

CITY-COUNTY COMMON

County-City Building • 555 S. 10th Street • Lincoln, NE 68508

County Commissioners
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Mayor
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COMMON AGENDA MONDAY, DECEMBER 1, 2003 COUNTY/CITY BUILDING CONFERENCE ROOM 113 8:30 A.M.

I. MINUTES

- A. Minutes from Tuesday, November 4, 2003 Common Meeting

II. PRESENTATIONS

- 8:30 a.m. A. Planning - Update on Acreage Policies (15 Min)
- 8:45 a.m. B. PW/Kirkham Michael Consultants - - Presentation on SW 40th Street Transportation Study (One Hour)

III ADJOURNMENT - Approx 10:00 a.m.

Commonagenda120103

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COMMON MEETING MINUTES

Monday, December 1, 2003

8:30 a.m.

County/City Building - Room 113

COUNCIL MEMBERS IN ATTENDANCE: Ken Svoboda, Common Chair; Jon Camp; (arrived late) Glenn Friendt, Patte Newman, Terry Werner; *COUNCIL MEMBERS ABSENT:* Jonathan Cook; Annette McRoy

MAYOR SENG: In Attendance (arrived late)

COUNTY BOARD MEMBERS IN ATTENDANCE: Ray Stevens, Common Vice-Chair; Bernie Heier; Deb Schorr (arrived late); Bob Workman; *COUNTY BOARD MEMBERS ABSENT:* Larry Hudkins

OTHERS IN ATTENDANCE: {List Garnered from Sign-in Sheet and Presentation participants}: Rick Haden, Tim McCoy, Mike Piernicky, Kirkham-Michael Consultants; Boyd Andersen, Andy Amparan, Burlington-Northern-Santa Fe Railroad; Amy Zlotsky, AZ Environmental; Scott Cockrill, Randy Hoskins, Karl Fredrickson, Roger Figard, Public Works; Marvin Krout, Mike DeKalb, Planning Department; Joan Ray, Council Staff; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda.

1. MINUTES

A. Minutes from Tuesday, November 4, 2003 Common Meeting

Mr. Ken Svoboda called for a motion to approve the above-listed minutes. Bob Workman moved to approve the minutes as presented. Ray Stevens seconded the motion which carried by unanimous consensus of the Common Members present with Bernie Heier abstaining.

THIS MEETING WAS SCHEDULED TO ADDRESS:

UPDATE ON ACREAGE POLICIES

PRESENTATION ON S.W. 40TH STREET TRANSPORTATION STUDY

UPDATE ON ACREAGE POLICIES - Mr. Marvin Krout, Planning Director and Mike DeKalb, Planning Department Staff, came forward to make the presentation. Mr. Krout commented that they wanted to update the Common on the Acreage Policy Issues. Since the Common Meeting two months ago, we've had an open house and more discussion with consultants and a briefing with the Planning Commission with some input from them. Mr. Krout had requested Mr. DeKalb to "walk" Common Members through the list and tell everyone where we are. We'll then try to schedule the next step in this process.

Mr. Mike DeKalb began the presentation by stating that since the October Common Meeting, we've accomplished a number of things. We've met with the Planning Commission, giving them a briefing on October 12th; we did a follow-up with them on October 15th. At that meeting, Planning Commission did think it would be useful for them to have a joint meeting with the Common Members at a Super-Common at a future date, so discussion of acreages could be held by all three bodies together as well as issues of development and farming.

An open house at the NRD was held on November 18th. That was a good meeting with a good turnout with about 50 people in attendance. The meeting lasted about two hours with a power-point presentation followed by a short question/answer session for public input. This input included 67 items listed in the letter Common members received last week. Mr. DeKalb was not sure if there was a common trend in these concerns, but there had been a lot of discussion. The main issues were acreages, community growth, environmental issues. There wasn't really a strong position one way or the other on any of the issues that were raised. There was divided support on build-through and accommodation of acreages. Generally, the view was that acreages are there, we'd like to accommodate them and have places for them in different parts of the County. The farming community wants to be protected.

Mr. DeKalb asked the three County Commissioners who had been in attendance at the meeting if they might have comments on the meeting. Mr. Workman commented that the demeanor of the meeting was very good in that there was no shouting. From that, he would assume that most individuals were happy with the way the Comprehensive Plan came together. He agreed that there were certainly people from both sides of the issue there. He noted that in visiting with them afterwards, they were very pleased with the way things are going so far. He was encouraged.

Mr. DeKalb stated that one of the common themes that came forward is that "the devil is in the details" as we work through some of these issues. Mr. Heier noted that he felt the meeting went very well. He was particularly happy that the meeting had been held off as long as it was. He felt because of the timing, more farmers were able to be there, who, if the meeting had been held earlier, would have not have been able to attend. He was pleased with the information that was presented. He was, however, concerned about the impact fee and noted that the County Board may have some misunderstandings about that.

Mr. Stevens commented that he appreciated the opportunity to hear what the people had to say. The fact that Mike and Kent were instrumental in leading the group and keeping it under control was also appreciated. He thought the written comments were a good way for the Commissioners to review the information. He added that this was not a meeting where we [County Commissioners] should have or did participate actively. We were there to listen and observe and he felt the Planning Department did a very good job of running the meeting. He thanked Mike DeKalb for doing that.

