

DIRECTORS' MEETING
MONDAY, MAY 13, 2013
555 S. 10TH STREET, ROOM 113
2:00 P.M.

I. CITY CLERK

II. MAYOR

1. NEWS RELEASE. Report tracks discrimination complaints.
2. Memo from Rick Hoppe, Mayor's Chief of Staff, regarding water management and drought rates. (Distributed to Council Members on May 6, 2013 before meeting)
3. NEWS RELEASE. Part of Cornhusker Highway to close Monday.
4. NEWS RELEASE. Public invited to meet new StarTran Transit Manager.

III. DIRECTORS CORRESPONDENCE

DEVELOPMENT SERVICES CENTER

1. Director Fred Hoke's memo on Fire Suppression Board background.
 - a) Fire Suppression System Ordinance.
2. Councilman Jon Camp's reply and comments to Fred Hoke on the Fire Suppression proposed legislation.
3. Councilman Doug Emery's comments to Fred Hoke on the Fire Suppression proposed legislation.

PARKS AND RECREATION DEPARTMENT

1. Parks & Recreation Advisory Board minutes from meeting on April 11, 2013.

PLANNING DEPARTMENT

1. Administrative Amendment No. 12022 approved by the Planning Director on May 3, 2013.
2. Invitation to Lincoln-Lancaster County Planning Commission Briefing: "Removing Barriers and Making Places". Wednesday, May 15, 2013.

PUBLIC WORKS & UTILITIES

1. Public Works & Utilities April/May Newsletter now available. Link to access listed.

PUBLIC WORKS & UTILITIES/ENGINEERING

1. ADVISORY. Citywide Arterial Street Rehabilitation. North 45th Street; R Street - Vine Street. State Project No. LCLC-5228(4), Control No. 13138, City Project No. 540022.
2. ADVISORY. Cornhusker Highway Closure and Detour. Project No. 540026.

IV. COUNCIL MEMBERS

JON CAMP

1. Councilman Camp's correspondence to Miki Esposito, Director of Public Works & Utilities, on the water management policy.

V. CORRESPONDENCE FROM CITIZENS

1. InterLinc correspondence from Angela Reiling. The City Council must repeal or put the Fairness Ordinance to a public vote.
2. Correspondence from David Chambers asking for consideration of his tire claim.

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LINCOLN COMMISSION ON HUMAN RIGHTS
555 South 10th Street, Lincoln, NE 68508, 402-441-7624

FOR IMMEDIATE RELEASE: May 6, 2013

FOR MORE INFORMATION: Kimberley Taylor-Riley, Director, 402-441-8691

REPORT TRACKS DISCRIMINATION COMPLAINTS

The number of total discrimination claims received by the Lincoln Commission on Human Rights (LCHR) increased by over 40 percent from 2011 to 2012. The details are included in the LCHR annual report now available online at lincoln.ne.gov (keyword: rights).

The 2012 LCHR annual report shows a total of 99 cases filed – 66 for employment discrimination, 31 for housing discrimination and two for public accommodation discrimination. That compares to 69 cases filed in the previous year – 42 for employment discrimination, 21 for housing discrimination and six for public accommodation discrimination.

LCHR's two investigators, Margie Nichols and Angela Lemke, closed 79 cases in 2012 (not all were filed in 2012). In addition to non-monetary resolutions, LCHR negotiated settlements of about \$95,000. A service satisfaction survey sent to all complainants and respondents showed that 81 percent agreed or strongly agreed that the process was fair. About 78 percent said they would refer LCHR to someone else experiencing discrimination.

In 2012, LCHR reached more than 4,100 residents in about 98 sessions covering various civil rights topics.

In early February 2012, Kimberley Taylor-Riley was selected as the City's new Director of Equity and Diversity. She also serves as the City's Equal Employment Officer. Also in 2012, Loren Mestre-Roberts was named the City's Outreach Coordinator. Mestre-Roberts, who previously served as the Hispanic Liaison for the City, acts as an interpreter for the LCHR and provides education and outreach services to agencies and schools. Taylor-Riley and Mestre-Roberts are developing a plan to ensure that the City workforce better reflects the community as a whole.

More information about LCHR is available at 402-441-7624 or lincoln.ne.gov (keyword: rights).

Mary M. Meyer

From: Council Packet
Subject: Water Management and Drought Rates response to email

May 6th, 2013

TO: City Council
FROM: Rick Hoppe, Mayor's Chief of Staff
RE: Response to Katt email on water management plan

I am writing in response to Peter Katt's email to the City Council on several issues associated with the water management plan and drought rates. I think it is important to address Mr. Katt's concerns.

First, regarding the issue of the first offense being a \$150 fine: the amount was chosen to recover the City's cost of law enforcement and administration for these offenses. If the amounts are not recovered in this manner, then it is taxpayers or water rate payers who assume this cost. We believe those who commit the offense should pay, not people who follow the law. I would also point out the amount is the same as it was during last year's mandatory watering restrictions.

Second, on Mr. Katt's contention we should not apply water rates increases during voluntary restrictions: we discussed this issue at length. The concern is that those citizens and businesses who DO NOT observe the voluntary restrictions increase the financial expense of those who DO conserve. The City loses revenue during voluntary water restriction periods. The lost revenue is made up the following year through increased water rates *on everyone*. People who conserve would pay the same increase as those who do not conserve. Drought rates ensure that people who choose to water for non-critical uses pay, rather than those who choose to conserve.

Third, on Mr. Katt's contention that mandatory restrictions should not be the Mayor's alone and based on standards: standards for what generally constitutes a period of both voluntary and mandatory water restrictions are written in the water management plan. Water management during severe drought conditions is a day-to-day exercise and not a matter of weeks. Taking a mandatory declaration to the Council would take at least two weeks of process and even with an emergency meeting, take a few days. During last summer's drought, that would have resulted in tens of millions of gallons of water lost when the river flow was already critically low. The best course is to set guidelines in policy for the Mayor to follow so the Council and the public can set their expectations accordingly.

Thank you for your consideration of these points as you deliberate on the water management and drought rate plans.

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 901 West Bond, Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: May 8, 2013

FOR MORE INFORMATION: Devin Biesecker, Engineering Services, 402-937-5515

PART OF CORNHUSKER HIGHWAY TO CLOSE MONDAY

Beginning Monday, May 13, Cornhusker Highway will close from east of 70th Street to about one-half mile west of 84th Street. The closure is needed for repair work to the pavement leading up to the bridges over Burlington Northern Sante Fe railroad and Cotner Boulevard.

Cotner Boulevard traffic travels one lane in each direction at this location. Barring unforeseen delays, the contractor will have two weeks to complete the work and open the roadway to through traffic by Friday, May 24. During construction, traffic will be rerouted to these detours:

- Eastbound: south on 70th Street to Cotner Boulevard, Cotner Boulevard to Cornhusker Highway
- Westbound: west on Cotner Boulevard to 70th Street, 70th Street north to Cornhusker Highway

For more information on City road projects, visit lincoln.ne.gov (keyword: projects).

