

**IN LIEU OF
DIRECTORS' MEETING
MONDAY, JULY 4, 2011**

I. CITY CLERK

II. MAYOR

1. NEWS ADVISORY. Mayor Beutler will hold a news conference Thursday, June 30th, at 10:00 a.m., in the Mayor's Conference Room, 555 S. 10th Street, to discuss the City's \$9.3 million budget gap.
2. NEWS RELEASE. Mayor says "Cuts Only" budget would change City character.

III. DIRECTORS

FINANCE/BUDGET

1. Sales tax reports for June reflecting April activity:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collections (with refunds added back in) 2005-2006 through 2010-2011;
 - c) Sales Tax Refunds 2005-2006 through 2010-2011; and
 - d) Net Sales Tax Collections 2005-2006 through 2010-2011.

FINANCE/TREASURER

1. Monthly City cash report at the close of business May 31, 2011.

HEALTH DEPARTMENT

1. NEWS RELEASE. Join the Oak Lake cleanup on July 9th.
2. NEWS RELEASE. Heat advisory alert.
3. NEWS RELEASE. Unhealthy air quality expected on July 4th. Health advisory issued for sensitive individuals.

PLANNING DEPARTMENT

1. List of Administrative Approvals which were approved by the Planning Director from June 21, 2011 through June 27, 2011.

PLANNING COMMISSION

1. Action by the Planning Commission, June 29, 2011.
2. Planning Commission Final Action, June 29, 2011.

IV. COUNCIL MEMBERS

CARL ESKRIDGE

1. Concerns from Jerry Sieck on Time Warner Cable service and reply from Councilman Eskridge.

V. MISCELLANEOUS - None

VI. CORRESPONDENCE FROM CITIZENS

1. Letter from Mr. John Woollam giving update of their ongoing building project and inquiring on the current arena plans.
2. Unsigned letter giving suggestions on how the City may continue support to Aging Partners with cost effective plans.
3. Correspondence from C. Rex Bevins opposing the City Council approving the application of the Viper Room to locate in Lincoln's downtown.
4. Letter from the Realtors® Association of Lincoln, Nicole D. Jensen, Vice President, listing concerns with the proposed Access Management Policy.
5. Letter from Vanice Mueller regarding unacceptable behavior in her neighborhood and asking for police patrol. (Individual letters sent to each Council Member)

VII. ADJOURNMENT

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OFFICE OF THE MAYOR

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

DATE: June 29, 2011

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

Mayor Chris Beutler will discuss the City's \$9.3 million budget gap at a news conference at **10 a.m. Thursday, June 30** in the **Mayor's Conference Room, third floor of the County-City Building, 555 S. 10th St.**

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 402-441-7511, fax 402-441-7120

FOR IMMEDIATE RELEASE: June 30, 2011

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

**MAYOR SAYS “CUTS ONLY” BUDGET
WOULD CHANGE CITY CHARACTER**

Mayor Chris Beutler today released a “cuts only” budget list of programs that would be affected if the City chose to close the \$9.3 million budget gap with funding reductions only. He said it is not the 2011-2012 budget proposal he will release July 11, but is intended to present a realistic picture of the City’s budget challenges.

“I offer this today because without understanding where a ‘cuts only’ budget would take us, we cannot make informed judgements on alternatives to a one-dimensional budget solution,” Beutler said. “Some will accuse of us trying to scare the public. But we have a responsibility to realistically confront the choices available to us. To me, it is far more frightening to ignore the situation and place our hopes in unrealistic schemes with uncertain outcomes.”

The cuts were based on the City’s prioritized program list, available on the City website at lincoln.ne.gov. The impact of a “cuts only” budget would include the following:

- Police programs cut would be victim/witness services; protective custody of intoxicated persons; response to non-emergency calls; and parking and abandoned vehicle enforcement. This would result in the elimination of six police officer, four public service officer and three victim/witness positions.
- Williams, Bethany and South branch libraries would close, and all other libraries would face a one-day service cut and reduced Sunday hours.
- Air Park Fire Station would close, and 12 firefighters would be cut.
- All City parks would close except Antelope, Hazel Abel, Holmes, Pioneers and Union Plaza. All City pools would close except Star City Shores and Woods. The Pioneers Park Nature Center would close. Many recreation centers would face reductions. Street tree maintenance would be funded at one-third of this year’s budget.
- StarTran Saturday hours and weekday mid-day hours would end.
- Funding to the Lincoln Partnership for Economic Development would be cut \$200,000.
- Aging Partners programs cut would be legal services, in-home services, volunteer programs and social work and care management.
- The Health Department’s pre-natal care referral service would end.

- more

Cuts Only Budget
June 30, 2011
Page Two

If the \$9.3 million budget gap were to be closed only with a property tax increase, it would require a six-cent City levy increase. That would cost the owner of a \$150,000 home about \$7.50 a month in additional property taxes.

Despite four years of budget cuts, the Mayor said the budget's "stubborn structural imbalance" remains, and this is the toughest budget he's had to develop as Mayor. Beutler said the City has limited options, with personnel costs making up 70 percent of the budget and State controls on wage increases continuing. Reductions in State and federal aid programs and reliance one-time sources of funds also have contributed to the budget gap.

Beutler said the City has become more efficient – despite City growth in population and area by more than 6 percent during his administration, the number of City employees has been cut by more than 5 percent. "We are doing more with less, which is the very definition of efficiency, and we will continue to do so," he said. But Beutler said to make all the cuts on the list would be a repudiation of those who worked and sacrificed in previous generations.

"I will not be the Mayor that allows Lincoln to stand still or fall behind because I lacked the political will and courage to lead," Beutler said. "Yes, we will have to make cuts and sacrifices. But I refuse to let those cuts and sacrifices become so deep that our essential character is changed."

