

Addendum
DIRECTORS'/ORGANIZATIONAL AGENDA
ADDENDUM

Monday, January 29, 2018

I. CITY CLERK

II. MAYOR'S CORRESPONDENCE

III. DIRECTORS CORRESPONDENCE
TREASURER

1. Cash Letter for the month of December, 2017

IV. CONSTITUENT CORRESPONDENCE

1. Community Volunteer - Taylor L. Parton
2. Proposed Change of Zone TX17001, opposition - Shawn Ryba
3. Closing of Oklahoma Joe's - Mark Short
Response provided by Angie Birkett, City Council Office
4. Request to delay Public Hearing - Kent Seacrest, Seacrest & Kalkowski PC, LLO
5. Proposed Change of Zone TX17001 - Jeremy Buethe
6. Proposed Change of Zone TX17001, opposition - Sara Moshman
7. Proposed Change of Zone TX17001 - Ashley Alred
8. Proposed Change of Zone TX17001, opposition - Vish Reddi, President, Near South
Neighborhood Association
9. Proposed Change of Zone TX17001, opposition - Kory Kramer
10. Downtown handicap parking - Peggy Janovec
Staff response provided by Angie Birkett, City Council's Office
11. Request for deferral, Dominion Development/Sky Ranch Acres - Mark & Susan Bigham
Staff response provided by Teresa Meier, City Clerk

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

DECEMBER 31, 2017

TO: MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS

FROM: FINANCE DEPARTMENT / CITY TREASURER

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business December 31, 2017

Balance Forward	\$	337,060,667.73
Plus Total Debits December 1-31, 2017	\$	33,613,909.81
Less Total Credits December 1-31, 2017	\$	(46,853,519.27)
Cash Balance on December 31, 2017	\$	323,821,058.27

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

U. S. Bank Nebraska, N.A.	\$	1,715,826.22
Wells Fargo Bank	\$	(112,464.46)
Wells Fargo Bank Credit Card Account	\$	(43,696.09)
Cornhusker Bank	\$	44,960.92
Pinnacle Bank	\$	107,419.32
Union Bank & Trust Company	\$	56,898.19
West Gate Bank	\$	72,233.35
Idle Funds - Short-Term Pool	\$	73,756,162.25
Idle Funds - Medium-Term Pool	\$	247,615,251.16
Cash, Checks and Warrants	\$	608,467.41
Total Cash on Hand December 31, 2017	\$	323,821,058.27

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of \$25,072,588.46 representing authorized investments of the City's funds.

ATTEST:


Teresa Meier, City Clerk




Melinda J. Jones, City Treasurer

CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT

AS OF DECEMBER 31, 2017

DESCRIPTION	CUSIP	MATURITY DATE	CURRENT PAR	MARKET VALUE
FHLMC GOLD POOL C91166 6%	3128P7JK0	03/01/2028	\$164,353.76	
FHLB 1.25%	3130A5PX1	08/28/2018	\$1,000,000.00	
FNMA POOL #254548 5.5%	31371KWH0	12/01/2032	\$266,346.50	
FNMA POOL 256125 5%	31371MPJ0	01/01/2026	\$106,612.92	
FHR 2776 CG FREDDIE MAC CMO 5%	31394WJC3	04/15/2019	\$272,087.84	
SBAP 1998-20L 1 PASS-THROUGH 5.8%	83162CJR5	12/01/2018	\$64,963.60	
SBIC 2010-10A 1 4.11%	831641ES0	03/10/2020	\$244,999.79	
FNMA POOL MA0909 25DD	31418AAK4	11/1/2021	\$127,189.30	
SBAP 2002-20E 1 5.98%	83162CMF7	5/1/2022	\$85,901.91	
FFCB 1.0%	3133EELZ1	3/29/2018	\$500,000.00	
CORNHUSKER BANK		TOTAL PLEDGED	\$2,832,455.62	
FNMA GTD PASS THRU POOL #AU5145	3138X4WF3	08/01/2028	\$640,000.00	\$613,187.10
FHLB 2.63%	313376C94	12/10/2021	\$750,000.00	\$771,480.00
FHLMC 1.63%	3137BN5M2	01/25/2023	\$2,000,000.00	\$1,530,972.04
FHLB 1.50%	3130ABDB9	08/28/2019	\$800,000.00	\$799,272.00
FHLB 1.38%	313380FB8	09/13/2019	\$803,000.00	\$802,060.49
UNION BANK AND TRUST		TOTAL PLEDGED	\$4,993,000.00	\$4,516,971.63
FHLB LOC #524106		05/01/2018	\$7,000,000.00	
USBANK		TOTAL PLEDGED	\$7,000,000.00	
FHMS X707 A2 2.22%	3137ANMN2	11/23/2018	\$5,000,000.00	
FHMS X038 A1	3137BBBC3	10/25/2023	\$1,763,112.98	
PINNACLE BANK		TOTAL PLEDGED	\$6,763,112.98	
FMAC FGPC 3.500%	3132QSUG1	9/1/2045	\$1,000.00	\$908.08
FNMA FNMS 3.000%	3138ALU21	10/1/2026	\$869,408.00	\$168,582.84
WELLS FARGO		TOTAL PLEDGED	\$870,408.00	\$169,490.92

