

**IN LIEU OF  
DIRECTORS' MEETING  
MONDAY, MAY 12, 2008**

**I. MAYOR**

1. NEWS RELEASE. Lincoln Fire and Rescue to Co-Sponsor 25<sup>th</sup> Annual Fun Run/Walk Zoo Day.
2. NEWS ADVISORY. Mayor Beutler's News Conference on Thursday, May 8, 2008 at 7<sup>th</sup> and "J" Streets to Discuss Changes for the City's StarTran Bus System.
3. NEWS RELEASE. Online Budget Survey Available Until End of Week.
4. NEWS RELEASE. Changes Coming to StarTran Bus System, June 5, 2008.
5. Washington Report, May 2, 2008.

**II. DIRECTORS**

**FINANCE DEPARTMENT**

1. Memo from Don Herz, Finance Director. Audit Advisory Board.

**HEALTH DEPARTMENT**

1. RELEASE. Latex Paint Exchange May 17, 2008. Take or Bring Paint to Pfizer.

**PLANNING DEPARTMENT**

1. Annexation by Ordinance. Ordinance No. 19071, Effective: May 6, 2008, 62.91 Acres Map.

**PLANNING COMMISSION FINAL ACTION**

1. Special Permit No. 08020. Salvage Operation, 7701 Cornhusker Highway. Resolution No. PC-01119.

**PUBLIC WORKS AND UTILITIES**

1. ADVISORY. Water Main Project #702713. Paving Unit #140, North 36<sup>th</sup> Street; Vine - W Street.

**PUBLIC WORKS AND UTILITIES/STAR TRAN**

1. Memo on Star Tran's New Routes Beginning Thursday, June 5, 2008.
  - (a) Brochure on StarTran's New Routes.

**III. CITY CLERK**

**IV. COUNCIL REQUESTS/CORRESPONDENCE**

**JONATHAN COOK**

1. Chief Tom Casady's Reply to Letter Written to Councilman Cook from Dr. Laura LaDue Regarding The Xebra, by Zap, Vehicle Being Legal to Drive on Streets.

## **V. MISCELLANEOUS**

1. Email from Shawn Ryba. Attend City Council Meeting on May 12<sup>th</sup> to Oppose the Proposed Weed Ordinance Change.
2. Email from Peggy Struwe, Hawley Area Neighborhood Association President Stating Opposition to the Change in the Weed Ordinance.
3. Email from Jeffery Mathison. Question on Why His Children Will No Longer be Bussed to School.

## **VI. ADJOURNMENT**

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# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

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## **LINCOLN FIRE AND RESCUE**

1801 "Q" St., Lincoln, NE 68508, 441-8350, fax 441-7098

**FOR IMMEDIATE RELEASE:** May 6, 2008

**FOR MORE INFORMATION:** Firefighter Dan Ripley 441-8360

## **LINCOLN FIRE AND RESCUE TO CO-SPONSOR 25TH ANNUAL FUN RUN/WALK ZOO DAY**

Residents are invited to participate in the 25th Annual Fun Run/Walk Zoo Day on Saturday, May 10 at the Lincoln Children's Zoo, 1222 S. 27th St. Registration is at 9:30 a.m. with the fun run/walk beginning at 10 a.m. in the parking lot near the zoo entrance. Participants will circle the zoo for one mile and finish where the race began.

Following the fun run/walk, participants are invited to join Lincoln Fire and Rescue (LF&R) for Fire Safety Day at the Zoo until 3 p.m. Activities include visits to LF&R's Fire Safety House, a chance to view a fire engine and ambulance, puppet shows and other fire safety activities demonstrated both inside and outside of the zoo. Participants in the fun run/walk will receive a free train ride around the zoo. Fun run/walk registration does not include zoo admittance.

Sponsors for this family event are State Farm Insurance, Lincoln Fire and Rescue, Lincoln Children's Zoo and HyVee. Radio stations 96 KX and 92.9-The Eagle will broadcast live from the zoo.

For more information on this and other Lincoln Fire and Rescue programs, visit the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: fire).



# NEWS ADVISORY

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MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

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

**DATE:** May 7, 2008

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

Mayor Chris Beutler will discuss changes for the City's StarTran bus system at a news conference at **10 a.m. Thursday, May 8 at StarTran's maintenance facility**. Please enter the west door at 7th and "J" streets.

The media are invited to cover three events **Thursday, May 1:**



# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

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## OFFICE OF THE MAYOR

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

**FOR IMMEDIATE RELEASE:** May 7, 2008

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

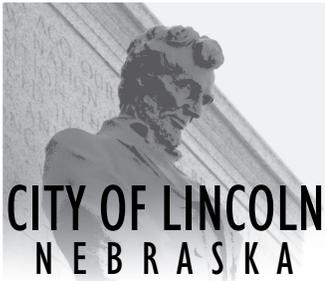
### **ONLINE BUDGET SURVEY AVAILABLE UNTIL END OF WEEK**

Citizens will be able to take the online survey on the City budget until 5 p.m. Friday, May 9. The survey is being conducted as part of "PRIORITY LINCOLN: We're listening." The survey and more information about the public input process are available on the City's home page at [lincoln.ne.gov](http://lincoln.ne.gov).

PRIORITY LINCOLN also included a scientific phone survey and a series of town hall meetings. Mayor Chris Beutler said the process is a step toward implementing "outcome-based budgeting," a process that ties programs to the goals that citizens want local government to accomplish.

The City is working with the University of Nebraska Public Policy Center and the University of Nebraska - Lincoln Bureau of Sociological Research on the project. Partners also include Leadership Lincoln, Inc. and the Lincoln Community Foundation, which is funding the majority of the process.

The Mayor is scheduled to make his decisions on the 2008-2009 City budget this month, and the budget is released to the public in June. The City Council votes on tentative changes to the Mayor's budget in July. The public hearing is scheduled for August 11, and the Council is scheduled to adopt the budget August 25.



# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

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

**FOR IMMEDIATE RELEASE:** May 8, 2008

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Larry Worth, StarTran Transit Manager, 441-7185

## CHANGES COMING TO STARTRAN BUS SYSTEM

### *New routes to go into effect June 5*

Mayor Chris Beutler today encouraged the public to attend one of the open houses planned over the next few weeks to find out more about StarTran's route changes which take effect June 5. He also said more changes are on the horizon for the City's transit system.

"I want to make StarTran work for the entire community," said Beutler. "I will do whatever it takes to make our public transportation system a model of service and efficiency. Change is imminent."

The Mayor said the schedule changes are the result of a comprehensive study and were developed with valuable input from StarTran patrons. "We believe the new route system will be more efficient, provide better connections, reduce transfers and improve overall service."

Beutler said more ideas and improvements are on the way. "I intend to explore the cost effectiveness of smaller buses," he said. "I will seriously examine the impact of fairly dramatic changes in the fare schedules to encourage greater ridership."

Beutler said residents indicated that public transportation was important during the recent "PRIORITY LINCOLN" process to gather public input on the City budget. "They indicated to us that they value public transportation and the important role it plays in the community," said Beutler. "But they were equally adamant that they wanted greater efficiency. I heard a real concern about the cost effectiveness of operating buses that too often run nearly empty for significant portions of the day. I share those concerns."

StarTran has planned ten open houses to provide new route brochures and answer questions. Two radio broadcasts are planned for the first day of the new routes. (Schedules follow this release.) While supplies last, StarTran will offer one free pre-validated pass to each person attending an open house or radio event.

"We hope to see many current and future StarTran patrons at these events," said Larry Worth, StarTran Transit Manager. "With gas prices continuing to climb, more and more people are considering StarTran. We hope they will use the free passes to give StarTran a try."

- more -

## **StarTran Changes**

**May 8, 2008**

**Page Two**

Worth said improvements include more frequent service on key routes, improved schedules, service to locations near Highway 2 on the City's east side, new downtown routing, new neighborhood routes and a free downtown shuttle. Two main downtown route transfer stations will be added:

- In addition to the existing 11th and "N" Street transfer station, a new station will be added on the north side of "N" Street between 10th and 11th streets.
- In addition to the existing transfer station on 14th Street west of the State Office Building, a new transfer station will be added on the north side of that building.

For more information, call StarTran at 476-1234 or see the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: startran). The phone line will operate 24 hours a day through the end of June.

- 30 -

### **StarTran Open Houses:**

- Wednesday, May 14 - 11 a.m. to 1 p.m. and 4:30 to 6:30 p.m., Energy Square, 11th and "O" streets
- Thursday, May 15 - 4 to 6 p.m., Union College Ortner Center, 48th and Prescott
- Monday, May 19 - 11 a.m. to 1 p.m. and 4:30 to 6:30 p.m., Energy Square, 11th and "O" streets
- Wednesday, May 21 - 11 a.m. to 1 p.m. and 4:30 to 6:30 p.m., Energy Square, 11th and "O" streets
- Thursday, May 29 - 4 to 6 p.m., Nebraska Wesleyan McDonald Theatre, 51st and Huntington
- Monday, June 2 - 4 to 6 p.m., Eiseley Branch Library, 1530 Superior Street
- Wednesday, June 4 - 4 to 6 p.m., Beattie Elementary, 19th and Calvert

### **Live Radio Remote Broadcasts Thursday, June 5:**

- 96 KX (96.9 FM) - 11 a.m. to 1 p.m., Gold's Building, 11th and "N" streets
- KFOR (1240 AM) - 4 to 6 p.m., State Office Building, 14th and "M" streets



# WASHINGTON REPORT

**INSIDE:**

BUDGET .....1  
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EDUCATION .....2  
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*Washington Report*

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## HOUSE PANEL MOVES FORECLOSURE BILL

### BUDGET

Uncertainty still surrounds FY 2009 budget process. Stalemates over the FY 2009 budget resolution and a FY 2008 supplemental appropriations bill have resulted in a very slow start for the FY 2009 appropriations process. However, even if Congress can manage to begin to move any of the 12 annual appropriations bills, chances that they will be finalized prior to the November election are remote.

