. E-Mail from Michael Carlin - RE: The proposed development in the floodplain at 14th & Military Road.

3. E-Mail from Cara & Cal Bentz - RE: Against the proposed development in the floodplain at 14th & Military Road.

4. Faxed Letter from Alan Embury, President, Embury Construction, Inc. - RE: Special Permit #07047 - 10th & Military Road issue.

5. Letter from Craig Loeck - RE: The future of Lincoln Parks & Recreations Shooting Range.

daadd112607/ tjg

Jon Camp
<campjon@aol.com>
11/25/2007 03:56 PM

To tgrammer@lincoln.ne.gov
cc
bcc
Subject Fwd: Minimum Wage - "Living Wage"-Override the Veto

Please put this on our agenda/packets for distribution.

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----
From: Milo Cress <cressmilo@windstream.net>
To: dmarvin@lincoln.ne.gov; ksvoboda@lincoln.ne.gov; reschliman@lincoln.ne.gov; jspatz@lincoln.ne.gov; jcook@lincoln.ne.gov; jcamp@lincoln.ne.gov; demery@lincoln.ne.gov
Sent: Tue, Nov 20 11:24 PM
Subject: Minimum Wage - "Living Wage"-Override the Veto

Council Members,

Our Country has been moving toward Socialism, baby-step-by-step for over 60 years. Truly, if we look around, it is a challenge to identify anyone who is not dependent on the Federal, State, or local government for livelihood and income. When voter base is fully dependent on the government (and I am afraid it already is), government is in full control. Each individual will call (and vote) for equality of benefits with everyone else, and the government will be bankrupt. Private enterprise will be discouraged. Corruption will be rampage.

I commend the Council for trying to slow advancement toward Socialism. I do think it is not government's function to force employers to pay everyone (as the Mayor apparently thinks) so they are not FORCED onto the welfare rolls.

I do think the role of government is to establish a climate that will encourage business expansion and success, maintain the judiciary, and to maintain the infrastructure - so "private" (not government) businesses will thrive and have a need to attract higher quality and more educated (or trained) employees who are deserving of a higher wage.

It should be the role of "private business" (not government) to develop employee training programs, or to provide financial support for employee development which will justify payment of higher wages. Our Country became the Greatest Country on Earth, not because of Government or Government control, but as a result of individual initiative and drive - and free enterprise. The Living Wage supported by Mayor Beutler will tend to destroy individual initiative, and when the final tally is in, force more people onto the welfare rolls. We do not want Lincoln to be a welfare city, and you should override the veto.

Thanks for your dedication - and your hard work.

Mdc

Milo D. Cress
901 Maple Drive
Eagle, NE

Email and AIM finally together. You've gotta check out free AOL Mail!

FOR IMMEDIATE RELEASE: November 21, 2007
FOR MORE INFORMATION: Harry Heafer: 441-8035, cell: 416-4077

SNEAK PREVIEW AND PHOTO OPPORTUNITY WITH YOUTH
LOTS OF COLOR & SOUND!

115 YOUTH FROM 40 SCHOOLS WILL PERFORM IN THE CLEAN SWEEP KIDS TRASH CAN BAND PROMOTING THE STAR CITY HOLIDAY PARADE AS A LITTER FREE EVENT

Last practice is this Sunday, November 25, at State Fair Park starting at the Morton Building and marching around the 4-H Building in State Fair Park from 2:00 p.m. - 3:30 p.m.

Over 100 youth in fifth grade through high school from 40 different public and parochial schools in Lincoln and Lancaster County make up this year's Clean Sweep Kids Trash Can Band. Their last practice is this Sunday, November 25, at State Fair Park beginning at 2:00 p.m. starting at the Morton Building and marching around the 4-H Building.

The Trash Can Band promotes disposing of litter properly and keeping Lincoln clean by chanting and playing rhythms on various "instruments" including milk jugs, tin cans, trash can lids, pieces of metal, cardboard barrels, plastic barrels, and 90 gallon trash toters. Linking to the parade's theme of, " 'Tis the Season," the Trash Can Band's theme is, " 'Tis the Season to Keep Lincoln Clean."