Angela M. Birkett

From: American Voter <taylorparton04@gmail.com>
Sent: Thursday, January 25, 2018 3:10 PM
To: Council Packet
Subject: Fwd: RELOCATING BACK to the LINCOLN AREA

Follow Up Flag: Follow up
Flag Status: Flagged

From: **American Voter** <taylorparton04@gmail.com>
Date: Thu, Jan 25, 2018 at 3:05 PM
Subject: RE: RELOCATING BACK to the LINCOLN AREA
To: city council lincoln Nebraska

Good Afternoon,

I am offering to introduce myself as a Native of the Midwest, returning to the Great State of Nebraska to Live.

Hello,.. I am Mr Taylor L Parton.

I have aspirations to get politically involved in Areas of Expanded Healthcare and Housing for Seniors and the Disabled in Nebraska. I also believe that MASS Transit Statewide(Buses/ Rail, above and or Underground) would be on my Agenda.

Offering this would provide Safety from Climate matters in the midwest and allow the Huskers from One side of the

State to the Other, From East to West and North to South,.. connecting to neighboring States Transit systemsand allowing for increased revenue and New Businesses to Build along that route in Our Great State of Nebraska.

On a More Local Level. (ie; Lincoln city Limits) I am Very Concerned about offering Greater tax incentives to Small Business and Landlords to get Disabled persons into Housing and provide Mass

Transportation on a 24/ 7 Level. To eradicate Homelessness and build a Stronger Lincoln.

I am in the Process of Selling Real Estate in another state, and upon completion of that, will become a Lincolnite.

I look forward to working with the Members of the City of Lincoln to be of service on a Volunteer level to make the Community that I choose to live in be that much of a better community.

Sincerely,

Mr Taylor L Parton

on FB: Taylor L Parton

January 25, 2018

Brian Will, Planning Department
David Cary, Director, Planning Department
Jon Carlson, Mayor's Office
Carl Eskridge, City Council
Roy Christensen, City Council
Bennie Shobe, City Council
Cyndi Lamm, City Council
Jon Camp, City Council
Leirion Gaylor Baird, City Council
Jane Raybould, City Council

RE: Open Harvest's Request to Change Alcohol Zoning Regulations (100 FT Spacing)

Dear City Council and Planning Department Staff,

As a concerned resident of Belmont neighborhood, I am asking you to oppose the request by Open Harvest to allow an exemption for Grocery Stores. The 100 ft neighborhood protection is an essential support when we are working to revitalize neighborhoods – especially areas like University Place, Clinton, Belmont, Hartley, Everett, Near South, etc. with vulnerable populations. Proliferation of alcohol sales and outlets only serve to increase the pressure on residents struggling to improve their quality of life.

Lincoln's neighborhoods and residents have more than ample locations to purchase alcohol. What possible community benefit is served by introducing a beer store on hundreds more neighborhood corners? I have observed first-hand and spoke with residents/property owners who have been impacted by the late-night noise, traffic, litter, public urination and other disturbances that come with establishments that offer liquor sales. This would also include a recent case of armed robbery. The current ordinance has been in place for 13 years. In that time, I only know of Open Harvest and Walgreens who have been impacted by the spacing requirement. These are only two stores versus the positive protection for thousands of homes, residents, school children, families at parks, and more. Do we really need a city-wide change in this ordinance to facilitate a particular change for just two businesses? Furthermore, Open Harvest has the ability to retrofit their existing commercial space without the need for an exemption. The question is not whether Open Harvest is a good, responsible business. They are-I am a member. The question is how will this exemption impact the entire city of Lincoln? There is a clear demonstration of the need to retain the ordinance as currently written.