PUBLIC WORKS AND UTILITIES DEPARTMENT
555 South 10th Street, Lincoln, NE 68508, 402-441-7548

FOR IMMEDIATE RELEASE: May 9, 2013

FOR MORE INFORMATION: Miki Esposito, Director, 402-441-7548
Kitty Elliott, StarTran, 402-441-7185

PUBLIC INVITED TO MEET NEW STARTRAN TRANSIT MANAGER

The public is invited to an open house Thursday, May 16 to meet the new StarTran Transit Manager Michael Davis. The informal “meet and greet” event is from 3 to 5 p.m. at StarTran, 710 “J” Street. The public should use the door on the west side of the building. On-street parking is available. Refreshments will be served.

Davis will begin his new job June 3. He is currently the Transit Manager of Operations for Los Alamos County, New Mexico, and has 15 years of experience managing public transportation projects, programs and initiatives. He will replace Larry Worth, who retired in March.

More information on StarTran is available at startran.lincoln.ne.gov.

Mary M. Meyer

From: Fred A. Hoke
Sent: Tuesday, May 07, 2013 9:32 AM
To: Carl B. Eskridge; DiAnna R. Schimek; Doug Emery; Eugene W. Carroll; Eugene W. Carroll; Jon Camp; Jon Camp; Jonathan A. Cook; Lloyd D. Hinkley; Mary M. Meyer
Subject: Fire Suppression Board Background
Attachments: Council Members Suppression Board.2.docx

Council Members:

With several questions from Council members wanting additional information, I've outlined the names, events, and actions relative to the proposed ordinance amending Chapter 24.01 of the LMC, Lincoln Fire Suppression Systems.

I'm happy to respond to questions you may have.

Thanks,

Fred



Fred Hoke
Development Services Center Manager
Building and Safety Director
555 S. 10th Street
Lincoln, NE 68508
direct: 402-441-7049
(C) 402-430-6785
fhoke@lincoln.ne.gov

Fire Suppression System Ordinance

City Council Members:

I want to give you additional background information on a proposed Ordinance amending Chapter 24.01 of the LMC, Lincoln Fire Suppression Systems.

On November 26, 2012, we received a request from Matt Carey, a fire suppression designer, to sit for his Fire Suppression Certification Test. The current Ordinance sets the yearly test dates as the third Thursday of February, May, August, and November. He requested the test eleven days after the November quarterly test date.

He appealed to our Bureau of Fire Prevention and was given the test on November 26th and passed with a 96% average on the four test sections. The Examining Board convened to review and affirm the test and the passing score.

On November 28th, Mike McNiff, a partner of Mark Long, Nifco, came to the open meeting with his attorney, Chris Bartling, to protest Bob Fiedler administering the test out of the regular code cycle. A motion was made to defer the decision until the February, 2013 regular board meeting by Bob Siemsen, Chief Plumbing Inspector – second by Marty Kasl, Ferris Engineering. Subsequently the Examining Board ruled (4-1) that Carey could not take the test out of cycle and could not be certified until the next quarterly testing date. During the entire meeting, including the protest, Mark Long remained seated as a board member and voted in favor of the motion to defer.

Carey appealed the decision to the Mayor, who after gathering the facts and becoming aware of a conflict of interest on the part of one of the Examination Board members, sided with Carty and requested through an EO dated December 6, 2012 that the Board reconvene, reconsider their vote, and pending approval, certify Carey's successful completion of the test.

Matt Carey was employed as a fire suppression designer for Nifco Mechanical. One of Nifco's partners is a member of the Examining Board. Matt Carey had severed his relations with Nifco, started his own company, took two fellow employees with him, and received a contract from Universal Cold Storage, a

company his previous employer was submitting a contract proposal for the fire suppression work. Matt Carey ultimately received the contract to perform the work for Universal Cold Storage.

He resigned one week after the quarterly Fire Suppression examination. He needed to pass the Contractor Test to begin his own company. His resignation did not coincide with the testing cycle.

One of his previous employers, Mark Long, sits on the Examining Board and protested our testing out of cycle. When Mayor requested the Board reconvene and review the situation, the board on December 13th, voted to approve Matt Carey's passage of the Contractor's test. This was an open hearing with due process, tape recording, and minutes.

At the conclusion of that meeting, City legal counsel suggested the Board convene again after the first of the year to review and formalize how the meetings are conducted. He suggested a revision in the language in the ordinance to reflect the operating procedures of the Board. Connolly indicated that Bob Fiedler can remain as the official secretary but a staff assistant likely will be required to attend to take minutes. Additionally the issue of notice needs to be addressed.

Our staff along with legal counsel reviewed the Ordinance and concluded this Examination Board was not efficient or necessary. We wanted to improve the Ordinance.

The Ordinance you will review discontinues the Examination Board. Their primary responsibility was to review the test scores. The test is a simple "pass/fail." There are no subjective responses to be evaluated. The one-hour test is administered with documentation that the candidate has the necessary work experience and has achieved a passing test grade. Most jurisdictions across the county have a similar "pass/fail" examination. Less than one-percent of applicants fail the test since they have the experience and information to pass the test.

The State of Nebraska also administers a State Fire Test for credentialing. They have no Examination Board. Their testing process is similar to what we are recommending in this Ordinance change. After a person passes the State examination, he or she can apply for our test to work in this jurisdiction.

The Fire Suppression Examining Board met again on March 5, 2013 to review the examinations of five sprinkler journeymen. The examinations were circulated to

the board members for review. All the individuals tested met the scoring requirements. Each applicant received a separate motion, second and unanimous vote for approval. Mark Long abstained on the votes for four of the five individuals.

Under **Other Business**, Chris Connolly suggested some changes to the ordinance. Here are the minutes from that discussion:

Chris Connolly from the City Attorney's Office indicated that he has been working with department staff on making some technical changes to the process for approving future exams, which would require amending the existing ordinance. He is recommending that the review and approval process be done administratively by the director or designee to streamline the process rather than requiring board approval. The ordinance will be on the city council's agenda for first reading in the next couple of weeks. The standards will not change. Bob Fiedler will continue credentials and score the tests. The process would include appropriate documentation. For individuals wishing to appeal a decision, the process will not change and they will go to the Mayor. Bill Moody reported that they have added language to the ordinance that will provide some leniency in terms of qualifications. In addition, it was noted that legitimate requests to test out of cycle will be taken into consideration by Fred (Hoke). Following some discussion, Bob Siemsen moved that (the) board move this initiative forward to the city council for consideration. The motion was seconded by Marty Kasl and unanimously approved.

If board members have questions or concerns, they were advised to contact Fred Hoke, Chris Connolly or Bill Moody.

This being the last meeting of the board, staff expressed appreciation to the board members for their many years of involvement.

Mark Long, a business partner with Nifco and who voted to disallow the test out of cycle did not oppose or vote against the elimination of the Examination Board after a discussion and review of the proposed ordinance change by Chris Connolly at the Examination Board Meeting. (*Minutes in italics above*)

The other business partner, Mike McNiff, feels the City (Building and Safety) is being arbitrary in changing the ordinance and putting the responsibility in the

hands of Building and Safety and is putting too much power in the hands of the Building and Safety Director. McNiff is a member of the International Fire Code Task Force. He has no standing in the operations of the Fire Suppression Board.