An additional 50 volunteers will be on the sidewalks along the parade route to provide parade watchers with a convenient way to dispose of their trash without having to leave their prime viewing spot. These volunteers are the ones who really help make this a successful litter free event.

This is the 14th year that Keep Lincoln & Lancaster County Beautiful, a program of the Lincoln-Lancaster County Health Department and local affiliate of Keep America Beautiful, has promoted the Star City Holiday Parade as a litter free event. KLLCB receives funding from the Litter Reduction & Recycling Fund administered by the Nebraska Department of Environmental Quality.

###

Russell Miller
<neb31340@alltel.net>
11/22/2007 08:18 PM

To council@lincoln.ne.gov
cc
bcc
Subject fr russell miller : Protection of Floodplain and Ordinance 07R-228 Housing Project at 10th & Salt Creek

From : Russell Miller
341 S. 52
Lincoln

To : Lincoln City Council

Subject : Protection of Floodplain and Ordinance 07R-228 Housing Project at 10th & Salt Creek

Hello,

I am adding additional comments to the public hearing on Mr. Hoppe's and Mr. Landis' testimony last Monday.

Mr. Landis stated that his house, which is close to S. 44th & Gertie Ave.. might be in or is just on the edge of the floodplain and he was not sure if it was in the floodplain when it was built. The County Assessor records state that the house was built in 1964 so his house was not in the floodplain when it was built. I know that with certainty because the entire city was out of floodplain thanks to the Federal money that built the Salt Creek dams and levees in the late 1950's and early 60's.

I will also say that the housing development that includes his house is part of the reason Lincoln has a floodplain today. I am sure the developer would say his project would only increase runoff by a 'very tiny' amount. After the dams and levees were built, the storm water in Beal Slough has increased by 80% because of development in that watershed. In the 1970's Beal Slough's contribution was 25% of Salt Creek's total carrying capacity. Today it is 45% (1999 data).

The Beal Slough development was done in the name of progress. **Must progress always cause hardship for someone else?** LIncoln's clever developers should be able to design a project that does not harm their neighbors, especially if those neighbors are low income persons that bought in the floodplain.

I will also say Mr. Landis' house is not in the floodplain because he did not make any comments about paying for flood insurance which is required on FDIC loans but then, being on the edge of of the floodplain, his rate would be very low. Flood insurance premium is based upon the height of the predicted flood. It increases quite rapidly until the height goes over 2 feet and than it levels out. (I think that is because 2 feet of muddy, slimy, contaminated water inside a house will total it.)

Mr. Landis also stated that there are 4,000 homes already in the floodplain. Please consider the impact the flood insurance premiums have on Lincoln's local economy. The I-1 zoned land I owned caused me to send $600 per year to Washington for flood insurance. This was in the late

1980's on buildings valued at $70,000. My point is the City's tax income is being exacerbated by low sales tax receipts and this money for insurance would have been spent locally and generate city revenues.

NRD director Glenn Johnson briefly touched on the federal Community Rating System and the undesirability of changing that. The Community Rating System consists of 18 floodplain management activities that will **lower** business and property owners' flood insurance premiums. There are 10 levels with different premium discounts with number 10 having no reduction and number 1 the maximum reduction. To advance up one level is extremely difficult and Lincoln's #7 rating was achieved with difficulty. The areas that this Council action might jeopardize are : (quoted from Federal Community Rating System manual)

420 (Open Space Preservation) Guarantee that currently vacant floodplain lands will be kept free from development; additional credit is given for areas still in, or restored to, their natural state.

430 (Higher Regulatory Standards) Require freeboard; require engineered foundations; require compensatory storage; zone the floodplain for minimum lot sizes of one acre or larger; have regulations to protect critical facilities, or have other standards for new construction that exceed the minimum NFIP requirements.