**Actual Compared to
Projected Sales Tax Collections**

	2010-11 PROJECTED	2010-11 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 09-10	% CHANGE FR. 09-10
SEPTEMBER	\$4,606,732	\$4,767,314	\$160,582	\$163,898	3.56%
OCTOBER	\$4,803,841	\$4,865,846	\$62,005	\$273,777	5.96%
NOVEMBER	\$4,756,946	\$4,889,920	\$132,974	\$116,328	2.44%
DECEMBER	\$4,499,729	\$4,695,792	\$196,063	\$396,057	9.21%
JANUARY	\$4,578,573	\$4,414,597	(\$163,976)	\$317,344	7.75%
FEBRUARY	\$5,817,548	\$5,850,307	\$32,759	\$528,063	9.92%
MARCH	\$4,293,198	\$3,933,528	(\$359,670)	(\$278,706)	-6.62%
APRIL	\$4,066,088	\$4,411,735	\$345,647	\$193,430	4.59%
MAY	\$4,719,366	\$5,205,614	\$486,248	\$87,592	1.71%
JUNE	\$4,595,468	\$4,890,896	\$295,428	\$338,946	7.45%
JULY	\$4,651,786				
AUGUST	\$4,927,739				
TOTAL	\$56,317,014	\$47,925,548	\$1,188,059	\$2,136,729	4.67%

Actual collections through June are 2.54 % above projections for the year.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2005-2006 THROUGH 2010-2011**

	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FR. PRIOR YEAR	ACTUAL 2009-2010	% CHG. FR. PRIOR YEAR	ACTUAL 2010-2011	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$4,630,210	\$4,573,597	\$4,612,020	\$4,812,555	4.35%	\$4,703,478	-2.27%	\$4,822,814	2.54%
OCTOBER	\$4,823,369	\$4,712,519	\$5,052,950	\$4,845,000	-4.12%	\$4,687,315	-3.25%	\$4,987,584	6.41%
NOVEMBER	\$4,799,275	\$4,658,480	\$4,818,715	\$4,937,998	2.48%	\$4,922,939	-0.30%	\$4,938,240	0.31%
DECEMBER	\$4,511,403	\$4,445,761	\$4,753,456	\$4,545,947	-4.37%	\$4,502,684	-0.95%	\$4,708,180	4.56%
JANUARY	\$4,342,902	\$4,554,634	\$4,617,097	\$4,465,270	-3.29%	\$4,354,458	-2.48%	\$4,777,606	9.72%
FEBRUARY	\$5,797,893	\$5,993,653	\$5,596,617	\$5,775,594	3.20%	\$5,426,478	-6.04%	\$5,920,886	9.11%
MARCH	\$4,247,908	\$4,125,074	\$4,421,405	\$4,258,773	-3.68%	\$4,226,466	-0.76%	\$4,418,795	4.55%
APRIL	\$3,991,159	\$4,018,709	\$4,227,476	\$4,119,617	-2.55%	\$4,294,043	4.23%	\$4,421,797	2.98%
MAY	\$4,543,369	\$4,895,921	\$4,753,366	\$4,744,089	-0.20%	\$5,186,573	9.33%	\$5,374,035	3.61%
JUNE	\$4,539,614	\$4,664,470	\$4,859,251	\$4,624,054	-4.84%	\$4,662,293	0.83%	\$4,895,388	5.00%
JULY	\$4,655,061	\$4,772,617	\$4,983,976	\$4,501,197	-9.69%	\$4,567,893	1.48%		
AUGUST	\$4,991,723	\$4,887,329	\$5,026,702	\$4,856,331	-3.39%	\$5,105,968	5.14%		
TOTAL	\$55,873,886	\$56,302,764	\$57,723,030	\$56,486,425	-2.14%	\$56,640,589	0.27%	\$49,265,325	4.89%

**CITY OF LINCOLN
SALES TAX REFUNDS
2005-2006 THROUGH 2010-2011**

	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FROM PRIOR YEAR	ACTUAL 2009-2010	% CHG. FROM PRIOR YEAR	ACTUAL 2010-2011	% CHG. FROM PRIOR YEAR
SEPTEMBER	(\$80,882)	(\$27,350)	(\$90,282)	(\$435,079)	381.91%	(\$100,061)	-77.00%	(\$55,500)	-44.53%
OCTOBER	(\$358,866)	(\$166,695)	(\$79,688)	(\$108,925)	36.69%	(\$95,246)	-12.56%	(\$121,738)	27.81%
NOVEMBER	(\$173,972)	(\$3,881)	(\$158,855)	(\$86,760)	-45.38%	(\$149,347)	72.14%	(\$48,320)	-67.65%
DECEMBER	(\$6,319)	(\$175,440)	(\$29,848)	(\$209,674)	602.47%	(\$202,950)	-3.21%	(\$12,388)	-93.90%
JANUARY	(\$269,713)	(\$84,287)	(\$26,308)	(\$256,270)	874.13%	(\$257,206)	0.37%	(\$363,009)	41.14%
FEBRUARY	(\$73,395)	(\$327,119)	(\$489,939)	(\$83,713)	-82.91%	(\$104,235)	24.51%	(\$70,579)	-32.29%
MARCH	(\$165,869)	(\$133,574)	(\$325,269)	(\$73,785)	-77.32%	(\$14,233)	-80.71%	(\$485,268)	3309.51%
APRIL	(\$196,682)	(\$130,611)	(\$108,764)	(\$70,988)	-34.73%	(\$75,738)	6.69%	(\$10,063)	-86.71%
MAY	(\$166,567)	(\$381,653)	(\$22,529)	(\$117,201)	420.23%	(\$68,551)	-41.51%	(\$168,421)	145.69%
JUNE	(\$14,085)	(\$186,252)	(\$136,308)	(\$444,973)	226.45%	(\$110,343)	-75.20%	(\$104,492)	-5.30%
JULY	(\$39,492)	(\$155,825)	(\$478,184)	(\$331,804)	-30.61%	(\$251,505)	-24.20%	(\$73,768)	-70.67%
AUGUST	(\$57,700)	(\$569,595)	(\$43,759)	(\$11,878)	-72.86%	(\$286,162)	2309.23%		
TOTAL	(\$1,603,541)	(\$2,342,280)	(\$1,989,734)	(\$2,231,050)	12.13%	(\$1,715,576)	-23.10%	(\$1,513,546)	5.89%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2005-2006 THROUGH 2010-2011**