Ms. Newman commented that she personally had four meeting conflicts that night and felt that for some of the other City Council members who were not there - it wasn't because we didn't want to be, but because our schedules had to be prioritized. Mr. DeKalb acknowledged that the Council Members were stretched many different ways. As far as getting the word out, we do have it on the website; we sent about 450 fliers and personal letters to all the incorporated towns. We have a mailing list that includes everybody from Ag groups and Associations to Developers to Neighborhood groups.

Mr. DeKalb noted that for a quick catch up on the studies regarding the cost of service, we've been in discussion with the consultant. They're making some adjustments in the [inaudible] fees based on the County Engineers' (and other's) comments. Mr. DeKalb noted that a report was expected very shortly.

On the build-through, we've worked with consultant who had a little extra money in his budget and has agreed to continue to work for the next two or three months to help us nail down some draft language for build-through design standards or resolutions/ordinances and draft agreements.

Under Performance Standards: Since the last meeting, where comments had been that there was no rush on it, but that it should be discussed further, is part of our reason for coming back here for discussion today.

Mr. Krout stated that, since the devil is in the details, we have build-through interest and in pursuing that, Planning Commission has an interest...we thought we should concentrate on working on the details of build-through. Taking it through the Agriculture Resource Committee -a group that we had set up earlier-which has been involved in reviewing some of the details up until now, and walking through those details and getting input - then we will bring that to the Common and the Planning Commission together in a Planning Session at a Super Common probably in early March. We'll need about that much time to work on the details of build-through and have a package to put on the table before you for discussion. At that time you could also give us some guidance on where to go with the other pieces in that package. We'd also be able to bring you some detailed comments on the build-through from the public meetings and the group we've worked with before.

Mr. Workman asked if March would be the time-line for the "point system" to be completed? Mr. Krout answered that they have received comments across-the-board from "it's too far on this side" to "too far on this side". Some feel there isn't enough land being opened up in the areas where the scoring system would suggest lower densities. There is not enough AGR zoning. There is a little more information that we will send on to Common Members on that. We think that what we have is a middle-of-the-road type of solution. It seems to work and the idea of some new bonuses with the AG Cluster development seems to be appreciated. That is a package that makes sense. Even though we're suggesting a cut-off between where it is appropriate for AGR zoning with three-acre lots and no open space vs. the Cluster, whatever the system is, we reserve judgement for the City Council and/or County Board, depending on whose jurisdiction it is, to make that final decision. It's really only a guide-line. We can't put those into an ordinance and say that only a variance would allow a different idea. It is like a sub-area plan. It becomes a guideline for Council and County Board to use if someone does request AGR zoning. You would be free to determine, if it fell short of the required points, to proceed anyway because it seemed logical to proceed.

The point system with cut-offs was discussed briefly noting that the system could be used as a policy position or a bench mark to be used in reviewing staff reports; to prepare resolution/ordinances. Mr. Krout noted that the direction would be up to the Common Members. It would be your guidance as to whether or not the proposed system was fine to go, or whether it should be further revised.

Mr. Workman stated that at the meeting, he had seen no opposition to the point system itself, but a number of comments had been made that there should be a little more density allowed for the points...more of a bonus - a stronger bonus, which seemed somewhat reasonable to Mr. Workman.

Mr. DeKalb stated that the proposal had been, essentially, to remove the almost automatic 3% bonus now for AG Cluster for Ag preservation and to replace that with three 20% bonus packages. Having more of a bonus was one of the themes from the public hearings, as well as more in the Northern part of the County. But if you want us to proceed, there would be some text amendments to the Zoning Code and to the C.U.P.

Mr. Workman commented that the other point on the transfer of development rights is something that was accepted very well, too. He thought it was a great idea. He also liked Mr. Krout's idea of limiting that to a certain area - otherwise it could get to be a real nightmare if it were opened up to include the entire county

for transfer options. To keep the rights within a specific area would be a very good plan. He thought everyone at the meeting agreed that it would be a workable situation.

Mr. Krout commented that they could certainly work on some draft amendments and have some options on the side in terms of the different percentage density increases for the Common Members to take under consideration. Mr. Svoboda thanked Mr. Krout and Mr. DeKalb for the presentation.

PRESENTATION ON S.W. 40TH STREET TRANSPORTATION STUDY - Mr. Roger Figard, City Engineer (also representing the RTSD in this presentation), came forward to introduce those who would be presenting on this issue. He noted that the presentation would be on the S.W. 40th Street Corridor primarily between "A" and "O" Streets. This study was sponsored by the City but there are significant stake holders in this project other than just the City. The City has selected the Kirkham Michael Consultants and Rick Haden, Tim McCoy and Mike Piernicky of KM are here today. Amy Zlotsky of A-Z will be helping with the environmental study. Mr. Figard introduced Don Thomas, County Engineer; Boyd Andersen and Andy Amparan of Burlington Northern and Santa Fe Railroad; Scott Cockrill, Randy Hoskins and Karl Fredrickson, City/County Staff.

Mr. Figard reminded the Common members that the S.W. 40th Street Corridor was selected as a primary corridor in S.W. Lincoln as part of the 2025 Comp Plan. As part of that, one of the tough things is an at-grade railroad crossing in that area that has some significant rail traffic. It is not open to cars a good share of the time. We've selected Kirkham Michael to start the study in August of 2002. Phase I was to look at all of the short-range alternatives. There have been several open houses. We've been looking at an over-pass to make sure there were no fatal flaws if that is to be the primary access out into the community. Both Phase I and Phase II have been done. Mr. Haden will review the Phase II presentation for you today. After that presentation is completed, Mr. Figard indicated that he would come back to review where to go from this point in Phase III.