Land-use attorneys argue that we need to level the playing field by making the spacing requirements the same for older neighborhoods and suburban shopping centers. These are two completely different circumstances. Older areas of the city have businesses and business districts right next to residential areas. In contrast, suburban shopping centers like Gateway or South Pointe already have hundreds of feet of buffer between them and residential housing. Different conditions require different standards to achieve desired community result.

I want to point out that older neighborhoods do not have the private covenants and restrictions that new neighborhoods enjoy. We depend instead on zoning and city ordinances to provide the proper buffers and protections that preserve homes, playgrounds, parks, schools, and churches.

Finally, please ask yourself what will happen if the Grocery Store exemption is adopted. The litter, noise, traffic, and disturbances that the 100 ft rule was implemented to help protect neighborhoods against will now be moved closer to residential areas. Bringing these conflicts closer makes things worse. Also, how will the city enforce being a grocery store? Currently, the city does not do this and do not have resources for this. If this exemption is passed, there will come the time in the near future where pharmacies, dollar

stores, etc. will want this exemption as well. It will open the flood gate! You might be able to define a grocery store, but how will the city respond when lawsuits are filed against the city for not being fair with this exemption? This will be an incremental step to dissolving the 100 ft rule. In fact, Mr. Mark Hunzeker has stated that if this exemption is made he will take actions to dissolve the 100 ft. rule altogether. Again, I ask that you retain the current 100 ft. alcohol sales spacing between residents, schools, churches, parks, and daycares.

I appreciate you taking the time to learn the history and nuances of the current ordinance. It is a thoughtful and important neighborhood protection that has stood the test of time.

Best,

A handwritten signature in black ink, appearing to read "Shawn Ryba". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Shawn Ryba

Angela M. Birkett

From: Angela M. Birkett
Sent: Friday, January 26, 2018 9:18 AM
To: 'phraugg77@aol.com'
Cc: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: RE: InterLinc - Contact

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Mr. Short,

On behalf of the Lincoln City Council, thank you for your inquiry. The business, itself, has reported that issues have arisen with the current lease that prevents the restaurant from continuing operations. Lease agreements between property owners and tenants are not governed by the City of Lincoln. It has also been reported that a search is underway to relocate Oklahoma Joe's to a new location outside of downtown Lincoln. We hope they are successful in that search.

Please let me know if I can be of further assistance.

Thank you,

Angie Birkett
Office Coordinator
Lincoln City Council
555 South 10th St., Ste 111
Lincoln, NE 68508
Phone 402-441-6867
Fax 402-441-6533
abirkett@lincoln.ne.gov



From: WebForm [<mailto:none@lincoln.ne.gov>]
Sent: Friday, January 26, 2018 1:08 AM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 1/26/2018 1:08:15 AM

name Mark SHort

address 4325 N. 1st

city Lincoln

state NE

zip 68521

email phraugg77@aol.com

comments Who do I COMPLAIN to about this absurd and lame reason for forcing the best BBQ in the country to leave our city? Oklahoma Joe's uses its own smoker because that is the key ingredient for why their's is the best of the best. Whose responsible for the nit-picky not-going-to-hurt-anything policy that has now made the Hay Market just average again? I have only lived here for 3 years, but if this "my way or the highway," power-trip mentality is what the Lincoln governing body is all about, then there is not much of a reason to support it. Can't wait to vote.

IP: 72.46.61.193

Form: <https://www.lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_10_5) AppleWebKit/603.3.8 (KHTML, like Gecko) Version/10.1.2 Safari/603.3.8



SEACREST & KALKOWSKI, PC, LLO
KENT@SK-LAW.COM | DANAY@SK-LAW.COM

January 26, 2018

HAND DELIVER

Teresa Meier
City Clerk
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Waiver No. 17005 (6410 South 70th Street)

Dear Teresa Meier:

On behalf of the Berean Fundamental Church, we are asking for a delay of the Public Hearing of the above referenced items from February 5th to February 26, 2018. The Church's Pastor will be out of the County and will be available to attend on February 26th. Thank you for your consideration of our request. Please feel free to contact me if you have any questions.

