

DIRECTORS' MEETING

JULY 14, 2014

555 S. 10TH STREET

BILL LUXFORD STUDIO

2:00 P.M.

I. CITY CLERK

II. MAYOR

1. NEWS RELEASE. "P" Street reduced to one lane during some July days.
2. NEWS RELEASE. Public hearing on Cable TV Service set for July 16.
3. NEWS ADVISORY. Uncle Same Jam 2014 begins at 1 p.m., Thursday, July 3rd at Oak Lake Park. (Distributed week of June 30th)
4. NEWS RELEASE. 10th Street bridge repair starts Tuesday.
5. NEWS ADVISORY. Mayor Beutler's public schedule for the week of July 4th through July 11, 2014.
6. NEWS RELEASE. "O" Street work may cause traffic delays.
7. NEWS RELEASE. Public invited to groundbreaking for final phase of Jamaica North Trail.
8. NEWS ADVISORY. Mayor Beutler has planned two media events for Friday, July 11th.

III. DIRECTORS CORRESPONDENCE

HEALTH DEPARTMENT

1. NEWS RELEASE. Health advisory issued due to fireworks smoke. (Distributed week of June 30th)

PARKS AND RECREATION DEPARTMENT

1. Parks and Recreation Advisory Board meeting agenda for July 10, 2014.
 - a) Parks and Recreation Advisory Board meeting minutes of June 12, 2014.
 - b) Legal framework regarding Classification and Sale of Park Land.

PLANNING COMMISSION

1. Action by the Planning Commission, July 9, 2014.

PLANNING DEPARTMENT

1. Map showing the adjustments to the City limits in accordance with annexation Ordinance 20034.
2. Administrative Amendment No. 14036 approved by the Planning Director on June 25, 2014.
3. Historic Preservation Commission meeting agenda for July 10, 2014.
4. Administrative Amendment No. 14031 approved by the Planning Director on July 1, 2014.
5. Memorandum from David Cary, Long Range Planning Manager, on reFORM proposals for design standards in commercial centers with attached links for viewing and comments.

PUBLIC WORKS AND UTILITIES/ENGINEERING

1. ADVISORY. P Street Streetscape, 11th Street to Centennial Mall. City Project No. 2013001/T.C. #701136.

IV. COUNCIL MEMBERS

JON CAMP

1. Thank you from Bonnie and Charlie Huff on completion of their claim.

2. Gerald Hood suggesting affordable fees for library users.
 - a) Reply to Mr. Hood with thoughts on card fees and cyber library changes.
3. Lauren Davis urging a vote against Resolution PC01400, placing apartments at Holmes Park Road and Sherman Street.
4. Thomas Drapac correspondence regarding celebrating Independence Day on July 4th.
 - a) Reply to Thomas Drapac from Councilman Camp who explained and will share his concerns.
5. Barbara J. Johnson requesting a no vote on the Chateau Development in Van Dorn Meadows.
6. Mary Betten's correspondence on privately owned July 4th fireworks noise and fire worries.
 - a) Reply to Mary Betten regarding fireworks and the effects on citizens.
7. Connie Johnson requesting assistance from Councilmen Camp and Emery on damage to her vehicle caused by driving in a pothole.
 - a) Reply to Connie Johnson regarding her claim.
 - b) Note from Marcee Brownlee, Assistant City Attorney, with claim attachments.
 1. Paperwork filed for claim against the City of Lincoln by Connie Johnson.
 2. Public Works and Utilities report on Johnson claim.
 3. Denial letter sent to Connie Johnson on the claim of damage to her vehicle as a result of a pothole.
 - c) Correspondence between Councilman Camp and Connie Johnson, who gave some explanation of driving conditions.

V. CORRESPONDENCE FROM CITIZENS

1. Virginia K. Wright writing in support of the proposed project for low-income housing in Southeast Lincoln.
2. Roger Cognard's correspondence in opposition to the Chateau Development at Holmes Park Road and Sherman Street
3. Susan Brooks asking Council to say no to the proposed Chateau apartments in Fox Hollow.
4. Susan SeLay interlinc correspondence. Lincoln's wheel tax is out of line. Other counties do not have, and all the higher taxes distracts people from wanting to move here.
5. Scott Anderson, Anderson Homes, Inc., writing regarding the surplus property on 84th Street, near the city's water tower, which the Housing Authority has proposed building on.
 - a) Map of discussed location.
6. Telephone messages from constituents: Twila Wilson objects to any raise in the sales tax, giving reasons; and Betty Place stating she heard the City may name a public property after Dick Cheney, which she thoroughly opposes.

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

FOR IMMEDIATE RELEASE: July 1, 2014

FOR MORE INFORMATION: Zach Becker, Engineering Services, 402-613-3763

“P” STREET REDUCED TO ONE LANE
DURING SOME JULY DAYS

During the weeks of July 7, 14 and 21, traffic on “P” Street from 11th Street to Centennial Mall will be reduced to one lane of traffic during daytime, off-peak hours. The lane restrictions are expected to take place Mondays through Wednesdays of those weeks. The closures will allow for asphalt patching and the installation of permanent pavement markings as part of the streetscape project.

All businesses will remain open and accessible to customers, although some on-street parking may be temporarily unavailable. The public is encouraged to pay attention to signs and barricades to help maintain a safe work zone.

The “P” Street District project area is between 11th Street and Centennial Mall and on the east side of 14th Street between “O” and “Q” streets. The project includes a total redesign of the streetscape, parking and rights-of-way incorporating specialized lighting, plants and public spaces. More information is available at lincoln.ne.gov (keyword: pstreet).

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 1, 2014

FOR MORE INFORMATION: Steve Huggenberger, Asst. City Attorney, 402-441-7286
Ed Hoffman, Telecomm/Cable Board Chair, 402-477-2233

PUBLIC HEARING ON CABLE TV SERVICE SET FOR JULY 16

The Telecommunications/Cable Television Advisory Board will hold a public hearing on Time Warner Cable service from 5 to 7 p.m. Wednesday, July 16, 2014 in the City Council Chambers, 555 South 10th Street. The City is conducting a performance evaluation as part of a request to transfer the City cable television franchise agreement from Time Warner to Comcast Corporation. Time Warner has a non-exclusive franchise agreement with the City of Lincoln.

Those who wish to speak at the hearing will be required to sign in, and public testimony will be limited to five minutes (not including board questions). The sign-in will begin at 4:30 p.m., and the hearing will be extended past 7 p.m. if necessary to accommodate all testimony. The hearing will be cablecast live on 5 CITY-TV, the government access cable channel, and streamed live at lincoln.ne.gov.

In addition to the public hearing, citizens may comment in the following ways:

- E-mail: cic@lincoln.ne.gov
- Fax: 402-441-7120
- Mail: Time Warner Comments, Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508

Members of the Telecommunications/Cable Television Advisory Board are appointed by the Mayor and approved by the City Council. The board advises the Mayor and City Council on general telecommunication policy issues, including those related to cable television. The 11-member board meets quarterly, and all meetings are open to the public. More information on the board is available at lincoln.ne.gov (keyword: cable).

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ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

OFFICE OF THE MAYOR

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

DATE: July 2, 2014

FOR MORE INFORMATION: David Norris, Citizen Information Center (CIC)
work: 402-441-7547, cell 402-540-2780

“Uncle Sam Jam 2014,” the City’s official Independence Day celebration, begins at 1 p.m. **Thursday, July 3 at Oak Lake Park** in the area of Charleston Street and Sun Valley Blvd. The celebration culminates with the Zambelli Fireworks display at 10 p.m.

Family activities and kids’ games begin at 1 p.m. The celebration features a performance by the Wheezetones from 6:15 to 9:30 p.m.

Dave Norris of CIC is the City contact at the park. He can be reached via cell phone at 402-540-2780.

For more information on the celebration, visit the City website at lincoln.ne.gov (keyword: uncle sam jam).

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 949 West Bond., Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: July 2, 2014

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

10TH STREET BRIDGE REPAIR STARTS TUESDAY

Beginning Tuesday, 10th Street will close to all traffic from north of “T” Street to south of Charleston Street for bridge repair. Cramer and Associates, the project contractor, will be working on the two expansion joints on the 10th Street Bridge over the BNSF railroad tracks near 10th Street and Charleston Street.

The work is expected to take two weeks to complete. During construction, traffic will be rerouted using Salt Creek Roadway, 14th Street and Cornhusker Highway.

For more information on City street construction and rehabilitation projects, visit the City website at lincoln.ne.gov (keyword: street projects).

Date: July 3, 2014

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

Mayor Beutler's Public Schedule
Week of July 4 through 11, 2014
Schedule subject to change

Friday, July 4

CITY OFFICES CLOSED - INDEPENDENCE DAY HOLIDAY

Tuesday, July 8

- Downtown Rotary Club #14 hosting new Rotary International president, remarks and medallion presentation - 11:30 a.m., Nebraska Club, U.S. Bank Building, 233 S. 13th St.

Wednesday, July 9

- American Historical Society of Germans from Russia convention, remarks - 7 p.m., Cornhusker Marriott Hotel, 333 S. 13th St.

Friday, July 11

- Groundbreaking ceremony for Jamaica North Trail, remarks - 4:30 p.m., 4th and "A" streets

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 949 West Bond., Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: July 8, 2014

FOR MORE INFORMATION: Harry Kroos, Engineering Services, 402-429-4872

“O” STREET WORK MAY CAUSE TRAFFIC DELAYS

Maintenance work on “O” Street from 45th Street to Wedgewood Drive may cause traffic delays for motorists for the rest of July and early August. The contractor will be pressure cleaning and sealing the concrete surface of the roadway. Single lane closures will be required with most of the work done during the late evening and overnight hours to help minimize traffic disruptions.

The equipment used to clean the street will be in the driving lanes moving at a maximum speed of five mph. Motorists’ patience is greatly appreciated during the maintenance project.

The contractor will schedule the sealing work after the surface has been cleaned and allowed to dry. The application of the sealer will require lane closures for up to eight hours.

Caspers Construction is the contractor. The project is funded with State highway maintenance funds through the Nebraska Department of Roads.

More information on City construction projects is available at lincoln.ne.gov (keyword: projects).

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 9, 2014

FOR MORE INFORMATION: Terry Genrich, Parks and Recreation, 402-441-7939

**PUBLIC INVITED TO GROUNDBREAKING FOR
FINAL PHASE OF JAMAICA NORTH TRAIL**

The public is invited to celebrate the groundbreaking for the final phase of the Jamaica North Trail in southwest Lincoln at 4:30 p.m. Friday, July 11 at 4th and “A” streets. The trail will be 8.5 miles long when completed and is named for its starting point, the historic Jamaica town site south of Saltillo Road.

The Jamaica North Trail is bordered by Wilderness Park, which is owned by Lancaster County and managed by the City of Lincoln. The Union Pacific donated a significant part of the former railroad corridor when the City acquired it for the trail in 2002. The first phase from one-half mile south of Saltillo to Calvert was completed in 2004. The second phase from “A” to “J” streets was completed in 2008. The final phase from Calvert to “A” streets will link those two sections to provide the final connection for the trail.

When completed, the trail will eventually connect with the “N” Street protected bikeway and the trails around Pinnacle Bank Arena. The Jamaica North Trail connects with the Homestead Trail on the south. This trail also will complete a connection with the Bison Trail to Pioneers Park.

“This important project, which has spanned three Mayoral administrations, is a testament to persistence, hard work and community spirit,” said Mayor Beutler, who will speak at the groundbreaking. “The Great Plains Trail Network (GPTN) and the rest of the biking community have again stepped up to help raise the funds to make our outstanding trail system even better. I want to thank Union Pacific, GPTN, Lancaster County and all the other donors and partners who have made this project possible.”

The final phase of construction will cost about \$698,491. The project is federally funded with 20-percent matching funds from the GPTN. Construction is expected to begin in August and be completed by the end of October.

More information on Lincoln’s trail network is available at parks.lincoln.ne.gov.

OFFICE OF THE MAYOR

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

DATE: July 10, 2014

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

Mayor Chris Beutler has two media events planned for **Friday, July 11:**

- The Mayor will brief the media on his proposed City budget for 2014-2016 at **10 a.m.** in the **Mayor's Conference Room, third floor of the County-City Building, 555 S. 10th St..**

Those attending the July 11 briefing must agree to delay reporting the budget information until 12:01 a.m. Sunday, July 13.

The Mayor will present his budget to the City Council at 1 p.m. Monday, July 14 in the City Council Chambers.

- The Mayor will speak at a public groundbreaking ceremony for the final phase of the Jamaica North Trail at **4:30 p.m.** at **4th and "A" streets.**



NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

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

FOR IMMEDIATE RELEASE: July 1, 2014

FOR MORE INFORMATION: Chris Schroeder, Health Department, 402-441-6272

HEALTH ADVISORY ISSUED DUE TO FIREWORKS SMOKE

The Lincoln-Lancaster County Health Department (LLCHD) today issued a Health Advisory for people with heart disease, asthma or other respiratory conditions like COPD due to high levels of smoke from fireworks.

In recent years, LLCHD has found high levels of particulate air pollution from the night of July 3 through the morning of July 5, resulting in the Air Quality Index (AQI) level of "Unhealthy for Sensitive Groups." Fireworks may be used in the City of Lincoln from 8 a.m. to 11 p.m. July 3 and 8 a.m. to 11:59 p.m. July 4.

"The young, the elderly and others at risk should avoid extensive physical activity outdoors or remain indoors with windows and doors closed," said Chris Schroeder, LLCHD Air Quality Program Supervisor. "Those who experience health effects should consult their doctor."

Schroeder said fine particle pollution is so small that it can get deep into the lungs and enter the blood stream, causing serious health problems. He said most people will not be affected, but warned that even a few hours of exposure to high levels of particles may aggravate lung disease, cause asthma attacks and acute bronchitis, and increase the chances of respiratory infection. For people with heart disease, short-term exposures to high levels of particle pollution have been linked to angina, heart attacks and arrhythmia.

LLCHD monitors air quality 24 hours a day. The AQI for Lincoln is updated daily and can be found at lincoln.ne.gov (keyword: air). Residents are encouraged to check the AQI the next few days before doing any strenuous activities outside.

For more information, visit health.lincoln.ne.gov.

NOTICE OF ADVISORY BOARD MEETING

TO: Parks and Recreation Advisory Board, Mayor, City Council, City Clerk, Media
FROM: Lynn Johnson, Director, Lincoln Parks & Recreation Department
MEETING DATE: July 10, 2014
LOCATION: 2740 "A" Street – Parks & Recreation Dept. (Large Conference Room)
TIME: 4:00 – 5:30 p.m.
CHAIR: Peter Levitov

A G E N D A

1. **Call to Order and Recognition of 'Open Meetings Act'**
2. **Approval of Minutes:** * June 12, 2014
3. **Comments from Public for Items Not Listed on the Agenda**
4. **Committee Reports:**
 - A. **Futures Committee – Bob Ripley (Chair) 471-0419 or 488-5131**
 - Presentation regarding legal parameters associated with classification, use, and sale of public park land (see attached memo).
 - Discussion regarding development of a guideline on sale of transfer of park land with possible referral to Futures Committee.
 - B. **Fees & Facilities Committee – Susan Deitchler (Chair) 488-4224**
 - * Recommendation regarding declaring the northwest portion of Jensen Park as surplus for purchase by Lincoln Public Schools for a middle school site.
 - C. **Golf Committee – Brad Brandt (Chair) – 402-473-9619**
 - No report. Golf committee will be meeting on July 31, 2014.
 - D. **Executive Committee – Peter Levitov (Chair) 402-488-2742**
 - No report.
5. **Staff Report**
 - Report regarding proposed naming of the civic plaza at 13th & P Streets as Lincoln Community Foundation Tower Square.
 - Haul route for dredge material from Wedgewood Lake through Seacrest Park.
6. **Announcements:**
 - Jamaica North Trail Groundbreaking Ceremony, 4th & A Streets – Friday, July 11, 2014, 4:30 p.m.
 - Joint Meeting & "Tour" with Lincoln Parks Foundation Board – Thursday, August 14, 2014, 4:00 p.m.