Mr. Haden reported that this project had been shown in the Comp Plan of 2025 as an over-all project with S.W. 40th Street as a four-lane roadway from "O" Street to Van Dorn with an over-pass across the Burlington Northern Railroad Corridor. Mr. Haden reviewed the impetus for this project (a 16 year period from 1952 -1968 in which 55 fatalities had occurred at railroad crossings in Lincoln). In the next 16 year time period from 1982-1997 (30 years later) there had been a dramatic reduction with 6 fatalities from rail crossing accidents compared to 55 during the earlier time period. Non-fatal accidents had also been reduced. Many times we take for granted the rail crossing improvements in the area, but this comparison shows the significance of those improvements. The improvements include grade separations, consolidation of railroads, and abandonment of tracks. Mr. Svoboda asked if that included pedestrian/train deaths? Mr. Haden answered that it would - it included all train related deaths at grade crossings.

The current study began with Phase I - the original boundary went from Interstate 80 to Denton Road, Southwest 70th & Coddington Avenue. The focus was quickly narrowed to the area from "O" Street to "A" Street. There are some significant features in that area - such as Pioneers Park on the south side of Van Dorn east of 56th... real land barriers. So this gives us limited opportunities for roadways in there that will go that entire distance.

Looking at what is in the Comprehensive Plan, of course, is to widen S.W. 40th and build an over-pass across the rail corridor in that area. They wanted to look at alternatives before they narrowed it to that one alternative...to investigate the possibility of other opportunities within the area. One of those was N.W. 48th Street - connecting that over to S.W. 40th. Because of the continuity of N.W. 48th all the way up to Highway 34, we saw that from a roadway network perspective that would have some benefits. This does have more impact because it requires a new corridor. These structures are longer and longer because the Burlington Northern line to Denver takes off on a curve there. It gets farther away from the main corridor. There is also a flood plain/flood way in there.

Another possibility was to connect N.W. 48th over to S.W. 56th Street. S.W. 56th is a continuous runway down to Saltillo. Thinking, again, of roadway continuity, this might make some sense in the long run, but if we do move it over there we introduce another at-grade crossing at “A” Street that otherwise does not exist at the Burlington line. There is also a residential neighborhood south of West “A” Street in that area.

Another option was to shift it slightly to the west. This would take advantage of the existing grade separation on West Van Dorn, which is in place, and would avoid the neighborhood. But, again, it would require traffic crossing the Denver line in the area without having a grade [inaudible]. It also made less sense when looking at the traffic volumes. One of the major physical features in the area other than the railroad is Middle Creek. Mr. Haden outlined the flood way and the flood plain in the area, which is a very wide expanse in the area that has an impact on where the corridor will be crossed. S.W. 40th Street is right in the middle of that area.

We can't restrict or interfere with any of the flood plain. Looking at the 2025 traffic forecast for this area gave us an idea of where we need to head. Future forecasts for S.W. 40th between “A” and “O” Streets is over 18,000 vehicles per day. It drops down to about 10,000 vpd south of “A” Street. There is a large number going east on “A” Street. Mr. Haden explained the traffic flow in the area which is one of the principle reasons the focus was narrowed to this area. Future County Road networks really accommodate those volumes without additional need for substantial improvements to the roadway network. Mr. Haden explained in detail the map and study of traffic flow in the area which was a basis of the decision to use S.W. 40th Street as the main corridor for this project. He noted that when they were doing the traffic counts in the area, they observed vehicles actually starting down S.W. 40th, but upon seeing a train approaching, made a U-turn and went back out. They found that the crossing there is blocked by trains 40% of the time. That is a very high percentage. In studies that they've done across the Midwest, 15-20% would be considered a high crossing delay, so 40% is really high.

Recognizing that, and working with the City's model, we looked at what would happen if we removed that impedance today....what would happen if there was no delay at that crossing. Modeling that, to get the volumes with the delay and then the volumes with the delay removed, we ended up with about 5200 vehicles off “O” Street, or 4480 at the crossing. There are 88 trains per day using that crossing, including switching activity. The exposure rating is just under 25,000. That is critical because the State priority system for funding requires a minimum of 50,000 to qualify. Typically, it is very competitive across the state for those grade separation funds. If there are less than 100,000, there will probably not be funding for quite a while without a very heavy local participation. With the 40% delay....that volume might even go down when people get discouraged in trying to use S.W. 40th Street. So, we've approached the State about using 0% in looking at that rating and then adjust it back to about half-way between the two. This would represent “typically” across the State at other crossings that are in competition with S.W. 40th. We came up with a volume of 2400 with the same train volume. That came up with a rating of 209,000. The State has indicated verbally that, although this is unusual, they would accept that approach, for funding purposes...recognizing that we do have an unusually high volume here.

The question is until you can get a railroad overpass built, what to do with S.W. 40th Street today? Of course, no action is always a possibility, where we basically leave it as it is. However, there is a deficient bridge on Middle Creek...it has a 9 ton rating and a sufficiency rating of about 35-36. This bridge needs to be replaced. The County Engineer would have liked to replace it several years ago.

The railroad has an increased need to add trackage causing additional blockage. They have another contract for six additional coal trains a day to go through the area. That will increase the train traffic and, again, discourage vehicular traffic.