Very truly yours,

KENT SEACREST
For the Firm

cc: City Council Members
Don Bowman, dbowman@bowmanandkrieger.com
Steve Henrichsen, shenrichsen@lincoln.ne.gov
Brian Will, bwill@lincoln.ne.gov
Tim S. Sieh, TSieh@lincoln.ne.gov
Jeff Petersen, jpetersen@lincolnberean.org
Mark Kremer, mkremer@lincolnberean.org
Cody Colgrove, ccolgrove@lincolnberean.org

Angela M. Birkett

From: Jeremy Buethe <jeremybuethe@gmail.com>
Sent: Saturday, January 27, 2018 10:03 AM
To: Council Packet
Subject: Open Harvest Co-op liquor license

Follow Up Flag: Follow up
Flag Status: Completed

Hello, My name is Jeremy Buethe and I am wanting to let you know that I support passing Open Harvest co-op grocery's liquor license and I see it as a crucial step in helping the co-op grow and be able to compete with competitor stores in the area. The co-op is a strong, beautiful group of individuals in our community and we need the co-op as a symbol of coming together to build something strong rather than having corporations come in and put local businesses out of business, such as fresh thyme and whole foods.

Jeremy Buethe

Angela M. Birkett

From: Sara Moshman <smoshman@metallogic1.com>
Sent: Saturday, January 27, 2018 3:25 PM
To: Council Packet
Subject: Opposed to reducing alcohol spacing text change# 17001

Follow Up Flag: Follow up
Flag Status: Completed

I shop almost exclusively at open harvest and served on the board for 6 years. While they struggle to stay open, allowing them to sell alcohol does not guarantee their survival and opens doors that are not neighborhood friendly. I'm not opposed to them selling alcohol but they could have created a separate front section 10 years ago, for example, or purchased the properties behind them like CVS did but they could not afford it. Neither can they afford to move to another location because but changing the zoning laws just to help their survival isn't the right answer. I long ago suggested other cash flow increasing options such as trying to sell special arrangements to sell gluten-free bread to local hospitals and ideas like that were rejected. They tried creating their own brand of supplements which also did not prove profitable. Trying to sell alcohol may just be the ticket for them to stay in business but what if it isn't enough? Will you change the zoning law back?

Sara Moshman

Sent from my iPhone

Angela M. Birkett

From: Ashley Alred <ashleyalred4@gmail.com>
Sent: Sunday, January 28, 2018 8:44 PM
To: Council Packet
Subject: Open Harvest Grocery Store Text Amendment: Letter of Support
Attachments: Open Harvest Grocery Store Text Amendment_Letter of Support.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Council Member Raybould:

My name is Ashley Alred and I am a loyal customer and member-owner of Open Harvest Co-op Grocery. I am writing to ask you to support the Open Harvest Grocery Store Text Amendment. Permitting Open Harvest to have a liquor license would allow them to remain fairly competitive in a town where other chain stores are able to sell beer and wine (e.g., Whole Foods, Fresh Thyme, Trader Joe's, etc.).

I shop at Open Harvest because they support the local community, provide healthy foods and quality services that I am truly grateful to purchase each week, not to mention the employees are always incredibly knowledgeable and friendly. Open Harvest would be able to support the community even more by selling local beer and wine, and this revenue would continue to support this grocery store in remaining a trusted gem in Lincoln and continuing to grow in the future.

Lincoln is very lucky to have such a store that provides fresh and delicious food, supports local farmers and vendors, provides an ample variety of quality medicinal products, and actively engages with the greater community. I hope you agree and will show your support for Open Harvest in obtaining their liquor license. Thank you very much for your time.

Sincerely,

Ashley Alred

--
Ashley Alred
MS, Science Literacy Research
School of Natural Resources
University of Nebraska-Lincoln

2435 C St
Lincoln, NE 68502
January 28, 2018

The Honorable Jane Raybould
City of Lincoln
City Council
555 S 10th St, Rm 111
Lincoln, NE, 68508

Dear Council Member Raybould:

My name is Ashley Alred and I am a loyal customer and member-owner of Open Harvest Co-op Grocery. I am writing to ask you to support the Open Harvest Grocery Store Text Amendment. Permitting Open Harvest to have a liquor license would allow them to remain fairly competitive in a town where other chain stores are able to sell beer and wine (e.g., Whole Foods, Fresh Thyme, Trader Joe's, etc.).