Although the statutory deadline (April 15) for approval of a FY 2009 budget resolution has long since passed, congressional Democratic leaders are still holding out hope that House and Senate negotiators can complete a package for floor consideration during the week of May 12. The major stumbling block in those talks is whether spending for big-ticket items such as remediation for the Alternative Minimum Tax should be offset. Appropriations Committees are free to consider their annual spending bills in the absence of a budget resolution, but funding decisions are much easier to make when the spending caps are set and priorities are identified in the resolution.

Meanwhile, serious action on FY 2009 spending bills is likely to be stalled by a battle between Democrats and the White House over the components of a FY 2008 supplemental appropriations bill. The President has requested \$108 billion to be spent strictly on overseas military activities, but congressional Democrats are eager to add items to further stimulate the economy. The original goal of having a supplemental to the President by Memorial Day is likely to slip unless an agreement is reached soon.

Most observers continue to believe that unless the President agrees to drop his veto threats of spending bills that exceed his spending limits,

Congress will approve a Continuing Resolution that funds programs at or near their FY 2008 levels until after a new President is sworn in. FY 2009 officially begins on October 1.

### HOUSING

Financial services clears last piece of comprehensive housing bill. The House Financial Services Committee cleared legislation (HR 5830) that would authorize the Federal Housing Administration (FHA) to refinance \$300 billion in mortgages facing foreclosure. Ten Republicans joined all panel Democrats in support of the bill.

Under the bill, sponsored by Committee Chairman Barney Frank (D-MA), FHA would take over and refinance mortgages facing foreclosure if the lender agreed to absorb the difference between the outstanding loan amount and the actual value of the home. FHA refinancing would only be available for pre-2008 mortgages on owner-occupied primary residences.

Frank said that he expects to combine HR 5830 with a number of other housing bills approved by his Committee as well as with a package of tax provisions (HR 5720) approved by the Ways and Means Committee. The other housing bills include:

- A bill (HR 5818) that would authorize \$7.5 billion in grants and \$7.5 billion in loans for state and local government acquisition and rehabilitation of foreclosed homes for resale or conversion for affordable rental housing,
- Legislation (HR 1427) to modernize FHA and increase regulation of Fannie Mae and Freddie Mac and

- A measure (HR 2895) to create an Affordable Housing Trust Fund.

Frank said he hoped to clear his comprehensive housing bill for the President's signature before July 4. Although the House will likely pass any package Frank and the House leadership choose to bring to the floor, several obstacles remain. While the Senate has passed a foreclosure prevention bill (HR 3221), it has yet to consider measures to modernize FHA, increase oversight of Fannie Mae and Freddie Mac or to create an Affordable Housing Trust Fund. However, all of those measures face potential opposition in the Senate, so Senate Banking Committee Chairman Chris Dodd (D-CT) is reportedly trying to craft consensus legislation.

In addition, although it has stopped short of a veto threat, the Administration has voiced concerns that Frank's foreclosure prevention bill could overwhelm FHA and put taxpayers in the risky position of guaranteeing thousands of shaky loans. The Administration also remains opposed to an Affordable Housing Trust Fund and has concerns with aspects of the FHA modernization bill. However, most observers agree that given the depth of the foreclosure crisis, the Administration remains open to negotiations with Frank and the congressional leadership and that a comprehensive foreclosure prevention and housing bill could become law this summer.

## TRANSPORTATION

Senate debates FAA measure. The Senate was unable to complete action this week on the Federal Aviation Administration (FAA) Reauthorization Act of 2007 (HR 2881). Consideration of the bill stalled mid-week over a controversial provision that would have changed the rules governing airline pension plans. While that had reportedly been rectified, other obstacles stand in the way of final passage of the bill.

Most significantly, Senate Republicans are mounting an effort to strip certain non-aviation related tax provisions out of the bill, including provisions that would direct \$5 billion to the Highway Trust Fund, which is facing a deficit of \$3.2 billion in FY 2009.

This and other sticking points have pushed consideration of HR 2881 into next week. A procedural vote to limit debate on the bill has been scheduled for Tuesday, May 6. If that vote fails, a final agreement on the bill does not appear likely.

Should the procedural vote pass, Senators are likely to offer many more amendments, including attempts to address rising oil and gas prices, investigation into alternative fuels for jet aircraft, runway safety provisions, and an airline passenger "bill of rights."

House clears SAFETEA-LU corrections for President. In a related event, the House of Representatives adopted the Senate-passed version of the SAFETEA-LU Technical Corrections bill (HR 1195). This bill would clarify and correct some portions of the enormous surface transportation authorization bill approved in 2005.

Consideration of the bill stalled in the Senate over competing amendments ordering the investigation of an earmark for a road project in Florida in SAFETEA-LU that was changed during the enrollment process, which is the period after all congressional action and just prior to the bill being sent to the desk of the President for his signature. In the end, an amendment was approved to require the Department of Justice to carry out the investigation. Rep. Don Young (R-AK), the lawmaker believed to be responsible for the last-minute change (and Chairman of the House Transportation and Infrastructure Committee when SAFETEA-LU became law), insists he did nothing wrong and welcomes any scrutiny of the matter.

Other significant provisions of HR 1195 include a blanket authorization for preliminary engineering, final design, and construction of New Starts/Small Starts transportation projects that have been recommended for funding in FY 2008 and 2009, and a reduction of the minimum penalties states are required to impose on repeat drunk drivers in order to avoid a loss of federal highway funding.

The bill will now be sent to the desk of President Bush for his signature. Bush had expressed concerns about the bill earlier in the consideration process, but to date has not threatened a veto. Both the House and the Senate approved the bill with enough votes to override a veto.

## EDUCATION

House committee clears school construction measure. The House Education and Labor Committee this week approved legislation (HR 3021) that would authorize funds for the modernization, renovation, and repair of school facilities.

The measure would authorize \$6.4 billion in FY 2009 and "such sums as may be necessary" for FY 2010 through 2013. Funds from the program would be distributed to local education agencies based on the same percentage of funds public schools receive under Title I of the Elementary and Secondary Education Act, with every Title I school district receiving at least \$5,000.

In addition, the bill requires that funded projects meet at least one of the three widely recognized green building standards (Leadership in Energy and Environmental Design (LEED); Energy Star; or Collaborative for High Performance Schools) or equivalent state or local standards. That requirement could be waived in certain circumstances, but ultimately 90 percent of the funds allocated must be used for "green" projects. Workers on all the funded projects must receive prevailing wages under the Davis-Bacon law.

The bill also authorizes \$500 million over five years for public schools that were damaged in the Gulf Coast by Hurricanes Katrina and Rita in 2005.

Bill sponsors are confident that the measure will be considered on the House floor this year, but are less confident that it would be approved or funded in FY 2009 due to Presidential opposition and budget constraints. House Education and Labor Committee Chairman George Miller (D-CA) called the legislation "a forward-looking bill."

## ENVIRONMENT

EPA proposes new lead standard. The Environmental Protection Agency (EPA) issued a notice of proposed rulemaking (NPRM) outlining possible new National Ambient Air Quality Standards (NAAQS) for lead. EPA last updated the lead standard under the Clean Air Act in 1978. EPA is suggesting a standard of 0.10 micrograms per cubic meter, 0.3 micrograms per cubic meter or 0.50 micrograms per cubic meter, down from the current standard of 1.5 micrograms per cubic meter, measured in terms of suspended particles in the air. EPA is under court order make a final determination on new lead standards by September (*Missouri Coalition for the Environment v. EPA*).

In its December 2007 advanced notice of proposed rulemaking, EPA had proposed eliminating the lead standard, citing the fact that lead emissions have fallen 98 percent since 1980, an approach favored by battery manufacturers and other users of lead. The Clean Air Scientific Advisory Committee, which is responsible for conducting the research that lays the groundwork for setting new clean air standards, rejected this approach. In a strongly worded letter to EPA Administrator Stephen Johnson, the Committee called EPA's original proposal "entirely unsuitable and inadequate for use in rulemaking" adding that it "represents a remarkable weakening of the scientific foundation of the NAAQS review process." Based on its research, the Committee recommended a new standard of 0.20 micrograms per cubic meter.

In its NPRM, EPA estimates that 12 of the 90 counties currently monitored for lead would fail to meet 0.30 standard and that 24 counties would fail to meet the 0.10 standard. The NPRM also proposes expanding its network of lead monitors to include large lead emissions sources and urban populations greater than 1 million people.

Comments on the proposed rule are due on July 1 and can be found at:  
<http://www.epa.gov/air/lead/actions.html>.

In addition, EPA has scheduled two public meetings on the NPRM for June 12, one in

Baltimore and the other in Saint Louis. Once the new standards are issued, EPA plans to begin working with the states immediately on attainment designations and to implement its new monitoring network in 2009.