*** Denotes Action Items**

ACCOMMODATION NOTICE

Lincoln Commission on HUMAN RIGHTS

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MINUTES

Parks & Recreation Advisory Board Meeting

Parks & Recreation Conference Room

Thursday, June 12, 2014 ~ 4:00 p.m.

Members Present:

Bradley Brandt	Jonathan Cook	Jim Crook	Susan Deitchler
Todd Fitzgerald	Emily Graul	Peter Levitov	Kelly O'Hanlon
Sherrie Nelson	Anne Pagel	Bob Ripley	Kathi Wieskamp

Members Absent:

Justin Carlson	Larry Hudkins	Jeff Schwebke	Joe Tidball
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Staff Members Present:

Lynn Johnson, Director	Jerry Shorney, Park Operations
Terry Genrich, Outdoor Education	Nicole Fleck-Tooze, Special Projects Adm.
JJ Yost, Planning	Dan Payzant, Summer Day Camps

Call to Order & Recognition of 'Open Meetings Act': As per law, Chairman Peter Levitov announced that the Board follows the regulations of the Open Meetings Act, as posted, and called the meeting to order.

New Member Introduction:

Sherrie Nelson and Emily Graul were introduced as new members. Sherrie has also served on the Municipal Golf Advisory Council and replaces the vacant seat of Molly Brummond. Emily attends Southeast High School and is a new Student Member on the board. Attendees also introduced themselves and welcomed the new Board members.

APPROVAL OF MINUTES:** A motion was made by Bob Ripley and seconded by Brad Brandt to approve the minutes of the May 8, 2014 meeting as presented. A motion was then made by Susan Deitchler and seconded by Jim Crook to approve the minutes of the June 5, 2014 Special meeting, correcting Anne Pagel as absent rather than present at the meeting. ***Both motions were 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

No Report.

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

No Report.

- **Golf Report** – Brad Brandt (Chair) 473-9619

Brad informed the Board that there were several new committee members, with a review of the past year. Two items of discussion at the meeting were the Marshalling Program and the Handicap Flag Policy. The Marshalling Program will be spearheaded by the Pro's, with a proposal to be submitted to Lynn Johnson for further review. Prior to implementation of such

program, the policy will be entirely communicated to the Pro's, clubhouse staff, and maintenance staff so that all are fully informed. More information will be provided to the Board prior to implementation.

Jonathan Cook noted that Council members Carl Eskridge and Doug Emery have requested to be included in distribution of minutes or reports from the Golf Committee meetings on a regular basis. Particular interest is in the Marshalling Program.

Brad brought forward a copy of the Golf Cart Handicap Flags (attached to official minutes on record) as proposed by the Golf Advisory Committee, bringing attention to the bulleted points regarding where these carts can and cannot be driven, which was discussed in length by the Committee. The motion from Brad Brandt on behalf of the Golf Advisory Committee to approve the guidelines as presented regarding the use of golf cart handicap flags was seconded by Anne Pagel. Additional information was provided regarding where the carts would be allowed and more specifics of how the policy would work. It was also noted that this is a new written policy so that the practice of handicap flag use is formalized and consistent at all City courses. ***Motion was approved by unanimous vote of members present.***

- **Executive Committee – Peter Levitov (Chair) 488-2742**

Peter reported that the Executive Committee suggests the annual joint meeting with the Lincoln Parks Foundation Board of Directors be held on Thursday, August 14th, at 4:00 p.m. A site visit location is yet to be determined, and will follow a brief Board meeting.

One student member appointment has been made (Emily Graul), with a second nomination made by the Executive Committee and final appointment for approval.

STAFF REPORT:

Lynn Johnson introduced Dan Payzant, the neighborhood center supervisor at Irving Rec Center. Dan has compiled and tracked survey results from program participants in the different day programs, specifically with the Summer Day Camps. An area being concentrated on currently is providing more nutrition literacy into rec programs, and meeting health and physical activity standards provided by the National Recreation and Park Association. Dan provided a PowerPoint presentation (attached to official minutes on record) showing local statistical data from participants and parents/caregivers of the recreation programs.

Todd Fitzgerald left at 5:00 p.m.

Kathi Wieskamp reported on the brainstorming meeting from the newly appointed Recreation Subcommittee, noting that there are a wide variety of programs supported by different groups and organizations, which is something that should be explored and compiled. Terry Genrich added that "Playful City" requires a committee, which could be a subcommittee of the PRAB. This would be considered a working committee which will meet on an as-needed basis. Lynn Johnson also reported that Lincoln has been named as a "Playful City" by KaBOOM!, which was discussed by Board members at a previous meeting.

The most recently updated list of public art inventory valued \$10,000 or more (attached to official minutes on record) was provided to the Board as informational. Also distributed to members was a summary of the 10-Year Facilities Plan adopted by the PRAB in December.

ANNOUNCEMENTS:

Terry Genrich reminded attendees of the Beer, Brats, and Bees event to be held at Pioneer Park Nature Center on Friday, with a very good turnout expected.

Lynn provided a recap of the "Reflection" dedication that was held on June 6th went very well, with 17 members and four generations of the Supp family in attendance. The piece was displayed in New York City a year ago, and is now in its permanent location.

WaterFest at Holmes Park on June 7th was extremely well attended. The event is biannual and is co-sponsored by Parks & Recreation and Public Works Departments.

Party In The Parks at Union Plaza will be held on June 14th, and will include the second annual duck race in the channel.

Peter Levitov also reminded that Thursday evenings during the summer at Stransky Park, concerts are held hosting various artists, which this year is sponsored by KZUM.

Meeting was adjourned at 5:20 p.m.

Memorandum

July 3, 2014

TO: Parks and Recreation Advisory Board

FR: Lynn Johnson

RE: Legal Framework regarding Classification and Sale of Park Land

The purpose of this memo is to provide information to the Parks and Recreation Advisory Board regarding classification and sale of park land.

Categorization of Land Used for Public Park Purposes

The legal categorization of land owned by the City of Lincoln and used for parks and recreation purposes can be segregated into two categories as follows:

1. Publicly owned land that is or has been used for park purposes; and
2. Publicly owned land that has been formally dedicated as park land in perpetuity.

It should be noted that this discussion specifically does not include former railroad corridors that have been acquired and converted to trail use.

Dedication of Public Park Land

Public land may be dedicated to public park use in perpetuity by affirmative action of the City, usually at the time of acquisition of the land.

Some methods of park dedication include:

- **Common law dedication** is devotion of land to public park use by an unequivocal act of the owner that the land be used presently and in the future for public park use, and acceptance by the City.
- **Acceptance of land specifically gifted for park use** and then dedicated to use for park purposes by the City.
- **Acceptance or purchase of land with deed restrictions** that it be dedicated to parks and recreation use.
- **Purchase of land with bond proceeds** where a bond was issued for the purchase of park property.
- **Recording dedication of park land on a plat** through subdivision (affirmed by Nebraska Revised Statute 17-417)

*Note that acquisition of land using general funds followed by use of the land for park purposes does not constitute dedication under Nebraska case law.

Sale of Public Land, including Park Land

Nebraska Revised Statute 16-201(3) allows first class cities "to sell and convey, exchange, or lease any real or personal property owned by the city, including park land, in such manner and upon such terms and conditions as may be deemed in the best interests of the city." State statute is presently silent on the ability of the City of Lincoln as a primary class city to sell park land. However, it appears that the City of Lincoln likely has the ability to sell, convey or lease public land that has been previously used for park purposes but has ceased to be used by the public and is determined by the City Council to be in excess of public need (i.e., surplus property). Dedicated park land cannot be sold or ownership transferred.

Nebraska Revised Statute 79-10,108 states that a city may convey dedicated parkland or land used as a public park to a school district. The City Council must make a determination by resolution that such land is "no longer necessary or desirable for use as a public park."

Article II, Section 2 of the Charter for the City of Lincoln allows sale, conveyance, exchange, or lease of real property as “deemed in the best interest of the city.” Sale of property having a market value of greater than \$10,000 must be approved by ordinance of the City Council.

Article IX-B, Section 12 of the Charter for the City of Lincoln states that the net proceeds of sale or exchange of real estate is to be credited to the Advance Acquisition Fund to be used for future purchases of real estate for public purposes. The Parks and Recreation Department has a designated fund within the Advance Acquisition Fund for purchase of park land. Any real estate acquired through the Advance Acquisition Fund may be sold or otherwise disposed of if the City Council determines by resolution that the land is not needed for a public purpose of the city.

Mayoral Administrative Regulation No. 2 establishes standard procedures for acquisition of real property, acceptance of donation and dedications of real property, and sale of surplus real property by the City. Dedicated park land is not to be sold. Sale of surplus public land is administered by the Urban Development Department. The process involves notifying other City departments, public agencies, and the general public regarding the intent to offer potential surplus property for sale. Property intended to be declared surplus is to be reviewed by the Planning Commission for conformity with the Comprehensive Plan. Property is formally declared as surplus to the needs of the City for public use by ordinance of the City Council. The value of real property declared as surplus and offered for sale is to be determined by an appraisal of the fair market value of the property. Approval of a purchase and sale agreement is approved by Executive Order of the Mayor for real property with a value of \$10,000 or less, or by ordinance of the City Council for property with a value greater than \$10,000.

Federal Protection of Local Park Land

The Federal Transportation Act of 1966 Section 4(f) requires review of potential impacts to public parks and recreation areas if a project involves Federal transportation funding. Park areas must be determined to be of local significance, publicly owned and open to the public. If a determination of de minimus impact (negligible) is not found, additional review is required. The first objective is to identify an approach that avoids impact. If there is no feasible and prudent way to avoid impact, the approach must result in the least overall harm and may involve mitigation.

The Federal Land and Water Conservation Fund Act of 1965 established grant funds for assistance in planning, acquiring and developing land for outdoor recreation. Use and distribution of Land and Water Conservation Fund (LWCF) grant funds are administered by the Nebraska Game and Parks Commission (NGPC) and the National Park Service (NPS). LWCF grants have been used in acquisition and development of 26 park areas in Lincoln. Acceptance of LWCF grant funding includes a stipulation that sites acquired or developed using these Federal grant funds be maintained in public outdoor recreation use, unless approved by the NGPC and the NPS. Sale of park land where LWCF grant funds were used in acquisition or development must be approved by the NGPC and the NPS and requires replacement of land on a value for value basis as determined by fair market appraisals. The process also requires an environmental review and public comment period.

**** ACTION BY PLANNING COMMISSION ****
July 9, 2014

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, July 9, 2014, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln City/Lancaster County Planning Commission will meet on Wednesday, July 9, 2014, immediately following their regular meeting, in Room 113 of the County-City Building, 555 South 10th Street, Lincoln Nebraska, for a briefing on "reFORM Update".

****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 or County Board by filing a Notice of Appeal with the City Clerk or County 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, JULY 9, 2014

[All members present]

Approval of minutes of the regular meeting held June 25, 2014 ****APPROVED: 7-0 (Corr and Lust abstained)****

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

COMPREHENSIVE PLAN:

- 1.1 Comprehensive Plan Conformance No. 14013 to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Lincoln Center Redevelopment Plan to create the "P Street East Redevelopment Project" area, located between Centennial Mall and N. 17th Street along P Street in Downtown Lincoln, including the east-west alley between N. 16th Street and N. 17th Street and rights-of-way of P Street, N. 16th Street and N. 17th Street. The Lincoln Center Redevelopment Plan area is generally bounded by Salt Creek, Interstate 180 and "R" Street on the north, 17th Street on the east, "G" Street on the south and Salt Creek, 2nd Street and Sun Valley Boulevard on the west, Lincoln, Lancaster County, Nebraska.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 9-0.
Public Hearing before City Council tentatively scheduled for Monday, August 4, 2014, 3:00 p.m.

2. **REQUESTS FOR DEFERRAL: None.**

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

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

COMPREHENSIVE PLAN:

- Page 13 4.1 Comprehensive Plan Amendment No. 14004, to amend the 2040 Lincoln-Lancaster County Comprehensive Plan, by changing the Future Land Use Plan designation from "Residential-Urban Density" to "Commercial" on property generally located in the Rokeby Road and South 84th Street area; from "Commercial" to "Residential-Urban Density" on property generally located southeast of Rokeby Road and South 70th Street; to modify the location of a future bike trail between Yankee Hill Road, Rokeby Road, South 70th Street, and South 84th Street; and to relocate a Neighborhood Center designation from southeast of South 70th Street and Rokeby Road to South 84th Street and Rokeby Road.
Staff recommendation: Approval
Staff Planner: Brandon Garrett, 402-441-6373, bgarrett@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL: 9-0.
Public Hearing before City Council tentatively scheduled for Monday, July 28, 2014, 5:30 p.m.

CHANGE OF ZONE:

- 23 4.2 Change of Zone No. 14018, from O-2 Suburban Office District to B-1 Local Business District, and from R-2 Residential District to O-2 Suburban Office District, on property generally located at South 48th Street and Normal Boulevard, i.e. 2330 S. 47th Street and 2301 S. 48th Street.
Staff recommendation: Approval, subject to a Conditional Zoning Agreement
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, subject to a Conditional Zoning Agreement: 9-0.
Public Hearing before City Council will be scheduled when the Conditional Zoning Agreement is completed and scheduled.