Thanks,

Fred Hoke

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Tuesday, May 07, 2013 11:32 AM
To: Fred A. Hoke
Cc: Chris J. Connolly; Rick D. Hoppe; Mayor; Mary M. Meyer
Subject: RE: Fire Suppression Proposed Legislation

Importance: High

Fred:

Thank you for having Chris Connolly, Assistant City Attorney, call me. I also appreciate your revised memo to the City Council, which I will read more thoroughly when time permits.

Fred, I concluded my conversation with Chris in a manner that suggests Building and Safety request that this ordinance in question be “pulled” and put on pending for, say, 4 weeks, so some fine-tuning can occur. Specifically, I would like the ordinance (1) require quarterly testing in all cases except for death or incapacitation of a current licensee/certified individual, and (2) rename the Examining Board to “Fire Suppression Advisory Board” and retain it for subjective situations as well as a Board that can work with City staff on future changes in rules, regulations and ordinances. These two changes need further clarification, but this is the gist of my current thoughts.

I understand that there may be some other statutory changes in order, such as required bonding and/or insurance levels to meet current standards.

I again thank you, Bill Moody and Bob Fiedler for our meeting yesterday, as well as the productive conversation with Chris today. I do believe we are all on a similar wave length. . .just need to regroup. The recent situation that was before the City and Board was unusual and should not dictate a “knee-jerk” response. But it can serve as a partial catalyst to fine-tune governing elements and day-to-day practices.

Please visit with Chris, and let me know if you are agreeable to putting this matter on pending. City Council procedures would still allow public hearing next Monday, May 13th, since the legislation had first reading yesterday, May 6th. At that time, and with Building and Safety’s request, the Council could vote to put the matter on pending. My suggestion is at least 4 weeks, to give all parties time to address the matter and give Chris time considering his otherwise busy schedule. We also need to anticipate the Memorial Day weekend.

I am also copying my City Council colleagues (Mary Meyer will forward to my Colleagues), Rick Hoppe and Mayor Beutler on this email to ensure we have all parties aware of this request.

Thank you in advance for considering my request. I look forward to hearing from you.

Best regards,

Jon

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“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ *Alexis de Tocqueville* (French [Historian](#) and [Political scientist](#). [1805-1859](#))

Check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032>

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Mary M. Meyer

From: Doug Emery
Sent: Tuesday, May 07, 2013 4:09 PM
To: Fred A. Hoke; Carl B. Eskridge; DiAnna R. Schimek; Eugene W. Carroll; Eugene W. Carroll; Jon Camp; Jon Camp; Jonathan A. Cook; Lloyd D. Hinkley; Mary M. Meyer
Subject: RE: Fire Suppression Board Background

Fred,

This appears to have been a "comedy of errors" from the get go. I don't have a real concern about whether we do or do not have a Board. However if we have a Board we ought to have clear definitive procedures that are not bypassed. (I don't know the rationale behind having only certain times of the year you can take the exam) Additionally it was unethical for a Board member to take part in a hearing where his company was involved. It does seem to me that we are trying to make an ordinance for something that is not a regular problem and would not have been a problem if everyone had been upfront

Just my thoughts

Thanks

Doug

From: Fred A. Hoke
Sent: Tuesday, May 07, 2013 9:32 AM
To: Carl B. Eskridge; DiAnna R. Schimek; Doug Emery; Eugene W. Carroll; Eugene W. Carroll; Jon Camp; Jon Camp; Jonathan A. Cook; Lloyd D. Hinkley; Mary M. Meyer
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I'm happy to respond to questions you may have.

Thanks,

Fred



MINUTES

Parks & Recreation Advisory Board Meeting

Parks & Recreation Conference Room

Thursday, April 11, 2013 ~ 4:00 p.m.

Members Present:

Justin Carlson	Jim Crook	Susan Deitchler	Todd Fitzgerald (arrived at 4:18 pm)
Karen Hand	Larry Hudkins (arrived at 4:20 pm)		Peter Levitov
Cleo Mullison	Anne Pagel	Robert Ripley	Jeff Schwebke
Joe Tidball			

Members Absent:

Jonathan Cook	Vacant Position	Vacant Student Position
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Staff Members Present:

Lynn Johnson, Director	Jerry Shorney, Superintendent
Terry Genrich, Outdoor Education	Nicole Fleck-Tooze, Special Projects Administrator
Dale Hardy, Golf Administrator	Angela Chesnut, Executive Secretary

Recognition of 'Open Meetings Act': As per law, Chairperson Anne Pagel announced that the Board follows the regulations of this Act, as posted.

* **APPROVAL OF MINUTES:** A motion was made by Karen Hand and seconded by Justin Carlson to approve the minutes of the March 14, 2013 meeting, with the correction that Joe Tidball was absent from the meeting rather than arriving at 4:20 p.m. ***Motion was approved by unanimous vote of members present.***

PUBLIC COMMENTS FOR ITEMS (other than those listed on the current Agenda):

None.

COMMITTEE REPORTS

Fees & Facilities Committee - Susan Deitchler, Chair - 488-4224

- * **Alley Vacation Along Western Boundary of Irvingdale Park:** Susan directed members to a GIS map provided (attached to these minutes). JJ Yost described that this would be a typical ROW vacation with the parcel (varies in width from approximately 30'-40') being split down the middle. The east portion of the vacated ROW would be retained by the City while the west portion would be sold to three respective adjacent property owners. A motion was made by Susan Deitchler and seconded by Jim Crook to approve the vacation, as amended by Robert Ripley requesting that the width of the parcel sold to the adjacent property owners be held constant around the northern radius of the northern most lot (2700 S. 17th) so that the City will retain frontage/access at 17th and Harris Streets. ***Motion was approved by unanimous vote of members present.***

Futures Committee - Bob Ripley (Chair) 471-0419 or 488-5131

- No Report

Golf Report – Golf Administrator Dale Hardy

- **Rounds and Revenue:** Comparisons from last year to this year show rounds are down 12% and revenue is down 6%. It was noted that last year's mild winter and higher than normal rounds and revenue, have increased the average for comparisons.
- The golf sustainability study to be conducted by the National Golf Foundation will begin next week.

- Pictures of the new Holmes Clubhouse were distributed, which is nearing completion.
- Golf course maintenance equipment as approved by the City Council should be received within the next week.
- The price matching special at Mahoney Golf Course is currently underway, with a report forthcoming after the May ending date.
- Grounds & Facilities subcommittee is reviewing courses regarding native grass/long grass area suggestions.
- Budget & Finance subcommittee did not meet in March, but will be having another meeting in the near future with Steve Hubka from the Finance Department.

Executive Committee - Anne Pagel (Chair) - 570-9194

- Anne informed members that additional Parks & Recreation Advisory Board Representatives are needed on the Lincoln Municipal Golf Committee, due to the resignations of Cleo Mullison and Trent Reed. No one stepped forward at this time.
- Karen Hand was recognized and thanked for her nearly 20 years of service to the Parks & Recreation Advisory Board, with a round of applause. She will be retiring from Lincoln Public Schools, with a replacement to be assigned by LPS.

Staff Report:

- Public Comment Period on Conversion of Property at 21st & N Streets
Nicole Fleck-Tooze provided a power point presentation (attached) regarding the conversion of the property at 21st & N Street, within the Antelope Valley north redevelopment area, which is encumbered by Land and Water Conservation Funds. With this, the Parks & Recreation central maintenance and forestry sections are being relocated to the Municipal Services Center, and the garden maintenance section is being relocated to an area south of A Street, while the Planning and Construction and Athletics offices will remain in the historical Muny Building at 21st & N Street. The conversion is considered appropriate as the current space does not serve an outdoor recreation use.