# Memo

To: City Council  
From: Don Herz, Finance Director  
CC: Mayor's Office  
Date: May 1, 2008  
Re: Audit Advisory Board

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The Audit Advisory Board created by ordinance 19007 met for the first time on April 23, 2008. During this initial meeting, City staff reviewed with the Board, Section 4.66 of the Lincoln Municipal Code that was created by the passage of this ordinance.

In accordance with the code, the Audit Advisory Board elected a Chair and Vice Chair. These individuals are as follows:

Chair, Michael Justus  
Vice-Chair, Steve Bowen

In addition, the Board authorized me to request from the City Council a resolution that identifies potential areas that you would like the Board to consider for possible review in accordance with the above referenced ordinance.

The specific section of the municipal code is 4.66.040 and it reads as follows:

**(a) When directed to do so by resolution of the City Council, determine whether an audit, as suggested in Council's resolution, is appropriate and desirable. In order to make this determination, the Board may consult with department heads to familiarize themselves with information necessary to make an informed decision on whether and what type of contract audit should be conducted. If the Board determines that such an audit is not appropriate and desirable, the Board shall forward such decision in writing to the City Council.**

The Audit Advisory Board looks forward to your recommendations. Please let me know if you have questions.

**FOR RELEASE:** May 9, 2008

**FOR MORE INFORMATION:** Dan N. King, Environmental Health Specialist, 441-8084

## **Latex Paint Exchange May 17: Take or Bring Paint to Pfizer**

For the eleventh consecutive year, Pfizer Inc will again partner with the Lincoln-Lancaster County Health Department (LLCHD) to host a Latex Paint Exchange in conjunction with a Hazardous Household Waste collection on May 17, from 9 a.m. to 1 p.m., at Pfizer's plant at 601 West Cornhusker Highway.

Dan King, Environmental Health Specialist with LLCHD, encourages residents who could use free paint to stop by and check out the selection. "We'll have both exterior and interior latex paint, and would like to give it back to those who can use it," King said. "Anyone can take paint home," he emphasized. "You don't have to bring paint to take paint."

Only Lincoln and Lancaster County households and individuals (no businesses) can bring usable latex paint, but anyone—individuals, families, organizations, landlords or businesses—is encouraged to take paint from the exchange. Latex paint is usable if it is at least half-full, if the label is intact and readable, if it has not been frozen, and if it mixes without lumps when stirred.

LLCHD is working on a pilot project with local ACE Hardware, True Value Hardware, and Sherwin Williams stores to encourage residents to properly manage their paint. "We encourage home painters to measure carefully, buy only the amount they need, and recycle or dispose of it properly," King explained. One alternative for leftover paint is to mix several colors to use as a primer, or offer it to neighbors, churches, schools, or community groups who can use it. Re-use or recycling is preferred to disposal. Latex paint should never be poured into storm drains, driveways or streets. Brushes and rollers

should be cleaned inside in a sink, never washed out at the curb. Storm drains go directly to our streams and lakes, and paint can kill fish and cause other environmental damage.

Households with small amounts of unused latex paint (less than a half gallon) can dry it out and discard solidified paint in regular trash, with lids off the cans so haulers can be certain it is dry. Haulers cannot accept cans of liquid paint.

Other items accepted at the HHW collection include pesticides, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, insect and rodent poisons, starter fluids, mixed or old gasoline, mercury-containing items (including compact fluorescent light bulbs), grease removers, and brake and power steering fluids.

Items that can be recycled or disposed of locally and **will not** be accepted at the HHW collection include motor oil, gas grill cylinders, pharmaceutical waste, electronics, computers and batteries. “Fortunately, the local options for recycling are expanding,” King noted.

For more information, contact the Lincoln-Lancaster County Health Department at 441-8021, or check the health department website at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (keyword: “household”).

Additional Household Hazardous Waste Collections are scheduled for June, September, October, and November.

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**PLANNING COMMISSION FINAL ACTION  
NOTIFICATION**

**TO :** Mayor Chris Beutler  
Lincoln City Council

**FROM :** Jean Preister, Planning 

**DATE :** May 8, 2008

**RE :** **Special Permit No. 08020**  
(Salvage operation - 7701 Cornhusker Highway)  
**Resolution No. PC-01119**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 7, 2008:

Motion made by Taylor, seconded by Sunderman, to approve **Special Permit No. 08020**, with conditions, requested by Mount Godwin, LLC, for authority to operate an enclosed disassembly operation, on property generally located at 7701 Cornhusker Highway.

Motion for conditional approval carried 8-0: Larson, Sunderman, Cornelius, Taylor, Gaylor Baird, Francis, Esseks and Carroll 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  
Chris Schroeder, Health Department  
Dan Lehr, Midwest Appliance Recycling Service, 7701 Cornhusker Highway, #8, 68507  
Mt. Godwin, LLC, 7701 Cornhusker Highway, 68507

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RESOLUTION NO. PC-01119

SPECIAL PERMIT NO. 08020

1           WHEREAS, Mount Godwin, LLC has submitted an application designated  
2 as Special Permit No. 08020 for authority to operate an enclosed disassembly  
3 operation on property generally located at 7701 Cornhusker Highway, and legally  
4 described as:

5                   Lots 46 and 55, Irregular Tracts, located in the Northeast  
6                   Quarter of Section 30, Township 10 North, Range 7 East of  
7                   the 6th P.M., Lancaster County, Nebraska;

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

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

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

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

3                   That the application of Mount Godwin, LLC, hereinafter referred to as  
4 "Permittee", to operate an enclosed disassembly operation be and the same is hereby  
5 granted under the provisions of Section 27.63.500 the Lincoln Municipal Code upon  
6 condition that the operation of said disassembly operation be in substantial compliance  
7 with said application, the site plan, and the following additional express terms,  
8 conditions, and requirements:

9                   1.       This permit approves a 5,000 square foot enclosed disassembly  
10 operation.

11                  2.       Before occupying the building or starting the operation all  
12 development and construction must substantially comply with the approved plans.

13                  3.       Before occupying this enclosed disassembly facility, the  
14 City/County Health Department must approve the water and waste water systems.

15                  4.       The operation and use is to comply with the requirements of  
16 Chapter 5.41 of the Lincoln Municipal Code regarding Salvaging, Recycling and  
17 Composting Operations, and Chapter 8.26 of the Lincoln Municipal Code regarding  
18 nuisances, as amended.

19                  5.       The physical location of all setbacks and yards, buildings, parking  
20 and circulation elements, and similar matters must be in substantial compliance with the  
21 location of said items as shown on the approved site plan.

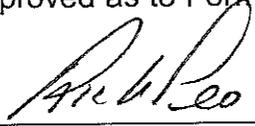
22                  6.       The terms, conditions and requirements of this resolutions shall be  
23 binding upon the Permittee, its successors and assigns.

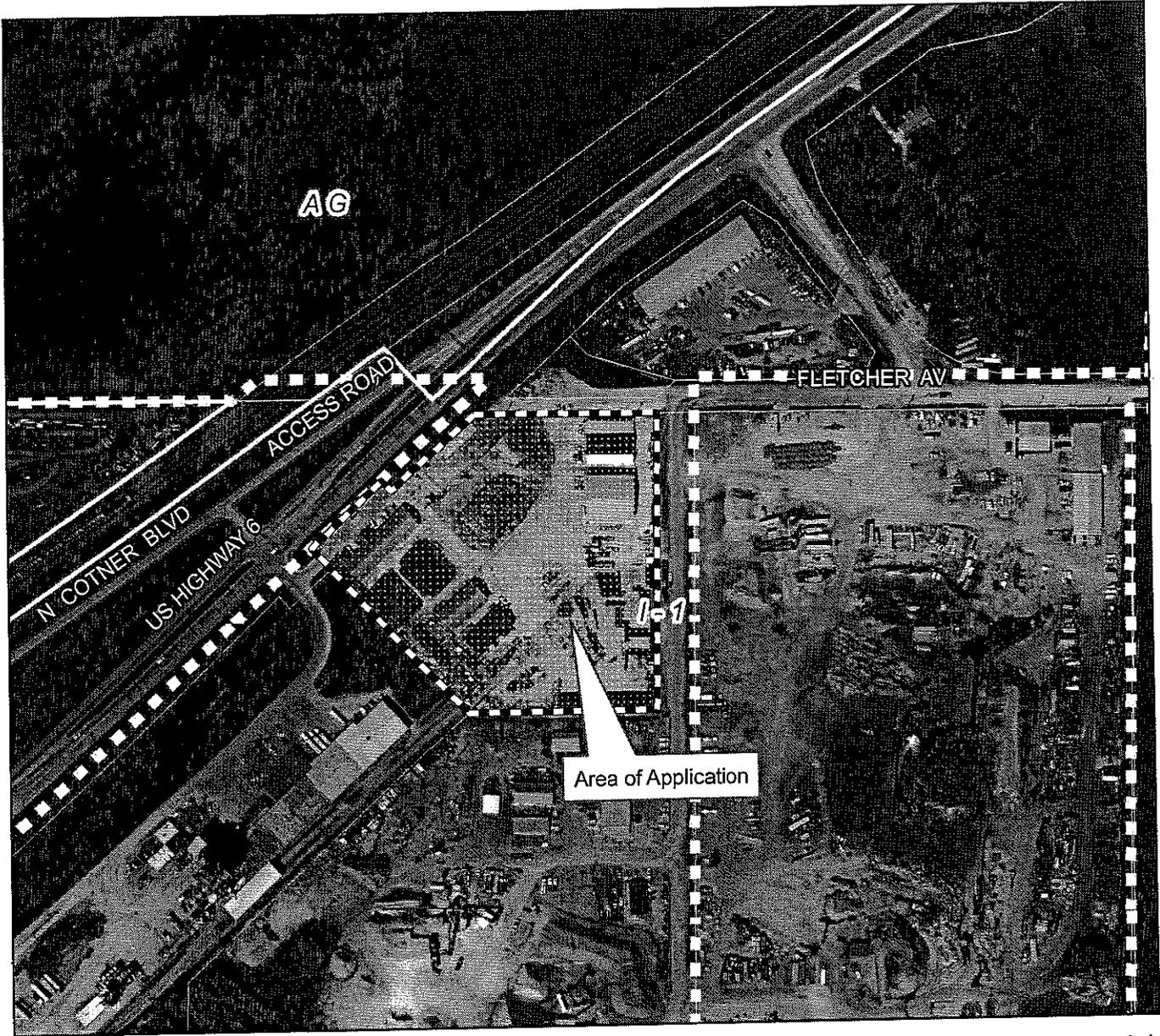
1           7.     The Permittee shall sign and return the letter of acceptance to the  
2 City Clerk within 60 days following the approval of the special permit, provided,  
3 however, said 60-day period may be extended up to six months by administrative  
4 amendment. The City Clerk shall file a copy of the resolution approving the special  
5 permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be  
6 paid in advance by the Permittee.