Another option would be to go in and just pave S.W. 40th - treat it like we do most other County Roads or fringe City Streets, rebuild the bridge across Middle Creek, upgrade the rail crossing protection; try to get

by on the short term with those more modest improvements. Even those improvements, though, are estimated to cost about \$2,000,000. Most of that cost investment would be lost when an over-pass comes in since we could not use the bridge at the current elevation with an over-pass. Of course, paving on S.W. 40th, the grade crossing improvements would be lost with an over-pass as well.

Another Alternative: Close S.W. 40th at the north side of the tracks and at Middle Creek to avoid replacing the bridge and avoid the cost of improvements at the rail crossing. This, however, isolates a piece of ground between Middle Creek and Burlington Northern where some privately owned land is located. LES also has a 115 KV Line that runs parallel to Middle Creek that requires access for servicing. Also, emergency access to the south side of the Burlington yard would be critical to the Fire Department.

Mr. Ray Stevens asked what the North/South routes would be if that were closed? Mr. Haden answered that using the O&D Survey (Origin & Destinations), it was estimated that S.W. 63rd and Coddington over the West By-Pass would be the only real alternate routes available. Of course, S.W. 63rd is unpaved. It's not a very good situation from the sight distance standpoint. There are improvement programs for the interchange at the "K" and "L" Streets extension on the Homestead Expressway, but today, that area can be congested as well.

So, we looked at just closing the Burlington Crossing, leaving the bridge in place across Middle Creek to provide access to the parcel of land in between and also to the south side of the railroad tracks. That would still require some stabilization of the existing bridge and the banks of the creek to keep it from further deterioration. It would probably allow the bridge to remain.

Mr. Tim McCoy came forward to report on the engineering criteria and the cost estimates and benefits of the over-pass. He reported that the typical roadway section they were using was the 120 foot City Standard - two lanes in each direction with a 10 foot bike lane on one side and a 5 foot sidewalk on the other. We're proposing dual left turns at "O" Street and at "A" Street. Across the bridge, we're maintaining the same lanes in each direction. Actually, we're widening up both the bike lane and the five foot sidewalk. We are narrowing the median to three feet to reduce the cost across the structure.

The dollars involved for the total project from "O" Street to "A" Street, including the over-pass of the railroad, and the Middle Creek improvements and the other things listed - right-of-way, utilities, engineering and removal of the at-grades, is about \$16.4 million. Mr. Heier asked if the bike trail and the sidewalk couldn't be combined? Mr. McCoy stated that the bikeway is on one side. Mr. Haden noted that what is being shown is on the east side, it would be a combined pedestrian bikeway. On the west side, there was a concern that over that distance, people would be crossing at the foot of the over-pass, so the City asked the consultants to look at a separate walk-way on that side, just to avoid that possibility.

Mr. Camp asked, in a follow-up of Bernie's question, if you did eliminate one - either 10 foot bike-way, or not have the pedestrian walk-way, what is the over-all distance? Mr. Haden responded that it would be about 1400 feet, total. That would be a substantial savings. We did look at that. Mr. Camp asked for numbers on that which could be shared later. Mr. Haden indicated that they would be provided

Ms. Schorr asked if they had stated "dual left turn lanes" on both sides? Mr. Haden said they would be on each end - at "O" Street and down at "A" Street. Ms. Schorr asked again, for clarification: "two lanes of traffic going both directions, but dual turn lanes also"? Mr. Haden said "yes". Mr. Figard asked Common Members to keep in mind that that is consistent with the 2025 Year Plan. That isn't necessarily what we need tomorrow. We're trying to lay out the long-range plan - to be prepared.

Mr. Haden explained that there would be only one lane that would go straight through because it doesn't go any where. So, there would be two left-turn lanes, a single through lane, and then a single right-turn lane.

Mr. McCoy continued his comments, noting that as a basis of funding, they had looked at the conversations with Burlington Northern and [inaudible] they would be paying for a forty-four foot (their minimum) bridge structure - from touch down to touch down. Take out Middle Creek and run a theoretical 44 foot bridge profile to get over the railroad, so for this cost, we're just under 8.9 million dollars.

To summarize, to the City: it eliminates the crash risk by taking out the at-grade crossing; reduces the lay; lowers the response times for Fire & Rescue; it improves the circulation and activity in West Lincoln. For the Burlington Northern: It eliminates the crash risk; provides six-miles of un-broken main line from 91st & 1st Streets; it improves the security of the Hobson Yard; adds flexibility for future track re-alignments; it allows for unrestricted switching south of 40th Street. For the County: the deficient bridge will be replaced; removing the 9 ton weight limit on S.W. 40th Street.

Mr. Figard stated that the engineering seems pretty simple. Now we come to the tough part which is funding and scheduling. We intend to have a public meeting open house on December 16, 2003 to share the results the study has shown thus far. Before we do this, we wanted to touch base with elected officials to explain what we're doing. What is crucial now, is that some how or other, we must take all the stakeholders and put our resources together in a way that is best for the community.

If we just quickly step back and look at the stakeholders:

The City has named S.W. 40th Street as a major corridor in the Long-Range Transportation Plan. However, the difficulty there is that is not the first year of our six-year C.I.P. Doing that road work is probably unfunded in our current C.I.P.

The RTSD certainly is interested in removing that at-grade crossing to improve safety. The RTSD does have this project shown for funding starting in the 3rd to 5th year of its C.I.P. which are the years 2006-2008.