The conversion of property at 21st and N Streets requires the purchase of replacement property that is equal in value. Early in 2012, Parks and Recreation solicited proposals for replacement property in Stevens Creek to serve as a regional park and potential multi-use facility. Three proposals were received. Numerous questions were presented by the Board members and answered by Lynn, Nicole, and JJ Yost. Preliminary plans were discussed for a replacement property at the southwest corner of 98th & Adams, adjacent to Burns Park, providing for the possibility of tournament facilities, picnic areas, ball fields, trail connections, and the potential for stream restoration with assistance from Watershed Management and Lower Platte South NRD. This property is 62 acres with great characteristics and natural and historical resources including a native stand of Burr oak and other wildlife habitat along the stream corridor. The property is of a size that could be developed as a Community Park, but offers the potential for expansion to a Regional Park in the future. The property would be initially seeded with native prairie grasses and provided with parking and a walking path. Future improvements are expected to be beyond the 10-year planning horizon.

Anne Pagel recommended that the 21st & N conversion be opened for public comment. A motion was made by Robert Ripley and seconded by Larry Hudkins that the Parks & Recreation Advisory Board move to sell the 21st & N Street property, while retaining the Muny building for continuing use as office space by the department, and also to move

forward with acquisition of the 98th & Adams property. ***Motion was approved by unanimous vote of members present.***

- Review of Budget Indicators for FY 2011-12:
Tabled until next meeting, May 9, 2013

Announcements:

- Rededication of Sherman Field will be held at Sampson Park, 2nd & South Streets, at 4:00 p.m. on Wednesday, April 17th.
- Dedication of the “Jan’s Emma” sculpture will be held on Sunday, April 21st, at 2:00 p.m., at Jan Pitsch Greet, Sheridan Blvd. & E. Summit Blvd.
- Natures Market at Pioneers Park Nature Center will be held on Saturday, April 27th, from 10:00 a.m. to 3:00 p.m.
- The volunteer planting project at Sunken Gardens, “Wake Up The Beds”, is being planned for Saturday, May 11th, beginning at 8:30 a.m.

A motion was made by Peter Levitov and seconded by Todd Fitzgerald to adjourn. ***Motion was approved by unanimous vote of members present.***



Memorandum

Date: ♦ May 7, 2013
To: ♦ City Clerk
From: ♦ Teresa McKinstry, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Jean Preister

This is a list of the administrative approvals by the Planning Director from April 30, 2013 through May 6, 2013:

Administrative Amendment No. 12022 to Use Permit No. 154D, Wilderness Hills Commercial Center, approved by the Planning Director on May 3, 2013, requested by Olsson Associates, to adjust the lot sizes and remove a portion of the buildable area on Lots 13 and 14 and add an outdoor plaza/landscape area, on property generally located on the southeast corner of S. 27th St. and Yankee Hill Rd.

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



Jean Preister

From: Jean Preister
Sent: Thursday, May 09, 2013 11:32 AM
Subject: Invitation to Lincoln-Lancaster County Planning Commission Briefing: "Removing Barriers and Making Places" : May 15, 2013

The Planning Department has scheduled a briefing of the Planning Commission on Wednesday, May 15, 2013, that we thought might be of interest to a larger audience. We will be presenting preliminary ideas on a broad set of potential "reforms" to the City's zoning code. These proposals are intended to further two related recommendations in the 2040 Comprehensive Plan: removing barriers that seem to discourage infill and redevelopment in the city's older commercial/industrial-zoned areas, and encouraging new commercial projects throughout the city that are more pedestrian-oriented and complementary to nearby neighborhoods. The presentation to the Planning Commission will summarize a more detailed report that will be posted on our webpage on May 15th.

The recommendations are organized around four inter-related goals:

1. **Remove zoning barriers to quality developments.** Proposed reductions to height, setback, and parking requirements in commercial districts, more encouragement to residential uses in commercial districts, more flexibility for smaller-scale residential infill, and streamlining the project review process.
2. **Reestablish a sense of place in the city's commercial areas.** Proposed new standards for site arrangement and building design for new development and redevelopment in commercial areas near to residential neighborhoods, with standards for two different kinds of commercial areas: "corridors" that are generally found along the ½ mile grid of arterial streets in the older parts of the city, and the larger "centers" that are generally found in more outlying areas.
3. **Reinforce the City's landscape and screening requirements.** Improved enforcement of existing requirements, stronger requirements for tree planting and screening, and better buffers for residential areas adjacent to commercial areas developed with taller buildings or more intensive uses.
4. **Realign the zoning map with the City's development goals.** Selective re-mapping of commercial and industrial-zoned properties to encourage more compatible uses next to residential neighborhoods.

This initial briefing is scheduled as part of the regular Planning Commission meeting, immediately following the development applications that are scheduled for public hearings on May 15th. You are welcome to come down to the Council Chambers in the County-City Building, 555 South 10th Street, to see this presentation in person. Or, you can tune in to Channel 5 on your television or on the City's webpage (<http://lincoln.ne.gov/city/mayor/cic/5citytv/index.htm>) to view the presentation live. The Planning Commission hearing begins at 1:00 p.m., but there are several hearings on development applications preceding this briefing, which may take ½ hour or longer. You also can view the presentation anytime later, through "video on demand" on the City's webpage.

The detailed report describing all the staff proposals will be posted on the Planning Department's homepage (<http://lincoln.ne.gov/city/plan/index.htm>) **beginning May 15th**. We invite you to share your

comments on the staff proposals, and we will be displaying all comments on our webpage -- send your comments to plan@lincoln.ne.gov. We are intending to make presentations to other City advisory boards over the next two months, and would be happy to discuss these ideas with your interested neighborhood, development, business or professional group -- please contact us at the same Web address to schedule a presentation. Then later this year, we are expecting to organize a task force including Planning Commission members and others to consider the staff proposals and all the public comments in greater detail.

If you have any questions, please contact David Cary in the Planning Department at 402-441-6364 or dcary@lincoln.ne.gov.

**--Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, Nebraska 68508
402-441-6366**

Mary M. Meyer

From: Meagan Pratt
Sent: Tuesday, May 07, 2013 12:50 PM
To: Mayor; Council Packet; PW_Uall
Cc: Mayors Staff
Subject: PW/U Newsletter

To: All PW/U Employees, Mayor Beutler, & City Council Members;

The Public Works & Utilities April/May Newsletter is now available for viewing.

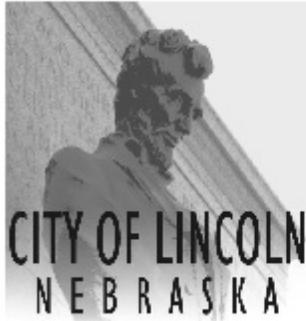
<http://lincoln.ne.gov/city/pworks/docs/newsletter/pdf/2013-04-05.pdf>

The newsletter features the following articles:

- Spring is here!
- Davis to serve as StarTran Transit Manager
- Strong Lincs
- January Mayor's Award of Excellence
- March Mayor's Award of Excellence
- Employee Training & Recognition Event
- Golden Shovel Award
- Platinum Pen Award
- Managing the Cost of Electrical Power
- Summer Water Restrictions Again Possible
- Report Potholes

We hope that you enjoy reading the PWU newsletter and look forward to your comments and any suggestions you may have. Also, please forward to anyone you think would benefit from reading the newsletter.