I, the city taxpayer in a flood plain, currently "own" this parcel of mostly vacant land that being considered. I also know it is extremely and financially difficult to replace that land. I also know that all of the easy actions to control or lower flood insurance rates have been performed. Mr. Hoppe's financial gain does not benefit the other 4,000 investors and our voices should out weigh his special interest.

It will be very antibusiness and inefficient to for government to permit one individual developer to embark on a project that jeopardizes the the insurance premiums of 4,000 other investors; many of which are low income. Mr. Hoppe made light of the small increase his project will cause to increase the storm water height. The other investors know from 20 years of experience that these little increase add up to significant amounts.

Please vote against this special interest,

Russell Miller

cc : Mayor Beutler
Dave Landis
Glenn Johnson

"Mike Carlin"
<mcarlin@neb.rr.com>
11/23/2007 09:06 PM

To "Lincoln City Council" <council@lincoln.ne.gov>
cc
bcc
Subject CREEKSIDE VILLAGE

November 24, 2007

Members of the City Council,

I attended the November 20 meeting of the City Council with the intention of testifying against the proposed development in the floodplain at 14th and Military. I was not feeling well that night, so after several hours I left before I had an opportunity to speak. The following is what I would have said that night, with some information edited out so as not to repeat too much of what others have already said.

I was not a member of the Mayor's Flood Plain Task Force but I know several people who were and I am still in awe of just how much time and effort they put into their work. I'm sure that each of you has served on a variety of task forces and committees over the years so you have an appreciation for scope of work that they accomplished as well as for the sensitivity of the subject matter they were dealing with. This was no go-through-the-motions task force; great pains were taken to include stakeholders from all sides of the issue. Consensus did not come quickly or easily, but after nearly two years of dedicated effort, a remarkably balanced slate of recommendations emerged. It took over a year for the new growth area recommendations to be incorporated and even longer than that for the existing urban areas recommendations to see the light of day. But eventually, after nearly four years, Lincolnincorporated flood plain regulations that codified the good neighbor concepts of no adverse impact and no net rise.

Now, we have a developer who is in a rush to have you approve a project that includes significant departures from the regulations that were implemented as a result of the Task Force's work and who wants you to grant these departures with seriously incomplete data. It was just a matter of time before someone tested the waters, so to speak, to see if this City Council and this Mayor will stand their ground on the city's commitment to protect itself in the flood plain. Of course, the developers didn't start the chess game by proposing to build half million dollar mansions in the flood plain. No, the developer's first move was to push the affordable housing and mentally challenged pawns out into the middle of the board. The developers have little to lose and everything to gain. If the proposal is approved, the developers will have precedent on their side as they begin submitting proposals that include bolder and bolder departures from

regulation. If the proposal is not approved, the developers will simply fall back, regroup and come back from a different direction. As the Lincoln Journal Star said in their November 19 editorial, *"this is always the incremental manner in which open flood plains gradually disappear. A nibble here, a nibble there and the open space becomes an urban landscape."*

I am particularly bothered by the fact that one of the key components of the Planning Commission's recommendation; that of no net loss; was arbitrarily removed by a City staffer after the Planning Commission had put their endorsement on the proposal. I find it hard to believe that this was legal, but even if it was, it was not ethical. At a minimum, this entire mess should be sent back to the Planning Commission so that you may have the benefit of their full and accurate recommendation.

During the public hearing on the 20th, the question was raised about why so many people were against building this project in the flood plain and yet few had spoken up yet about the arena. I can think of two reasons:

- This project is a reality that has progressed to the point that the developer is asking for exceptions from the flood plain regulations. In comparison, the arena is still a vague concept. We will not know yet if the final arena plan will be in compliance with flood plain regulations or not. The fact that you are hearing from so many people now about a much smaller project should provide you with an idea of how the community will react if the arena plan asks for similar exceptions to the regulations.