The County has money put together and they have the design to replace the bridge. But, if they do that and later on we build an over-pass, that bridge and those dollars would be wasted.

The Burlington-Northern-Santa Fe certainly has an interest and need to move ahead with replacing and adding tracks. If they do the track addition and we don't have an over-pass ready to go and that crossing needs to remain as an at-grade crossing, which is the position of the City, then they need to do some fairly expensive crossing improvements, signal timing, new gates and lights - which expend their dollars and resources which would later be wasted if we came back and built an over-pass.

The timing is tough. BNSF and the County are ready to move ahead now, the City and the RTSD are not, because of funding. We have a funding partner in NDOR, although the absolutes are not in place and we need to work on it. Mr. Figard offered a suggested alternative that he would like Common Members to buy into on how to move ahead. First and foremost, we shouldn't waste a single dollar and should try to keep everybody moving ahead. What he would suggest is that through the winter months (now through Spring) that the RTSD and the City work diligently with the NDOR, the County and Burlington Northern to bring forward an agreement that spells out assurance and commitment on funding.

As part of State Law or Federal Statutes, the railroad is required to participate and pay for five percent of a theoretical structure that would go over that corridor. They have acknowledged to us that they are willing, as a minimum, to do that. Mr. Figard stated that he had further asked them to consider contributing the dollars they would need to spend for the at-grade crossing improvements, if we didn't build the over-pass. That would be a part of our on-going negotiation.

NDOR has committed that they are willing to set down and look at this crossing in a different light. There is quite an exposure out there and they need that corridor, so Mr. Figard was confident that they would be a funding sponsor, though at what level, Mr. Figard did not know exactly.

Certainly, the RTSD is prepared to fund, but that would be down the road a little bit. We would use the Winter months to spell out exactly the contributions from each of the stake-holders -get that committed in writing- as well as closure dates, and proposed opening dates for the completion of the new over-pass.

With that funding and agreement in place, Mr. Figard would suggest to the Common that the agreement would allow a temporary closure of S.W. 40th Street to start with the railroad work during the summer of '04. The "temporary" would indicate the fact that it is closed -the railroad does their track work, we continue with Kirkham Michael to do the environmental work, the design engineering and get everything ready to bid a project. Then, with the funding in place and the timing commitment from the State, the City, the RTSD and the railroad, we would probably be in a position to start construction on an over-pass in two to three years with a completion as early as 03-04 or it could be five years out. So, we're talking about a closure that could run 3-5 years. But, as many of the residents out there told us in the meetings, they were willing to live with that closure because they can't get through now - as long as there is an agreement and a commitment in place, from the City and the County and the District that there would be an over-pass built in the future. That is what that agreement signed by everybody would guarantee. Without that agreement in place, we'd be saying that we would not be in a position to allow a temporary closure to start on S.W. 40th. That's the impetus for everyone working together.

Through the engineering that we would continue to work on - we need to look at a phased approach on what we might build. Certainly, it may not be the full four lanes of the bridge with a walk-way on both sides. It probably isn't a full four-lane and dual lefts on the roadway itself. We should analyze and cost out some phasing on the bridge and some phasing on the roadway. Roadway lanes could be added in the future. What would be key would be to try to bring forward, with the funding package we've got, to get the over-pass built as quickly as we can and with minimum road improvements that we can get in from "A" to "O" Streets to support that. Then later on, as the City has more funding and as the traffic volumes pick up, then perhaps widen the roadway on out to it's four lane capacity.

The key on how much over-pass you build really gets into the economics of what you build, what do you defer, what does it cost to come back and add later on. Those would be things that we would update you on as we go on into the Spring. This would be what the timing, funding and phasing approaches might be, so you're keyed into that before we move ahead.

Mr. Figard opened the floor for questions from Common Members. Mr. Heier asked if the over-pass goes over the present bridge that the County has? Mr. Haden answered that the over-pass would be much higher than the current bridge crossing Middle Creek. Mr. Heier asked if it would be all one structure. Mr. Haden commented that it would be a short section of fill with a retaining wall as shown on the bottom of the drawings.

Mr. Workman asked Mr. Figard if he had a ballpark figure as to what the County's financial participation would be. He also asked Mr. Don Thomas, if this project goes forward, how much was the County planning on spending on that bridge without this project? Mr. Thomas gave a cost estimate on the bridge itself, because it will be different once it is incorporated into this plan. All we have is an estimate on the existing bridge. So far that would be our contribution - the local portion of whatever that Federal bridge replacement cost would be....that is what we would contribute toward the project. Mr. Workman asked Mr. Figard if that was what he had in mind? Mr. Figard indicated that it was. Mr. Workman asked if that would negate the Federal funds that we generally receive on this? Mr. Thomas answered that it would not - that is one thing that is critical about this. We want this bridge to be a part of the project because at least 80% of some bridge length will be participated in. Mr. Figard noted that he had failed to mention that Don had secured Federal funding and we need to keep them included as part of that package.

Mr. Friendt asked Mr. Figard, regarding the track work by Burlington Northern and the County replacement of the bridge, if those projects would both require closings of S.W. 40th for some time? Mr. Figard answered that while they were actually building the tracks, or doing work, it would have to be a short-term closure of 40th Street. Mr. Friendt surmised then that there would be closures, regardless of which project was undertaken.