* * * * *

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

* * * * *

Adjournment

* *Briefing in Room 113 on "reFORM Update "*

PENDING LIST: *None*

Planning Dept. staff contacts:

Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	....	shenrichsen@lincoln.ne.gov
David Cary, <i>Long Range Planning Manager</i>	402-441-6364	....	dcary@lincoln.ne.gov
Paul Barnes, <i>Planner</i>	402-441-6372	....	pbarnes@lincoln.ne.gov
Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	....	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662	....	tcajka@lincoln.ne.gov
Christy Eichorn, <i>Planner</i>	402-441-7603	....	ceichorn@lincoln.ne.gov
Brandon Garrett, <i>Planner</i>	402-441-6373	....	bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361	....	shageman@lincoln.ne.gov
Sara Hartzell, <i>Planner</i>	402-441-6371	....	shartzell@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	....	bwill@lincoln.ne.gov
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	....	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	....	ezimmer@lincoln.ne.gov

* * * * *

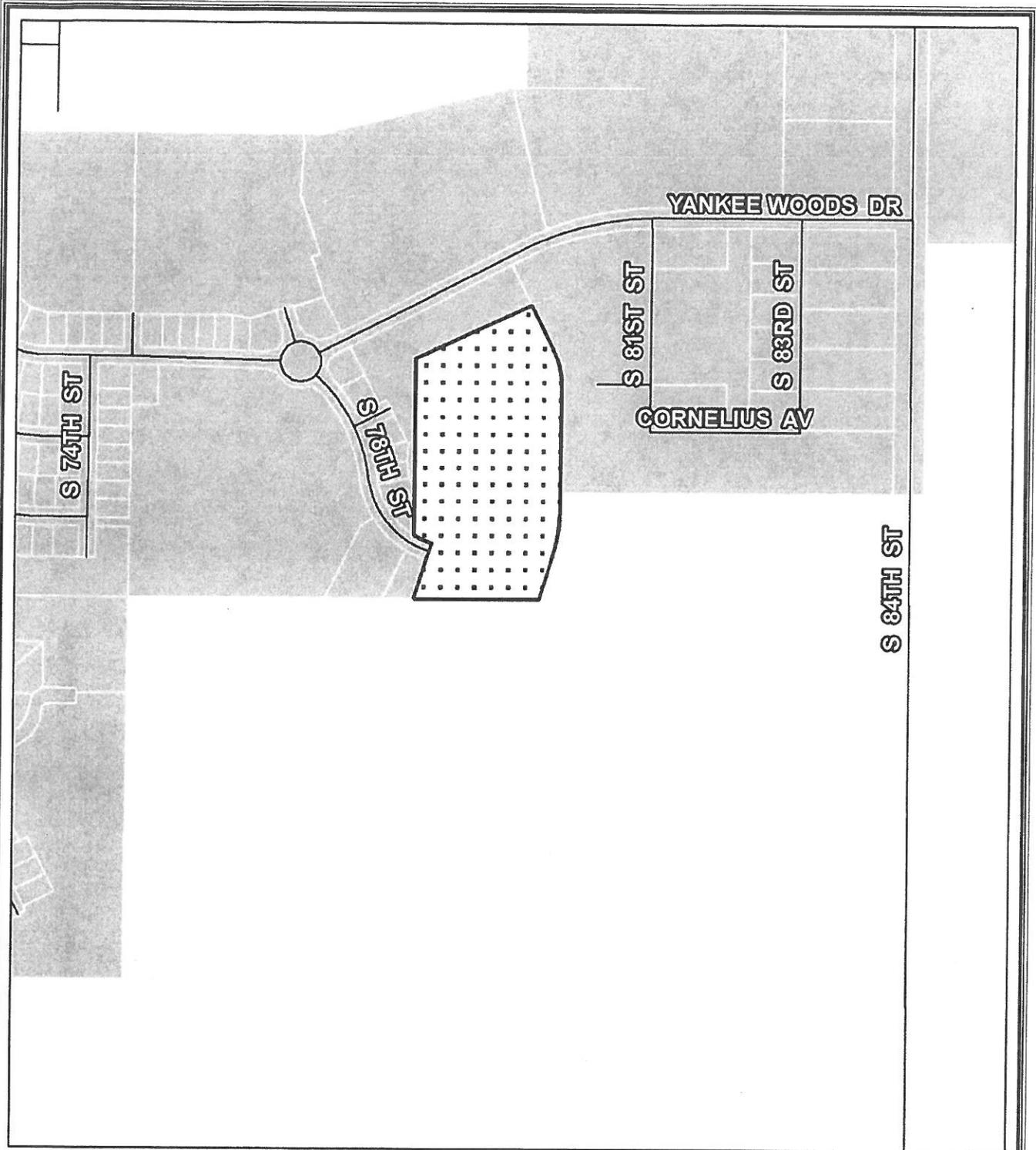
**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.**

* * * * *

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

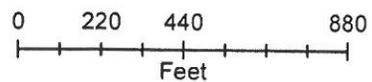
ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.



Annexation by Ordinance
S 78th St & Yankee Woods Dr
Effective: July 1, 2014
10.4 Acres

-  Area of Annexation
-  Ownership Parcels
-  City Limits Before Annexation





Memorandum

Date: ♦ July 1, 2014
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 June 24, 2014, through June 30, 2014:

Administrative Amendment No. 14036 to Special Permit No. 10005A, requested by Camp Sonshine, approved by the Planning Director on June 25, 2014, to include an additional dwelling unit associated with the recreational facility and to update the legal description, on property generally located at S. 25th St. and Bennet Rd.

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Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **July 10, 2014**. 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 July 10, 2014

1. Approval of meeting record of HPC meeting of June 19, 2014.
2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

HEARING AND ACTION

3. Application by J-Tech Construction for a Certificate of Appropriateness for work at 6030 Havelock Avenue in the Havelock Avenue Landmark District.
4. Application by Jon Olsen on behalf of Twin Peaks for a Certificate of Appropriateness for a sidewalk café at 800 Q Street in the Haymarket Landmark District.
5. Application by US Properties for a Certificate of Appropriateness for work at the Grand Manse, also known as the Old Federal Building.

DISCUSSION AND RECOMMENDATION

6. Review and recommendation on draft nomination of Amel Koop House to National Register of Historic Places, 1401 S. 15th Street.
7. Recommendation on SP14018, reconstruction of a non-conforming structure at 2727 M Street in East Lincoln/Elm Park Landmark District.
8. Staff Report & Misc.

The Historic Preservation Commission agenda may be accessed on the Internet at <http://lincoln.ne.gov/city/plan/boards/hpc/hpc.htm>

For further information on Historic Preservation in Lincoln, visit
<http://lincoln.ne.gov/city/plan/long/hp/hp.htm>

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.



Memorandum

Date: ♦ July 8, 2014
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 July 1, 2014, through July 7, 2014:

Administrative Amendment No. 14031 to Special Permit No. 06022, requested by John Hendricks, approved by the Planning Director on July 1, 2014, to show an additional garden center building and two storage buildings, and to add a second access to the site, on property generally located at S. 14th St. and Saltillo Rd.

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Jean Preister

From: Teresa A. McKinstry
Sent: Wednesday, July 09, 2014 4:43 PM

Dear Interested Stakeholder,

The Lincoln/Lancaster County Planning Department has updated the reFORM package of proposals for design standards in commercial centers and corridors based on the discussion, comments, and suggestions provided to staff over the past several months. Input from the public, stakeholders, members of the reFORM Advisory Committee, and the Planning Commission has been used to develop this latest version of the proposal. The updated information is now available in the following formats:

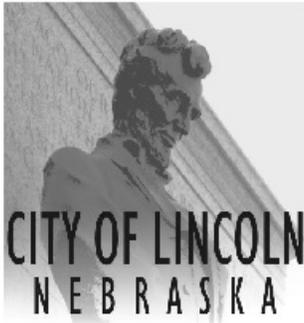
- Executive Summary of the proposed package - <http://www.lincoln.ne.gov/city/plan/long/reform/execsumm.pdf>
- Index of proposed changes to the Zoning Code and Design Standards - <http://www.lincoln.ne.gov/city/plan/long/reform/MeetingMaterials/index.pdf>
- Legislative format of all the changes to the Zoning Code and Design Standards as proposed - <http://www.lincoln.ne.gov/city/plan/long/reform/legis.htm>
- Sketchbook to be used as a visual guide to the proposal - <http://www.lincoln.ne.gov/city/plan/long/reform/sketch.pdf>

We want to hear from you on this latest version of the reFORM package of proposals. Please go to the Planning Department's webpage (keyword: reform) and provide us your comments at the Comment Board - <http://www.lincoln.ne.gov/city/plan/long/reform/subcomment.htm> Staff are planning to meet on these revised proposals with various stakeholder groups in July and August, and then in September with the reFORM Advisory Committee that met late last year to discuss the preliminary proposals. If you would like Planning Department staff to give a presentation to your group or organization on the updated reFORM package of proposals, please [email](#) the Planning Department and request that staff attend your next meeting.

Thank you for your interest and input on this effort.

Sincerely,

David R. Cary, AICP
Long Range Planning Manager
Lincoln/Lancaster County Planning Department
(402) 441-6364



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

July 1, 2014

P Street Streetscape 11th Street to Centennial Mall City Project No. 2013001/T.C. #701136

The City of Lincoln Public Works Department is issuing this advisory concerning upcoming work to take place on P Street between 11th Street and Centennial Mall as a part of the P Street Streetscape Project. During the weeks of July 7, July 14, and July 21, P Street will be reduced to one lane of traffic during daytime, off-peak hours. The lane restrictions are necessary to allow for completion of project items including asphalt patching and the installation of permanent pavement markings. Work is expected to take place from Monday through Wednesday during each of these weeks.

Please note that during this construction all businesses remain open and accessible to customers. During the work, some on-street parking may be temporarily unavailable. Please pay particular attention to the signage and barricading in these areas to help us maintain a safe work zone.

Information on the P Street Streetscape Project is available on the City's website at www.lincoln.ne.gov (keyword: pstreet). 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

Kris Humphrey, Project Engineer
City of Lincoln - Engineering Services
(402) 326-1176
khumphrey@lincoln.ne.gov

Hallie Salem, Downtown Re-Development Planner
City of Lincoln - Urban Development
(402) 441-7866

Andrew Christensen, Project Manager
Hausmann Construction
(402) 438-3230

Mary M. Meyer

Subject: Thank You

From: ccharliehuff@aol.com [<mailto:ccharliehuff@aol.com>]

Sent: Thursday, July 3, 2014 11:46 AM

To: Jon Camp

Subject: Thank You

Jon:

Just this past week we received a settlement check from the City for our sewer back up loss. It was fair and very fairly negotiated with Marcee Brownlee. We were pleased with the amount and with the process with Marcee. She was very competent and fair.

Thank you for all you did on this and for getting us started in the right direction to get it completed. We really appreciated it. Thanks again.

Bonnie and Charlie Huff

Mary M. Meyer

From: skiphood@gmail.com
Sent: Monday, June 30, 2014 5:58 PM
To: Jon Camp
Subject: A "novel" idea

Instead of us poor taxpayers funding everything the Lincoln library board thinks we shud fund-(give us Pershing!)-let's push the libraries toward being a little closer to becoming tax neutral.

There is no good reason adult users of the system couldn't afford to pay say \$5.00 per Year for a library card!----very reasonable for a year's worth of access to everything offered by our libraries. Young people 18yrs. old and under would still have access to Free library cards.

A small user fee for adults is not going to solve every need, but it would take some Heat off of the city budget, and allow us taxpayers to take small sigh of relief!

Gerald Hood
Lincoln,Ne
Skiphood@gmail.com

Sent from my iPad

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Tuesday, July 08, 2014 1:03 PM
To: skiphood@gmail.com
Cc: Mary M. Meyer
Subject: Library Fee

Gerald:

Very interesting that you would suggest the library card fee. . .I proposed the exact same charge many years ago and was deafened by opposition. I also recommended more trends to "cyber libraries" to reflect the huge change in our technology.

Libraries are part of the fabric of our Nation, but we do need to be fiscally responsible and current with technology trends.

Best regards,

Jo

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

Check our reception and event venues at:

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

Mary M. Meyer

From: Lauren Davis [laurend567@gmail.com]
Sent: Wednesday, July 02, 2014 11:12 AM
To: Jon Camp; Leirion Gaylor Baird; Trenton J. Fellers
Cc: Doug Emery
Subject: Resolution PC01400 approving Special Permit 1665C

Dear Members of the Lincoln City Council,

I am writing to urge you to vote against the above resolution, which would place apartments in an established neighborhood of homes and townhomes. We invite you to see Outlot B at Holmes Park Road and Sherman Street. For almost 20 years, the surrounding town-/homeowners have understood that one day comparable townhomes would be built here. Now Stefan Gaspar of Chateau Development says he has 'changed his mind'. We can't change our addresses as easily.

Our neighborhood is already home to hundreds of apartments and all of the associated traffic. Lincoln has a history of pride in our livable neighborhoods. This resolution represents a challenge to that commitment.

Sincerely,
Lauren Davis
7300 Sherman Street
402-486-9935

Mary M. Meyer

From: Thomas Drapac [thomasdrapac@yahoo.com]
Sent: Friday, July 04, 2014 2:28 PM
To: Jon Camp
Subject: Independence Day July 3rd?

I'm new to Nebraska and just want to say Independence day to the best of my knowledge is July 4th every year. Lincoln's July 3 fireworks was nice, however it's like celebrating Christmas on December 24th...I think you understand my opinion.
Navy Vietnam & Cold War Era Veteran

Thomas F. Drapac


"Be careful, do not fall"

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Tuesday, July 08, 2014 12:56 PM
To: thomasdrapac@yahoo.com
Cc: Mary M. Meyer
Subject: Thanks for your email on July Celebration

Thomas:

Thanks for your comments. . . I have to agree with you. The Mayor scheduled it July 3rd to save on City personnel costs.

I will share your email with my Council colleagues.

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

Check our reception and event venues at:

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

Mary M. Meyer

From: Barb [bjohn01@windstream.net]
Sent: Saturday, July 05, 2014 1:45 PM
To: Jon Camp
Subject: Regarding Special Permit No. 1665C - outlot B in Van Dorn Meadows

July 6, 20 14

Re: Resolution No. PC01400 adopted by the Lincoln/Lancaster County Planning Commission June 11,2014, approving Special Permit No. 1665C pertaining to Van Dorn Meadows CUP (Outlot B).

Dear Councilman Jon Camp

I respectfully request your vote to reject Mr. Gaspar's (Chateau Development) plan to build an apartment and duplexes on Outlot B. Block 2 Van Dorn Meadows.

My reasons for rejecting his plan are:

- 1.) His plan does not follow the planning department's appropriate transition and flow of businesses to apartments to green space to townhomes to single families. We already have a huge number of apartments and duplexes to the North side of our Townhomes and putting an apartment and more duplexes across the street to the South puts us surrounded by rentals.
- 2.) Density and traffic is already extremely high and this would only add to the problem. I believe there will be water run off problems with his plan because of all the buildings, streets, and concrete for parking with so little ground left to absorb water.
- 3.) Lux Middle School is the largest middle school in the District. (over 1,000) Maxey and Morley are also crowded and adding this many units with 2 or 3 bedrooms each only adds to the problem.

Single family homes (as in the original plan) or eight double Townhomes similar to mine would not add nearly as much density as would Mr. Gaspar's plan.

Please come to this area and see how an apartment building and duplexes are not appropriate for this space. It truly would divide our neighborhood.

Thank you for your attention to my concerns.

Sincerely,
Barbara J. Johnson

7306 Sherman Street
Lincoln, NE 68506
402-237-2347

Mary M. Meyer

From: texandhub@gmail.com
Sent: Monday, July 07, 2014 10:48 AM
To: Jon Camp
Cc: mark & Ann

Mr. Camp:

As a Lincoln native, I need to express my disgust with privately owned 4th of July fireworks. The noise is so intrusive while I worry my cloth gazebo or my roof will start ablaze. It's my understanding there were 4 homes that were caught on fire by fireworks this 4th. Please explain to me while our neighbors, Kansas and Iowa, do not allow private fireworks while we do? Oh I know..someone's pocket is being padded by this outrageous shooting of dangerous fire and ungodly noise. Even our pastor Sunday said he didn't get to sleep until past 1 a.m. Saturday night. I'm certain it's a day our fire fighters and police hate working. Oh yes, my grandson comes all the way from Des Moines to participate in this event. He's mad at me for writing you.

I believe the citizens of Lincoln should get to vote as to whether or not this bizarre behavior should continue.

Mary Betten
7500 South Street #15
Lincoln, NE 68506

Sent from Windows Mail

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Tuesday, July 08, 2014 1:08 PM
To: texandhub@gmail.com
Cc: Mary M. Meyer
Subject: RE: 4th of July private fireworks

Mary:

Thanks for your thoughts on fireworks and the effect on citizens. You can be assured that there are opinions on all sides of this issue!

I will share your email with my Council colleagues.