I shop at Open Harvest because they support the local community, provide healthy foods and quality services that I am truly grateful to purchase each week, not to mention the employees are always incredibly knowledgeable and friendly. Open Harvest would be able to support the community even more by selling local beer and wine, and this revenue would continue to support this grocery store in remaining a trusted gem in Lincoln and continuing to grow in the future.

Lincoln is very lucky to have such a store that provides fresh and delicious food, supports local farmers and vendors, provides an ample variety of quality medicinal products, and actively engages with the greater community. I hope you agree and will show your support for Open Harvest in obtaining their liquor license. Thank you very much for your time.

Sincerely,

Ashley Alred

ashleyalred4@gmail.com
706-936-8979

Angela M. Birkett

From: Vish Reddi <vish.reddi@nearsouth.org>
Sent: Sunday, January 28, 2018 8:56 PM
To: planning@lincoln.ne.gov; Council Packet; Mayor@lincoln.ne.gov; Bennie R. Shobe; Carl B. Eskridge; Jon Camp; rchristiansen@lincoln.ne.gov; Cyndi Lamm; Leirion Gaylor Baird; Jane Raybould
Subject: Near South Opposition to Open Harvest text change #17001
Follow Up Flag: Follow up
Flag Status: Completed

Dear Council Members,

I am writing to express the **Near South Neighborhood Association board's opposition to Change of Zone TX17001**. This text amendment would create an exemption that allows grocery stores to sell alcohol within 25 feet of homes, daycares, parks, and churches. This change would have a very negative impact on the quality of life in Lincoln's neighborhoods.

Stores selling alcohol right next to homes create many problems. The sale of alcohol encourages stores to remain open until 2 A.M. or later. Lighting, signage, traffic, and noise create conflicts. Litter and crime complaints surrounding these stores both increase when alcohol permits are approved. Property values of the surrounding homes decline.

As the City Planning staff report points out, the proposed text amendment has many problems. How would a grocery store exemption be enforced? Someone could open up a small store and state they intend to sell 65% food to get the exemption to sell alcohol. Who follows up later to ensure compliance? Will City staff be auditing their financial records and sales receipts monthly.....yearly? How much time and effort does that consume and how complex and time-consuming to try and revoke their special permit? Can they simply bring in more food items and promise to try and sell more items?

Also, pharmacies, Dollar stores, and convenience stores will certainly come in and ask for their own exemption. What will be your rationale to say "no" to them? What would be the dividing line between one retail outlet from another? It seems very difficult and a slippery slope that would ultimately undermine an ordinance that has been working well for many years.

The current spacing requirement of 100 feet between alcohol sales and residential zoning, schools, daycares, and playgrounds has been endorsed by 27 neighborhood associations (including Near South) and is outlined in the Neighborhood Plan for Action. The current non-waivable spacing requirement was proposed by a large coalition of neighborhoods and adopted by the City of Lincoln in 2004. The Near South, like other neighborhood associations, works hard to preserve, protect, and promote a better quality of life in our neighborhoods.

The Near South Neighborhood Association values its neighborhood businesses like antique stores, print shops, restaurants, pharmacies, and grocery stores just to name a few. They are good neighborhood businesses that provide valuable services to residents. We, in turn, appreciate and actively support them with our patronage and dollars. Open Harvest and Walgreens would both like to

have alcohol sales and have suggested weakening the alcohol spacing requirements. But the larger impact on the community has to be the deciding factor.

The current 100 foot separation standard is clear, fair, and reasonable policy that has protected neighborhoods for many years. **The Near South Neighborhood Association board requests that the City Council, and Mayor's Office support the Planning staff recommendation to DENY Change of Zone TX17001.**

Sincerely,

Vish Reddi, President
Near South Neighborhood Association

Angela M. Birkett

From: Kory Kramer <kory.kramer@nearsouth.org>
Sent: Monday, January 29, 2018 8:04 AM
To: Council Packet
Subject: Opposition to TXT#17001 to reduce alcohol spacing requirements

Follow Up Flag: Follow up
Flag Status: Completed

Greetings - As a resident of the Near South neighborhood since 1996, and a current member of the Near South board, I am writing to express my opposition to Text Change #17001 to reduce alcohol spacing requirements. Near South is already a high density neighborhood that does not enjoy many of the protections of newer areas of the city and thus are consistently impacted by these proposed changes.