Mr. Stevens asked, with the bridge, if that was the optimum engineering standard, or could it be narrowed - especially considering the walkway on each side which seems to be extremely wide with a 7 foot walkway and a 12 foot bikeway....more than sufficient. Mr. Figard answered that those are intended to be the optimal or desirable measurements. Certainly as part of the phasing, we need to look at that. A 12 foot bike trail is becoming the new standard. The current ADA requirements now call for a 5 foot walk-way, but on a bridge structure, you really need to make them wider than that, because the five foot is intended to be the 'clear space' giving room for handlebars to somebody riding or walking along the edge of a five foot walkway; they would need space for handlebars and allowing people to pass. It is desirable, but we will certainly look at that.

It is easy sometimes in the beginning when we're worried about dollars to say lets narrow it up....but down the road, we've found quite often that, regarding pedestrian ways along the arterial corridors, the community has said 'have a pedestrian way on each side'. Don't force the pedestrian to walk across an arterial street, which would entail putting up a pedestrian signal. All of those things need to be looked at. This is really based on a desire that arterial corridors should have pedestrian movement on both sides, plus a trail way.

Mr. Camp commented, since that does add quite a bit of cost to the overpass situation, is the overpass to be about 1300 feet, and is that touch down to touch down? Mr. McCoy responded that one of the bridge structures is just short of 400 feet. The other one, over Middle Creek is about 300 feet. So, there is about 700 foot of bridge over the railroad and the creek. Mr. Camp commented that between the creek bridge and the overpass, plus the ramping up at each end - what is that total distance? Mr. Figard answered that the difference between the bridge length and the 1300 is included in that. Mr. McCoy commented that it's probably about 1800 feet. Mr. Camp noting that it looked to be approximately a half mile, commented that from a practical standpoint, perhaps bike traffic would be viable, but that is a long, long way for a pedestrian to go. If we could see some cost figures - because that might be a way of helping to save money on the project.

He added that, going back to Mr. Workman's comments, and questions on the funding with the County and all, when you look at the approximately sixteen million dollar figure, could you re-cap this with "best estimates" of how that would fall? If you look at 16.4 million, is this current dollars? [It was].

Mr. Haden stated that, if you're looking at outside participation, you would assume 85-95% of that would be covered by outside sources. About half of the total cost would be funded by either railroad or State funds. Mr. Camp asked then if we were still looking at over eight million dollars coming from the City and the County? Mr. Haden stated that would be for the ultimate roadway...that includes the five lanes and all the way from "O" to "A" Streets.

Mr. Camp expressed concern for the future of S.W. 40th. It dead-ends into Pioneer Park. He noted that long-term, maybe another 25 years, are we looking at missing a major opportunity to have a complete thorough-fare that might skirt one of the edges of the park? Mr. Figard answered that that is a piece of the Long-range Transportation Plan. S.W. 40th Street, we feel, was the corridor that serves the proposed land use and growth in the 25 year horizon. As we up-date the Comp Plan, or as the Comp Plan has major revisions, he would expect that the community will continue to grow on the west. There may well be another additional corridor developed further west. It could be N.W. 48th down to S.W. 56th. The current land use doesn't take us out quite that far. In the interim, 40th needs to be the corridor to serve the proposed growth in that area. Something could happen down the road and that should be part of the annual planning effort through the Comp Plan review.

Mr. Camp asked if Mr. Figard had any idea what the comparable cost would have been for the West Bypass from "O" to "A" Streets. Mr. Figard stated that he did not. He added that certainly that was built to expressway standards. The structure itself is much longer because of the width of the railroad yard at that point. The only other thing, which Mr. Figard appreciated, was looking at funding and making sure we aren't being extravagant and that what is called for in the Plan is based on the proposed Comp Plan Land Use. We don't want to be short-sighted in planning for the ultimate if the land use happens. If that land use isn't going to occur to that degree, we can phase back. [Here Mr. Figard's remarks became inaudible]. Right now that is clearly what is needed in a desirable fashion to serve the proposed land use of the Comp Plan over that 25 year period.

Mr. Stevens commented that, looking at the dollar guesstimates, the bulk of it is in the overpass and the roadway. Could the overpass be built independent of the roadway? That would put the bulk of the funding back to the Burlington Northern and Nebraska Department of Roads to build the overpass structure, even if you have unpaved roads on either side of it for two to four years - whatever it might be for the funding to be put in place.

Mr. Stevens noted that the RTSD may have some dollars they could put into this. If the RTSD looked at some of the projects they're funding over the next year or two (he was thinking specifically of the Harris Overpass), the immediacy of that - could some of those funds be shifted around slightly?

Mr. Figard answered that the bridge or a portion of the bridge could be built and not necessarily all of the roadway. He commented that that is what part of the engineering phasing analysis over the Winter needs to do. Perhaps just part of the two lanes of paving could be implemented initially. Because the new bridge has to be so high, it's a long ways from touchdown to touchdown - it seemed like it would be nice to have some paving in there right away. He hoped they could come forward with plenty of options that would give us a bit of both.

Mr. Workman commented that he appreciated the report, because he did not realize there had been such a difference in the deaths at railroad crossings. He related an incident where an old friend of his had been killed at a crossing back in the '70s. He noted that the reduction you've reported is very significant, adding that the next time he pays his RTSD taxes, he won't complain.