	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FROM PR. YEAR	ACTUAL 2009-2010	% CHG. FROM PR. YEAR	ACTUAL 2010-2011	% CHG. FROM PR. YEAR
SEPTEMBER	\$4,549,328	\$4,546,247	\$4,521,738	\$4,377,476	-3.19%	\$4,603,417	5.16%	\$4,767,314	3.56%
OCTOBER	\$4,464,503	\$4,545,825	\$4,973,261	\$4,736,074	-4.77%	\$4,592,069	-3.04%	\$4,865,846	5.96%
NOVEMBER	\$4,625,303	\$4,654,599	\$4,659,859	\$4,851,237	4.11%	\$4,773,592	-1.60%	\$4,889,920	2.44%
DECEMBER	\$4,505,085	\$4,270,321	\$4,723,609	\$4,336,273	-8.20%	\$4,299,735	-0.84%	\$4,695,792	9.21%
JANUARY	\$4,073,189	\$4,470,347	\$4,590,789	\$4,209,000	-8.32%	\$4,097,252	-2.65%	\$4,414,597	7.75%
FEBRUARY	\$5,724,498	\$5,666,534	\$5,106,677	\$5,691,881	11.46%	\$5,322,243	-6.49%	\$5,850,307	9.92%
MARCH	\$4,082,038	\$3,991,501	\$4,096,136	\$4,184,988	2.17%	\$4,212,234	0.65%	\$3,933,528	-6.62%
APRIL	\$3,794,477	\$3,888,098	\$4,118,712	\$4,048,629	-1.70%	\$4,218,305	4.19%	\$4,411,735	4.59%
MAY	\$4,376,803	\$4,514,268	\$4,730,837	\$4,626,889	-2.20%	\$5,118,022	10.61%	\$5,205,614	1.71%
JUNE	\$4,525,529	\$4,478,219	\$4,722,943	\$4,179,081	-11.52%	\$4,551,950	8.92%	\$4,890,896	7.45%
JULY	\$4,615,569	\$4,616,793	\$4,505,792	\$4,169,394	-7.47%	\$4,316,388	3.53%		
AUGUST	\$4,934,023	\$4,317,734	\$4,982,944	\$4,844,454	-2.78%	\$4,819,806	-0.51%		
TOTAL	\$54,270,346	\$53,960,485	\$55,733,297	\$54,255,376	-2.65%	\$54,925,013	1.23%	\$47,925,548	4.67%

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

JUNE 28, 2011

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 May 31, 2011

Balance Forward	\$	\$208,053,759.91
Plus Total Debits May 1-31, 2011	\$	\$32,135,766.04
Less Total Credits May 1-31, 2011	\$	(\$30,890,180.08)
Cash Balance on May 31, 2011	\$	\$209,299,345.87

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.	\$	\$12,581,654.73
Wells Fargo Bank	\$	(\$76,057.35)
Wells Fargo Bank Credit Card Account	\$	(\$50,732.75)
Bank of Prague	\$	\$516.00
Commercial State Bank - Cedar Bluffs	\$	\$481.63
Cornhusker Bank	\$	\$161,394.69
First National Bank - Wahoo	\$	\$540.57
Pinnacle Bank	\$	\$129,839.04
Union Bank & Trust Company	\$	\$25,054.80
West Gate Bank	\$	\$117,604.36
Idle Funds - Short-Term Pool	\$	\$82,185,811.95
Idle Funds - Medium-Term Pool	\$	\$114,195,134.52
Cash, Checks and Warrants	\$	\$28,103.68
Total Cash on Hand May 31, 2011	\$	\$209,299,345.87

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 \$207,064,112.96 representing authorized investments of the City's funds.

ATTEST:

Joan E. Ross
Joan E. Ross, City Clerk



Melinda J. Jones
Melinda J. Jones, City Treasurer

**CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT
AS OF MAY 31, 2011**

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLB BONDS	3133XLDG9	06/29/2017	\$500,000.00	\$500,000.00		
FHLB STEP-UP 3.0%	3133XUWQ2	09/25/2019	\$1,000,000.00	\$1,000,000.00		
FHLB STEP-UP 2.25%	3133XUM67	08/26/2014	\$1,000,000.00	\$1,000,000.00		
CORNHUSKER BANK		TOTAL PLEDGED	\$2,500,000.00	\$2,500,000.00		



NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-6229

FOR IMMEDIATE RELEASE: June 28, 2011
FOR MORE INFORMATION: Grady Erickson, Storm Water Awareness Program Coordinator, 402-441-8645 or gerickson@lincoln.ne.gov, or Mandi Conway, Water Quality Educator, 402-441-7075 or aconway@lincoln.ne.gov, or Christine Hunt, EcoStores Nebraska, 402-477-3606 or christine.hunt@ecostoresne.org

JOIN THE OAK LAKE CLEANUP ON JULY 9TH!

Join us on Saturday, July 9th for the Oak Lake Clean Up! EcoStores Nebraska, Lincoln's Watershed Management Division, the Lincoln-Lancaster County Health Department and the Lincoln Parks, with the assistance from the Recreation AmeriCorps, are working together to help keep our city clean. From 9 a.m. to 12 p.m., volunteers will be picking up litter and taking water samples in the Oak Lake area, while marking storm drains with the emblem: "No Dumping, Drains to Creek" message. By volunteering in this community event, you can learn about our local watersheds, how humans impact them, and what individuals can do to help make a difference. Volunteers will enjoy water provided by LinPepCo, and ice cream provided by Prairieland Dairy at the conclusion of the event. Consider volunteering to help clean up Oak Lake!

To volunteer in the Oak Lake Cleanup, please contact Christine Hunt at christine.hunt@ecostoresne.org or contact EcoStores Nebraska at 402-477-3606.

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NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: (402) 441-8000

Fax: (402) 441-6229

www.lincoln.ne.gov

FOR IMMEDIATE RELEASE: June 29, 2011
FOR MORE INFORMATION: Mike Heyl, 402-441-3889
Julie Anderson, 402-441-8071
Charlotte Burke, 402-441-8011

HEAT ADVISORY ALERT

The extended forecast for temperatures to reach into the upper ninety degree range has placed the City of Lincoln into a hot weather alert. These temperatures, combined with extremely high relative humidity levels, will make work and play outside dangerous and possibly life-threatening for young children, older adults, and people with chronic illnesses such as respiratory disease and heart conditions.