- The vast majority of people who took the time to write or speak against the project have nothing personal to gain by their actions. Yes, there were a few folks from the North Bottoms neighborhood who have a personal stake in what is decided, but most of us have taken time away from our careers and our families to speak up for the common good of the community. Unlike most of the people who testified for the project who stand to gain personally if the project is approved, our only reward is that of knowing that the common person's voice has been heard.

In closing, I will again quote the November 19 editorial in the Lincoln Journal Star, because I can't say it any better, *"The City Council ought to stand firm against encroachment into the publicly owned floodplain."*

Michael Carlin

2700 West Paddock Road

Lincoln, NE68523

402-420-9092

mcarlin@neb.rr.com

cbentz <cbentz@neb.rr.com>
11/23/2007 09:48 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject <no subject>

Dear City Council members, We are Audobon members and concerned about building in the Salt Creek area. Lincoln will continue to grow and can do so without encroaching upon areas preserved over the years for our citizens to use as ntural areas.

What about the foolish exposure of building in danger of flood? You can't discount the future insurance costs to all of us of paying for flood damage in a known flood plain.

Use good sense and if you must pay the developers to go find some safe area to develop.

Cara and Cal Bentz
3902 Pace Blvd. Lincoln68502

402-421-3969

Alan Embury

EMBURY CONSTRUCTION, INC.

GENERAL CONTRACTOR

Telephone: (402) 438-1200
Facsimilie: (402) 438-3800

Location:
3640 N. 22nd St.
Lincoln, NE 68521

Mailing Address:
P.O. Box 30618
Lincoln, NE 68503

November 26, 2007

Lincoln City Council Members

REF: Special Permit # 07047

To Whom It May Concern:

During the 1970 and 1980 period, I constructed buildings in the 14th and Saunders area abutting Oak Creek. On one occasion, after a large rain, we were standing on the north bank of Oak Creek and the water was flowing west instead of east and it was one foot from the top of the bank. This was caused by too much water flowing down Salt Creek and no place for the water to go. It had to backup into Oak Creek.

It is not a sound decision to construct buildings in the proposed area. If this area is further developed, it will only create flood plain problems for residents and abutting land owners.

Thank You:

Alan

Alan Embury
President

24

November 21, 2007

RECEIVED
NOV 26 2007
CITY COUNCIL
OFFICE

Dan Marvin
City Council
555 South 10th
Lincoln NE 68508

Dear Mayor Beutler:

Re: The future of Lincoln Parks
& Recreations Shooting Range

I am sure the City of Lincoln will accept the Hoppes proposal to create a beautiful low-income residential housing area at 10th & Military. I would guess the Hoppes will make a handsome profit and the City will have many rooftops to reap needed tax income.

That is all good and I'm glad for it.

I hear part of the grand plan is to tear down the shooting range. This is the range you just put a new roof on and installed indoor plumbing after 25 years of use with an outhouse. OK, you spent all that money for a new roof, new handicap accessible bathroom, then dedicated the range to Jack Magerian, a 3 decade shooting instructor, and now you will destroy it all for your new development.

There will be a group of losers in your win and that is the boys and girls that have been involved in organized Parks and Recreation gun safety and marksmanship programs. The group of losers in your gain will also include Lincoln's 4H shooting Stars competition team, the Boy Scouts of America, adult men and women who practice and compete in shooting sports, students as young as 8 years old that learn basic gun safety and BB gun shooting.

Will you make a statement to the City of Lincoln that only kids that grow and adults that live in Beatrice, Nebraska City, Seward, Falls City and the Sandhills will be able to learn and enjoy gun safety, marksmanship and competition? Do you want to make a clear statement that Lincolnites should not be involved in shooting sports or gun safety?

Do the right thing and use some of your huge tax gain to allocate land and build a new range for <u>your</u> citizens use.

Please read my letter at your next meeting with the development issue and please write and give me your personal beliefs on when and where a new shooting sports range will be built.

Sincerely,

Craig A. Loeck