Best regards,

Jon

From: texandhub@gmail.com [<mailto:texandhub@gmail.com>]
Sent: Monday, July 07, 2014 10:48 AM
To: Jon Camp
Cc: mark & Ann
Subject:

Mr. Camp:

As a Lincoln native, I need to express my disgust with privately owned 4th of July fireworks. The noise is so intrusive while I worry my cloth gazebo or my roof will start ablaze. It's my understanding there were 4 homes that were caught on fire by fireworks this 4th. Please explain to me while our neighbors, Kansas and Iowa, do not allow private fireworks while we do? Oh I know..someone's pocket is being padded by this outrageous shooting of dangerous fire and ungodly noise. Even our pastor Sunday said he didn't get to sleep until past 1 a.m. Saturday night. I'm certain it's a day our fire fighters and police hate working. Oh yes, my grandson comes all the way from Des Moines to participate in this event. He's mad at me for writing you.

I believe the citizens of Lincoln should get to vote as to whether or not this bizarre behavior should continue.

Mary Betten
7500 South Street #15
Lincoln, NE 68506

Sent from Windows Mail

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Mary M. Meyer

Subject: My Automobile

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

From: essexman@windstream.net [mailto:essexman@windstream.net]
Sent: Tuesday, July 08, 2014 3:33 PM
To: Jon Camp
Subject: Fwd: RE: FW: My Automobile

Mr. Camp:

Is there anything you can do for me?? As a 67 yr. old widow I simply cannot afford this kind of damage expense. I sent everything they asked me to send as you can see by the emails and I mailed the original receipt from N Street Express Lube. I don't drive very often but have never received any citations and am a good driver. I am just devastated by all of this. I also sent Councilman Emery a copy hoping that one of you might help me. Ms. Quenzer has been very nice to me.

Sincerely,

Connie Johnson
1617 Granada Lane
Lincoln NE 68528
402-742-5414

> From: Lin Quenzer <LQuenzer@lincoln.ne.gov>
> To: "essexman@windstream.net" <essexman@windstream.net>
> Subject: RE: FW: My Automobile
> Date: Tue, 8 Jul 2014 19:02:11 +0000

>
> Dear Ms. Johnson:

>
> I've gotten a copy of the letter that details the City Attorney's findings in your claim for the damages to your car. It is attached to this email as a PDF document. Just click on it and you should be able to read it and save it to your computer.

>
> Sincerely,

>
> Lin Quenzer
> Ombudsman, LGBT Liaison
> Title VI/ADA Co-Coordinator
> Office of the Mayor
> City of Lincoln, Nebraska 68508
> 402.441.7511

>
>
>
>
> -----Original Message-----

> From: essexman@windstream.net [mailto:essexman@windstream.net]
> Sent: Tuesday, July 08, 2014 8:13 AM
> To: Lin Quenzer
> Subject: RE: FW: My Automobile

>
> Ms. Quenzer:

>
> I haven't received a letter as of yet. I will let you know if I don't receive it by this weekend. Thank you for all of your help.
>
> Sincerely,
>
> Connie Johnson
> ---- Lin Quenzer <LQuenzer@lincoln.ne.gov> wrote:
> > Dear Ms. Johnson:
> >
> > I've gotten information from the City Attorney's office that they sent you the disposition letter on July 1st. I hope you did receive it.
> >
> > If you have questions or if you didn't get the letter, please let me know.
> >
> > Sincerely,
> >
> > Lin Quenzer
> > Ombudsman, LGBT Liaison
> > Title VI/ADA Co-Coordinator
> > Office of the Mayor
> > City of Lincoln, Nebraska 68508
> > 402.441.7511
> >
> >
> >
> >
> > -----Original Message-----
> > From: essexman@windstream.net [mailto:essexman@windstream.net]
> > Sent: Monday, July 07, 2014 2:51 PM
> > To: Lin Quenzer
> > Subject: RE: FW: My Automobile
> >
> > Ms. Quenzer:
> >
> > I was just wondering if you had heard anything about my car damages. I haven't heard anything and thought maybe I should contact you. If there is something more they need they can contact me at my home phone, 402-742-5414 as I don't use my cell phone very much.
> >
> > Thank you so much...
> >
> > Sincerely,
> >
> > Connie Johnson
> > ---- Lin Quenzer <LQuenzer@lincoln.ne.gov> wrote:
> > > Thanks for the additional information. I am passing it along to the City Attorney's office. They will be expecting your hard copy letter.
> > >
> > > Sincerely,
> > >
> > > Lin Quenzer
> > > Ombudsman, LGBT Liaison
> > > Title VI/ADA Co-Coordinator
> > > Office of the Mayor
> > > City of Lincoln, Nebraska 68508
> > > 402.441.7511
> > >

> > >
> > >
> > >

> > > -----Original Message-----

> > > From: essexman@windstream.net [mailto:essexman@windstream.net]

> > > Sent: Thursday, June 19, 2014 2:44 PM

> > > To: Lin Quenzer

> > > Subject: Re: FW: My Automobile

> > >

> > > Thank you so much for your kind reply. I have handwritten a letter to Ms. Brownlee along with the receipt (I dont have a printer on this old computer so had to do it by hand) and mailed it to her today. I don't have a cell phone to take pictures of pothole but when I drove to shoe repair on Tuesday morning someone had fixed this pothole with black stuff. I didn't think to have mechanic take a picture because I was so upset I never thought of it but I am sure Mr. Hong, the owner of N Street Express Lube could verify it if needed.

> > >

> > > Sincerely,

> > >

> > > Connie Johnson

> > > ---- Lin Quenzer <LQuenzer@lincoln.ne.gov> wrote:

> > > > Dear Ms. Johnson:

> > > >

> > > > Thank you for taking the time to contact Mayor Beutler's office about damage your car sustained on Sun Valley Boulevard. As Ombudsman, it is my job to see that you receive responsible, courteous service from all departments of City government. I am very sorry your car was damaged from the pothole.

> > > >

> > > > In order to recover the expenses of damages to your property, state statutes require claimants to file a written claim with the City Attorney's Office or City Clerk's Office. This may be done in the form of a letter and should be addressed to Assistant City Attorney, Marcee Brownlee, 555 South 10th Street, Suite 300, Lincoln, NE 68508 or City Clerk's Office, 555 South 10th Street, Lincoln, NE 68508. You must include in your letter the time, place and circumstances giving rise to your claim. It is also beneficial to include pictures of the damage and, if possible, bills or estimates for repairs. [expenses that resulted.]

> > > >

> > > > Your claim will then be investigated by the City Attorney's office who will contact you, if necessary, for additional information relative to your claim. The City Attorney's Office will also advise you in writing regarding the disposition of your claim.

> > > >

> > > > Please feel free to call on me should you have other comments, questions or concerns about city government. You may reach me at 441-7511 or email lquenzer@lincoln.ne.gov I appreciate the effort you made in bringing your concerns to the attention of the Mayor's office.

> > > >

> > > > Sincerely,

> > > >

> > > > Lin Quenzer

> > > > Ombudsman, LGBT Liaison

> > > > Title VI/ADA Co-Coordinator

> > > > Office of the Mayor

> > > > City of Lincoln, Nebraska 68508

> > > > 402.441.7511

> > > >

> > > >

> > > > Date: Mon, 16 Jun 2014 15:20:57 -0500

> > > > From: <essexman@windstream.net>

> > > > To: Mayor@lincoln.ne.gov

> > > > Subject: My Automobile

> > > >

> > > > Dear Mayor Beutler:

> > > >

> > > > I am a 66 yr. old woman living on Social Security and lost my husband last June. I was on my way to Roper's on Sunday for Grief Counseling. I was traveling East bound on West O Street in the outer lane, car beside me and behind me when I hit (because I had no where else to go) a pot hole between the Git n Split gas station and Sun Valley Blvd. It was over a foot in diameter and 5-6" deep. I am a cautious driver not having any citations for more years than I can remember. I was not traveling over the speed limit but with a car on my back bumper and one directly beside me I didn't have many options. As I turned into Roper's my car made a loud noise on the left side as I was turning. On my way home from Grief Counseling it made that same noise when I turned to come home. I spent all night crying, upset and shaking because I knew something was terribly wrong with the car. A car that I barely drive 20 miles a week, just back and forth for prescriptions, food, church and Grief Counseling. I called the nice owner of the N Street Lube this morning as that is where my husband always took the car and he said to come in. Now, \$798.39 later since it bent my front struts and did something to loosen the wheel bearings I am so upset. This isn't an amount that I had in this month's budget and it has really left me strapped. This pot hole is HUGE and should be checked out. Is there anything that allows the City of Lincoln to reimburse people for such items? I would appreciate so much a response from you...this isn't exactly what I needed one week before the anniversary of my husband's passing and it just isn't an item I can possibly allot for in my monthly budget with rent, utilities and medical expenses.

> > > >

> > > > Thank You for your time,

> > > >

> > > >

> > > > Connie Johnson

> > > > 1617 Granada Lane

> > > > Lincoln NE 68528

> > > > (402) 742-5414

> > >

> > >

> > > _____

> > >

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Mary M. Meyer

Subject: FW: RE: FW: My Automobile

Connie:

Thank you for sharing your email exchanges and the denial recommendation letter from our City law department.

Your situation is most unfortunate. The matter will come before the City Council in the near future. Mr. Emery and I are now aware of your situation and will discuss this with our colleagues.

Past decisions on similar pothole damages have denied the claims unless the pothole presence had been previously brought to the attention of City officials and remained unrepaired.

Since you were travelling on O Street, I am disappointed that this had not been remedied prior to your trip as such a large pothole usually does not appear overnight. Be assured I will visit with our Public Works staff about future observations of such street damage and also encourage citizens to assist the City by reporting these conditions whenever observed.

You are welcome to attend our City Council public hearing when your claim will be reviewed and speak to the Council.

I wish I had positive news to share at this time. . .but I do promise to fully discuss your situation with my City Council colleagues and City staff.

Best regards,

Jon
Lincoln City Council

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

Mary M. Meyer

Subject: My Automobile
Attachments: Claim.pdf; Report from Public Works.pdf; Denial Letter pdf.pdf

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

From: Marcee Brownlee
Sent: Wednesday, July 09, 2014 1:12 PM
To: Jon Camp
Cc: Doug Emery; Miki Esposito; Mary M. Meyer; Jeff R. Kirkpatrick; Lin Quenzer
Subject: RE: RE: FW: My Automobile

Jon--

For purposes of your consideration, I am attaching the claim and the report we received from public works, as well as our denial letter.

Marcee

MEMORANDUM

TO: Public Works

FROM: Marcee Brownlee, Assistant City Attorney

COPY TO: Risk Management

DATE: June 20, 2014

SUBJECT: Claim Against the City of Lincoln by Connie Johnson

Attached is a copy of a claim which has been filed against the City of Lincoln. Answers to the following questions will assist me in appraising this claim. If you have any questions concerning this matter, please feel free to call upon me. Thank you for your assistance in processing this claim.

1. Did we have any information about the existence of the pothole prior to receiving this claim, such as citizens reports, either by phone or e-mail, or through our own internal records?

2. If yes,
 - (a) When did we receive notice?

 - (b) In what manner did we receive notice?

 - (c) At the time of the claim, what action, if any, was scheduled regarding the pothole?

3. What action is scheduled or has been completed regarding the pothole at this time?

4. Please provide any other information you have that you believe may be relevant to this claim.

Date _____ Prepared by: _____ Phone Ext. _____

June 19, 2014

RECEIVED

JUN 20 2014

CITY
ATTORNEY

Monica Brunke
Assistant City Attorney
555 So. 10th St. Suite 300
Lincoln, Ne 68508

Dear Ms. Brunke:

On a direction of Lin Quonzer I am writing to you today.

I am a 66 y.o. old woman living on social security + lost my husband last June.

On Sunday, June 15th at 1:00 pm I was on my way to Roper's Maternity for Brief Counseling. I was traveling East bound in the outer lane on West D Street between the Get n Split gas station + Sun Valley Blvd. There was a car beside me + one Right behind me when I hit a pot hole (I had no where else to go or hit someone). It was over 1' in diameter + 5-6" deep.

I am a cautious driver not having any citations for more years than I can remember.

I was not traveling over the speed limit but with a car on my back bumper + one directly beside me I didn't have any options.

As I turned into Roper's after navigating to get West bound on D Street my car made a very loud noise on the left when I was turning. On my way home after Brief Counseling

it made that same noise when I turned corners.

I spent all night crying, upset + shaking because I know something was wrong with the car. A car that I barely drive 20 miles a week, just back + forth for my prescriptions, food, church, doctor + Grief Counseling.

I called the nice owner of 7th Street Express Lube, Mr. Hong Monday morning at 8 am. because he serviced my car every 3 months + because my late husband always liked + trusted him. He told me to bring it in right away.

Now, \$798.39 later since it bent my front struts + did something that loosened some wheel bearings I am so distraught.

This is not an amount that I had in this month's budget + it has really left me strapped.

I picked up my repaired car at 2 pm on Monday (June 16) + emailed the mayor right away. I see that when I went to the Shop Repair on Tuesday morning it has had black stuff patched in it.

I have no pictures of the hole, I have an old cell phone of my husband's + didn't think to take pictures of car key, mechanic but I am sure Mr. Hong, or any of his mechanics could provide information.

Is there anything the City of Lincoln can do for me? I just can't afford this

Kind of change right now? My rent,
utilities and medical expenses take up most
of all my social security.

I am sorry, this is handwritten but
I don't have a printer on my old computer.
This is just so difficult for me to handle
right now before the anniversary of my
husband's passing.

I have enclosed the receipt from
Mr. Lang.

Sincerely,

Conni Johnson
1617 Granada Lane
Leicester, Me. 08528
407-742-5474

N Street EXPRESS LUBE



1646 N St., Lincoln, NE 68508 (402)476-9466
 "We do the best for your car"

DATE 6/16 14 NAME Connie Johnson 402-742-5414
 MILEAGE 15666 ST. ADDRESS 1617 Granada Lane
 LICENSE NO. 5YH656 CITY LINCOLN STATE NE ZIP 68528
 or CITY STATE NE ZIP 68

MAKE	MODEL	YEAR
<u>Buick</u>	<u>Lesabre</u>	<u>01</u>

MOST AUTO MANUFACTURERS RECOMMEND CHANGING OIL EVERY 3 MONTHS OR 3,000 MILES; TRANSMISSION, DIFFERENTIAL, AND TRANSFER CASE FLUID CHANGE EVERY 30,000 MILES.

ITEM	COST
Lube zerk fittings, Oil Change, Oil Filter]	
Air Filter [# <u>New Left</u>] (front strut)	<u>125.00</u>
Oil Over 5 Quarts <u>Right</u> " "	<u>125.00</u>
Service [# OR ()] <u>Labor</u>	
<u>New Left wheel bearing</u>	<u>199.95</u>
<u>Right " "</u>	<u>199.95</u>
Check [# <u>W/GA</u>] <u>Labor</u>	

ITEM		CHECKED	ADDED	M <input type="checkbox"/> F <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/>	SUB TOTAL TAX Environmental Disposal Fee TOTAL →	
AUTOMATIC TRANSMISSION						REMARKS <u>Need front end alignment</u>
STEERING						
BRAKE FLUID						
BATTERY						
VACUUM INTERIOR						
WINDSHIELD						
TIRES P.S.I.						
W/W FLUID						
AIR FILTER				EMPLOYEE U <u> </u> L <u> </u> C <u> </u>		
ANTI-FREEZE					No. <u>61643</u>	

N Street Express Lube is not a full service automotive care center. We only accept responsibility for the above marked items from the time of service until 3,000 miles or 3 months, whichever is reached first, beginning with the date and mileage shown on this invoice. Some vehicles have sealed transmission with no visible transmission dipstick. Therefore, we are unable to check the transmission on these vehicles. If we are to take responsibility for any problems related to the oil change, we must evaluate the problem first before it is fixed.