7           8.     The site plan as approved with this resolution voids and  
8 supersedes all previously approved site plans, however all resolutions/ordinances  
9 approving previous permits remain in force and effect except as specifically amended  
10 by this resolution.

11           The foregoing Resolution was approved by the Lincoln City-Lancaster  
12 County Planning Commission on this 7<sup>th</sup> day of May, 2008.

ATTEST:  
  
Chair

Approved as to Form & Legality:  
  
\_\_\_\_\_  
Chief Assistant City Attorney



2007 aerial

## Special Permit #08020 Fletcher Ave & Highway 6

### Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
Sec. 3 T10N R07E

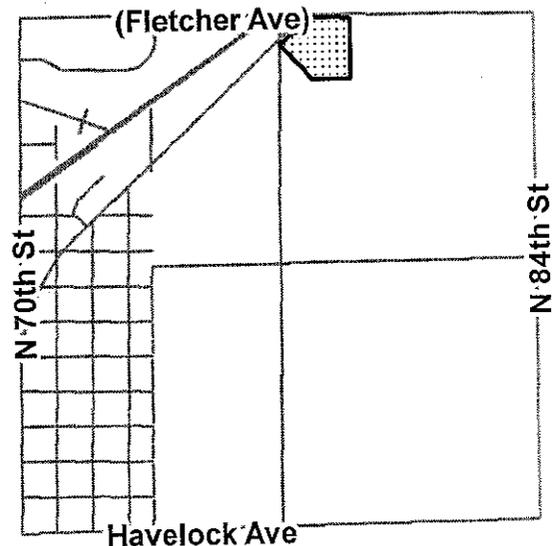
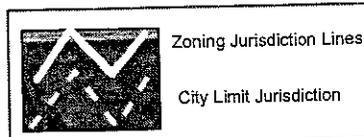
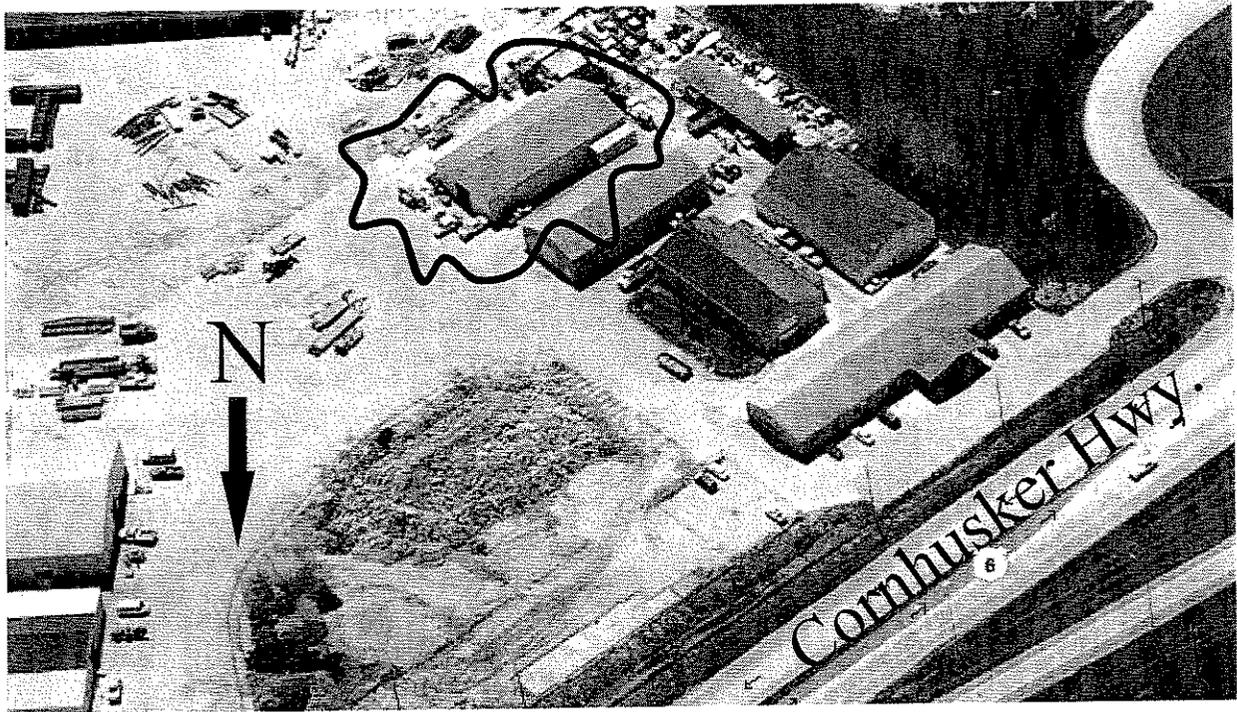
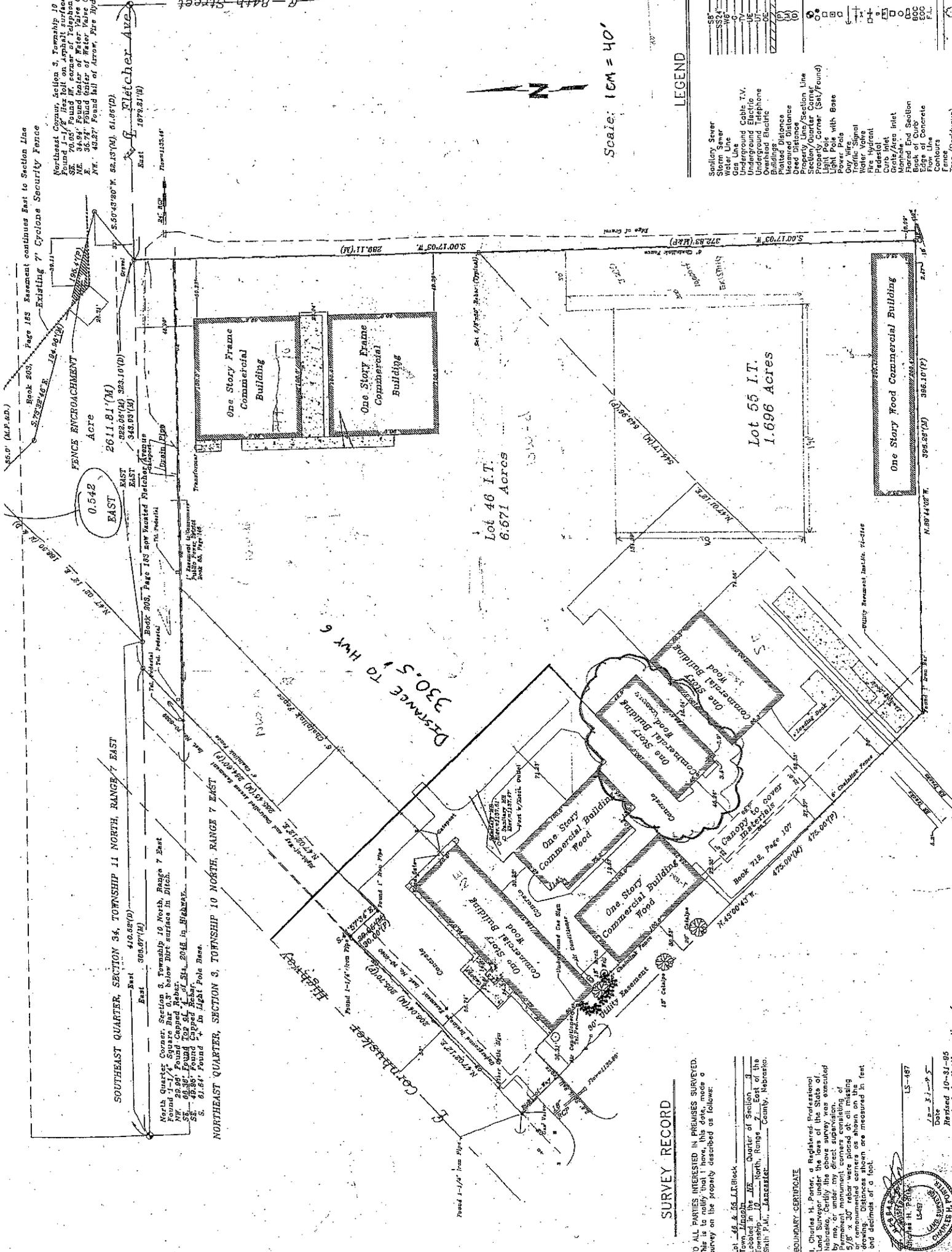


Exhibit A





North East Corner, Section 3, Township 10 N, Range 7 E, 10th Meridian, Nebraska. Found 70.05' Found W. corner of Telephone NE. Found 34.94' Found Water of Water Valve Co. Found 36.74' Found Water of Water Valve Co. Found 40.82' Found Wall of Arrow, Park Street.