The Lincoln-Lancaster County Health Department encourages everyone to become familiar with the signs of heat-related illness and to practice preventive measures to reduce their chance for heat cramps, heat exhaustion, and heat stroke.

“People suffer heat-related illness when the body’s temperature rises and precautions are not taken to prevent it,” said Mike Heyl, a Health Educator with the Lincoln-Lancaster County Health Department. With so many outdoor activities taking place during this heat advisory, basic preventive measures should be followed. These measures include:

- Drink plenty of water. Individuals should increase their fluid intake by drinking 2-4 eight ounce glasses of water each hour during strenuous physical activity.
- Stay out of the direct heat of the sun as much as possible and stay in a cool environment whenever possible. Avoid being outside during the peak sun hours of 10 a.m. until 4 p.m. each day. Schedule outdoor activity carefully.
- Wear appropriate clothing and sun screen. Choose light-weight, loose-fitting, light-colored clothing and wear a broad-brimmed hat to shade the head. Select a sun screen SPF of 30 or more to protect your skin from the sun. Apply the sun screen a half hour before going outside.

-more-

June 29, 2011
Heat Advisory Alert

- Infants and children are susceptible to dehydration and especially at risk during times of high heat and humidity. Be sure they drink plenty of fluids - especially water, stay in a cool place, wear loose-fitting light-weight clothing, and avoid direct sun exposure.
- Never leave children in a vehicle with the windows rolled up. Children's body temperature rises 3 to 5 times more rapidly than an adult's body temperature in a car with the windows rolled up.
- Adjust to the environment slowly, pace your physical activity, STOP any activity and get into a cool area away from the direct heat of the sun if you become lightheaded, confused, weak, or faint.
- Avoid alcohol and caffeine as these promote fluid loss.
- If you do not have air conditioning or a cool place to be, consider going to a library, a movie theater, shopping mall, or other air-conditioned public location.
- Pets are also at risk during times of high heat and humidity. Pets who spend their days outdoors need a consistent supply of fresh water and plenty of shade. When possible during the hottest part of the day, bring pets into a cooler environment. Never leave pets in a car with the windows rolled up.

"Sweating is the body's natural mechanism to control body temperature. Under some conditions, sweating is not enough to cool the body, causing a person's body temperature to rise rapidly," says Judy Halstead, Health Director. "Both air temperature and humidity affect the body's ability to cool itself during hot weather. When the humidity is high, sweat will not evaporate as quickly, thus preventing the body from releasing heat efficiently," Halstead added.

Symptoms of heat stress include clammy, sweaty skin, light-headedness, weakness, and nausea. Victims of heat exhaustion should be treated by moving them to a cooler area and by removing restrictive clothing. If conscious, individuals with heat exhaustion can be given cold water to drink. Salt tablets, unless under a doctor's orders, should be avoided. Plenty of rest will help the victim.

Heat Stroke is a more serious condition and should be treated as a medical emergency. Symptoms include hot skin, body temperatures above 103 degrees Fahrenheit, rapid breathing and pulse, incoherent behavior, mental confusion, convulsions, or unconsciousness. Victims of heat stroke need to be moved to a cool place and medical assistance must be summoned immediately.



NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-6229

FOR IMMEDIATE RELEASE: June 30, 2011
FOR MORE INFORMATION: Scott E. Holmes, Manager, Environmental Public Health - 402-441-8019

Unhealthy Air Quality Expected on July 4th Health Advisory Issued for Sensitive Individuals

The Lincoln Lancaster County Health Department (LLCHD) issued a Health Advisory today for people with asthma or other respiratory conditions, such as COPD, or with heart disease, warning them that high levels of smoke (particulate air pollution) over the 4th of July weekend could impact their health. This smoke is made up of very small particles created by fireworks. In recent years, the Health Department has found high levels of particle pollution on the night of July 3rd into early morning hours, and on the night of July 4th into the early morning hours, resulting in the Air Quality Index level of “Unhealthy for Sensitive Groups”.

“It is very likely that there will be high concentrations of fine particle pollution due to fireworks. Those most affected are the young, the elderly, and those sensitive individuals with respiratory conditions,” said Scott Holmes, Environmental Public Health Manager, with the LLCHD.

Fine particle pollution is so small that it can get deep into the lungs and cause serious health problems.

Exposure to high levels of particles, even for a few hours, can aggravate lung disease, cause asthma attacks and acute bronchitis, and may increase the chance to get a respiratory infection. In people with heart disease, short-term exposures to high levels of particle pollution have been linked to angina, heart attacks and arrhythmia.

The majority of people will not be affected; however, LLCHD is recommending that individuals with asthma, allergies, lung disorders, or other respiratory conditions and those with heart conditions take extra precautions during the peak hours of air pollution, which will likely be July 4th near dusk and through mid-day on July 5th. Precautions might include avoiding extensive physical activity outdoors or choosing to remain indoors, keeping windows and doors closed. If health effects are experienced, consult your doctor.



Memorandum

Date: ♦ June 29, 2011
To: ♦ City Clerk
From: ♦ Teresa McKinstry, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Jean Preister

This is a list of the Administrative Approvals that were approved by the Planning Director from June 21, 2011 thru June 27, 2011:

Administrative Amendment No. 11026 to Special Permit No. 1995, Hub Hall Heights Community Unit Plan, approved by the Planning Director on June 21, 2011, requested by Rentfro Properties, LLC., to revise the grading plan and street profiles, on property generally located at NW. 48th St. and W. Holdrege St.

Administrative Amendment No. 11021 to Use Permit No. 132B, Willowbrook Shopping Center, approved by the Planning Director on June 22, 2011, to clarify the notes regarding the required setbacks from Highway 2 as 75 feet to parking and 100 feet to buildings, and to revise the setback along S. 70th St. from 50 feet to 20 feet, on property generally located southeast of S. 70th St. and Nebraska Highway 2.