Alcohol sales promote increased traffic, noise, lighting and litter to name a few potential problems. The current 100 foot requirement is fair and a decrease in the mandated spacing would be a detriment to our schools, parks, churches, playgrounds and homes.

Where will the requests end if the grocery store exception is approved? Other retail requests will no doubt be submitted if this is change is permitted. I have heard Open Harvest's argument that grocery stores provide a valuable service to the neighborhood, therefore they should be granted the exception. Neighborhood pharmacies, convenience stores and other vendors will no doubt argue that their business provides a valuable service to the neighborhood as well, which would pave the way for other challenges if the "grocery exception" model is approved.

This is not an attack on Open Harvest, but they do have a workable solution to build an area inside their existing store footprint which would allow them to pursue alcohol sales under the current rules and regulations without impacting the 100 foot spacing requirement. This would be a viable solution for their business without the negative consequences to our neighborhood.

Thank you in advance for your consideration.

Respectfully Submitted,

Kory A. Kramer

Angela M. Birkett

From: Angela M. Birkett
Sent: Monday, January 29, 2018 9:19 AM
To: 'thejanovecs@gmail.com'
Cc: 'joncamp@lincolnhaymarket.com'
Subject: RE: InterLinc - Contact

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Ms. Janovec,

Thank you for contacting the Lincoln City Council with your concerns. Although parking in the downtown area can be challenging at times I want to assure you there are a number of handicap parking stalls near the Grand theater. There are two stalls directly across from the Grand on P street and there are two stalls on the SW corner of 12th and P street. Additional parking is available in the parking garage located on the SE corner of 12th and P street.

In addition to the above parking suggestions, there are private services available to assist handicapped senior citizens with transportation needs;

Transport Plus of Lincoln Inc.
402-261-8740
402-805-7975

StarTran Handi-Van
402-441-7185

Please let me know if I can be of further assistance.

Thank you,

Angie Birkett
Office Coordinator
Lincoln City Council
555 South 10th St., Ste 111
Lincoln, NE 68508
Phone 402-441-6867
Fax 402-441-6533
abirkett@lincoln.ne.gov



From: WebForm [<mailto:none@lincoln.ne.gov>]

Sent: Friday, January 26, 2018 8:38 PM

To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe

Subject: InterLinc - Contact

City Council - Contact

Date : 1/26/2018 8:38:20 PM

name Peggy Janovec

address 5973 Mad Creek Place

city Lincoln

state NE

zip 68521

email thejanovecs@gmail.com

comments I am writing to you as a handicapped senior citizen. I want to be able to go to a movie in Lincoln. Right now there are 4 movies playing that I would like to see. The problem- all 4 are at the Grand. Because of the difficulty of parking there, I cannot go there. I used to think they would eventually play at East Park. I have waited in vain for that to happen. I have heard the same complaints from other senior citizens. Why does Marcus have a monopoly? I have written to them. I have not gotten a response. You are our representatives. Please represent the senior citizens.

Peggy Janovec

IP: 72.46.61.97

Form: <http://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (iPad; CPU OS 11_2_1 like Mac OS X) AppleWebKit/604.4.7 (KHTML, like Gecko) Version/11.0 Mobile/15C153 Safari/604.1

Angela M. Birkett

From: Teresa Meier
Sent: Monday, January 29, 2018 12:27 PM
To: Angela M. Birkett; 'mbigham@fastmail.us'
Subject: RE: Fwd: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Follow Up Flag: Follow up
Flag Status: Completed

Mr. & Mrs. Bigham –

I believe there is some confusion regarding this issue. We have received a request from the developer to postpone the public hearing on this item to Feb. 5th. This request requires Council Action and since we did not have a Council Meeting last week, Council will be acting on this request today.

Since it was advertised as having public hearing today before we received this request, we do have to allow anyone who wishes to testify today to do so. However, individuals who testify today can only testify next week if they have new information.

Therefore, if you don't testify today, you will be allowed to give your testimony next week during the full public hearing.

I hope this clarifies the issue but if you have any questions, please do not hesitate to contact me either via email or telephone. Thank you & have a great day!

Teresa J. Meier
City Clerk
555 S. 10th St.
Lincoln NE 68508
Ph: (402) 441-7438

If you are always trying to be NORMAL, you will never know how AMAZING you can be. - Maya Angelou

From: Angela M. Birkett
Sent: Monday, January 29, 2018 12:19 PM
To: Teresa Meier <tmeier@lincoln.ne.gov>
Subject: FW: Fwd: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Please see the email below requesting a deferral.