SOUTHEAST QUARTER, SECTION 54, TOWNSHIP 11 NORTH, RANGE 7 EAST  
 East 410.88'(D)  
 East 308.07'(M)

North Quarter Corner, Section 3, Township 10 North, Range 7 East  
 Found 1-1/4' Square Bar 0.3' below dirt surface in Ditch.  
 NW 22.86' Found Cepped Rebar.  
 SE 60.30' Found Top of 2" of 5/8" 20M in Highway.  
 SW 48.80' Found Top of 2" of 5/8" 20M in Highway.  
 S. 81.84' Found 4" in High Pole Base.

NORTHEAST QUARTER, SECTION 3, TOWNSHIP 10 NORTH, RANGE 7 EAST  
 East 308.07'(M)  
 East 410.88'(D)

Book 203, Page 185 Reseament continues East to Section Line  
 Existing 7' Cyclone Security Fence  
 Book 203, Page 184  
 Book 203, Page 183 now Wanted National  
 Book 203, Page 182  
 Book 728, Page 107  
 Book 457, Page 437

Lot 46 I.T. 6.671 Acres  
 Lot 55 I.T. 1.696 Acres  
 Lot 56 I.T. 1.696 Acres

One Story Frame Commercial Building  
 One Story Commercial Wood  
 One Story Wood Commercial Building

Scale: 1CM = 40'  
 North Arrow

LEGEND  
 Sewer  
 Storm Sewer  
 Water Line  
 Gas Line  
 Underground Cable T.V.  
 Underground Electric  
 Overhead Electric  
 Buildings  
 Metal Posts  
 Metal Distances  
 Dead Distances  
 Property Line/Section Line  
 Pardon/Quarter Corner  
 Light Pole Corner (S&Y/Found)  
 Light Pole with Base  
 Cover Pole  
 Traffic Signal  
 Water Valve  
 Fire Hydrant  
 Curb Inlet  
 Grate/Area Inlet  
 Manhole  
 Edge of Curb  
 Edge of Concrete  
 Con. Line  
 Fences  
 Tree (Deciduous)  
 Tree (Coniferous)

SURVEY RECORD  
 TO ALL PARTIES INTERESTED IN PREMISES SURVEYED.  
 This is to notify that I have, this day of \_\_\_\_\_ 20\_\_\_\_  
 surveyed the property described as follows:  
 Lot 46 & 55 & 56 Block \_\_\_\_\_  
 Town, Precinct \_\_\_\_\_  
 Quarter of Section \_\_\_\_\_  
 Township 10 \_\_\_\_\_ North, Range 7 \_\_\_\_\_ East of the  
 10th P.M., \_\_\_\_\_  
 State of Nebraska, \_\_\_\_\_ County, Nebraska.

BOUNDARY CERTIFICATE  
 I, Charles H. Pender, a Registered Professional  
 Surveyor in the State of Nebraska, certify that the above survey was executed  
 by me, or under my direct supervision,  
 Permanent monument corners were set using  
 permanent monuments or monuments as shown on the  
 drawing. Distances shown are measured in feet  
 and decimals of a foot.

LS-487  
 Prepared 10-31-95  
 to include North portion of  
 Wanted Fletcher Street per Deed.



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

May 5, 2008

**WATER MAIN PROJECT #702713  
PAVING UNIT #140  
North 36th Street; Vine - W Street**

In May 2008, Constructors Inc. of Lincoln will be starting construction (weather permitting) of a water main replacement and paving project for the Engineering Services Division of the Public Works and Utilities Department.

The scope of the work involves replacing a water main in 36th Street from Vine to X Street and then paving 36th Street from Vine to W Street. The construction will be complete in July 2008 barring weather or unforeseen conditions.

The City of Lincoln realizes this project may temporarily inconvenience you. Notifications of closure or access to your property will be given to you in a timely order as the contractor progresses through the project.

If you have any problems or questions during the construction period, please contact Constructors Inc. Superintendent Larry Tramp or the City of Lincoln Project Manager Elmer Cole.

Larry Tramp, Superintendent  
Constructors Inc.  
Phone: (402) 430-3351

Elmer Cole, Senior Engineering Specialist  
Engineering Services, Public Works and Utilities  
Phone: (402) 441-7581  
Email: [ecole@lincoln.ne.gov](mailto:ecole@lincoln.ne.gov)



Jean L Preister/Notes

05/02/2008 02:29 PM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: StarTran Brochures For New Routes

## StarTran's new routes begin Thursday, June 5!

Please plan to attend one of StarTran's open houses to get route brochures and obtain answers to your questions. For more information, please see the attached flyer or visit StarTran's web page at [www.lincoln.ne.gov](http://www.lincoln.ne.gov), keyword: StarTran.

If you have any questions, please feel free to contact StarTran at 441-7185.

Thank you.

Brian Praeuner  
Transit Planner

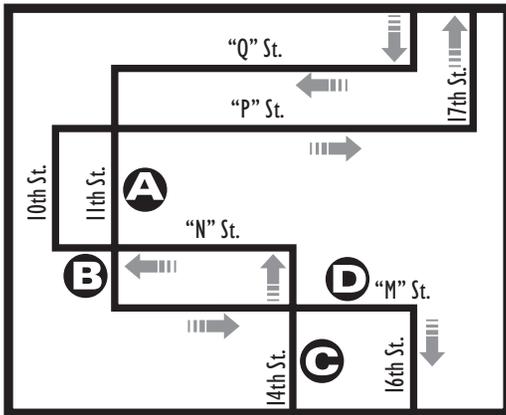


get\_on\_board.pdf

## TRY OUT THE NEW ROUTES FREE!

Attend an open house or radio remote to receive a free pre-validated pass!

(Passes are dated June 5 through July 5. ONLY ONE PER PERSON WHILE SUPPLIES LAST. Available only at open houses and radio remotes.)



This map is an example of new downtown routing. Please check individual schedules, as each route may have a different pattern.

All route transfer locations:

- A** Gold's, on 11th
- B** Gold's, on "N"
- C** State Office Bldg., on 14th
- D** State Office Bldg., on "M"

StarTran  
710 "J" Street  
Lincoln, NE 68508



# Get on Board



## StarTran's new routes begin Thursday, June 5, 2008!

Star  
**TRAN**  
476-1234



# Get on Board



## Attend an Open House!

We'll have new route brochures and answers to your questions. Find an open house that fits your schedule:

The new network is more efficient with better connections, less transfers and more options.

### Highlights:

- More frequent service on key routes
- Improved time schedules
- Service to South Wal-Mart and Nebraska Heart Institute
- New downtown routing (see diagram in this brochure)
- New neighborhood routes
- Free downtown shuttle

THANK YOU to all our patrons who helped with the comprehensive effort to improve your bus service!

To better serve you, StarTran's answering service will be expanded during non-business hours and weekends through the end of June. Call 476-1234 or go to our

Web site at [lincoln.ne.gov](http://lincoln.ne.gov)

(keyword: startran) for additional route and schedule information (available online May 5).

### May 14th

11 a.m. - 1 p.m.

4:30 - 6:30 p.m.

Energy Square (11th and "O" streets)

### May 15th

4 - 6 p.m.

Union College Ortner Center

(48th and Prescott)

### May 19th

11 a.m. - 1 p.m.

4:30 - 6:30 p.m.

Energy Square (11th and "O" streets)

### May 21st

11 a.m. - 1 p.m.

4:30 - 6:30 p.m.

Energy Square (11th and "O" streets)

### May 29th

4 - 6 p.m.

Nebraska Wesleyan McDonald Theatre

(51st and Huntington)

### June 2nd

4 - 6 p.m.

Eiseley Branch Library

(1530 Superior Street)

### June 4th

4 - 6 p.m.

Beattie Elementary (19th and Calvert)

## Stop by or tune in to StarTran's live radio remote broadcasts:

### June 5th

96KX (96.9 FM)

11 a.m. - 1 p.m.

Gold's Building

(11th and "N" streets)

### June 5th

KFOR (1240 AM)

4 - 6 p.m.

State Office Building

(14th and "M" streets)



476-1234



Tom Casady  
<tcasady@lincoln.ne.gov>

05/05/2008 09:17 AM

Please respond to  
tcasady@lincoln.ne.gov

To yogabyladue@excite.com

cc jcook@lincoln.ne.gov, councilpacket@lincoln.ne.gov,  
rhoppe@lincoln.ne.gov

bcc

Subject RE: InterLinc: Council Feedback

Dr. LaDue:

Councilman Cook asked me to respond to your email concerning the Xebra. The rapid and recent proliferation of alternative vehicles of various types has greatly complicated the task of determining which are legal for operation on the street and which are not. The Nebraska Statutes on such issues are lengthy and complex, and there are vehicles today that were never anticipated at the time these cumbersome definitions were adopted. You will probably get a variety of opinions from law enforcement officers when you ask about this vehicle.