Waiver No. 10029 to Final Plat No. 99019, approved by the Planning Director on June 22, 2011, requested by Olsson Associates, to extend the time for two years to install the sidewalk along the north side of Cheney Ridge Rd., landscape screening, street trees and private water and sewer for Cheney Ridge 2nd Addition. The improvements shall be completed by June 22, 2013. Property is generally located at S. 94th St. and Cheney Ridge Rd.

Waiver No. 11009 to Final Plat No. 03046, approved by the Planning Director on June 22, 2011, requested by Hoegemeyer Palmer Construction, Inc., to extend the time for two years to install the sidewalks, landscape screening and street trees for Vintage Heights 18th Addition. The improvements shall be completed by June 22, 2013. Property is generally located at S. 91st St. and Pine Lake Rd.

**City/County Planning Department
555 S. 10th Street, Rm. 213
Lincoln NE 68508
(402) 441-7491**



Waiver No. 11010 to Final Plat No. 02013, approved by the Planning Director on June 22, 2011, requested by Olsson Associates, to extend the time for two years to install the street trees for Heritage Lakes Addition. The improvements shall be completed by June 22, 2013. Property is generally located at S. 95th St. and Pine Lake Rd.

Waiver No. 11012 to Final Plat No. 04102, approved by the Planning Director on June 22, 2011, requested by Olsson Associates, to extend the time for two years to install the street trees for Heritage Lakes 2nd Addition. The improvements shall be completed by June 22, 2013. Property is generally located at S. 95th St. and Pine Lake Rd.

**City/County Planning Department
555 S. 10th Street, Rm. 213
Lincoln NE 68508
(402) 441-7491**

***** ACTION BY PLANNING COMMISSION *****
June 29, 2011

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, June 29, 2011, at 1:00 p.m., in the City Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, JUNE 29, 2011

[Commissioners Esseks and Taylor absent]

Approval of minutes of the regular meeting held June 15, 2011. ****APPROVED, 6-0 (Esseks, Taylor and Gaylor Baird absent)****

1. CONSENT AGENDA
(Public Hearing and Administrative Action):

COMPREHENSIVE PLAN:

Page 01 1.1 Comprehensive Plan Conformance No. 11006, to review a proposed conservation easement as to conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan, on property generally located at vacated 3rd Street between P Street and R Street. ***** FINAL ACTION *****
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Rashi Jain, 441-6372, rjain@lincoln.ne.gov
Planning Commission 'final action': A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 7-0 (Esseks and Taylor absent). Resolution No. PC-01238.

PERMITS:

Page 19 1.2a County Special Permit No. 196A, an amendment to the View Pointe North Community Unit Plan, to add two additional lots for a total of 16 single family acreage lots and the establishment of a conservation easement over Outlot B, on property generally located at N. 70th Street and Waverly Road.
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated June 15, 2011, 7-0 (Esseks and Taylor absent).
Resolution No. PC-01239.

Page 19 1.2b Special Permit No. 1976A, an amendment to the View Pointe North Community Unit Plan, to add two additional lots for a total of 16 single family acreage lots and the establishment of a conservation easement over Outlot B, on property generally located at N. 70th Street and Waverly Road.
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated June 15, 2011, 7-0 (Esseks and Taylor absent).
Resolution No. PC-01240.

MISCELLANEOUS:

Page 45 1.3 Street & Alley Vacation No. 11007, to vacate a portion of S Street right-of-way, a portion of N. 6th Street right-of-way and a portion of the east/west alley, Block 270, Original Town of Lincoln; a portion of T Street right-of-way; and a portion of the east/west alley within Block 281, Original Town of Lincoln, generally located at N. 6th Street and S Street and N. 6th Street and T Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Rashi Jain, 441-6372, rjain@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 7-0 (Esseks and Taylor absent).
Public Hearing before the City Council tentatively scheduled for Monday, July 18, 2011, 3:00 p.m.

2. **REQUESTS FOR DEFERRAL: (See Item No. 5.1 below)**

3. **ITEMS REMOVED FROM CONSENT AGENDA: None**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

CHANGE OF ZONE:

- Page 53
- 4.1 Change of Zone No. 11022, amending Section 27.61.100 of the Lincoln Municipal Code relating to Expansion of Nonstandard Single- and Two-family Dwellings Into Required Yards to allow the enlargement, extension, or reconstruction of the main building used for a single- or two-family dwelling and accessory buildings considered part of the main building in the R-1 through R-8 Residential Zoning Districts; and repealing Section 27.61.100 of the Lincoln Municipal Code as hitherto existing.
Staff recommendation: Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov
Held public hearing.
Planning Commission recommendation: APPROVAL, 7-0 (Esseks and Taylor absent).
Public Hearing before City Council tentatively scheduled for Monday, July 18, 2011, 3:00 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

- Page 57
- 4.2a Change of Zone No. 11021HP, from R-2 Residential District to R-2 Residential District Historic Landmark, on property generally located at S. 40th Street and Randolph Street (3935 Randolph).
Staff recommendation: Approval
Staff Planner: Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 7-0 (Esseks and Taylor absent).
Public Hearing before City Council tentatively scheduled for Monday, July 18, 2011, 3:00 p.m.
- Page 57
- 4.2b Special Permit No. 11015, for Historic Preservation, to allow commercial catering on the lower level of a historic building, including a request to waive the parking requirement, on property generally located at S. 40th Street and Randolph Street (3935 Randolph). ***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov
Had public hearing.
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated June 17, 2011, 7-0 (Esseks and Taylor absent).
Resolution No. PC-01241.

PERMITS:

Page
77

4.3 Special Permit No. 11014, for Historic Preservation, to reduce the side yard setback and to reduce the parking requirement, on property generally located at S. 16th Street and G Street (720 S. 16th Street).

Staff recommendation: Conditional Approval

Staff Planner: Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated June 17, 2011, 7-0 (Esseks and Taylor absent).

Public Hearing before City Council tentatively scheduled for Monday, July 18, 2011, 3:00 p.m.