Keep this invoice, your records are your responsibility.

Thank You!

RECEIVED
m14-72481
JUN 26 2014

MEMORANDUM

CITY
ATTORNEY

TO: Public Works
FROM: Marcee Brownlee, Assistant City Attorney
COPY TO: Risk Management
DATE: June 20, 2014
SUBJECT: Claim Against the City of Lincoln by Connie Johnson

Attached is a copy of a claim which has been filed against the City of Lincoln. Answers to the following questions will assist me in appraising this claim. If you have any questions concerning this matter, please feel free to call upon me. Thank you for your assistance in processing this claim.

1. Did we have any information about the existence of the pothole prior to receiving this claim, such as citizens reports, either by phone or e-mail, or through our own internal records?
Not This specific hole but we did receive a report of multiple holes in that area on the 16th of June.
2. If yes,
 - (a) When did we receive notice? *June 16th Beehive ID# 12041*
 - (b) In what manner did we receive notice? *Hotline call in report*
 - (c) At the time of the claim, what action, if any, was scheduled regarding the pothole?
We ran potholes, and completed it on the 17th of June and ~~marked~~ cleared the request on the morning of the 18th
3. What action is scheduled or has been completed regarding the pothole at this time?
The pothole was filled with asphalt.
4. Please provide any other information you have that you believe may be relevant to this claim.

Date 6/25/14 Prepared by: Clay Engelman Phone Ext (402) 326-0812

JUN 26 2014



LAW DEPARTMENT

555 South 10th Street Suite 300 Lincoln, NE 68508
402-441-7281 lincoln.ne.gov

Jeffery R. Kirkpatrick, City Attorney Ernest R. (Rick) Peo III, Chief Assistant
John C. McQuinn II, Chief Prosecutor Tonya L. Peters, Police Legal Advisor

CIVIL DIVISION
Don W. Taute
Steven J. Huggenberger
Margaret M. Blatchford
Marcee A. Brownlee
Jocelyn W. Golden
Christopher J. Connolly
Timothy S. Sieh

PROSECUTION DIVISION
Patrick A. Campbell
Christine A. Loseke
Connor L. Reuter
Rob E. Caples
Jessica A. Kerkhofs

July 1, 2014

Connie Johnson
1617 Granada Lane
Lincoln, NE 68528

RE: Claim Against the City of Lincoln

Dear Ms. Johnson:

This office is in receipt of your claim regarding damage incurred to your vehicle as the result of a pothole located at West "O" Street and Sun Valley Blvd. on June 15, 2014, at approximately 1:00 p.m.

The City Attorney's Office is charged with the responsibility of receiving and investigating all tort claims made against the City of Lincoln. A tort claim is essentially a claim made by an individual or entity requesting payment for damages they have incurred due to negligent actions or omissions by the City of Lincoln or its employees. The mere occurrence of an incident resulting in damages on a roadway, in and of itself, is not sufficient to establish that the City must assume responsibility for the damages. State law is very specific regarding when a city is liable for damages such as the ones you are requesting in your claim. A city can only be held liable for payment of damages due to defects in a roadway if the city had actual or constructive notice of the defect within a reasonable time to allow repair prior to the incident giving rise to the claim. Even if a city had notice of the defect, there must be evidence that the city's actions were negligent in addressing the defect or in making repairs.

A review of our records indicates that the pothole you reference in your claim was first reported on June 16, 2014, which appears to be after your damage. In addition, the pothole in question was filled on June 17, 2014.

We do understand the inconvenience and financial impact you have incurred as the result of this situation, however, because taxpayer funds are used to pay claims of this type, our office can only recommend to the City Council payment of claims in which we believe a legal basis exists to establish liability. Based upon the information available to me and in light of all of the circumstances, I cannot determine that the City either had notice of the pothole, or was negligent in failing to timely repair the pothole that is the subject of your claim. Therefore, I must regretfully inform you that your claim will be referred to the City Council with a recommendation that they deny the same.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on July 21, 2014, at 3:00 p.m. in the Council Chambers, 555 South 10th Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by emailing the City Council at council@lincoln.ne.gov, or by contacting your individual councilperson.

Sincerely,

A handwritten signature in cursive script that reads "Marcee A. Brownlee".

Marcee A. Brownlee
Assistant City Attorney

Mary M. Meyer

Subject: My Automobile

Connie

Thank you for your responsive email. I will also share this with my City Council colleagues as well as other City staff.

You have noted several good observations.

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

From: essexman@windstream.net [<mailto:essexman@windstream.net>]

Sent: Wednesday, July 9, 2014 1:40 PM

To: Jon Camp

Subject: RE: RE: FW: My Automobile

Thank you so much Councilman Camp. It is hard for me too, to understand how this pothole had not been reported earlier by someone. Especially due to its size and proximity to where many signs were put up saying "Road Construction" and there were workers in the Sun Valley/West O intersection for at least a week before I hit it. How does something like this go unnoticed? I would hope that citizens reporting is not the only way our Roads Dept. has to monitor such things. I would think that City of Lincoln employees would also be on the lookout if they were working in that area. It was at least 1 1/2 foot in diameter so it would not be easily sighted.

I do so appreciate your interest in my claim. I would come to the City Council meeting if you think that might help. I am a bit emotional due to the loss of my husband and just trying to find a way to live without him. I am not a big public speaker by any means but I will come if I need to.

Something that puzzles me about the "record-keeping" of the City and Ms. Brownlee's explanation that "based upon the information available to me and in light of all the circumstances, I cannot determine that the City either had notice of the pothole or was negligent in failing to timely repair the pothole that is subject of your claim"...if she cannot determine if the City had notice or was negligent, why is she denying the claim? I guess if she can't prove the City is guilty than I am just out a huge sum of money. What I DO know is that I would never ask for anything I did not deem fair or just.

Kindest personal regards,
Connie Johnson

Mary M. Meyer

Subject: FW: Proposed SE Lincoln LHA project - SUPPORT

Virginia K. Wright, MS

5520 Union Hill Rd, #207
Lincoln, NE 68516

Council Members, City of Lincoln
555 South 10th Street
Lincoln, NE 68508

Dear Council Members,

I just read with great interest the article about low-income housing in southeast Lincoln. As one of the colorfully described ugly sisters' occupants, I am writing to strongly support the proposed project that includes low-income, subsidized units and fair market value units.

I live at Summer Hill complex, in a low-income unit and have a small voucher. Lincoln Housing Authority is an excellent property organization that serves a multitude of people fairly and honestly. The details for financial qualification are clearly spelled out and cause for eviction are sensible for protecting quality of life & sense of responsibility of all renters. While on the waiting list, I looked at other rental apartments that took vouchers. None had the maintenance & design quality of what I'd seen of LHA properties.

The maintenance is excellent, dwellings are attractive, inviting – very livable and enjoyable – with qualities that serve a sense of well-being, such as spacious dimensions (without being difficult to maintain), natural light, appliances, basic accessibility dimensions & lever handles on all faucets & doors, roll-over thresholds on first floor units, curb cuts at all intersections; landscaping. There are fully accessible units and ample parking. Garages are available for an extra fee.

The waiting list is long. Lincoln is in great need of quality, affordable housing and the Lincoln Housing Authority has a long track record of exceptional design, management and non-discrimination. I am unaware of problems with LHA occupants and other residents in neighborhoods. I am aware of an incident where the occupant was summarily evicted. As a former, long-time neighborhood advocate (Eastridge) I can say LHA is trustworthy, the need for the 84th Street project is real, and the perception of low-income residents is possibly based of fears, stereotyping, bias or discrimination.

I would be glad to host an open house for the Council and interested parties.

Sincerely,

Virginia K. Wright

Mary M. Meyer

From: rcognard@windstream.net
Sent: Saturday, July 05, 2014 10:26 AM
To: Mary M. Meyer
Subject: message to City Council

Dear Ms. Meyer,

Will you please pass this message along to the members of the City Council:

As a 34-year resident of Fox Hollow, I am--along with scores of other residents--very disturbed by the Planning Commission's recent 6-2 recommendation to allow Chateau Development to build a multi-story apartment complex at Holmes Park Road and Sherman. For years those living at and near the site had been promised that only townhomes would be built there, complementing the already-existing residences.

I was present at the Planning Commission hearing when Chateau Development made its case. It was, in my view, a poor case indeed, completely ignoring previous agreements with both the city and the residents, and oblivious to the many problems that apartments on that site will create.

I urge you, please, personally to visit the site in question to see for yourselves the issues; then carefully to consider the logic and widespread opposition the current residents have demonstrated; and then to deny Chateau Development's request to change the rules in the middle of the game. Denying their request is, quite clearly, not only the logical thing to do, but perhaps more importantly, the morally right thing to do.

Roger Cognard
7530 Nemaha Street
68506

Mary M. Meyer

From: Ron Brooks [rbrooks@neb.rr.com]
Sent: Saturday, July 05, 2014 11:57 AM
To: Council Packet; Jon Camp; Roy A. Christensen; Jonathan A. Cook; Doug Emery; Leirion Gaylor Baird; Trenton J. Fellers
Subject: Please say NO!!! to the proposed Chateau apartments in Fox Hollow

To all City Council Members:

I am writing to you all to please deny Chateau's request to build rental apartments and duplexes in our wonderful Fox Hollow neighborhood.

When the prospective buyers were shown plans for this area, a detailed plan was presented that showed "future townhomes to be built" on Outlot B.

Decisions were made based on those promises. Now Steven Gaspar is changing his mind. He wants to build ...on this very small parcel of land... a large apartment complex and duplexes.

These units are going to be built right up against private homeowners backyards and across from our lovely townhomes. This does NOT fit into the neighborhood.

It would be like plunking a noisy video game room inside an upscale restaurant. Everyone around will suffer the noise, overcrowding and increased traffic that this will bring.

We already have large apartment complexes to the west and north of our townhomes. We do not want to be compromised to the east side also.

We have been a very quiet area. This will not be the case if this project is allowed to continue.

We also have a MAJOR safety problem with the entrance to this property right adjacent to a blind curve.

Accidents will happen here as you can not see traffic coming from the East... plus those vehicles will not be able to see the people trying to exit the complex.

Holmes Park Road is very busy at this time. It will become worse if another 100 or so cars are trying to get out in the morning for school or work. Lines of cars are sometimes backed up to Sherman Street now. This will mean an additional 20 minutes for these cars to get out onto 70th.

An additional piece of information that you might not be aware of is the possibility of the Game and Parks making another entrance to the Dog Park at the same location on the South side of Holmes Park Road. This would be very close to the entrance to the proposed complex and the northbound turn onto Sherman Street.

We do have many people walking, riding bicycles and driving through that intersection now. Imagine if we had two more entrances feeding onto Holmes Park Road.

It will be a nightmare.

I know John Camp has been to one of our meetings and is aware of the situation. But I beg the rest of the council members... PLEASE come and drive by to see the safety hazards...

Please... for our situation and for future similar ones that will surely come before the Council... do not let another apartment complex "leap frog" its way into our wonderful neighborhood.

Thank you for your consideration of this problem. Susan Brooks
3253 Sherman Place
Lincoln, Nebraska 68506

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Monday, July 07, 2014 11:54 AM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Susan SeLay
Address: 4901 N 25th ST
City: Lincoln, NE 68521

Phone: 402-613-3508
Fax:
Email: sdelay5@yahoo.com

Comment or Question:

I am writing to complain about the wheel tax. I don't know how you figure what the amounts will be but it seems it's pretty high for all vehicles. My husband has an older pickup and it would only cost \$23.50 to register it but the wheel tax is \$111. I believe this is out of line. He also doesn't drive the vehicle very much. Why is there still a wheel tax in today's market? Where did it originate? We move here from another county so this tax was not assessed. Makes me want to move out of Lancaster county with the high property taxes and this ridiculous wheel tax. I would think you would want to attract people to the county but it seems with all the taxes being higher here and Nebraska in general it distracts people from wanting to move here.

Sue

Scott Anderson
Anderson Homes Inc
3000 West A
Lincoln NE 68522
402.432.0415

July 8, 2014

Chairman Emery and Members of the Council:

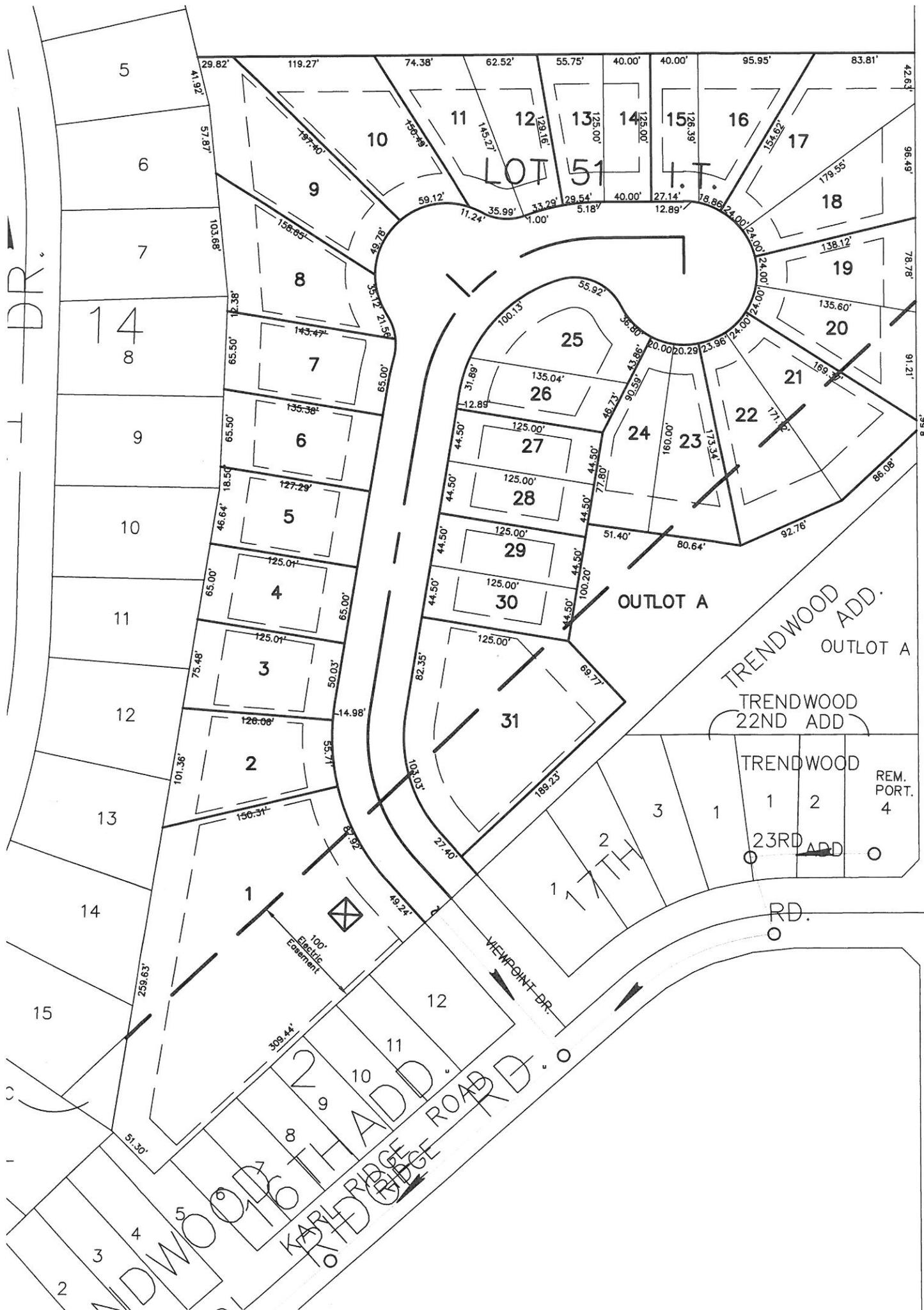
I read with interest the article in the Lincoln Journal Star last week which quoted city staff as having said that the Housing Authority was the only party to make an offer on the surplus property on 84th Street near the city's water tower. I expressed an interest in the site, and indicated that with an access to 84th Street I would be interested in developing mini-storage on the site. I was told there would be no 84th Street access, and that the city was not interested in allowing mini-storage. The zoning would be limited to R-3, and the use was to be residential.