I believe, however, that the 3-wheeled Xebra meets both the State Statute and City Ordinance definitions of a motorcycle, and hence, could be lawfully titled, registered, and driven on the street by a person who holds a Class M (motorcycle) operator's license and wears the required DOT-approved helmet. The vehicle is quite similar to the Cushman Truckster, which was manufactured here in Lincoln for a few decades, and driven by dozens of Lincoln police personnel. I still have about ten employees who spent some significant time in a three-wheeled police Cushman prior to the demise of the product in the 1980's.

The 14-inch wheel specification referred to in this chain of emails is based on the definitions in both State Statute and Municipal Ordinance of "minibikes." That definition, however, also specifically states that a minibike has two wheels. Since this vehicle has three wheels, I do not believe that it is a minibike.

Nevertheless, I am not a lawyer. I would not invest in one of these vehicles unless I had solid confirmation from the Nebraska Department of Motor Vehicles that the vehicle is street legal, and can be registered and licensed. Personally, I'd want something in writing, because I imagine that County Clerks are as confused about this as police officers.

Regards,

Tom Casady  
Chief of Police  
Lincoln Police Department  
575 S. 10th Street  
Lincoln, NE 68508  
402.441.7237  
mailto:tcasady@lincoln.ne.gov

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

From: WebForm [mailto:none@lincoln.ne.gov]  
Sent: Sunday, May 04, 2008 5:42 PM

To: Jonathan Cook  
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for  
Jonathan Cook

Name: Laura LaDue  
Address: 1607 S. 84th Street  
City: Lincoln, NE 68506  
  
Phone: 402-429-5883  
Fax: 402-464-5116  
Email: yogabyladue@excite.com

Comment or Question:  
Hello,

I am a big proponent of being green and wanted to do my part in Lincoln. I wanted to buy a Xebra by Zap!, an electric car with 0 emissions that goes up to 40 mph. There is a company in Kansas that sells these cars (see the comments below). They are street legal in the surrounding states, but not in Lincoln. I need your help to get the laws changed to allow these 0 emission cars on the streets of Lincoln. Below is the information. Please feel free to contact me with questions or ways we can get the law changed.

Dr. Laura LaDue :)  
1607 S. 84th Street  
Lincoln, NE 68506  
402-429-5883  
Just Breathe...  
[www.laduecounseling.com](http://www.laduecounseling.com)

--- On Sun 05/04, MIDWEST EV < mark@midwestev.com > wrote:

From: MIDWEST EV [mailto: mark@midwestev.com]  
To: yogabyladue@excite.com  
Date: Sun, 4 May 2008 12:53:44 -0500  
Subject: Re: Zap Xebra

Hello,  
A Xebra sedan is \$11,900.

There is a problem though. I just spoke to someone in Lincoln last week (I'm from Falls City, NE. and have relatives in Lincoln) and he said that Lincoln has a law that motorcycles must have 14" tires and wheels (the Xebra is registered as a motorcycle). The Xebra has 12" tires. You can put 13" tires and wheels on, but not 14". The person I talked to said he would not be able to legally drive the vehicle in Lincoln.

If you want to try and get the law changed, you may be able to get an exception to the law written in so Xebbras would be legal in your City or State. They are street legal in most States including Kansas, South Dakota and Iowa.

I would be happy to help in anyway I can. Even though I am a licensed car dealer in Kansas, I got into this business to get more EVs on the road. I sell electric cars but I don't consider myself a "car salesman" if you know what I mean. If I can help, let me know. If you have more questions, feel free to give me a call.

I included a flyer for the ZAP PK but the specs are basically the same for the Sedan. I also included a copy of the Nebraska Motorcycle manual. By what I see in the manual, Xebras are legal so the law might just be a City ordinance. They might just be trying to keep those tiny motorcycles off the street that got popular a few years ago. A lot of Cities put in ordinances in place to try and get those things off the street.

Thank You,  
Mark Higley

Midwest EV  
303 Cherokee Street  
Leavenworth Kansas 66048

913-775-3980

<http://www.midwestev.com>

**Tammy J Grammer/Notes**

05/06/2008 04:24 PM

To

cc

bcc

Subject Fw: Save the Date: Monday, May 12th, 5:30 pm

--



**Peggy Struwe**

**<pstruwe@unlnotes.unl.edu>**

05/06/2008 03:35 PM

To timdf Francis@aol.com

cc

Subject Fw: Save the Date: Monday, May 12th, 5:30 pm

Greetings!

The public hearing for the proposed change to the weed ordinance is scheduled for Monday, May 12th at 5:30 pm. The proposed change is to increase the weed height from 6" to 12". The change is being presented by Russ Schultz who is with the County Weed Authority. As you all know the City of Lincoln contracts with the County Weed Authority for inspections, compliance, and abatement in the City limits.

Please attend the City Council meeting to speak in opposition of the proposed ordinance change or come show your support of your neighborhood by making a strong physical presence at the meeting. It is important that we send the message to our representatives that WE set the standards where we live (in the Heart of Lincoln neighborhoods). We cannot allow our neighborhoods to continue to deteriorate. Please encourage your neighbors and fellow neighborhood association members to attend by forwarding this e-mail to all on your lists.

Also, I have included an excerpt below of information that is being used by the County Weed Authority to support their case to change the ordinance.

In 2007, inspections were made on 2,103 sites as a result of complaints and inspector observations. Violations were found on 1,655 sites. No violations were found on 424 sites that had received complaints. The 116 violations with heights of 7 to 11 inches make up only 6% of the violations. Many of the complaints for overgrowth at these heights are mowed in the one to two days before they are inspected, as reflected by the 424 sites inspected as a result of complaints with no violations. These non-violation inspections combined with the inspections of sites with vegetation at 7 to 11 inches made up 28% of the total sites inspected. If the height change had been in place it would have eliminated the need to inspect these 540 sites that would not have been in violation. This inspection and office time could have been directed at the more serious overgrowth problems.

We are making other plans to reduce notification costs and to reduce the delay time created by waiting for the postal service notice of failure to

deliver (It took 30 days to receive these notices). We were using certified mail with return receipt requested and publishing the notice in the paper if the owner was in question. The postal service will no longer be providing the return receipt service with the certified mail.

We plan to make all legal notifications by certified mail with out return receipt requested. If it is necessary, we will proceed with the process of forced cutting after 10 days. We will not use published notices which have been costing \$20 each. This approach will reduce our notification costs and improve are response time greatly. I would appreciate support in getting the height changed. I will look at getting a Lincoln Senator to seek a revision in the state statute next year.

Hope to see you all at the meeting!

Best,

Shawn

Shawn Ryba, MSW, MPA  
Community Organizer  
NeighborWorks Lincoln  
2121 North 27th Street  
Lincoln, NE 68503  
402-477-7181

HYPERLINK "<mailto:sryba@nwlincoln.org>"sryba@nwlincoln.org

[www.nwlincoln.org](http://www.nwlincoln.org)



- winmail.dat



peggy struwe  
<pstruwe1943@msn.com>

05/06/2008 03:46 PM

To <council@ci.lincoln.ne.us>

cc

bcc

Subject: Proposed change to weed ordinance is opposed by HAA

Dear Council Members,

The Hawley Area Neighborhood Association in the Malone area is opposed to the change in the weed ordinance from 6" to 12".

By the time we in the old neighborhoods notice that something isn't being maintained, it is alot higher than we maintain our own areas. Then we report the property to the city and it could be 1 week or many weeks before it goes to the County Weed Authority and then even more time before something is done about it.

The last 2 years we have had a house that is empty and was foreclosed, so the mortgage company or bank owned it. The yard was continually reported but it was never taken care of.

A house that is not maintained or a yard that is overgrown is a problem for all residents of the neighborhood, but this weed ordinance is one of the few things that help us keeping the neighborhoods looking valued and respected. Please do not make it worse by increasing the height to 12".

Thank you,

Peggy Struwe, President, Hawley Area Neighborhood Association

---

Stay in touch when you're away with Windows Live Messenger. [IM anytime you're online.](#)



shawn mathison  
<kcdmath@hotmail.com>  
05/08/2008 11:46 AM

To <bmccoy@lps.org>  
cc <sgourley@lps.org>, <mayor@lincoln.ne.gov>,  
<council@lincoln.ne.gov>  
bcc  
Subject Bussing

Mr. McCoy

We recently received a letter in the mail from you stating that would no longer be receiving bussing for our children due to the new school boundaries. Not only did this come as a surprise but was concerning as we live south of HWY 2 and our children would have to walk over 2 miles to school each day. We neither moved nor did the school so we still live just as far as we did last year. I the tax payer wonder why this change was made and why I was not informed before the decision was made. I would appreciate a call from anyone who would have the answer to these questions.

Jeffery Mathison  
3124 Wildbriar Lane  
Lincoln Ne 68516  
314-7073

---

Make Windows Vista more reliable and secure with Windows Vista Service Pack 1. [Learn more.](#)

**ADDENDUM  
TO  
DIRECTORS' AGENDA  
MONDAY, MAY 12, 2008**

**I. MAYOR -**

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of May 10 through May 16, 2008 - Schedule subject to change.
2. NEWS RELEASE - RE: Open House On East Beltway Set For May 15.
3. NEWS RELEASE - RE: Mayor Prohibits Directors and Aides From Having City Contracts.