Mr. Friendt asked if it would be possible to get copies of those alternatives that have been looked at. Mr. Camp agreed that he, too, would like to see more detail on some of the mentioned alternatives. He noted that some of the other alternatives would require some over-passes, or you would still have at-grade crossings as Burlington went off to the Denver Line and the Alliance Line. Those are at-grade crossings that have to be dealt with in future times....regardless. So, as we analyze this it is important not to just say that is a reason to not take another option - because it would add to the cost. We may have to deal with these crossings eventually as the City expands.

Mr. Figard commented that, unless there is a significant problem, they would move ahead with the public meeting, pledging to the community that we would finalize an agreement with dates and contributions with funding commitments with the scenario that 40th Street [sic] would be closed while construction went on, but there would be an overpass built in the future.

Mr. Camp asked if this is assuming that the S.W. 40th Street was the chosen corridor. Mr. Figard stated that it was; adding that the immediate problem, if we go to one of the other corridors is that you can just throw away the potential options of trying to parlay the railroad's money and the City and County's money. They need to move ahead. The City has designated S.W. 40th to be and to remain a viable corridor in the future. So, if you take another corridor, then we have a minimum of 12-24 months of environmental work to even determine whether another corridor could be used. The Railroad would need to move ahead and we would ask them, then to improve the gates and lights and spend that money. And the County Engineer, depending on what happened with the Railroad, regarding the bridge over Middle Creek, may be forced to spend

his money and move ahead too. What we've said is that other corridors probably serve to the future, but the Comp Plan and the current proposal says S.W. 40th is the Corridor over the next 25 years....and we need to move ahead with that corridor and with implementing that roadway.

The others would be a long-term solution - beyond 25 years. Mr. Camp commented that he had heard people asking questions today, and he did not know, based on those questions, if today that is the decision we will make. Maybe it is. Mr. Svoboda commented on the alternate that was shown that would actually connect with a little loop over to N.W. 48th Street...asking if that is considered an all new, different corridor? When you're talking about the alternatives, that would be a different corridor? Mr. Figard answered that it was. Mr. Svoboda stated that he had seen the significant numbers in the drop-offs - it looked as though there were great numbers of people that use N.W. 48th Street where that picked up S.W. 40th to get to "A" Street. Mr. Svoboda wondered how far that consideration had gone other than just as a possible alternative. Mr. Figard commented that it was just a possible corridor alternative, but because of the immediate need to provide access in and out of the community, we felt that was probably a better longer-term solution beyond the current Comp Plan.

Mr. Figard stated that if this isn't the solution.... the Comp Plan shows S.W. 40th as a four-lane roadway with an over-pass... if that is not the direction that we're charged to move ahead with, then he would suggest the Comp Plan needs to be amended. That is our guiding document - that is our decision maker and the impetus upon which we move. That corridor is also needed to serve the proposed land use that is provided in that Plan, too.

Mr. Stevens commented that they are talking about a 25-year plan, which is a pretty good horizon, perhaps you have a crystal ball to see beyond that. Where is the next 25 years beyond that then? Is it practical to tie into the Interstate interchange at N.W. 48th Street and then bend that somehow to go south as the next arterial route around Lincoln? Mr. Figard stated that he thought that was a strong possibility. Or the next major update of the Comp Plan, which could be 3-5 years down the road, if the growth and land use would show something different out there, then it would be tackled at that point. Every year, we update the Long-range Transportation Plan and try to validate it. He thought they would be planning and talking about it well ahead of 25 years from now, but the service to that area is probably in the plus-25 year range.

Mr. Workman stated that he did not want to second-guess an entire gaggle of engineers here today. [Laughter] He stated that he would go with what has been presented, noting that it sounded pretty good to him.

Mr. Svoboda stated that, following up on Ray's comments, when looking at the 25-50 year plan and the potential tie-in of the Interchange at N.W. 48th and I-80, are we as stakeholders/taxpayers in today's 16 million dollars, losing out or wasting if we should in the next update of the Comp Plan decide that we want that tie-in to the Interstate? Or does this really ham-string us to go with this route? Mr. Figard stated that he did not think so. He stated that he thought they were truly complementary. We continue to grow in that area. There will be another corridor needed. As Lincoln grows, our mile line arterials are busy. The fact that we add another mile to a land use and another corridor - this will not be wasting the money....it would be money well-spent to continue to serve the area.

Mr. Svoboda noted that personally, in looking at a corridor, he looked at a long-range 50-year plan on a corridor being one that goes North to South almost entirely, as opposed to being blockaded by Pioneers Park, so he would be looking at something a little bit more long-range with a little more North/South access than S.W. 40th right now.

Mr. Svoboda asked for other questions or comments. Mr. Friendt asked whether or not Mr. Figard needed a vote to proceed? Mr. Figard stated that he did not think they needed a vote, but just need to know that this isn't a "vomiting connotation fit" because we're going out to talk to folks. N.W. 40th Street under this proposed scenario, assuming we have an agreement that spells out the funding and the schedule, would embody a temporary closure of 40th Street while the railroad does their work and we wait to get an over-pass built. That's the approach. Mr. Friendt asked if there would be opportunity for future review and approval. Mr.

Figard answered certainly future review - and he felt the elected bodies certainly will have a place to agree and sign-off on agreements. Any agreement that we put together between the City and the County would require an interlocal agreement. So, there will be plenty of opportunity both for input and certainly the RTSD Board has some purse strings on funding for the project for the RTSD. The City Council and County Board both are in the position, under the Capital Improvement Program, to have funding authority over both the City and County funding.