I spent several thousand dollars on engineering to develop a plan for town houses on the site, and submitted an offer which I believe reflects a fair value for the site, if limited to that use. I was never encouraged to seek higher density or density bonuses, and assumed all the city's rules regarding access, etc would apply. The site is rather awkward to develop with the power line easement and other constraints. My site plan, and the offer I submitted are attached. There was never a counter-offer, or other response, except notification that the city had elected to sell the property to the Housing Authority. I believe my project would have generated assessed valuation of \$6,000,000, which would have been taxable forever. I've not seen any estimate of the assessed valuation of the Housing Authority proposal, although I have read that the Housing Authority attorney is appealing valuation of similar projects all over the state, and the project would only be taxable for 15 years, then off the tax roles.

I want you to know I'm still interested if you decide not to approve the Housing Authority project.

Sincerely,


Scott Anderson



2686 IRON PIN THRU LIMESTONE



TELEPHONE MESSAGES:

1. Twila Wilson called to say she objects to raising the sales tax. People on fixed incomes certainly cannot afford another tax hike.
2. Betty Place phoned to say she had heard the City was thinking of naming a public property after Dick Cheney. She is most opposed to any thought of doing this.

DIRECTORS' AGENDA
ADDENDUM
MONDAY, JULY 14, 2014

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS ADVISORY. Mayor Beutler's public schedule for the week of July 12, 2014 through July 18, 2014.
2. NEWS RELEASE. Street work in 84th and "O" area to result in closures.
3. NEWS RELEASE. Mayor's budget calls for restored city services.
4. NEWS RELEASE. Landlords invited to free fire safety training.
5. NEWS RELEASE. Agenda set for Wednesday's public hearing on Cable TV service.

III. DIRECTORS

CABLE ADVISORY BOARD/TELECOMMUNICATIONS

1. Agenda for Wednesday's public hearing on cable TV service.

PLANNING DEPARTMENT

1. Marvin Krout, Director of Planning, response to Thomas Shores regarding the Van Dorn Meadows CUP, Special Permit 1665C, PC-01400.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

1. LES Administrative Board meeting agenda for Friday, July 18, 2014. Full agenda and support materials can be found at www.les.com.
2. Becky Cole requesting Council to vote no on the Lincoln Housing Authority project on So. 84th Street, listing reasons.
3. Richard Bagby, President of Witherbee Neighborhood Association. The Witherbee Neighborhood Association supports the proposed Neglected Property Ordinance.
4. Richard Bagby, President of Witherbee Neighborhood Association. The Witherbee Neighborhood Association supports putting the proposed city sales tax increase on the November ballot.
5. Rick and Rebecca Williams writing in support of the appeal filed on Resolution PC 01400 adopted by the Lincoln-Lancaster County Planning Commission approving Special permit No. 1665C.
6. Jim Fedde. Request Council vote No on Items 16-67 and 14R-161, zoning change from R-1 to R-3, and to build greater than 40 units on a dead end street property.
7. Carri Honz stating there is unified opposition to SP1665C, change of zone amendment, by residents in Fox Hollow. Included in correspondence are numerous articles and letters in the Lincoln Journal Star.
8. Randy Taylor. Opposed to ordinances: 14-65, 14-67 and 14R-161. Keep zoning at R-1 and do not approve the waiver to allow more than 40 dwelling units on a dead end street.
9. Nancy Brestel. Reconsider and reverse the Planning Commission's approval for an apartment complex to be built - Van Dorn Meadows CUP.

Date: July 11, 2014

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

Mayor Beutler's Public Schedule
Week of July 12 - 18, 2014
Schedule subject to change

Saturday, July 12

- Star City Pride celebration, remarks and proclamation - 6 p.m., 200 S. 18th St.

Monday, July 14

- 2014-2-16 City Budget presentation to City Council - 1 p.m., City Council Chambers, County-City Building, 555 S. 10th St.
- KFOR Radio interview - 5 p.m.
- Mayor's Neighborhood Roundtable meeting - 5:30 p.m., Mayor's Conference Room, County-City Building

Tuesday, July 15

- KLIN Radio interview - 8:10 a.m.

Thursday, July 17

- KFOR Radio interview - 7:45 a.m.

Friday, July 18

- Cornhusker State Games Opening Ceremonies - 7:30 p.m., Pinnacle Bank Arena

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 949 West Bond., Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: July 11, 2014

FOR MORE INFORMATION: Harry Kroos, Engineering Services, 402-429-4872

STREET WORK IN 84TH AND “O” AREA TO RESULT IN CLOSURES

Maintenance work on “O” Street in the area of 84th Street will result in lane closures beginning next week and total street closures over the two following weekends.

Work will begin Monday, July 14 on those sections of “O” Street with two through lanes in both directions. Traffic will be limited to one lane in each direction through Thursday, July 17.

“O” Street from 84th to 87th streets will be closed to all traffic from 7 p.m. Friday July 18 until 6 p.m. Monday, July 21. The same section will again be closed from 7 p.m. Friday July 25 until 6 p.m. Monday, July 28. Work will continue from 7 p.m. to 6 a.m. weekdays and will result in lane closures until late August. The intersection of 84th and “O” will remain open, and local traffic will be maintained to homes, Waterford Estates, Southeast Community College and Hillcrest Country Club. The detour route is “A” and 120th streets.

Caspers Construction is the contractor. The project is funded with State highway maintenance funds through the Nebraska Department of Roads.

More information on City construction projects is available at lincoln.ne.gov (keyword: projects).

OFFICE OF THE MAYOR

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

DO NOT RELEASE BEFORE SUNDAY, JULY 13, 2014

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-525-1520
Steve Hubka, Finance Director/Budget Officer, 402-540-1100

MAYOR'S BUDGET CALLS FOR RESTORED CITY SERVICES

Beutler says community investments are paying big dividends

After years of deep cuts, Mayor Chris Beutler said his budget for the 2014-2016 biennium will allow the City to restore important services and programs. He said the City's economic success is resulting in higher property and sales tax revenues, which make up 71 percent of City revenue.

"The estimated \$750 million invested by the private sector coupled with the community investment in the Pinnacle Bank Arena and other improvements is creating new prosperity," Beutler said. "Our sales tax numbers are nearly 5.5 percent over the prior year, and we are projecting sales tax growth at 4.5 percent for each of the two years of the budget. New investment is driving strong growth in property values. For the biennium, we are projecting growth in the property tax base both from revaluation and new construction."

The proposed tax-funded budget for 2014-2015 is \$166.5 million, a 4.28-percent increase over the current fiscal year. The proposed tax-funded budget for 2015-2016 is \$172.58 million, a 3.65-percent increase over 2014-2015. Over nine budgets, the increase averages 3.64 percent a year.

The Mayor's proposed budget calls for a City property tax levy of about 32 cents, which includes a .378-cent tax rate increase for the stormwater bond issue voters approved in November 2012. The impact of that increase on a \$150,000 home is an additional \$5.67 a year. Of the 15 largest cities in Nebraska, Lincoln's property tax levy is the fourth lowest. The City's property tax levy has declined 38.5 percent since 1993. The City receives only 15.6 percent of the total property tax dollar.

The Mayor will present his 2014-2016 budget to the City Council at 1 p.m. Monday, July 14 in the City Council Chambers, 555 S. 10th St. The presentation will be carried live on 5 CITY-TV (government access cable channel 5) and available at 5tv.lincoln.ne.gov. The budget will be available at lincoln.ne.gov (keyword: proposed budget). The public hearing on the budget is scheduled for Monday, August 11. The new fiscal year begins September 1.

Beutler said when he took office in 2007, he faced a structurally imbalanced budget, and the Great Recession led to decreasing revenues, employee and program cuts, less investment in capital projects and sudden pension losses.

- more -

**Mayor's Proposed Budget
July 13, 2014
Page Two**

“The 139 jobs lost and nearly \$7.6 million in spending cuts during my Administration have helped right-size the budget so that our ongoing revenues are very close to meeting the increased costs of services.”

Beutler's budget proposes adding about 12 employees over the next two years. “Even with the proposed increase in positions, we will still have cut 8.5 percent of our civilian workforce during my time in office, even as our population has grown by 33,000 people, about the size of Hastings. If we are to meet the needs of a growing city, we cannot continue to do it by reducing the workforce.”

But the Mayor said budget challenges remain, including the Police and Fire Pension Fund, which was hit hard by the recession. Taxpayer contributions to the fund have increased from a few hundred thousand dollars a year in 1998 to about \$6.7 million in the current year. The Mayor's budget proposed a contribution of nearly \$8 million in 2014-15, close to the actuarially recommended amount of \$8.4 million. That contribution includes \$1 million in unused contingency funds that will not be available the second year of the biennium, leading to a contribution of about \$7 million in 2015-16.

Personnel costs make up about 70 percent of the City budget, and State law mandates that City salaries and benefits be comparable to other cities its size. The cost per FTE (full-time equivalent) has increased 23.7 percent over the past six years, outpacing the Consumer Price Index (12 percent) and sales and property tax revenue (15.66 percent). Employee health care costs are projected to increase by 12 percent in 2014-15 and an additional 9 percent in 2015-16.

The proposed budget makes use of the cash reserve fund created by the Mayor and City Council in a previous budget. Without the fund, Beutler said the City would have faced a \$1.5 million program gap in 2014-15, resulting in service and program cuts.

The proposed budget also includes fee and revenue changes in the tax-funded budget totaling about \$742,000 in 2014-15 and \$823,000 in 2015-16. Changes in the non-tax funded budget include a 3-percent increase in Water and Wastewater revenues through rate adjustments as well as increased landfill fees.

“What I have learned in my seven years as Mayor is that community investment matters,” Beutler said. “Maintaining our hard-fought momentum means we have to keep investing, keep growing and keep succeeding. The challenge is funding the investments of tomorrow without decimating what makes our community strong today. I look forward to working with the community to forge a consensus that preserves our past while building our future.”

BUILDING AND SAFETY DEPARTMENT

Bureau of Fire Prevention, 555 S. 10th St., Lincoln, NE, 68508, 402-441-7791

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

Safe Kids Lincoln-Lancaster County, 3140 "N" St., Lincoln, NE, 68510, 402-441-8046

FOR IMMEDIATE RELEASE: July 14, 2014

FOR MORE INFORMATION: Rick Campos, Bureau of Fire Prevention, 402-441-6438

Brian Baker, Safe Kids Lincoln-Lancaster County, 402-441-8046

LANDLORDS INVITED TO FREE FIRE SAFETY TRAINING

Landlords in Lincoln and Lancaster County are invited to register for a free Fire Safe Landlord Training workshop from 11 a.m. to 3 p.m. Wednesday, July 23. The event will be at Paul Davis Restoration, 3641 S. 6th St., which is sponsoring the event with Farm Bureau Financial Services.

Class size is limited to 20, and pre-registration is required at lincoln.ne.gov (keyword: smoke detector) or 402-441-8045. Each participant will receive five free dual-chambered smoke detectors and long-life batteries valued at \$150. Fire safety posters, tenant educational materials and a training recognition certificate also will be provided.

Fire officials say more than 80 percent of fire deaths occur in homes with no alarm or a non-functioning alarm. At the workshop, landlords will learn about common fire causes; steps they can take to minimize the chances of fire; and related topics such as renter's insurance, housing codes, rental contract language and smoke-free housing.

Lincoln Fire Inspector Rick Campos said the workshop gives safety and health officials an opportunity to interact with landlords who can share information with their tenants before a fire occurs.

The Fire Safe Landlord Training program is an initiative of the Fire and Burn Prevention Task Force of the Safe Kids Lincoln-Lancaster County Coalition. Organizations serving on the task force include the City Building and Safety Department, Lincoln-Lancaster County Health Department, Lincoln Fire and Rescue, Stronger Safer Neighborhoods, Great Place Properties, Southeast Community College, Saint Elizabeth Regional Medical Center, General Fire and Safety Equipment Company, Paul Davis Restoration and Farm Bureau Financial Services.

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 14, 2014

FOR MORE INFORMATION: Steve Huggenberger, Asst. City Attorney, 402-441-7286
Ed Hoffman, Telecomm/Cable Board Chair, 402-477-2233

**AGENDA SET FOR WEDNESDAY'S PUBLIC HEARING
ON CABLE TV SERVICE**

The Telecommunications/Cable Television Advisory Board has released its agenda for the public hearing on Time Warner Cable service **Wednesday, July 16, 2014**. The session is scheduled from **5 to 7 p.m.** in the **City Council Chambers, 555 South 10th Street**, but the hearing will be extended past 7 p.m. if necessary to accommodate all testimony.

Agenda:

1. Introductions
2. Explanation of session format
3. Identification of issues and questions posed by the Telecommunications/Cable Advisory Board
4. Time Warner responses
5. Preliminary Statement by Time Warner
6. Further questions by board members
7. Public comments - **Those who wish to speak at the hearing will need to sign in, and public testimony will be limited to five minutes (not including board questions). The sign-in will begin at 4:30 p.m.**
8. Further questions by board members
9. Responses and/or final statements by Time Warner
10. Explanation of process going forward
11. Adjournment

The City is conducting a performance evaluation of the cable television franchise agreement with Time Warner. The hearing will be carried live on 5 CITY-TV and available at 5tv.lincoln.ne.gov.

In addition to the public hearing, citizens may comment until **August 1, 2014** by sending an e-mail to cic@lincoln.ne.gov or a fax to 402-441-7120. Comments can also be mailed to Time Warner Comments, Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508.

The Telecommunications/Cable Television Advisory Board advises the Mayor and City Council on general telecommunication policy issues, including those related to cable television. More information on the board is available at lincoln.ne.gov (keyword: cable).

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

Mary M. Meyer

From: Council Packet
Subject: FW: news release - agenda

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Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

Diane Gonzolas
Manager, Citizen Information Center
Office of the Mayor
555 S. 10th Street
Lincoln, NE 68508
402-441-7831
cell 402-525-1520
dgonzolas@lincoln.ne.gov

Jean Preister

To: Thomas Shores
Cc: Jamie Phillips; Mayor; Miki Esposito; Randy W. Hoskins; Mark A. Hunzeker; Mike Eckert; Steve S. Henrichsen; Brian Will
Subject: RE: Van Dorn Meadows CUP (Special Permit 1665C, PC-01400)
Attachments: CC Hearing Notice.pdf

FROM: Marvin Krout, Director of Planning, mkrou@lincoln.ne.gov, 402-441-7491
cc: Lincoln City Council
Lincoln-Lancaster County Planning Commission

Dear Professor Shores:

Since you raised some general questions in your letter and my response will be sent to the Planning Commission and City Council, I am responding to your email directly. I have tried to respond to your questions where I can, please review below. If you have additional questions about traffic, let me suggest that you contact Randy Hoskins, the chief traffic engineer in the Public Works and Utilities department, who I am copying in this response.