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

CHANGE OF ZONE:

Page
85

5.1 Change of Zone No. 11019, amending Title 27 of the Lincoln Municipal Code, the Zoning Code, by amending Chapter 27.03 to add the definition of "Entertainment Restaurant" as Section 27.03.218 and to renumber existing Section 27.03.218 (Existing Urban Area) as Section 27.03.219; amending Sections 27.31.040, 27.33.030, and 27.37.025 to allow entertainment restaurants as a conditional use in the B-2, B-3, and B-5 zoning districts, respectively; amending Section 27.47.020 to prohibit an entertainment restaurant as a permitted use in the I-1 Industrial District; and repealing Sections 27.03.218, 27.31.040, 27.33.030, 27.37.025, and 27.47.020 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval, as revised

Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov

Applicant's request for additional two-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, July 13, 2011, 1:00 p.m.

* * * * *

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO**

* * * * *

PENDING LIST:

- 1a. *Change of Zone No. 11009, amending Section 27.63.500 of the Lincoln Municipal Code relating to Zoning Code Special Permits for Scrap Processing Operations, Salvage Yards, and Enclosed Disassembly Operations, to allow outdoor salvage material to be located closer than 500 feet from certain entrance corridors if land forms or screening completely obstructs the view by the traveling public of the salvage material, and to authorize the City Council to decrease the 500-foot setback under limited circumstances; and repealing Section 27.63.500 of the Lincoln Municipal Code as hitherto existing.*
(6-11-11: Planning Commission voted 8-0 to place on pending, no date certain, at the applicant's request.)

- 2b. *Special Permit No. 11006, for a scrap processing operation and to allow salvage material kept outside a building to be located closer than the 500 feet to the West "O" Street entrance corridor, on property generally located at West O Street and Sun Valley Boulevard (545 West "O" Street).*
(6-11-11: Planning Commission voted 8-0 to place on pending, no date certain, at the applicant's request.)

Planning Dept. staff contacts:

Steve Henrichsen, <i>Development Review Manager</i> . . .	441-6473	..	shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, <i>Long Range Planning Manager</i> .	441-6363	..	ntooze@lincoln.ne.gov
Mike Brienzo, <i>Transportation Planner</i>	441-6369	..	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	441-5662	..	tcajka@lincoln.ne.gov
David Cary, <i>Planner</i>	441-6364	..	dcary@lincoln.ne.gov
Mike DeKalb, <i>Planner</i>	441-6370	..	mdekalb@lincoln.ne.gov
Christy Eichorn, <i>Planner</i>	441-7603	..	ceichorn@lincoln.ne.gov
Brandon Garrett, <i>Planner</i>	441-6373	..	bgarrett@lincoln.ne.gov
Sara Hartzell, <i>Planner</i>	441-6371	..	shartzell@lincoln.ne.gov
Rashi Jain, <i>Planner</i>	441-6372	..	rjain@lincoln.ne.gov
Brian Will, <i>Planner</i>	441-6362	..	bwill@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	441-6370	..	ezimmer@lincoln.ne.gov

* * * * *

**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.**

* * * * *

**The Planning Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : June 29, 2011

RE : Notice of final action by Planning Commission: June 29, 2011

Please be advised that on June 29, 2011, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution No. PC-01238, finding that the acquisition of a conservation easement by the West Haymarket Joint Public Agency (JPA) from Jaylynn, LLC, over 5.31 acres generally located at vacated 3rd Street between P Street and R Street, to preserve flood storage and to limit the volume of fill to be reserved for use elsewhere in the area, is in conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan (Comprehensive Plan Conformance No. 11006).

Resolution No. PC-01240, approving City Special Permit No. 1976A, for authority to amend the View Pointe North Community Unit Plan to add two lots and a conservation easement over Outlot B, View Pointe North Addition, on property generally located at North 70th Street and Waverly Road. (The Planning Commission also adopted Resolution No. PC-01239, approving County Special Permit No. 196A, for that portion of this community unit plan located in the Lancaster County zoning jurisdiction).

Resolution No. PC-01241, approving Special Permit No. 11015, to allow property designated as a landmark to use the basement as a commercial catering kitchen with associated storage on the main floor, and to adjust the on-site parking requirements on property generally located at 3935 Randolph Street (the former St. James Evangelical Lutheran Church).

This is final action unless appealed to the City Council within 14 days of the action by the Planning Commission.

The Planning Commission Resolutions may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the "Search Selection" screen and search by application number (i.e. CPC11006, SP1976A, SP11015). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

Mary M. Meyer

From: Carl B. Eskridge
Sent: Tuesday, June 28, 2011 4:34 PM
To: Jerry Sieck
Cc: Mary M. Meyer
Subject: RE: Time Warner Cable Monopoly

Mr. Sieck,

Thank you for your concerns about Time Warner. I hope that you have communicated your concerns and your actions to them. Let me share my own frustration. When we moved into our current residence over 6 years ago, I had just gone get a new drivers license and received a call from TW on my cellphone that they were on their way. I was on my lunch hour, so it was approximately 12:15 when I received the call. I immediately drove home and waited for the technician. I called several times that afternoon and was finally told that he would be there at 5 pm. He arrived after 7. We live in a highrise condo and he had to run a line above the ceiling of a neighboring condo at 9:30 pm. They weren't happy about it, nor was I. He finally left after 10 pm. I took 4 hours of vacation time from my work to wait for a worker who was about 7 hours late. No apologies or nothing. Others have shared similar concerns over the years. It may not matter to you, since they have already lost you as a customer, but I will certainly inquire about concerns related to Lincoln's cable company.

Carl Eskridge
Lincoln City Council, District 4

From: Jerry Sieck [jsieck@windstream.net]
Sent: Tuesday, June 28, 2011 1:55 PM
To: Carl B. Eskridge
Subject: Time Warner Cable Monopoly

Dear Mr. Eskridge:

I wish to express my concern regarding the current monopoly on cable service that has been granted to Time Warner. Yesterday, service to one of my TV's was disrupted (the fifth time this year to varying TV's) and I contacted Time Warner for technical support. They were unable to assist over the phone and have scheduled a service technician to address the problem on Saturday. When I spoke to their customer service rep, I mentioned how nice it was for Time Warner to have a monopoly on cable service in Lincoln. She said they do not have a monopoly, and said that other "cable" providers exist. I asked her to name the other providers and she reference Direct TV and Dish. I pointed out to her that these were satellite service providers and not cable service providers. Wow!