Sincerely,
The PW/U Marketing Team



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

May 7, 2013

**Citywide Arterial Street Rehabilitation
North 45th Street; R Street - Vine Street
State Project No. LCLC-5228(4) Control No. 13138
City Project No. 540022**

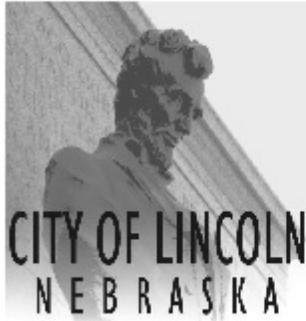
The City of Lincoln proposes to mill and overlay North 45th Street from R Street to Vine Street beginning on May 9, 2013, weather permitting. The existing asphalt pavement will be milled off and overlaid with new asphalt and pavement markings. Pedestrian curb ramps along North 45th Street will be reconstructed to meet ADA standards.

Pavers Inc. will be the contractor. They propose to perform the work under lane closures. Access to driveways will be limited for short durations during the milling and asphalt operations. Pavers may elect to perform the milling and asphalt operations under a total street closure lasting no more than three days. If this should occur, they will coordinate with local businesses and residences to maintain access as much as possible. If a business or residence has a sprinkler system in close proximity to the existing curb ramps they are asked to flag the sprinkler heads to aid the contractor in minimizing damage.

Information on the Lincoln Citywide Street Rehabilitation Project is available on the City's website at www.lincoln.ne.gov (keyword: projects). If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Mike Tidball, Project Manager
Pavers Inc.
(402) 875-1469



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

May 7, 2013

Cornhusker Highway Closure and Detour Project No. 540026

Beginning Monday May 13, 2013, Cornhusker Highway will be closed east of 70th Street to roughly one half mile west of 84th Street. The pavement leading up to the bridges over the BNSF railroad and North Cotner Boulevard is in need of repair. Cornhusker Highway is one lane in each direction at this location and repair of the pavement east of 70th Street will require a road closure. Assuming no unforeseen delays, the contractor will have two weeks to complete this work and open Cornhusker Highway to through traffic by Friday, May 24, 2013. During construction in the area of these bridges, Cornhusker Highway traffic will be routed to these detours:

- Eastbound: South on 70th Street to North Cotner Boulevard, North Cotner Boulevard to Cornhusker Highway
- Westbound: West on North Cotner Boulevard to North 70th Street, North on 70th Street to Cornhusker Highway

For questions regarding the project, please contact City of Lincoln representative:

Devin Biesecker
(402) 937-5515
dbiesecker@lincoln.ne.gov

Mary M. Meyer

Subject: FW: Water Management Policy

Miki:

I have had a number of constituents call or otherwise contact me on the proposed water surcharges if water becomes tight in supply. The main concerns resonate among people who are on tight budgets and already are careful with their water usage. Many also complained at the increases in the service charges that are now equal to or more than their water charge.

As we review the water rates for drought conditions, can we consider:

- (1) a minimal level that does not have increased rates or at least not as high as is proposed? (purpose is to recognize conservation already being followed by many citizens)
- (2) rates that recognize citizens who do respond to the need to use less water and who actually reduce their usage— why penalize them with higher rates, even if this is on fewer units of water?

The overall goal is to ensure adequate water supply. The proposed increased charges are a “penalty” approach, not a “reward” approach. My personal view is that citizens, who demonstrate positive efforts to minimize water usage, should not be “penalized” by higher surcharges, but rather “rewarded” through similar water charges.

We need to keep in mind that sacrifices and extra efforts will be exerted by citizens to assist with the water conservation, which serve as an inconvenience. Why punish these responsible citizens with surcharges. . .they are already being inconvenienced.

Thank you for considering my thoughts (actually those of many citizens).

Best regards,

Jon

JON A. CAMP

**Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307**

**Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001**

**Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com**

“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist](#). [1805-1859](#))

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Tuesday, May 07, 2013 8:47 AM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: ANGELA REILING
Address: 4100 La Salle ST
City: Lincoln, NE 68516

Phone: 402-890-4148

Fax:

Email: njesustrust@yahoo.com

Comment or Question:

take action on the ?Fairness? Ordinance. With the success of the 2012 referendum on the ordinance the Lincoln City Council must repeal or put the ordinance to a public vote. I hope you will uphold the family values that are given to us under God. I pray that our Lord Jesus Christ will convict you to make the right choice.

Mary M. Meyer

From: David Chambers [chambersfam1@gmail.com]
Sent: Wednesday, May 08, 2013 9:48 PM
To: Council Packet
Subject: Claim for tire damage

Dear City Council

My car was damaged by some exposed rebar from a storm sewer opening. Specifically my tire was ruined and had to be replaced on April 3, 2013. I wrote a letter to the city attorney enclosing pictures and a receipt for tire replacement (\$61.19). I received a nice response from Ms. Brownlee, but she is recommending denial of my claim. She states that the claim can't be paid because the street defect wasn't known by the city.

There would be no reason for me or anyone else to notify the city of the exposed rebar until such time as it damaged something. Additionally, the rebar exposure is not something that happened relatively quickly (for instance, like a street pothole developing). This storm sewer opening has obviously been breaking apart for months. I have no doubt that some city workers have observed it while passing by.

I assume Ms. Brownlee will forward my request for your May 13 meeting. Although I won't be present, I would appreciate your consideration of this for me. Thank you!

David Chambers
3100 Raleigh St.
Lincoln

**DIRECTORS' AGENDA
ADDENDUM
MONDAY, MAY 13, 2013**

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS RELEASE. Construction delayed on S. 17th Street.
2. NEWS ADVISORY. Mayor Beutler's public schedule for the week of May 11th through May 17, 2013.

WEST HAYMARKET JOINT PUBIC AGENCY

1. The West Haymarket Joint Public Agency will meet on Thursday, May 16, 2013 at 3:00 p.m. at 555 S. 10th, Council Chambers. Agenda and attachments online.

III. DIRECTORS

HEALTH DEPARTMENT

1. NEWS RELEASE. Household hazardous waste collection scheduled for Saturday, May 18th.

PLANNING DEPARTMENT

1. Lincoln Metropolitan Planning Organization, Technical Committee's meeting agenda for May 16, 2013, 1:30 p.m. at 555 S. 10th Street, Room 113.
2. Historic Preservation Commission meeting agenda for Thursday, May 16, 2013.

PUBLIC WORKS & UTILITIES/ENGINEERING

1. ADVISORY. Citywide Arterial Street Rehabilitation. Rose Parks Way - Westbound closure and detour. State Project No. LCLC-5228(4), Control No. 13138, City Project No. 540022.
2. Street and Traffic Operations Manager, Scott Opfer's reply to Darren Roach on street condition from SW 40th and West Coddington.