I have asked the Planning Commission secretary to send you the same written courtesy notice of the upcoming City Council hearing that we will be sending to all those who submitted letters to the Planning Commission in advance of their meeting or testified at their hearing (attached hereto). Please feel free to email or call me if you have any additional questions about the upcoming hearing.

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

From: Thomas Shores [<mailto:tsshores@gmail.com>]
Sent: Sunday, July 06, 2014 11:34 PM
To: Marvin S. Krout
Subject: Van Dorn Meadows CUP

Mr Will:

I am a 36 year resident of Fox Hollow who lives behind the Chateau Apartment complex (3211 Fox Hollow Road). I did not speak at the hearing because I wanted to formulate my thoughts clearly before doing so (and other reasons.) However, I have some questions for which I would appreciate answers.

1. Three of the planning commission members left the meeting when our hearing came on board. Moreover, these three voted in favor of the zoning change without a peep (if the minutes are to be believed) at the June 11 meeting. Business folks scratching each others' backs while pretending to serve all citizens of Lincoln? We residents waited patiently for 4 hours to have our voices heard. My question: Did these three offer excuses for their declining to even hear us out? ***Typically the Planning Commission meetings are completed in 3 hours or less. The Commissioners left due to previous commitments which I'm sure were made before it became apparent that this meeting would include several controversial hearings and last much longer than normal. We thought it was clear at the end of the May 28 meeting that the Planning Commission had closed the public hearing and there would not be additional testimony on June 11. We provided all the Commissioners, including those who were not present to hear the testimony, with the written minutes of that meeting that are nearly verbatim, plus a link to the recorded video of the meeting and the time that the Chateau hearing began on that video.***

2. I do not have access to the original 1989 CUP, but how was the density limit calculated? Perhaps Hunzeker is right that 25 years is time enough for a change. However, he is an outright liar if he claims the 25 year span is the relevant figure for Outlot B, where Chateau promised verbally and with signs up until about 2004 (conveniently after all condos were sold) that Outlot B would be more of the same. Was the area of the pond and Sherman commons counted as part of the area? Perhaps it's time to LOWER the limit, and not allow Gaspar to develop on Outlot B simply because he didn't plant an apartment building over the pond. So my question is: How appropriate is that density calculation given the current disposition of the land? ***The maximum density for the CUP was calculated based on the the number of acres in each of two zoning districts that overlay that land and the maximum density allowed in each of those districts: 35.13 acres which is zoned R-3 at 6.96 units per acre = 244 units, plus 17.07 acres which is zoned R-4 at 13.96 units per acre = 238 units, for a total of 482 units maximum potential density. The number of units specifically approved by the City Council to date is less than that maximum, 465 units, with some flexibility on exactly where those units can be located. The latest approved site plan, however, only shows 448 units, and changing the site plan to allow anything more than 448 total units requires at least an administrative review and approval. The developer is requesting to increase the total number of units allowed on his ownership from 465 to 469, and build 30 units on the parcel platted today as Outlot B -- a 20-unit apartment building plus 10 units in 5 duplex buildings. Outlot B is shown in the current approved site plan for 9 single family home lots. His proposal also would eliminate 4 previously approved single family lots in the general vicinity of this parcel.***

3. It is stated that Chateau "withdrew" the remaining lots from this plan. Does this mean that once they have a foothold in our neighborhood, he could be permitted (by your group and the Planning Commission) to plant one more apartment building on it? My question: What are the implications of "withdraw" in this context? ***The applicant indicated in their submission and testimony that as part of the overall amendment, they were proposing not to build on 6 single family lots nearby to Outlot B. Under the overall legal framework for zoning, it is possible for the developer, or a subsequent developer, to come back in the future on any tract of land and ask to change the zoning designation or the site plan conditions to do something different than was requested and approved previously. Zoning cannot be "set in stone" because it would be unlawful for any City Council to prevent some future City Council from exercising its legislative authority. We regularly advise property owners who are looking for something more "unchangeable" to negotiate with the applicant and enter into their own private agreement which gives them an independent say on the future of that land.***

4. One of your traffic engineers asserted that there was no need for a traffic study. Yet one resident (Rene Mayo Rejai) testified that her own actual experience suggests that at times traffic will be backed up for three traffic light changes on the exit from Holmes Lake Road to 70th. Did she lie? And do you know how hilarious it is for that engineer to suggest that increased traffic will make that road safer? Let's see, brilliant idea, why don't we try it on Highway 2: Increase the traffic, make the road safer and no need for a South beltway! Or any number of similar jokes. If safety is an issue with your engineers, why didn't they consider the flawed omission of a right-turn exit lane for northbound traffic from 70th to Holmes Lake Road similar the exit lane for Park One. In heavy traffic on 70th proceeding North, sometimes I just cross my fingers and hope that the speeding driver behind me notices that I'm turning onto Holmes Lake Road. There will be even more right turners if Chateau gets their way with Outlot B. My question: Do you stand by the claim that traffic issues are not a problem and will in fact be ameliorated by increased traffic? ***There was not any testimony at the public hearing about these issues you are raising. Talking to the staff planner on this case, who is not a traffic engineer, he thought you were referring to questions put to him at the neighborhood meeting that was held before the Planning Commission hearing. He was correct in noting that the proposed increase of 21 dwelling units does not reach the threshold that triggers the need to prepare a detailed traffic study. Those additional units would generate on average one car in and out of that lot every 4 or so minutes in the peak travel hours, not all of them necessarily driving through the intersection of 70th and Holmes Lake Road, and that would not significantly change the traffic picture in this area. The planner was also responding to a concern expressed about vehicles speeding on Holmes Lake Road when he noted that more access points along a road has the effect of making drivers more cautious and driving slower. Regarding a northbound turn lane in 70th Street to Holmes Lake Road, I know Public Works would agree with your contention that right turn lanes from arterial streets to local streets improve traffic safety; they attempt to build those improvements as part of new roads, and require developers of major projects to install them with those kinds of projects (e.g. right turn on eastbound O Street into the LPS/Whole Foods development). But there are hundreds of***

streets and driveways on arterial streets around the city that do not have right-turn lanes today, and the available funding for that kind of "retro-fitting" is limited.

5. Did anyone in planning notice that about 90% of the perimeter of Outlot B directly faces private single dwelling units in Fox Hollow and Sherman Condominiums? Planting rental apartments on Outlot B is NOT a "transition" in any sense of the word: It is an incompatible intrusion into a residential neighborhood by an apartment complex. (Aside: Surely everyone in the room rolled their eyes when in his (last word) rebuttal Hunzeker proffered that it was a "mistake" when years ago the planting of apartment complexes in residential neighborhoods became taboo. Does this man have any understanding of a privately owned residential neighborhood, in which for mere mortals -- not well-paid real estate lawyers -- their home is the single largest piece of property that they will own? Guess he might get a clue if one were planted next door to him. I know, he's a mouthpiece for Chateau, but c'mon -- he can do better than that!) My question: Given the perimeter calculation, how can you say that this is not an intrusion of an apartment complex into a single-family residential neighborhood? **While it is not the norm in the newer areas of the City, there are a number of apartment projects in the city that face across a local street from single family or townhouse lots. In this case, given the limited scale and increased setback of the proposed building, and the City's requirements for landscape screening around the perimeter of the building, it appeared to be a reasonable transition to the Planning staff.**

6. I note that the ground on Outlot B is severely sloped. Does this mean that neighbors across from the "two story" apartment building will have the treat of staring at THREE stories when Chateau exposes a large view of the basement of these "two stories". Don't bother to tell me that wouldn't happen unless you know it for a fact. Every Fall I get to stare at Chateau's ugly four stories behind my house after the leave from MY trees fall, in spite of the fact that these are nominally "three story" units. As for the "mitigation" that you were concerned about, I don't think that Chateau has planted a single tree to shield this view from me and my neighbors. I think they did cut some down though -- and possibly removed a fence separating their property from Outlot B of Fox Hollow. As for shielding via the rental condos they built, well, they're just a bit late -- seems they are just finishing the last ones this year! They are bad neighbors, period! My question: Will there be a basement view and how do you assure us that Chateau will plant and maintain trees to mitigate the effect of their eyesores? (Their past track record is pretty dismal!) **The limitation in the proposed CUP amendment would limit the apartment building to 2 stories, and that means no more than 2 stories on any façade of the building. Regarding the plantings that will be required, the required street trees along the perimeter streets will be guaranteed by the requirement for the developer, when he subdivides this outlot to prepare it for development, to post a surety that the City will hold or to pay a fee to the Park Department to install the trees. Landscape materials buffering the perimeter of the apartment building are required in the City's design standards, the landscape plans must be submitted and approved as part of the building permit. The existing trees, if they are maintained, can meet the intent of this provision. If the plantings are not installed within the required time frame after the building permit is approved, or not maintained over time, that is a violation of the zoning ordinance, and we hope and expect that surrounding property owners will help enforce this requirement by informing the City of any violations.**

FYI and a suggestion: I did a little calculation. Outlot B is directly adjacent to 9 luxury condominiums and 12 single family residential units, the average lot size of which is about 8620 sq. ft. A little arithmetic shows that $153,000/8620$ is approximately 17.74. Let's be generous and round up to 18. That is the sort of number that Chateau should have proposed for single family condominiums, and is precisely the upper limit the staff presentation suggested. So it's a matter of 9 luxury units (the fairness number) or more than 9 and fewer than 19 not-so-luxurious condominiums (not so fair, but at least somewhat compatible with the surrounding neighborhood.) In our opinion this is the sort of plan Chateau should have submitted. Of course, apartment buildings and window dressing rental condos in this location are, as we have noted above, an inexcusable example of poor planning practice and should not have been allowed.

Finally, I note that Planning Commission members are really hard to find for purposes of email. Coming from an academic tradition where the norm is to be publicly available to students, colleagues and fellow professionals, I find this a bit odd. I could have tracked most of them down via LinkedIn, but why should I have to pay to contact them via that route? Perhaps you have their emails. If so, please forward this message to them. **We will be sending a copy of your letter and my response to the Commissioners. In the future, if you want to communicate to the Commissioners, please**

send your email to the general address for the Planning Department – plan@lincoln.ne.gov – and we will forward on your email to them. Because the Planning Commission acts in what is called a “quasi-judicial” capacity, similar to a jury, maintaining a sense of fairness and due process and “transparency” is important to their proceedings. The bylaws of the Planning Commission strongly discourage “ex parte” communications – private communications of any kind, whether they come from the developer or his representative or neighboring property owners, and try to ensure that all communications are “on the record” and made available to share with all the Commissioners and other interested parties.

Thank you and I look forward to your response.

Best regards,

Thomas Shores

Professor Emeritus of Mathematics, UNL



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

AGENDA
LES ADMINISTRATIVE BOARD
Friday, July 18, 2014 – 9:30 A.M.
LES Board Room
1040 “O” Street

9:30 A.M.

- 1. Call to Order**
- 2. Approval of Minutes of the June 27, 2014 Regular Meeting of the LES Administrative Board**
- 3. Comments from Customers**
- 4. Committee Reports**
 - A. Finance & Audit Committee
 - B. Operations & Power Supply Committee
 - C. Budget & Rates Committee
 - D. Communications & Customer Services Committee
- 5. Administrator & CEO Reports**
 - A. Second Quarter 2014 Financial Review and Forecast/Tax-Exempt Financing Compliance Update
 - B. 2014 National Electric Rate Survey
 - C. Long-Range Forecast
 - D. Enterprise Risk Management Program Annual Report
- 6. Chief Operating Officer’s Reports**
 - A. Community Solar Project Update
 - *1. Authorization to Commence Marketing, Negotiate and Contract for Local Solar Project - LES Resolution 2014-9
 - B. 2014 Second Quarter Indicators
 - C. Sustainable Energy Program Mid-Year Update
 - D. Quarterly Power Supply Update
- 7. Other Business**
 - A. Monthly Financial and Power Supply Reports
 - B. Miscellaneous Information

8. Adjournment

* Denotes Action Items

Next Regular LES Administrative Board meeting Friday, August 15, 2014.

Mary M. Meyer

From: Becky Cole [soundguy950@hotmail.com]
Sent: Friday, July 11, 2014 2:47 PM
To: Council Packet
Subject: Urgent read for the project on S.84th

Dear city council,

Thank you for taking the time to read this.

We are concerned about putting a high density project on S. 84th. There is a high pressure gas line going through it, high voltage power line crossing it, and one (soon to be 2 water towers. Already, homeland security is concerned about the water tower as they have constructed a high fence around it, but not tall enough that someone couldn't easily scale it and then climb the ladder of the water tower and endanger Lincoln's water supply. What happens WHEN the high pressure gas line bursts?

Already, the streets are overcrowded in the morning and evening.

Lincoln's budget is difficult to keep in the black. This project will only be on the tax rolls for 15 years and then it be will be an additional drain on the budget. Why not put townhomes on the property that would be on the tax rolls forever? Yours, lots of other people, and mine federal tax money is what would be used to buy that land. Lincoln now doesn't have enough money to tear down problem property. With no pride of ownership in these units, they will soon be problem property that need city funds to demolish.

PLEASE VOTE NO ON THE LINCOLN HOUSING AUTHORITY PROJECT.

Thank you.

Mary M. Meyer

From: Richard Bagby [witherbeerick@gmail.com]
Sent: Friday, July 11, 2014 5:55 PM
To: Council Packet; Mayor
Cc: Jon Carlson; Ryba Shawn; athomas@journalstar.com
Subject: Witherbee supports Problem Property Ordinance

TO: Chris Beutler, Mayor of Lincoln
TO: City Council, City of Lincoln

Date: 07-11-2014

RE: Neglected / Problem Property Ordinance

The Witherbee Neighborhood Association supports the proposed Neglected Property Ordinance.

By unanimous vote of the general membership at our regularly scheduled monthly meeting 07-10-2014:
We believe that the proposal represents an important and significant step in maintaining and strengthening the quality of life in Lincoln. We appreciate the work of all departments and groups involved in it's development. We look forward to seeing it in action in the coming years.

The Witherbee Neighborhood Association encourages adoption of the ordinance your earliest opportunity.

Richard Bagby, President
Witherbee Neighborhood Association



cc: Jon Carlson, Stronger Safer Neighborhoods
Shawn Ryba, NeighborWorks Lincoln
Ava Thomas, Publisher, Lincoln JournalStar

Mary M. Meyer

From: Richard Bagby [witherbeerick@gmail.com]
Sent: Friday, July 11, 2014 6:12 PM
To: Council Packet; Mayor
Cc: Jon Carlson; Ryba Shawn
Subject: Witherbee supports 1/4 cent sales tax proposal

TO: Chris Beutler, Mayor of Lincoln
TO: City Council, City of Lincoln

Date: 07-11-2014

RE: Proposed 1/4 cent city sales tax hike

The Witherbee Neighborhood Association supports putting the proposed city sales tax increase on the November ballot.

By vote of the general membership at our regularly scheduled monthly meeting 07-10-2014:

The Witherbee Neighborhood Association supports and encourages moving forward with the current proposal to put a city sales tax increase on the November ballot. Our support is for the currently proposed mix of spending projects, including excess over \$11 million annual to go to roads. We stand opposed if current proposed distribution is changed to direct the entire increase to roads and/or the South Beltway.