Thanks,

Angie Birkett
Office Coordinator
Lincoln City Council
555 South 10th St., Ste 111

Lincoln, NE 68508
Phone 402-441-6867
Fax 402-441-6533
abirkett@lincoln.ne.gov



From: Mark and Susan Bigham [<mailto:mbigham@fastmail.us>]

Sent: Monday, January 29, 2018 12:04 PM

To: Council Packet; Mayor; Angie Swartz; Brad Swartz; Dave and Gail Dobesh; Doug Radtke; Gary and Carlene Hemminger; Harry and Sheila Kellenbarger; Jeff and Teresa Serafin; Jesse LaCross; Joe & Amy Borer; John and Karen Flowers; Mark and Susan Bigham; Mark/Ann Moss; Mary Clausen; Matt/Becky Sherman; Max and Terra Westerholt; Mike Wohlers; Nora D'Croz-Mason; Patty and Kevin Baker; Rich and Jill Werner; Rich and Karen Knaub; Ron Wilhelm; Scott & Andrea Howell; Scott and Mary Sailors; Sharon Hartell; Steve Mason; Steve and Patsy Shald; Theresa Wilhelm; Wilber and June Hanson

Subject: Fwd: Fwd: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Council members,

I am forwarding an email chain between the county planning department and our association secretary. Please look at the Jan. 24th email from Geri Rorabaugh stating that the public hearing on the Dominion development/Sky Ranch Acres connections has been postponed to Feb. 5. Then look at the Jan 29 (today) emails from Geri and Teresa Meier that state the public hearing portion is TODAY with only new information being allowed at the Feb. 5 hearing. This is beyond comprehension when coupled with the knowledge that the Dominion planning has been ongoing for over a year and Sky Ranch first heard about it at a meeting the first part of November. When this is added to what we were told at a second meeting this month that our odds of having the City Council dead end our two streets was "the same as winning the lottery", it all adds up to a picture of total support for big developers and nothing for small neighborhoods like ours. Now that our concerns have to be presented tonight instead of on Feb. 5, it will be extremely difficult for members to attend your hearing since prior scheduling for work, kids, or other commitments has not been made. There's an old saying that You can't fight City Hall and all of this is the perfect illustration of why citizens also can't "trust" what comes out of the city's departments. When the only argument for connecting to Sky Ranch's two roads is "they were made to connect to" the underlying message is "Because we can do what we want". Our association is fairly unique because we have no sidewalks, storm sewer drains, street lights, and the streets are only 20-22 feet wide with no curbs. Throw in the drainage ditches and two downhill T-intersections and you have an accident waiting to happen. The two streets then feed into Cessna Lane which empties onto Holdrege (which is heavily used by grain trucks) where the county speed limit changes from 55 mph to the city's 45 mph and with no right turn lane into Sky Ranch. The only traffic study on future traffic into and out of the association was done by a licensed engineer and paid for by the association. The city planning department immediately dismissed this study as flawed even though it used city standards for traffic. Please at least delay the public comment portion until next week so our association members have a chance to attend the meeting. Thanks for your consideration of this.