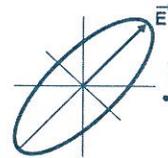
This morning, I contacted Windstream and am in the process of switching my service to them and Dish. I will receive faster internet service, free long distance including international calls, 300 channels and all the premium channels for \$45/month less than I am paying Time Warner without the premium channels. Dish will also give me the Big Ten Network which is questionable at this time with Time Warner. I recognize the "weather-related" issues associated with satellite TV and for this reason chose cable TV. Time Warner's poor service, both technical and customer, high rates, and the lack of a competitive cable provider give me no other option than satellite TV.

How did the city reconcile an exclusive cable service agreement with Time Warner versus the best interest of its citizens?

Jerry Sieck
1030 Manchester Drive
Lincoln, NE 68528
(402) 641-7429

June 22, 2011

Mr. Fred Hoke
Development Services Center
555 South 11th Street
Lincoln, Nebraska 68508



J.A. Woollam Co., Inc.

Ellipsometry Solutions

RECEIVED

JUN 28 2011

CITY COUNCIL
OFFICE

Dear Fred:

I want to update you on our ongoing building project and inquire about current Arena plans. You may remember the remodel project that was in process when you visited our company, March 31st. The project is now complete and it is a nice enhancement to our building. Phase II of the remodel is now underway on the west side of the building for our manufacturing operations.

We also signed a contract for a 3 phase building project to 1) install a building energy management control system, 2) install an integrated security system, and 3) install an integrated fire alarm system. Work on this project is scheduled to begin in a couple of weeks. To date our total cash commitment for these projects is more than \$250,000.00. In addition, we have building expansion plans that will be implemented in the next 3-5 years.

It was reassuring to hear from city staff at our March 18, 2011 meeting that the extension of M Street was not being considered for the Arena project. Specifically, it was explained that 8th and N Street would be reconfigured to handle Arena traffic. As a direct result of that meeting, we proceeded with our above mentioned building projects and are no longer contemplating moving our business out of the Haymarket area.

I believe that it is extremely important for us and the city to work together as our building project, as well as the Arena project, moves forward. I plan to give you, as head of the Development Services Center, periodic updates of the progress our building projects. In turn, I would ask that you keep us updated on the Arena project as it affects our building. I believe that the reconfiguration of 8th and N streets not only satisfies our concerns but is the best solution for the anticipated increase in traffic flow. We look forward to continuing to work together.

Best Regards,

John Woollam

Cc: Mayor Chris Beutler

Lincoln City Council Members ✓

Mr. Dave Landis

Mr. Dan Marvin

Ms. Christy Eichorn

Mr. Mike Rierden

June 25, 2011

City Council Office
County-City Building
555 South 10th Street
Lincoln, NE 68508

RECEIVED

JUN 28 2011

CITY COUNCIL
OFFICE

Dear City Council Members,

In the next week it is my understanding you will be receiving the Mayor's proposed budget with expected cuts for FY 2012. As a State of Nebraska employee I'm deeply concerned about Aging Partners future.

The City's continued support to this agency is needed to help save tax payer's dollars. The work that this organization does keeps elders healthy and independent reducing the need for costly nursing home placement. Local government support is the best kind of public service effort that makes government officials "look good" in the eyes of Lincoln residents. It would be a devastating decision to ever plan of cutting the ties of Aging Partners to the City of Lincoln.

Having said this I would like to share some cost effective plans to make this agency more self-sufficient. This past year the Division Administrator of the LIFE Office retired freeing up nearly \$70,000. It's rumored that the Director will be opening a FTE position. The new person will think of ways to charge for services. I'm knowledgeable in the Older American's Act programs. Congregate meals and a sliding fee schedule for care management are the only two programs that can charge for services. All others would be a conflict of interest.

The State Unit on Aging expects all Area Agencies in Aging to find other funding streams. The main focus is to fundraise. It would be a waste of time and money to hire this FTE to find create ways for charging for services when it's not legal to do so. Instead they should utilize this money to support existing programs.

A better idea is to continue the Senior's Foundation's role. This foundation's function is to support Aging Partner's programs. What has always be a problem is the Senior Foundation's Director is a City of Lincoln employee that earns over \$50,000. It doesn't matter what she fundraises she gets this set amount. Most foundations get a percentage of the total amount they fundraise and this determines their annual salary. It makes them work harder! Another idea is to eliminate the Seniors Foundation and establish a contractual agreement with the Lincoln Community Foundation. This would save even more money. With all the past budget cuts where has the Seniors Foundation really been for Aging Partners?

Mary M. Meyer

From: Rex Bevins [rexbevins@rexbevins.com]
Sent: Wednesday, June 29, 2011 11:18 AM
To: Council Packet
Subject: Oppose Viper Room Approval

June 29, 2011

Lincoln City Council Members,

This letter is written to express my strong opposition to the action of the Lincoln City Council in approving the application of the owner of the Viper Room, an adults only bar featuring female dancers and other sex-related entertainment, to locate this shady business on 'O' Street in the heart of Lincoln's downtown. When I was the Senior Pastor of Saint Paul United Methodist from 1980 to 2002 I worked to keep Lincoln's downtown strong and viable.

The approval of the Viper Room, in my judgment, runs counter to efforts of many citizens to keep downtown a clean and attractive place to live and work. I urge you to vote to reconsider your decision and upon reconsideration to cast your vote against allowing the Viper Room to locate in the heart of Downtown Lincoln.