Sincerely Yours,

Richard Bagby, President
Witherbee Neighborhood Association



cc: Jon Carlson, Stronger Safer Neighborhoods
Shawn Ryba, NeighborWorks Lincoln

Mary M. Meyer

From: Rick Williams [rickwilliamslincoln@gmail.com]
Sent: Monday, July 14, 2014 9:47 AM
To: Jon Camp; Carl B. Eskridge; Doug Emery; Leirion Gaylor Baird; Roy A. Christensen; Trenton J. Fellers; Mary M. Meyer
Subject: Appeal of Planning Commission Resolution # PC 01400

To: Lincoln City Council

This is written in support of the appeal filed by Rebecca McNeil of Resolution no PC 01400 adopted by the Lincoln-Lancaster County Planning Commission on June 11, 2014, approving Special Permit No. 1665C pertaining to Van Dorn Meadows CUP (outlot B). We are neighbors and members of the Sherman Townhomes Association.

We have heard the argument that Chateau Development is entitled to develop Outlot B. We agree. However, the request is to permit a design that is a 'game changer' after the final buzzer in the game for all the neighbors to Outlot B. Many of these homeowners and taxpayers made the largest financial investment of their lives in reliance upon representations made by Chateau and others over the past 20 years. To allow this to go forward will irreparably adversely affect that investment. If permitted, how could any homeowner in the future rely upon the City of Lincoln to protect neighborhoods?

This area has been a textbook example of a beautiful development plan being executed with transitions from commercial, to office, to multiple family dwellings, to townhomes, to single family homes with beautiful green spaces buffering those transitions. This proposal destroys the aesthetics created by the plan over the past decades.

Chateau supported and promoted this plan when it suited its financial interests. Now it doesn't. Chateau profited based on representations it made to current homeowners in the neighborhood. Now it is seeking to breach those representations to squeeze all the profit it can out of the remaining undeveloped property. Allow them to develop but require them to comply with the rules and plan it designed and that everyone else in the neighborhood accepted when they invested in the area.

Finally, if you have not already done so, we invite you to personally visit our neighborhood to get a sense of the great environment that has been created here and how this sort of out-of-place development will permanently and adversely impact it.

Unfortunately, it appears work travel will preclude us from personally attending the July 28 Council Meeting. Please accept this as our support of this appeal and objection to the action of the Planning Commission.

Respectfully submitted,

Rick Williams
Rebecca Williams
3227 Sherman Place
Lincoln, NE 68506
rickwilliamslincoln@gmail.com
O [402.261.9558](tel:402.261.9558)
C [402.430.2021](tel:402.430.2021)

Mary M. Meyer

From: jfedde@neb.rr.com
Sent: Monday, July 14, 2014 10:01 AM
To: Council Packet
Subject: Proposed development of the 84th street surplus property

Dear City Council Members,

I am requesting that you VOTE NOT TO APPROVE items 14-67 (special permit 14012 for zoning change from R-1 to R-3) and 14R-161 (special permit 14009 for a waiver to build greater than 40 units on a dead end street property)

The City of Lincoln has shown a desire to make our city as safe as possible. I offer the widening of Old Cheney Road between 70th and 84th street as a recent example: The decision was made to include multiple turn lanes and medians in order to provide the safest possible environment for the citizens. Now Lincoln must provide the safest plan for the development of the View Point Drive property, and that is to keep the property zoned as R-1 and not approve waivers for density of more than 40 units on the property.

The issue is safety for the future residents and their neighbors.

- The property is closed off from fire and emergency vehicles except for one entrance a View Point Drive
- The property is surrounded by high voltage power lines, underground high pressure gas lines, high fences and 84th street
- There are no pedestrian walk ways other than to View Point Drive and 84th street
- Children will have to walk high traffic areas to walk to and from school
- Karl Ridge Drive and adjacent connecting residential streets are frequently reduced to single lane traffic due to on street parking
- Karl Ridge Drive and adjacent connecting streets drift shut and become impassable during most snow storms.

All of these factors make this development high risk for emergency services and daily travel.

Follow the Planning Commission's lead and do not approve items 16-67 and 14R-161.

Sincerely,
Jim Fedde
2420 Devoe Dr.
Lincoln, NE 68506

402/483-5780

RECEIVED

JUL 14 REC'D

CITY COUNCIL
OFFICE

July 11th, 2016

Greetings,

My name is Carri Honz and my family and I reside in Fox Hollow here in Lincoln, Nebraska. I am aware that you have been contacted by various neighbors, myself included in regards to SP1665C and our unified opposition to this zoning amendment which will be addressed at the July 28th City Council Meeting.

I am writing again regarding our plight and including a number of the letters and articles that have been printed in the Lincoln Journal Star. We appreciate all of your time and efforts in your willingness to hear our voices in this issue.

We hope that through our efforts that we have opened both eyes and minds to our endeavor to preserve our neighborhood and simply ask that Chateau Development LLC and Stefan Gaspar do the honorable thing and develop Outlot B on the corner of Holmes Park Road and Sherman as it was originally proposed with luxury townhomes or additional single family homes.

Thank you again for your willingness to work with us and Becky McNeil in viewing this area and see it for what it truly is, a residential neighborhood of single family homes and townhomes.

Sincerely,



Carri Honz
3410 Fox Hollow Circle
Lincoln, NE 68506-4633
(402)483-4303

Mary M. Meyer

From: Randy Taylor [nebraskaland@hotmail.com]
Sent: Monday, July 14, 2014 11:03 AM
To: Council Packet
Subject: Public hearing 7/14/14 on 14-65, 14-67 & 14R161

Would once again like to notify the members of the City Council of our families' opposition to the ordinances 14-65, 14-67 and 14R-161.

We believe that the zoning should remain R-1 on the property that has been declared surplus at 84th & South St. We feel this would be a better fit for the majority of the neighborhoods to the West and North of the property.

We don't think that the purchase agreement between the LHA and the City should be approved at this time.

We don't think that the waiver should be approved to allow more than 40 dwelling units on a dead end street. This requirement has been in place so that safety and traffic issues will be observed.

Thank you for your consideration.

Randy Taylor
2330 Devoe Dr
Lincoln, NE 68506

Nancy Brestel
3441 Fox Hollow Circle
Lincoln, NE 68506
402-610-2162
nancyb@neb.rr.com

Re: Appeal: Resolution NO. PC-01400, Special Permit NO. 1665C – Van Dorn Meadows CUP, (S. 70th and Holmes Park Road)

7/14/14

Dear City Council Members,

Re: Fox Hollow zoning change

Please reconsider and reverse the Planning Commission's approval for an apartment complex to be built. As you know, the developer has also proposed building 10 duplexes. To add an apartment complex on a small parcel of land that has always been approved for just 9 luxury townhomes is certainly an unfair and alarming decision that adversely affects the single-family homeowners that abut this property. We have lived in Fox Hollow for over 12 years and our backyard is right along the property in question. The proposed duplexes would be just a few yards away from our swing-set. The apartment complex along with the myriad of garages, cars, cement and noise would be close by as well. The higher density of apartment residents is worrisome since our neighborhood is comprised of single-family, privately owned homes. We know our neighbors by name. We know their pets and cars. There is stability and safety in a Lincoln neighborhood with private home ownership. Apartment populations are ever-changing.

Traffic safety is a big concern that I don't believe the Planning Commission took seriously enough. It seemed apparent that two of the commission members took time to drive around the neighborhood, view the property in question and deemed it unsuitable for an apartment complex. It was frustrating to hear Mr. Scheer say he could find no reason, not to build an apartment complex. He must have discounted the over 60 letters to the commission, plus over 300 petition signatures from our neighborhood, protesting the apartment idea. Don't our homeowner opinions count? Other than the developer and his attorney, no one has stepped forward to support the apartment idea. If one does the math on the number of cars involved, it is likely about 120 cars would be on the premises, coming and going at all times. Based on 20 apt. units, plus 10 duplex units with probably 4 drivers per unit. (parents, kids, roommates etc.) That doesn't even include the visitors and their cars. That's a lot of commotion for a small field. That means those cars are pouring out onto Holmes Park Road, trying to get to 70th or with even more difficulty, trying to turn east. This is troubling for many reasons. Kids are already

trying to cross over to the dog park so adding many turning cars is potential for disaster. Cars are already parking along the street, so they can get to the dog park. That makes for a very tight driving space and visibility problems. At the commission meeting, there was mention of the possibility of the City creating another entrance to the dog park off of Holmes Park Road, right across the street from the apartment complex proposal. That sounds absolutely unfeasible with kids and their dogs to be at high risk. For cars heading for the 70th St. light, there is already a very long line of cars trying to turn north onto 70th to get kids to school or work. Cars lined up to turn south onto 70th is even worse since the green light lasts such a short time. Another traffic detail was mentioned at the commission meeting but overlooked by the planners. A neighbor spoke of the traffic safety along Sherman St. because it only allows for two lanes of traffic. When delivery trucks or visitors park along Sherman, or when we're down to one lane due to snow, it is nearly impassable. People will assuredly park along Sherman when visiting the duplexes or apartment complex and that will be another traffic safety issue.

When Mr. Hunzeker and the developer spoke of the city's approval for a certain number of people living within a certain area, the boundary was approximately Van Dorn to Pioneers. It doesn't seem right or fair that the city would allow the remaining amount of people to all live within a small parcel of land and overburden that one area. They also spoke of an idea to plant more mature trees to help block the view of the duplexes from our own homes. They would have to plant mature redwood trees to help cushion the view from our homes. We homeowners will have no privacy with such a large structure. Aesthetically speaking, this also makes no sense. The large apartments start at 70th & Van Dorn across from a business area, cushioned by a nice green space, then lovely townhomes with private ownership, our current green space and then single-family privately owned homes. To place a large apartment complex in the middle of single-family homes is not logical. The land will be very full already with the proposed 10 duplexes and accompanying garages and driveways.

On the matter of our concerns for our home value, placed next to a big apartment complex, Mr. Hunzeker suggested that it was no big deal and appraisers will still give our homes high value. It is far more likely that an appraiser will give high marks for a nice home, but considering its location, we homeowners can expect an overall lower value. We've all heard the real estate expression "location, location, location" and we homeowners are rightly worried about our property very close to duplexes and an apartment complex, with the required amount of cement, garages, noise and pollution. We also know that an appraisal number is not the market price. The developer only cares about making a profit but we private homeowners seem to be discounted in simply wanting to retain our home value. We bought our home understanding that 9 classy townhomes were approved by the city of Lincoln. For the City to go along with one developer who changed his mind is discouraging. We can not change where we live so easily nor do we want to move. We want the City to stand by the original plan.

**MINUTES
CITY COUNCIL ORGANIZATIONAL MEETING
JULY 14, 2014**

Present: Doug Emery, Chair; Trent Fellers, Vice Chair; Leirion Gaylor Baird; Carl Eskridge; Jonathan Cook; Jon Camp; and Roy Christensen

Others: Rick Hoppe, Chief of Staff

Chair Emery opened the meeting at 2:33 p.m. and announced the location of the Open Meetings Act.

I. MINUTES

1. Directors' Meeting minutes of June 23, 2014.

2. Organizational Meeting minutes of June 23, 2014.

With no corrections the above minutes placed on file in the City Council office.

II. BOARDS/COMMITTEES/COMMISSIONS/CONFERENCE REPORTS

1. Lancaster County Correctional Facility JPA - Emery

Emery stated the meeting was short. The JPA paid bills, and elected officers. Councilman Emery was elected Vice-Chair.

2. Problem Resolution Team (PRT) - Emery

Emery stated the PRT discussed pending legislation dealing with neglected houses. The PRT has 17 properties which are actively being worked on. Approximately 12 properties are being watched. Especially during the summer the Problem Resolution Team tends to be very busy.

Gaylor Baird asked for the PRT's thoughts on the property we've received correspondence on? Emery replied the property has not reached the PRT as it has not been looked at by two different agencies. The house is abandoned but apparently it is within guidelines, except for mowing. Asked for the property to be looked at again, but the PRT only deals with properties having standing problems with at least two organizations. The last time Building and Safety looked at this property they did not have a problem as it's shuttered. Would you like to have in your neighborhood? No. Does it meet the terms of the PRT? One reason we're trying for the neglected building ordinance is because of situations like this where people do just enough to make sure they're inside the parameters. Unfortunately beauty is in the eye of the beholder.

3. Downtown Lincoln Association (DLA) - Eskridge, Baird

Eskridge stated a Captain of the Police Central Team attended and presented information on activities downtown in terms of law enforcement. Also, had early discussion about the possibility of a TIF District for "O" Street, to make improvements. A very broad conversation.

Eskridge commented the DLA raised concerns about an item the Mayor proposed in his budget, using parking fund monies in the budget rather than having the enterprise funds set aside.

4. Public Building Commission (PBC) - Camp, Cook

Camp stated the PBC is working on the 605 Building, the old jail complex. They have the courtway on the first level for when prisoners, and supplies, are delivered. Will have a one month delay while deciding how to proceed with the location. As the construction on the 2nd floor is done they need to maintain the fire system, going two ways. Challenging because later they'll have phase 2 which gets into the Courts and other locations. There's a change order for

approximately \$350,000.

The new H & H parking lot is being started this month.

Another item discussed was the dress code for the Hall of Justice. At first presented because of a gentleman who came without shoes. The Sheriff and staff were uncertain about letting someone enter without shoes. But the real concern was the woman who came barely clothed who wanted to go to Court. Don't know if she ever entered. The City Attorney will investigate what's legal. It was discussed that each Judge can have their own separate decorum rules, which they often do.

Camp added they discussed window cleaning, and handed out the budget.

5. Internal Liquor Committee (ILC) - Christensen, Eskridge, Fellers

Eskridge said the committee received additional data on 2:00 a.m. closings. Also, heard the numbers regarding the training program. The ILC is now making plans for the football tailgate walk, and if members of Council, and others, are interested in joining we're waiting for the game times to be announced before setting a date.

Eskridge commented the ILC is also working with Meier on possibly some changes for the SDL's. We receive numerous requests, repetitious ones where particular venues want to have on different football weekends, and they keep coming for every special event. Now looking at streamlining the process for the ones which are repeat requests versus others.

6. Parks and Recreation Advisory Board - Cook

Councilman Cook could not attend.

7. Board of Health - Emery

Emery stated they discussed the budget, which Council saw somewhat today in the Mayor's budget. They reviewed what's happened in their area for the last 5 years, and discussed B structures.

It was very interesting when one of their members explained how to drill into their website to be able to review statistics. People would be surprised with the amount of statistics contained on their site.

8. West Haymarket Joint Public Agency - Emery

The last West Haymarket Joint Public Agency meeting was a month ago, and there will no meeting this month.

9. Multicultural Advisory Committee (MAC) - Eskridge

Eskridge stated the committee does not meet in July.

10. Information Services Policy Committee (ISPC) - Fellers

Fellers commented the meeting was moved to this Thursday.

III. REQUESTS FROM MAYOR

None.

IV. MISCELLANEOUS

Emery stated everyone should have their budget information. Meetings start tomorrow afternoon. Understand numerous people have jobs and it may be impossible to make every session but appreciate attendance when you can. We will do our best when it says you will be out at a certain time that we will, and keep people on schedule. If you have questions which have not been

answered by departments, and you run out of time, do ask that you call the Directors to answer.

V. CITY COUNCIL MEMBERS

VI. MEETINGS/INVITATIONS

See invitation list.

VII. ADJOURNMENT

Chair Emery adjourned the meeting at 2:43 p.m.