--

Mark and Susan Bigham
mbigham@fastmail.us

----- Original message -----

From: Angie Swartz <angie.swartz@gmail.com>

To: Angie Swartz <angie.swartz@gmail.com>, wjhanson402@yahoo.com, Amy Borer <am_bro4685@hotmail.com>, Becky Sherman <beckysherman@gmail.com>, Bob Belli <bbelli2@unl.edu>, Brad Swartz <bswartz01@hotmail.com>, Dave and Gail Dobesh <Davedo1@juno.com>, Doug Radtke <dougradtke@hotmail.com>, Gary and Carlene Hemminger <garylh42@msn.com>, Harry and Sheila Kellenbarger <harsh@windstream.net>, Jeff and Teresa Serafin <jjserafin@aol.com>, Jesse LaCross <jlacross@ceoexpress.com>, Joe Borer <jborer8@hotmail.com>, John Flowers <jflowers46@me.com>, Karen Flowers <kflowers48@gmail.com>, Mark and Susan Bigham <mbigham@fastmail.us>, "Mark/Ann Moss" <annmoss1@gmail.com>, Mary Clausen <mlclausen@hotmail.com>, Matt Sherman <matt@threepillarsmedia.com>, Max and Terra Westerholt <terrawesterholt@yahoo.com>, Max Clegg <mc50441@windstream.net>, Michael Wohlers <wohlerslincoln@gmail.com>, Michelle Bell <michelle.bell.village@gmail.com>, "Nora D'Croz-Mason" <smason1@unl.edu>, Patty and Kevin Baker <pattyjb@hotmail.com>, Rich and Jill Werner <rw22002@windstream.net>, Rodger Johnson <rj62205@windstream.net>, Ron Wilhelm <rwilhelmNFG@gmail.com>, Rose Suggett <rs11204@hotmail.com>, Sara Paisley <sarapaisley84@gmail.com>, "Scott & Andrea Howell" <howellfamily5@yahoo.com>, Scott and Mary Sailors <msailors@windstream.net>, Shannon Castillo <scastillo@chcne.org>, Sharon Hartell <Sharon.Hartell@homerealestate.com>, Steve Shald <PL31054@navix.net>, Steve Shald <trimmer215@yahoo.com>, Theresa Wilhelm <wilhelmtheresa@yahoo.com>, Wilber Hanson <whanson402@gmail.com>

Subject: Fwd: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Date: Mon, 29 Jan 2018 10:22:57 -0600

Hello Everyone--

This is the email that I received this morning regarding the City Council meeting tonight.

----- Forwarded message -----

From: **Teresa Meier** <tmeier@lincoln.ne.gov>

Date: Mon, Jan 29, 2018 at 10:14 AM

Subject: RE: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

To: "Geri K. Rorabaugh" <grorabaugh@lincoln.ne.gov>, Angie Swartz <angie.swartz@gmail.com>

Good morning, Angie!

Geri is correct, there will be public hearing allowed this evening. Next week, however, you would only be able to testify if you have new information.

Teresa J. Meier

City Clerk

[555 S. 10th St.](#)

Lincoln NE 68508

Ph: [\(402\) 441-7438](#)

If you are always trying to be NORMAL, you will never know how AMAZING you can be. - Maya Angelou

From: Geri K. Rorabaugh

Sent: Monday, January 29, 2018 8:04 AM

To: 'Angie Swartz' <angie.swartz@gmail.com>

Cc: Teresa Meier <tmeier@lincoln.ne.gov>

Subject: RE: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Hi Angie

Although the developer's attorney is requesting deferral of the public hearing on these items, it is my understanding that there will be public hearing on this matter this evening but it will likely be continued to February 5 as well. I am cc'ing Teresa Meier, City Clerk, on this email as well. She will be clarify if you have further questions.

Thank you!

Geri Rorabaugh, Administrative Officer

Lincoln-Lancaster County Planning Department

[\(402\) 441-6365](#)

From: Angie Swartz [<mailto:angie.swartz@gmail.com>]

Sent: Sunday, January 28, 2018 7:39 PM

To: Geri K. Rorabaugh <grorabaugh@lincoln.ne.gov>

Subject: Re: REQUEST FOR DEFERRAL RE: City Council Public Hearing on the proposed Dominion at Stevens Creek Development to February 5, 2018 at 3:00 p.m. (AN17007 and related agreement, CZ17015, and SP17022)

Good Morning Geri--

I am emailing to find out when exactly we are to attend the City Council Meeting. Are we still on the agenda for Monday 29th meeting or did it all get moved to February 5th? People are just wanting to make sure they know when to attend.

Thanks!

On Wed, Jan 24, 2018 at 8:43 AM, Geri K. Rorabaugh <grorabaugh@lincoln.ne.gov> wrote:

Interested Parties to the proposed Dominion at Stevens Creek Development,

Please be advised that the Attorney representing the developer of the above-referenced applications is scheduled to be out of town next Monday, January 29, and is, therefore, requesting that the public hearing before the City Council on these applications be **deferred to February 5, 2018, at 3:00 p.m.**

I am including the link to the City Council's website if you are interested in providing written comments prior to the public hearing <http://lincoln.ne.gov/city/council/index.htm#s>

Thank you!

Geri Rorabaugh, Administrative Officer

Lincoln-Lancaster County Planning Department

[\(402\) 441-6365](tel:(402)441-6365)