IV. COUNCIL MEMBERS

JONATHAN COOK

1. Correspondence from Shirley Condon on the water management plan rate schedule and specifically regarding people using water-cooled air conditioning systems.

V. CORRESPONDENCE FROM CITIZENS

1. Lincoln Electric Administrative Board meeting agenda for Friday, May 17, 2013.

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 901 West Bond, Suite 100, Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: May 9, 2013

FOR MORE INFORMATION: Holly Lionberger, Engineering Services, 402-326-0593

CONSTRUCTION DELAYED ON S. 17TH STREET

Construction planned for S. 17th Street between South and "A" streets has been delayed due to potential changes in the original plans. Work was to begin Monday, May 6.

Near South Neighborhood residents requested incorporating some of the existing stone curb into the project. Because the project is federally funded, any changes made to the plans must be evaluated and approved by the Nebraska Department of Roads and the Federal Highway Administration.

Following a review by the federal agencies, the City will be able to move forward with the project. Public Works and Utilities officials hope for a directive early next week.

The project will include a new concrete base with asphalt overlay and new curb and gutters. The pedestrian curb ramps will be reconstructed to meet ADA standards. The project is part of the citywide arterial street rehabilitation project, which includes work on 13 street segments throughout Lincoln.

For more information on this and other City street projects, visit lincoln.ne.gov (keyword: projects).

Date: May 10, 2013

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler's Public Schedule
Week of May 11 through 17, 2013
Schedule subject to change

Monday, May 13

- Nebraska Mental Health Association annual conference luncheon, remarks - 11:45 a.m., Cornhusker Marriott Hotel, 333 S. 13th St.
- Mayor's Award of Excellence presentation- 3 p.m., City Council Chambers, County-City Building, 555 S. 10th St.
- Mayor's Neighborhood Roundtable meeting - 5:30 p.m., Mayor's Conference Room, County-City Building

Tuesday, May 14

- Mayor's Youth Advisory Council - 4 p.m., room 303, County-City Building
- Mayor's Multicultural Advisory Committee - 4:10 p.m., Mayor's Conference Room

Wednesday, May 15

- Tabitha and The Landing groundbreaking ceremony, remarks and proclamation - 9:30 a.m., The Landing, 3500 Faulkner Dr.

Thursday, May 16

- KFOR - 7:45 a.m.
- News conference, topic to be announced - 10 a.m., room 303, County-City Building
- Seniors Foundation Keystone Award luncheon, remarks - 11:30 a.m., Country Club of Lincoln, 3200 S. 24th St.
- West Haymarket Joint Public Agency (JPA) public meeting - 3 p.m., Council Chambers

Mary M. Meyer

From: Council Packet
Subject: West Haymarket JPA Meeting May 16, 2013

Subject: West Haymarket JPA Meeting May 16, 2013

The West Haymarket Joint Public Agency will meet on Thursday, May 16, 2013 at 3:00 P.M. in the City Council Chambers Room 112.

The agenda and attachments are online at <http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm>

Pam Gadeken
ADMINISTRATIVE AIDE II
CITY PUBLIC WORKS & UTILITIES | 555 So. 10TH, SUITE 203 | LINCOLN, NE 68508
P 402-441-7558 | F 402-441-8609 | pgadeken@lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" St., Lincoln, NE 68510, 402-441-8000

FOR IMMEDIATE RELEASE: May 10, 2013

FOR MORE INFORMATION: Dan N. King, Environmental Health Specialist, 402-441-8084

HOUSEHOLD HAZARDOUS WASTE COLLECTION **SCHEDULED FOR SATURDAY MAY 18**

Lincoln and Lancaster County residents can dispose of unwanted chemicals by bringing them to a household hazardous waste collection from 9 a.m. to 1 p.m. Saturday, May 18 at Zoetis (formerly Pfizer), N.W. 4th St. and Cornhusker Highway. This event is sponsored by the Lincoln-Lancaster County Health Department and is for households only. Business waste will not be accepted.

Accepted items include pesticides, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, items containing mercury, upholstery cleaners, CFLs, grease removers and brake or power steering fluids. A complete list of accepted items is available at lincoln.ne.gov (keyword: household).

Items that **will not** be accepted at the collection, including latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics and batteries. For information on recycling these and other materials check the "Guide to Recycling" at lincoln.ne.gov (keyword: recycle).

In conjunction with this collection, residents can participate in a **Usable Latex Paint Exchange** at EcoStores Nebraska, 530 West "P" St., from 9 a.m. to 2 p.m. Saturday, May 18.

Households (not businesses) can donate paint in cans without rust or leaks. Anyone can take free latex paint from the exchange: homeowners, landlords, churches, schools, child care facilities, organizations and businesses. Donated paint cans must be at least half-full with intact, readable labels. The paint cannot be lumpy when stirred, and should not have been frozen. EcoStores will dispose of non-usable paint for \$2 per can. For more information, contact EcoStores at 402-477-3606.

Residents can also dispose of latex paint by drying it with cat litter, shredded newspaper or waste paint hardener. Dry paint can be disposed of in regular trash with the lid removed.

Household Hazardous Waste Collections are partially funded by a grant from the Nebraska Department of Environmental Quality.



Lincoln Metropolitan Planning Organization

County-City Building
555 South 10th Street - Suite 213
Lincoln, Nebraska 68508
(402) 441-7491

TO: Technical Committee Members
FROM: Miki Esposito, Chairman, Technical Committee
SUBJECT: Technical Committee Meeting

A Technical Committee meeting is scheduled as follows:

DATE: May 16, 2013
TIME: 1:30 p.m. - 3:00 p.m.
PLACE: Conference Room #113
County-City Building

Meeting Agenda:

Roll call and acknowledge the "Nebraska Open Meeting Act"

1. Review and action on the draft minutes of the **April 25, 2013** Technical Committee meeting. *(enclosure)*
2. Review and action on a recommendation regarding **2013 Self-Certification** review that the Transportation Planning Process for the Lincoln Metropolitan Area complies with applicable federal laws and regulations. *(Staff reports enclosed)*
3. Review and action on the *proposed FY 2014-2017 Transportation Improvement Program*. The proposed TIP report is located on the Lincoln MPO web page, www.lincoln.ne.gov/city/plan/mpo/. *(Staff report enclosed)*
4. Review and action on the MPO's *proposed FY 2013-2014 Unified Planning Work Program*. The proposed UPWP report is located on the Lincoln MPO web page, www.lincoln.ne.gov/city/plan/mpo/. *(Staff report enclosed)*
5. Briefing on the FHWA/FTA 2013 Quadrennial TMA Certification Review.
6. Other topics for discussion.

Next MPO Technical Committee Meeting: June 25, 2013

Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **May 16, 2013**. The meeting will convene at **1:30 p.m.** in Room 214 in Development Services Center, 2nd floor, **County-City Building**, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

AGENDA

May 16, 2013

1. Approval of meeting records of joint meeting of UDC/HPC and HPC meeting, both April 18, 2013.
2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

HEARING AND ACTION

3. Change of Zone No. 13006, to designate the Bowman-Cameron House as a Historic Landmark, on property generally located at S. 12th Street and D Street (1201 D Street).
4. Special Permit No. 13014, for historic preservation, for use of a landmark property as a business office and residence, on property generally located at S. 12th Street and D Street (1201 D Street).
5. Certificate of Appropriateness to install a street clock in the North 7th Street right-of-way south of Q Street, in the Haymarket Landmark District.
6. Certificate of Appropriateness for a sign at 733-737 P Street, the 1906 Grainger Warehouse in the Haymarket Landmark District.