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE -**

**A. COUNCIL REQUESTS/CORRESPONDENCE -**

**DAN MARVIN**

1. E-Mails from Jonathan Skean & Mark Watt - RE: Please vote against the proposed changes in the weed ordinance.

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

**C. MISCELLANEOUS -**

1. E-Mail from Rosemary Thornton - RE: Opposed - weed abatement bill change.
2. E-Mail from Larry Frisch, Witherbee Neighborhood Association - RE: Opposed to the weed ordinance change.
3. E-Mail from Vicki Miller & Mary Lou Meier - RE: Please vote No on new weed ordinance.
4. E-Mail from William Carver - RE: Please vote No on the proposed weed ordinance change.

5. E-Mail from Jennifer Perry & David DiLillo - RE: Opposed to the proposed weed ordinance change.
6. E-Mail from Mark Watt - RE: Please vote against the proposed changes in the weed ordinance.
7. E-Mail from Jeanine Jewell - RE: Weed Ordinance.
8. E-Mail from Coralee Carver - RE: Please vote NO on the proposed weed ordinance change.
9. E-Mail from Scotte & Annie Hansen - RE: Concerns about possible City Ordinance Change.
10. E-Mail from David Hoesch - RE: Opposed to the proposed changes in the weed ordinance.



# NEWS ADVISORY

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

---

**DATE:** May 9, 2008

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

**Mayor Beutler's Public Schedule**  
**Week of May 10 through 16, 2008**  
*Schedule subject to change*

Saturday, May 10

- UNL Builder Award luncheon honoring James C. Seacrest - 1 p.m., Country Club of Lincoln, 3200 S. 24th St.

Monday, May 12

- News conference, Executive Order on contracts - 10 a.m., Mayor's Conference Room, 555 S. 10th St.
- Richie Brothers Auctioneers grand opening, remarks - 5:30 p.m., 4000 Pine Lake Road

Tuesday, May 13

- West Haymarket Action Team meeting - 9:30 a.m., Mayor's Conference Room
- KFOR's Lincoln Live Show - 12:30 p.m., Three Eagles Communications, 3800 Cornhusker Hwy.
- Mayor's Multicultural Advisory Committee meeting - 3:30 p.m., Mayor's Conference Room

Wednesday, May 14

- Kick off 2008 season of the Foundation Garden performances series, remarks - noon, behind Foundation building, 215 Centennial Mall S.

Thursday, May 15

- KFOR Morning Show - 7:45 a.m.
- Eastmont Towers 40th anniversary - 5:30 p.m., 6315 "O" St.



# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://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 9, 2008

**FOR MORE INFORMATION:** Chad Blahak, Public Works and Utilities Dept., 441-7711  
Dawn Steffen, HWS Consulting Group, 479-2200

### **OPEN HOUSE ON EAST BELTWAY SET FOR MAY 15**

The public is invited to an open house Thursday, May 15 to learn about corridor protection plans for the East Beltway. The meeting is from 5 to 7 p.m. at the Cornhusker Council, Boy Scouts of America, OEC Woods Room, 600 S. 120th Street in Walton.

The East Beltway is planned to be a four-lane divided freeway between 120th and 134th streets. It would extend 11 miles from Nebraska Highway 2 to Interstate 80 near the Waverly Interchange. Corridor protection plans will show the approximate layout of the proposed beltway and the impact on property associated with the project. Officials will use the plans as a tool to protect the corridor from development or construction that may be costly to remove later.

Representatives from the City of Lincoln, Lancaster County and HWS Consulting Group will be available to discuss the project and answer questions.

More information on the open house is available by calling Dawn Steffen at HWS Consulting Group at 479-2200. More information on this and other City Public Works and Utilities construction projects is available on the City web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: projects).



# 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:** May 12, 2008

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

### **MAYOR PROHIBITS DIRECTORS AND AIDES FROM HAVING CITY CONTRACTS**

Mayor Chris Beutler today signed an Executive Order that prohibits City Department Directors and Mayoral Aides from contracting with the City. He said the action is part of his effort to make City government more accountable and transparent.

“The Directors and Aides hold positions of authority and influence in my administration,” said the Mayor. “They are valued members of my team, and they are here because I trust their judgment. Nevertheless, I want to avoid even the appearance of impropriety that naturally arises when a high-ranking City officer contracts with the City.”

Beutler thanked members of the Charter Revision Commission for bringing the potential conflict of interest issue to the attention of the community. The Commission asked the City Council to put on the May ballot an amendment that would have prohibited elected officials and Directors from having contracts with the City.

Council Member John Spatz proposed an ethics ordinance that did pass. Beutler has signed the legislation, and he thanked Spatz for his efforts. The Mayor said he also continues to support an effort to put the original charter amendment on the November ballot. “I continue to believe that such a ban is, quite simply, good government,” he said.

No Department Directors or Mayoral Aides have contracts with the City at this time.

Beutler said the Executive Order is a continuation of his efforts to restore the public’s faith in City government. Those efforts include seeking public input on the City budget and services; creating a new City audit committee; and re-establishing a cooperative relationship with the City Council.

“With the help of my dedicated Directors and an energized City workforce, we are changing the culture of City government,” said Beutler.



"Dan Marvin"  
<dm Marvin@neb.rr.com>  
05/12/2008 08:35 AM

To "Tammy Grammer" <tgrammer@lincoln.ne.gov>  
cc  
bcc  
Subject directors

Tammy please put in the directors packet

Content-Transfer-Encoding: 7bit  
From: <jskEAN@inebraska.com>  
To: <dm Marvin@lincoln.ne.gov>  
Subject: Weed control ordinance  
Date: Mon, 12 May 2008 08:01:08 -0500  
Message-ID: <20080512080108.ikutj4gn6ok440o8@webmail.inebraska.com>  
MIME-Version: 1.0  
X-Priority: 3 (Normal)  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook IMO, Build 9.0.6604 (9.0.2911.0)  
X-IronPort: hrndva-mx18.mail.rr.com 1587064475  
X-RR-Connecting-IP: 199.48.10.89  
X-TM-IMSS-Message-ID: <214891230002dae2@ci.lincoln.ne.us>  
X-TM-AS-Product-Ver: IMSS-7.0.0.6157-5.5.0.1026-15904.007  
X-TM-AS-User-Approved-Sender: No  
X-MIMETrack: Itemize by SMTP Server on  
notesrv01.ci.lincoln.ne.us/Notes(Release 6.5.5|November 30, 2005) at  
05/12/2008 08:01:07 AM,Serialize by Router on  
notesrv01.ci.lincoln.ne.us/Notes(Release 6.5.5|November 30, 2005) at  
05/12/2008 08:01:10 AM,Serialize complete at 05/12/2008 08:01:10 AM  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.3198  
X-TM-AS-Result: No--1.398-4.5-31-1  
X-imss-scan-details: No--1.398-4.5-31-1  
X-TM-AS-User-Blocked-Sender: No  
Importance: Normal  
Content-Type: text/plain; charset="iso-8859-1"

I hope you will vote to retain the six inch standard for weed control.  
Just imagine your nice next door neighbor sells the property to  
somebody who allows the grass to be a foot high. Lincoln needs more  
enforcement on this issue, not less.  
Thanks for your consideration of this issue.

Best regards,  
Jonathan Skean  
Lincoln

From: <mwatt@lps.org>  
To: <dm Marvin@lincoln.ne.gov>  
Subject: Weed Ordinance  
Date: Sun, 11 May 2008 22:44:36 -0500  
Message-ID: <fb0ff4b0ff2b.482776d4@lps.org>  
MIME-Version: 1.0  
X-Priority: 3 (Normal)  
X-MSMail-Priority: Normal  
X-Mailer: Sun Java(tm) System Messenger Express 6.3-4.01 (built Aug 3 2007;  
32bit)  
X-IronPort: hrndva-mx06.mail.rr.com 478168385  
X-RR-Connecting-IP: 199.48.10.89

X-TM-IMSS-Message-ID: <1f4b172c0002b6c8@ci.lincoln.ne.us>  
X-Accept-Language: en  
X-TM-AS-Product-Ver: IMSS-7.0.0.6157-5.5.0.1026-15904.004  
X-TM-AS-User-Approved-Sender: Yes  
X-MIMETrack: Itemize by SMTP Server on  
notesrv01.ci.lincoln.ne.us/Notes(Release 6.5.5|November 30, 2005) at  
05/11/2008 10:44:37 PM,Serialize by Router on  
notesrv01.ci.lincoln.ne.us/Notes(Release 6.5.5|November 30, 2005) at  
05/11/2008 10:44:40 PM,Serialize complete at 05/11/2008 10:44:40 PM  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.3198  
Importance: Normal  
Content-Type: multipart/mixed;  
boundary="-----\_NextPart\_000\_000A\_01C8B40B.330896E0"

Dear Mr. Marvin,

Please vote against the proposed changes in the weed ordinance. As a board member of the Near South Neighborhood Association, I am concerned about the impact this ordinance change will have on this and other core neighborhoods.

The proposed change can only have a negative impact on property values in this area, hurting the city overall. It seems inconsistent to make changes that will weaken core neighborhoods just weeks after Mayor Beutler announce his intention to do just the opposite.

The savings that might accrue from this change will likely be far out weighed by the reduction in property values, and thus property taxes, in addition to the impact on quality of life in this neighborhood.

Thank you for your careful consideration of this issue.