Thank you for considering my requests,

C. Rex Bevins



REALTORS® ASSOCIATION OF LINCOLN

Date: June 30, 2011

To: City of Lincoln Planning Commission

From: REALTORS® Association of Lincoln

Re: Proposed Access Management Policy

At the May 25 regular monthly meeting of the Commercial Broker members of the REALTORS® Association of Lincoln (RAL), Randy Hoskins from City Engineering presented the proposed Access Management Policy (AMP). In the mean time we have identified several areas of concern. Continued growth and vitality of our community is highly reliant on new developments and the redeveloping of existing properties. This policy as it was presented to us will inhibit crucial city development and redevelopment. The REALTORS® Association has identified the following areas of concern and propose a dialogue take place between city officials, developers and members of our association in order to reach reasonable compromises on these areas of concern:

- Board of Appeals – RAL believes the appeals process should remain as it stands now with the Planning Commission and, if necessary, to the City Council. However, if a Board of Appeals is established the Board of Appeals needs to be equally balanced between staff and members of the development community in order to render fair and equitable decisions. The final decision should not rest in the hands of one person, namely the Mayor, or a Board appointed exclusively by the Mayor.
- Frontage Roads – Where would these be required? On normal arterials, if required, the AMP would greatly increase the cost of development or redevelopment and will be a deterrent for commercial sustainability. Further this type of land use is contrary to the City's planning goal for a green footprint as well as compact development. The cost of development will be severely impacted and has the potential to effectively impede small projects and inflicts a greater burden on smaller local entrepreneurs. The concept of a neighborhood strip center providing local services to a small area would be nearly eliminated by all the requirements suggested in the AMP.
- Right Turn Lanes – They would be required for nearly every access. Recent debate on Old Cheney Road from 70th to 84th prime example of over engineering at the peril of reasonable access to residential neighborhoods off main arterials. City currently waives this standard for itself in order to save City funds, so this will be another item to negotiate with Developers when impact fees are supposed to be used.

- Throat Lengths – When will this apply? If triggered within the built environment the proposed standards would create hardship, cost and reduced property values by eliminating important parking and current reasonable access in many situations. Most of the properties in the built environment do not have room to accommodate this standard let alone have site circulation or remaining adequate parking. Does a new building permit automatically trigger this new standard? When combined with the current landscaping design standards this standard presents one more roadblock to economic development.
- Variance Procedures – The proposed policy states variances can be given by the Board of Appeals if there is an “unnecessary hardship.” The term “unnecessary hardship” is very subjective and needs to be clearly defined while still allowing room for negotiation. Is additional cost of land needed to incorporate new standards an “unnecessary hardship?” Is the requirement of needing an independent engineering analysis every time there is a dispute with City Engineering considered a hardship? With regard to item 3) in subsection “Variances,” achieving less profit or economic gain from a developed property is a hardship, if but for the required unrealistic access management standards being overly burdensome.
- The AMP states, “All sidewalks...shall be accessible per ADA.” When crossing four through lanes, two left turn lanes, a right turn lane and a median a disabled person or otherwise will need a significant amount of time to cross and compromises the safety of the pedestrian. With the added time to accommodate all pedestrians in creating a “walkable” environment in the city, won’t this slow down through traffic on arterials?
- The City adopted the Downtown Design Standards under the same idea of standardizing design in the Downtown and Antelope Valley area. Already there have been exceptions and variances, (i.e. the Block 38 building and garage) which beg the question of how effective is it to spend so much time and money on policies when exceptions quickly surface and the standards lose their “standardization”?

The REALTORS® Association of Lincoln believes that reasonable regulations and standards, along with common sense, will provide for the continued growth and development of the city. To propose stiffening the requirements during the current economic climate seems to further the belief that Lincoln is not “open for business”. In addition, the proposed Access Management Policy does not support the vision of the LPlan 2040 regarding the revitalization of older neighborhoods, reuse of vacant areas and growth of urban areas and businesses.

We appreciate the opportunity we have been given to provide input. We look forward to future involvement in the development of this policy should it continue to move forward.

Respectfully Submitted,



Nicole D. Jensen
Executive Vice President
REALTORS® Association of Lincoln

Cc: Mayor Chris Beutler
Lincoln City Council Members
Fred Hoke, Director of Development Services Center
Marvin Krout, Director of Lincoln/Lancaster County Planning Department

Doug

222 Piazza Terrace
Lincoln, NE 68510
June 26,2011

RECEIVED

JUN 30 2011

CITY COUNCIL
OFFICE

Dear Mayor Beutler, Lincoln Police Department, and Members of the City Council:

I am writing this to ask for help which our neighborhood needs desperately. We need some presence of police in the area.

We live in the vicinity of 56th and "O" St. We have lived here 52 years and have learned to accept noise. It is to be expected living close to two busy streets.

Lately things have gotten out of hand. The cars are racing like on a race track and squealing their wheels to a deafening sound. One night I was awakened at 2:30 AM by a terrible squealing sound and within a few minutes I smelled burned rubber in my bedroom like my next door neighbor was burning rubber. The streets in the neighborhood are black with burned rubber. Having some police on week end nights would be a tremendous help.

That is only part of our problem. Bunches of kids are hanging out in near by parking lots, screaming, cursing, throwing rocks at cars, and I am guessing using drugs and/or alcohol until it is frightening. I am emphasizing the word "guessing" because I have no proof of that. We are elderly people and as I said, we have lived on Piazza Terrace 52 years, but it has come to this, that I am afraid living here. We have nice modest well kept up homes on this street and I resent that we are being driven from our home by this kind of behavior. This should not happen in Lincoln, NE. Now I will go on to say, recently this has improved after the neighbors saw the police take someone away in hand cuffs. This illustrates my point, we need police presence.

Our life is being made miserable by this unacceptable behavior. I am aware of how "A" Street and east Lincoln is policed. I feel we deserve equal protection. We pay taxes also. Rarely do we see a police car in this area. A couple of weeks ago I saw one go by at 7:00 AM, but that is not when we need them. They are needed between 10:30 PM and 1:30 AM. I realize these are the hours they are most needed everywhere, but please just give us some consideration.

I am sending a copy of this letter to the Police Department, Mayor Beutler's office and to members of the city council.

Thank you for reading my long letter written in haste and frustration. The neighborhood would appreciate your consideration.

Sincerely,



Vanice M. Mueller

222 Piazza Terrace

Lincoln, NE 68510