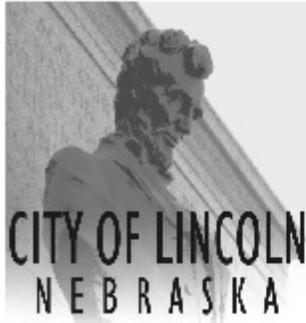
REVIEW AND RECOMMENDATIONS

7. Nomination of Sheldon Museum of Art to National Register of Historic Places.
8. Nomination of Park Manor Historic District to National Register of Historic Places.

DISCUSSION

9. "Focus group" discussion with Sara Hartzall (Planning staff), part of Planning Department's self-evaluation of processes and effectiveness.
10. Staff Report & Misc.

The Historic Preservation Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/bdsc.com/hpc/index.htm>
For further information on Historic Preservation in Lincoln, visit
<http://www.lincoln.ne.gov/city/plan/hist/index.htm>



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

May 9, 2013

**Citywide Arterial Street Rehabilitation
Rosa Parks Way - Westbound Closure and Detour
State Project No. LCLC-5228(4) Control No. 13138
City Project No. 540022**

Beginning at 8:00 a.m. on Tuesday, May 14, 2013, the westbound lanes of Rosa Parks Way will be closed from 9th Street to South Folsom Street. The closure will take place for less than one day. This is necessary to facilitate the removal of concrete pavement as part of the repair and rehabilitation work that is currently being performed.

During the closure the westbound traffic for Rosa Parks Way will be routed using the following detours:

- L Street traffic will detour north on 10th Street to O Street, west on O Street to Highway 77, south on Highway 77 to Rosa Parks Way
- 9th Street traffic will detour south on 9th Street to Van Dorn Street, west on Van Dorn Street to Highway 77, north on Highway 77 to Rosa Parks Way

Information on the Lincoln Citywide Street Rehabilitation Project is available on the City's website at www.lincoln.ne.gov (keyword: projects). If you have questions or comments, please contact the following person:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Mary M. Meyer

From: Scott A. Opfer
Sent: Thursday, May 09, 2013 4:37 PM
To: Council Packet
Cc: Karen K. Sieckmeyer; Melissa M. Ramos-Lammler; Roger A. Figard; Randy W. Hoskins; Bub AF. Edwards; Rick D. Hoppe; Miki Esposito
Subject: RE: InterLinc: Council Feedback

Good Afternoon Mary.

First, let me apologize for the tardiness of my response. It's been one of those weeks. Even though Mr. Roach correctly states that some immediate attention needs to be paid to some pavement and erosion issues. His primary question is when will W. 'A' Street be improved with new pavement and sidewalks. The answer is based upon what the current C.I.P. and the Long Range Transportation Plan include. The current C.I.P. does not have funding for a project on this stretch of W. 'A' Street and the LRTP shows a desire to fund the project sometime between now and the year 2025.

As far as the immediate maintenance type issues. We seem to have an old culvert that is failing and causing a portion of the street to settle. We are attempting to come up with a solution on both how to fix the problem and how to fund the fix to the problem. Once we come up with a potential solution, we will make sure to communicate such, back to the council.

In the mean time, if you or any of the council members should have any questions, please do not hesitate to contact me.

Thank you.

Scott A. Opfer, Manager
Street & Traffic Operations

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

From: Mary M. Meyer On Behalf Of Council Packet
Sent: Wednesday, May 01, 2013 8:23 AM
To: Scott A. Opfer
Subject: FW: InterLinc: Council Feedback

Scott,
Is there an answer to the question below? Please send copy of reply to this office.
Thanking you in advance,
Mary

Mary M. Meyer
Lincoln City Council
555 S. 10th Street
Lincoln, NE 68508

Phone: 402.441.7515
Fax: 402.441. 6533

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

From: WebForm [<mailto:none@lincoln.ne.gov>]
Sent: Wednesday, May 01, 2013 1:45 AM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Darren Roach
Address: 1843 sw 31st
City: Lincoln, NE 68522

Phone: 402-435-0349
Fax:
Email: 1s7r@yahoo.com

Comment or Question:

I would like to know when something is going to be done about west a street from sw 40th and west coddington. the road is poorly maintained and sinking blacktop that just seems to get patched over and over and never gets repaired correctly and now there are barricades up to warn motorists of ground caving in next to the shoulders, also there are no sidewalks connecting neighbor hoods for safety of children and a safe means to get to and from school since bus service is not provided to Roper Elementary

Mary M. Meyer

Subject: Water Management Plan Rate Schedule

Dear Council Member Cook,

I applaud the Lincoln City Council in working with the Public Works and Utilities to find ways to conserve our precious water resources in the event of another extremely dry summer. However, I wish to call attention to an unintended consequence of the proposed Water Shortage rate schedule. Those of us with water-cooled air conditioning systems could be forced to go without air conditioning in our homes this summer due to the extremely high tiered rates which increase after only 8 units.

Many homes built in Lincoln in the 1950's have water-cooled air conditioning; the water circulating through a series of pipes gives off cool air while absorbing heat from the returning air. The heated water is then reused as water for lawn, gardens, wading pools, and other uses. Our electric bills stay low during the summer months, and water that would normally be used for outdoor watering is serving two purposes.

Last summer I obtained a permit to use my air conditioning, but I typically leave my thermostat at 82° or higher. I took this a step further last summer and turned the system off on many of the odd days so I rarely used the permit to water on the "wrong" day. However, the temperature in my upstairs bedroom soon soared to 102°, and the air conditioning system could not compensate for this temperature extreme. I also am at home alone 5-6 days a week (my husband travels during the week), I run the dishwasher once a week if it is full, average around 3 loads of laundry a week, and have some houseplants and two cats. Except for the two summer months, I use an average of 15-18 units a month. I question how the average Lincoln household can use only 9 units a month. I do not want to be priced out of using my air conditioner this summer.

Please consider this in any action taken on the matter of possible emergency water management this summer.

Sincerely,

Shirley Condon, Lincolnite for the past 38 years.

4334 B Street

Lincoln, Ne 68510





1040 O Street, P.O. Box 80869
Lincoln, NE 68501-0869

AGENDA
LES ADMINISTRATIVE BOARD
Friday, May 17, 2013 – 9:30 A.M.
LES Board Room
1040 “O” Street

9:30 A.M.

- 1. Call to Order**
- 2. Approval of Minutes of the March 15, 2013 and April 19, 2013 Regular Meetings of the LES Administrative Board**
- 3. Comments from Customers**
- 4. Committee Reports**
 - A. Operations & Power Supply Committee
 - *1. Authorization to Negotiate and Contract for Additional Wind Power Resources – LES Resolution 2013-5
 - B. Budget & Rates Committee
 - C. Finance & Audit Committee
 - *1. Approval of 2013 Preliminary Official Statement – LES Resolution 2013-6
- 5. Administrator & CEO Reports**
 - A. Report to Rating Agencies
 - B. 2012 Annual Report
 - C. State Legislative Report
- 6. Chief Operating Officer’s Reports**
 - A. Transmission Projects Update
 - B. Sustainable Energy Program (SEP) Update
- 7. *Executive Session – Administrator and CEO Performance Review – LES Resolution 2013-7**
- 8. Other Business**
 - A. Monthly Financial and Power Supply Reports
 - B. Miscellaneous Information
- 9. Adjournment**

*** Denotes Action Items**

Next Regular Administrative Board meeting Friday, June 21, 2013.