Sincerely,

Mark Watt  
1448 B Street



- mwatt.vcf



**Rosemary Thornton**  
<[rthorn@alltel.net](mailto:rthorn@alltel.net)>  
05/09/2008 11:02 AM

To: [council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)  
cc  
bcc  
Subject: weed abatement bill change

Dear Council Members:

I am writing in opposition to the change in the weed abatement bill. If weeds or "unsightly vegetation" are in a person's yard, they should be removed as soon as possible, not allowed to grow to a height of 12".

I assume that the word "weeds" refers to any unsightly vegetation that most would agree should not grow in city yards. I hope it does not refer to native vegetation such as little bluestem, grama grasses and other native species.

Rosemary Thornton

Rosemary Thornton  
3405 M Street  
Lincoln NE 68510  
402-477-7597  
[rthorn@alltel.net](mailto:rthorn@alltel.net)



Ohair42@aol.com  
05/09/2008 05:56 PM

To council@lincoln.ne.gov  
cc  
bcc  
Subject LMC 8.46- Weed Abatement

---

## Witherbee Buzz Mail

### **On May 12<sup>th</sup>, the City Council will be considering:**

An ordinance amending Chapter 8.46 of the Lincoln Municipal Code relating to Weed Abatement by amending Sections 8.46.010 and 8.46.020 to raise the height of weeds or worthless vegetation that must be cut from six inches to twelve inches above the ground.

**The Witherbee Board of Directors has consulted WNA members and other community leaders about this issue, and subsequently voted to oppose this change to the weed abatement ordinance.**

**The WNA Board asks all members to contact City Council members to voice opposition to this change prior to their May 12<sup>th</sup> meeting.**

City Council e-mail addresses may be found at:

<http://www.lincoln.ne.gov/city/council/members.htm>

**Following are some reasons why LMC 8.46 relating to Weed Abatement should NOT be amended:**

1. Germination and growth of worthless vegetation would be greater and for longer periods, therefore causing possible subsequent infestations of such growth to occur on adjacent properties.
1. This could create environments whereby vermin; snakes, rodents, etc., would live and breed.
1. The appearance of unkempt properties, whether owner-occupied and/or rental, would increase and would negatively effect adjacent maintained properties and neighborhoods.
1. Neighborhood Associations are currently working with Michael Snodgrass and Shawn Ryba of NeighborWorks, Jon Carlson of the Mayor's staff, and have met with City Councilman Doug Emery to discuss greater enforcement of Building and Safety codes, especially pertaining to rental properties. Changing LMC 8.46 would send a "mixed message."
1. This proposed ordinance change does more harm than good. It encourages those who don't maintain their property to do so and punishes those who do by having them go to the extra work and expense of keeping worthless vegetation from invading their property.

Thank You,Larry Frisch WNA V.P.

You are subscribed to the email list "wna-supporters@witherbeena.org" If you no longer wish to receive emails from this list please send an email to wna-supporters-request@witherbeena.org with unsubscribe in the subject line.

---

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V Miller & ML Meier  
<louvicm@yahoo.com>  
05/11/2008 06:22 PM

To council@lincoln.ne.gov  
cc  
bcc  
Subject Please vote no on new weed ordinance

Dear City Council members,

As residents of the Near South, we urge you NOT to approve the proposed change in the city weed ordinance. Doubling the height limits will create even bigger problems for our core neighborhoods at a time when the city claims to be making a major commitment to these established areas.

Imagine if landlords don't need to mow until the vegetation on their property -- "lawn" is often too kind a term - is a foot tall. This change would definitely have major negative consequences. A drive through our neighborhood today reveals plenty of yards that look shabby and weedy at far less than 12 inches. For those of us who work hard to maintain our property and yards, this latest proposal is extremely discouraging.

It seems it would be better to increase the fines for those who don't mow their lawns when they are 6 inches tall than to reward them by doubling the height before anything is done.

Thank you for your consideration,

Vicki Miller and Mary Lou Meier  
1130 South 20th Street  
Lincoln, Nebraska

---

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"williamc"  
<williamc@team-national.com  
>

05/11/2008 07:15 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Weed Ordinance

Dear City Council Members,

We need your help to protect our neighborhoods and quality of life. Please vote NO on the proposed weed ordinance change. County inspectors should be glad they have a job and not complain about having to work to earn their pay. If it's a budget issue, increase fines.

Respectfully,

William Carver  
2202 Washington St  
Lincoln NE 68502



"Jenny Perry"  
<jennyperry4@gmail.com>  
05/11/2008 09:44 PM

To council@lincoln.ne.gov  
cc  
bcc  
Subject change in weed ordinance

Dear City Council Members:

We oppose the proposed change in the city ordinance that would allow weeds to grow to 12", instead of 6", before the city becomes involved. We propose finding ways to handle the process of dealing with violators more efficiently or increasing fines. As residents of the Near South Neighborhood, we are concerned that this allowance will make existing problem properties even worse.

Thank you:

Jennifer Perry and David DiLillo  
1905 S. 26th St.  
Lincoln, NE 68502



**mwatt@lps.org**  
05/11/2008 10:40 PM

To council@lincoln.ne.gov  
cc  
bcc  
Subject Weed Ordinance

City Council Members,

Please vote against the proposed changes in the weed ordinance. As a board member of the Near South Neighborhood Association, I am concerned about the impact this ordinance change will have on this and other core neighborhoods.

The proposed change can only have a negative impact on property values in this area, hurting the city overall. It seems inconsistent to make changes that will weaken core neighborhoods just weeks after Mayor Beutler announce his intention to do just the opposite.

The savings that might accrue from this change will likely be far out weighed by the reduction in property values, and thus property taxes, in addition to the impact on quality of life in this neighborhood.

Thank you for your careful consideration of this issue.

Sincerely,

Mark Watt  
1448 B Street



- mwatt.vcf



"Jeanine Jewell"  
<jeaninejj@gmail.com>  
05/12/2008 08:05 AM

To council@lincoln.ne.gov  
cc  
bcc  
Subject Weed Ordinance

To the City Council

I am writing concerning the proposed ordinance before the council that would allow the acceptable weed height to be increased from 6 to 12 inches. I believe that this ordinance would not only have a significant negative impact on property values but also degrade the quality of life in Lincoln neighborhoods.

I am a resident of the Near South neighborhood. Across the street is a large house which has stood empty for nearly a year, with a hand-painted "for sale" sign in the window. The house might as well be abandoned. It's an eyesore as it is; however, the grass at least does not get completely out of control. Someone occasionally comes and mows - typically when the grass is around 6" high.

I can only imagine what this house's yard would look like if the weed height were increased. The city is concerned enough about areas such as the Near South to offer revitalization grants and other such programs; increasing fines or altering the process around weed control would be a wiser option than legislating more neglect.

Jeanine Jewell  
1235 So. 22nd Street #12  
Lincoln NE 68502  
570-0201



"coralee carver"  
<coraleec@team-national.com>

05/12/2008 10:10 AM

To <council@lincoln.ne.gov>

cc

bcc

Subject Weed Ordinance

Dear City Council Members,

We need your help to protect our neighborhoods and quality of life. Please vote NO on the proposed weed ordinance change. County inspectors should be glad they have a job and not complain about having to work to earn their pay. If it's a budget issue, increase fines.

Respectfully,

Coralee Carver  
2202 Washington St  
Lincoln NE 68502



"Scotte Hansen"  
<shansen@bsicomaha.org>  
05/12/2008 11:30 AM

To <council@lincoln.ne.gov>  
cc <cathy.beecham@emplid.com>  
bcc  
Subject Possible City Ordinance Change

Doug Emery [demery@lincoln.ne.gov](mailto:demery@lincoln.ne.gov)

Robin Eschliman [reschliman@lincoln.ne.gov](mailto:reschliman@lincoln.ne.gov)

John Spatz [jspatz@lincoln.ne.gov](mailto:jspatz@lincoln.ne.gov)

Jon Camp [jcamp@lincoln.ne.gov](mailto:jcamp@lincoln.ne.gov)

Ken Svoboda [ksvoboda@lincoln.ne.gov](mailto:ksvoboda@lincoln.ne.gov)

Jonathan Cook [jcook@lincoln.ne.gov](mailto:jcook@lincoln.ne.gov)

Dan Marvin [dmarvin@lincoln.ne.gov](mailto:dmarvin@lincoln.ne.gov)

DearLincolnCityCouncil,

I would like to voice my concern about the possibility of changing the acceptable weed height within the city limits from 6 inches to 12 inches.

I live in the Near South neighborhood, where there are a high number of people renting from landlords. Many of those landlords do the minimum amount of upkeep required to their properties in order to maximize their profits.

Changing this ordinance means that those properties certainly will be mowed even less than they are now, and further add to the area looking dumpier and decrease the property values of those around them. We live next to two apartment complexes where upkeep is at the minimum.

I would encourage you to vote to retain the current limit to 6 inches.

Thank you for considering my opinion in your deliberations,

Scotte and Annie Hansen

926 S 22<sup>nd</sup> St

Lincoln, NE68510

(402) 310-4996



<amansion@neb.rr.com>

05/12/2008 11:59 AM

To council@lincoln.ne.gov

cc

bcc

Subject weed ordinance

Please leave the weed ordinance at 6 inches. I live at the corner of 17th and C Streets and it is obvious to me that the 6 inch rule is not being enforced now - see apartment complex at 16th and C as an example (it is well over 12 inches now). The City apparently (and understandably because of the need for undeniable evidence) waits until it is well over 6 inches before anything is done about it or maybe because of the lag time between serving notice and getting the grass cut. To change the ruling would only exacerbate that problem.

Thank you,

David Hoesch