Mr. Camp commented that we're setting something in motion here that is in writing. It is very difficult to change as we've seen with other issues. That is not necessarily bad, but, he wanted to recognize what is happening. He personally does not favor such a major highway expanse when you talk about dual left turn lanes, and so forth. Mr. Camp said, as Ken alluded to earlier, with that interchange at N.W. 40th - that is only eight blocks farther west. He would see something with more of a North/South thoroughfare - with N.W. 48th going into S.W. 56th Street - down the road. So, when we're looking at a two-mile stretch from "O" to "A" Streets, then on down to Van Dorn, he thought it was over-kill....even for the numbers you're showing us with the amount of developable land in that area. It tends to be somewhat of an industrial area as well as some residential. He did not want to be short-sighted, so going to such a wide expanse just eight blocks away - even if it is more expensive to have the two at-grade crossings...

Mr. Werner asked what the exposure right now was to the nearly 20,000 people to this crossing? Mr. Haden noted that those figures would be the 2025 traffic projections. Mr. Werner asked how many households there were to the east of S.W. 40th Street? Mr. Figard did not have those figures. Mr. Haden commented that the Comp Plan shows that area entirely filled with single-family homes. Mr. Werner asked about the area to the west? Mr. Haden answered that to the west it is determined by the water service. He thought that goes, probably about to where the railroad tracks are on the west end. Mr. Werner noted then, that the Comp Plan through 25 years would go to S.W. 40th? Mr. Haden thought, really, probably to 48th Street. Mr. Werner asked then, in the mean time for the 25 years, we've not done anything to alleviate the exposure to that at-grade crossing for all of these people? Mr. Figard commented that the network isn't there to just serve immediate households. This network continues to serve the greater Comp Plan in providing Corridors for folks to move from north to south and from northwest to southwest. Those trips aren't all just people going in and out of businesses and homes right in that West "A" Street area. The graphic shows the broad bands of where traffic would go - that is part of the transportation network which provides alternative and additional capacity corridors so not everyone has to go and drive south to Highway 77 - or go around to the west to come in on "O" Street and go south on 9th & 10th Streets.

Mr. Figard commented that he didn't intend to be argumentative, but the corridor that is being proposed isn't any different than what we proposed to build on South 70th and 84th - that is the corridor of need for the mile line roadways of this community to serve the land use. Whether there are dual left-turns to start with or later - those things can be phased. We're thinking about land use and traffic 25 years down the road. Maybe we don't build as much to start with, but let's please not have to go back and buy more right-of-way or tear something out and do it again in the future. We haven't widened a roadway yet on a theoretical network that hasn't grown to and exceeded our traffic projections.

Mr. Friendt stated that there are two City Council Members not present and three County Commissioners absent....he sensed from the conversation we're having that there is the desire by some to revisit the Comp Plan requirements. He suggested that there be a vote taken today. He thought Council could take a vote at the "Noon" meeting and provide some sort of formal approval to do this; and have the County Commissioners do the same. Because if you ask what we think right now, we're missing five or six votes.

Mr. Workman commented that that may not be a bad idea. Theoretically, we cannot take action at a Commons meeting. So, it would have to be considered by the separate bodies. Mr. Friendt agreed, and stated that within the next week, we would take those votes and provide direction.

Mr. Figard stated that the goal was to make sure that the elected officials were informed of what study had gone on. What we want is to go out and present the same information to the public. Until we've actually let some contracts, and approved the agreements, there isn't any authorization on our part to move any farther than that. We want you informed and it also provides an opportunity for your constituents to give feed-back to you after this open house and affirm if they are willing to have the road closure for a period of time. We need your respective bodies to think about that before we move any further.

Mr. Svoboda asked if that open house meeting was scheduled for December 16th? Mr. Figard noted that it was. It will be at Roper School, 5:00 p.m. December 16th.

Mr. Werner commented then that Mr. Figard didn't really need the Common's approval to move it forward....you just can move it forward and roll the dice on later agreements? Mr. Figard answered that it is a tenuous situation. He did not think they needed the Common's approval. It is delicate and we want you informed as to what we're doing. We think we're doing what the Comp Plan and the C.I.P. call for. We think we have a good plan. We think there is valid reason to do this. We're so informing you. If the process continues to prove that out, that is where we would head. As elected officials, when we bring forward agreements, that would be your opportunity to formally say yes or no - to the agreements.

Mr. Werner asked how far the City extended to the west? Mr. Figard stated that on the North side of "O" Street, we go clear out past N.W. 56th Street. South of "O" Street we just go to about 43rd or 44th. Street. The City limits stop just south of the railroad tracks on S.W. 40th Street. Again, that whole area is in the Comp Plan. Mr. Werner asked if some of this area might be covered by impact fees? Mr. Figard answered that some of the development that could occur, certainly would fit the impact fee criteria.

Mr. Svoboda asked for further questions or comments. There being none, he thanked Mr. Figard and his group for their presentation.

[Mr. Haden requested that it be noted in the minutes that he had provided the maps which had been requested for the County Board and Council]

The next Common Meeting is scheduled for Tuesday, January 6th, 2004.

ADJOURNMENT - Mr. Svoboda called for a motion to adjourn. The Common adjourned by general consensus of the Common Members at approximately 9:45 a.m.

Submitted by
Joan V. Ray
Council Secretary

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