MINUTES
DIRECTORS' MEETING
MONDAY, MAY 13, 2013

Present: Jon Camp, Vice Chair; Gene Carroll; Jonathan Cook; Doug Emery; Lloyd Hinkley; and DiAnna Schimek

Absent: Carl Eskridge, Chair

Others: Teresa Meier, City Clerk; Rick Hoppe, Chief of Staff; Lynn Johnson, Parks and Recreation Director; Miki Esposito, Public Works & Utilities Director; Fred Hoke, Development Services Center Manager; and Mary Meyer, Council Secretary (2:04 p.m.)

Vice Chair Camp opened the meeting at 2:00 p.m. and announced the location of the Open Meetings Act.

I. CITY CLERK

(Recording Secretary not in attendance at this time)

II. MAYOR

1. NEWS RELEASE. Report tracks discrimination complaints.
2. Memo from Rick Hoppe, Mayor's Chief of Staff, regarding water management and drought rates. (Distributed to Council Members on May 6, 2013 before meeting)
3. NEWS RELEASE. Part of Cornhusker Highway to close Monday.
4. NEWS RELEASE. Public invited to meet new StarTran Transit Manager.

No comments

Hoke, Hoppe, Confer, and Cook in discussion when secretary arrived. Cook suggested to introduce new when the time comes, and you can pick the time rather picking four weeks out and then adjusting if not ready. Hoppe thought that would be perfect. We respect your authority. Hoke will speak at today's meeting, and ask you to withdraw. Then will bring a new version in several weeks.

III. DIRECTORS CORRESPONDENCE

DEVELOPMENT SERVICES CENTER

1. Director Fred Hoke's memo on Fire Suppression Board background.
 - a) Fire Suppression System Ordinance.
2. Councilman Jon Camp's reply and comments to Fred Hoke on the Fire Suppression proposed legislation.
3. Councilman Doug Emery's comments to Fred Hoke on the Fire Suppression proposed legislation.

No comments

PARKS AND RECREATION DEPARTMENT

1. Parks & Recreation Advisory Board minutes from meeting on April 11, 2013.

No comments

PLANNING DEPARTMENT

1. Administrative Amendment No. 12022 approved by the Planning Director on May 3, 2013.
2. Invitation to Lincoln-Lancaster County Planning Commission Briefing: "Removing Barriers and Making Places". Wednesday, May 15, 2013.

No comments

PUBLIC WORKS & UTILITIES

1. Public Works & Utilities April/May Newsletter now available. Link to access listed.

No comments

PUBLIC WORKS & UTILITIES/ENGINEERING

1. ADVISORY. Citywide Arterial Street Rehabilitation. North 45th Street; R Street - Vine Street. State Project No. LCLC-5228(4), Control No. 13138, City Project No. 540022.

2. ADVISORY. Cornhusker Highway Closure and Detour. Project No. 540026.

No comments

IV. COUNCIL MEMBERS

JON CAMP

1. Councilman Camp's correspondence to Miki Esposito, Director of Public Works & Utilities, on the water management policy.

No comments

Jon Camp asked Esposito if she would comment on water rates. We have the third reading ordinance today on the water shortage procedures. Comments to share? Esposito stated she hasn't heard a lot but will say the reflections we hear at public hearings match what you'll hear from a lot of people today. Heard they hoped there would be a public hearing, a good element. Also, today ready with our consultant from HDR who will do a PowerPoint presentation and educate the public. Not intended just to reach Council members on what the rates, but trying to reach the public better as we put them on the option. Looking forward to a spirited discussion.

Camp asked if the PowerPoint similar to what Council has seen before? Esposito replied, exactly and probably lengthy to explain. Camp asked how lengthy? Esposito answered around 15 to 20 minutes. Emery added only problematic in that we don't give anyone else this length of time to discuss. Esposito stated they can try to shorten, but it is a huge public issue and want to make sure people totally understand the rate structure.

Camp stated it may help those who testify but as Councilman Emery stated, helps anytime you can keep simple. Esposito stated it is more complex and we want to make sure people really understand how the rates work. Also, new Council Members maybe listening and it is important to educate them as well. We're cautioning on the side of taking a longer time.

Emery added he doesn't disagree, but what if someone wants eight minutes to argue the other side? How are you going to stop this person as you let your group, the pro-side, take the time? Hoppe thought we regarded introductions a little different, in that we took time to explain. Emery commented we have let people go longer, not sure about letting someone go four times as long. Esposito understood staff could present and take the time.

Hinkley stated people with water cooled air-conditioning who water their lawn with the discharge water, heard your department supplies them with a sign. Esposito responded there's two parts. One, following the Management Plan, water cooled air-conditioning able to get a permit through Building and Safety or DSC and a sign which they put in their window which states, authorized water use. Think the question might be on drought conditions. How they are impacted? We know how to permit, and how to enforce if we have to, but we have the constituent's question and working on an answer. Cook asked

if this is the same constituent who also wrote him? Replies of yes. Cook thinks everyone should see the responses. Esposito commented working on an answer for everyone. Do you want by the time of public hearing? If so, we'll try or if you prefer an email? Schimek stated email is fine. Cook added Council votes on today, and is there a change to rate structure to accommodate water cooled air-conditioners? Will have to be worked out administratively and let the constituent know. In time if an adjustment is needed could come back with a small tweak.

Camp commented it's the time of year we hear of parks maintenance. Johnson stated there are a couple reasons for conditions. The ground last year produced less grass, resulting in less competition for the weeds, and because it was so dry we didn't use lots of herbicides as it wouldn't have produced good reactions. We're going to have a lot of dandelions this spring. Camp added he noticed it was bad at Holmes Park, not only on city property, and mediums, but also on residents properties. What is the policy to let people know about conditions? Johnson replied Parks know this is going to be a bad year for weeds. We do not spray with herbicides now unless it's a really bad situation. We'll mow everything by Memorial Day weekend which hopefully will take care of some of the problem, but grass grows incredibly fast now. We may want a news release letting people know weeds are a challenging problem this year. We'll watch and target specific places for the fall. Now beginning some over seeding. Last fall we didn't know what moisture we would receive. A catch 22 situation. Camp added weeds are very bad on Normal Boulevard as a patrol officer, in a cruiser, had to move across to see the cars.

Jonathan Cook stated he received a call from a constituent regarding the traffic signals on the Antelope Valley road, and mentioned to see if there had been any new analysis? Esposito replied, not yet.

V. CORRESPONDENCE FROM CITIZENS

1. InterLinc correspondence from Angela Reiling. The City Council must repeal or put the Fairness Ordinance to a public vote.
 2. Correspondence from David Chambers asking for consideration of his tire claim.
- No comments

VI. ADJOURNMENT

Vice Chair Camp adjourned the meeting at 2:15 p.m.