DIRECTORS' ORGANIZATIONAL MEETING

Monday, June 1, 2020
555 S. 10TH STREET
BILL LUXFORD STUDIO

I. MINUTES

1. Approval of Directors' minutes from May 11, 2020

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

1. Public Health Update provided by Pat Lopez, Interim Director, Lincoln-Lancaster County Health Department

PLANNING DEPARTMENT

1. Administrative Approvals May 12, 2020 through May 18, 2020
2. Administrative Approvals May 19, 2020 through May 25, 2020
3. Action dated May 27, 2020
4. Final Action dared May 27, 2020

FINANCE DEVELOPMENT

1. May 2020 Sales Tax Report reflecting March 2020 sales

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

1. BOH - Bowers (05.12.20)
2. PBC - Meginnis, Raybould (05.12.20)
3. DLA - Meginnis, Ward (05.26.20 & 05.27.20)
4. DEC - Ward (05.26.20)

VII.. CONSTITUENT CORRESPONDENCE

1. Pools usage for summer - Dusty Hatt
2. Pershing Auditorium and Downtown Library - Ed Svendsen
3. COVID-19 & The Haymarket Farmers Market - Ed Svendsen
4. Noise on "O" Street - Jill Kuhel
5. 84th and Billy Wolff underpass - Angela O'Neal
6. Proposed CIP - Russell Miller
7. Fairness Ordinance - Betty Levitov
8. Help us open our business back up - Rex Yoder

VIII. MEETINGS/INVITATIONS

See invitation list.

IX. ADJOURNMENT

Memorandum

Date: ✦ May 20, 2020

To: ✦ City Clerk

From: ✦ Rhonda Haas, Planning Dept.

Re: ✦ Administrative Approvals

cc: ✦ Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from May 12, 2020 through May 18, 2020:

Administrative Amendment 20006 to Preliminary Plat 04011, Waterford Estates, approved by the Planning Director on May 12, 2020, to show a roundabout instead of the previously shown turn lanes, on property generally located at N. 104th Street and Holdrege Street.

Administrative Amendment 20021 to Use Permit 132C, Willowbrook Shopping Center, approved by the Planning Director on May 12, 2020, to revise the site plan to reduce the number of commercial lots from 6 to 4, and to designate the water quality management area, on property generally located at Pine Lake Road and Highway 2.

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

Memorandum

Date: ✦ May 26, 2020

To: ✦ City Clerk

From: ✦ Rhonda Haas, Planning Dept.

Re: ✦ Administrative Approvals

cc: ✦ Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from May 19, 2020 through May 25, 2020:

Administrative Amendment 20029 to Special Permit 1322F, Verizon Wireless, approved by the Planning Director on May 20, 2020, to delete the 15-year time limit from the approval of the special permit per Resolution #PC-00669. This approval acknowledges that Title 27 was amended in 2015 and the 15-year time limit approval provision was deleted from the Zoning Ordinance. The tower is generally located at 5939 North 7th Street.

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

ACTION BY PLANNING COMMISSION

NOTICE: **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 27, 2020, 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.**

<u>PLEASE NOTE:</u> 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.

***** In order to limit the number of people gathering at any one time and our effort to adhere to required "social distancing" protocols, we are staggering the times of various hearings over several hours. These times are identified in () next to each agenda item. We are encouraging attendees to arrive no more than 15 minutes before their scheduled hearing. An agenda item will not begin before the time posted. *****

AGENDA

WEDNESDAY, MAY 27, 2020

<u>[Commissioners Al-Badry, Beckius and Finnegan absent]</u>

Approval of minutes of the regular meeting held May 13, 2020. **<u>**APPROVED: 6-0; (Al-Badry, Beckius, and Finnegan absent)**</u>**

1. <u>CONSENT AGENDA:</u>
<u>(Public Hearing and Administrative Action);</u>

<u>SPECIAL PERMIT:</u>

1.1 SPECIAL PERMIT 20014, to allow for soil excavation, on property generally located at NW 40th Street and Highway 34. *****FINAL ACTION *****
. **Staff recommendation: Conditional Approval**
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
<u>Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated May 18, 2020: 5-0 (Al-Badry, Beckius, Finnegan and Scheer absent). Resolution No. PC-01705.</u>

USE PERMIT:

1.2 USE PERMIT 140G, to remove the trip/land use table, and to adjust the perimeter setback at the northwest corner of the shopping center, on property generally located at South 84th Street and Highway 2.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated May 13, 2020: 5-0 (Scheer declared a conflict of interest; Al-Badry, Beckius, and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 15, 2020, 3:00 p.m.

2. REQUESTS FOR DEFERRAL: See Item 2.1.

COMPREHENSIVE PLAN CONFORMANCE:

2.1 COMPREHENSIVE PLAN CONFORMANCE 20007, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, that adds the "Gorilla Flats Redevelopment Project", on property generally located at 2226 R Street.
Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
The Planning Commission granted the applicant's request for a 2-week deferral of the public hearing and action on this matter to the June 10, 2020, hearing.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:
(* 1:00 P.M. PUBLIC HEARING ITEMS: ***)**
CHANGE OF ZONE:

4.1 CHANGE OF ZONE 20014, from AG (Agricultural District) to AGR (Agricultural Residential District), on property generally located at 13350 North 84th Street.
Staff recommendation: Denial
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: DENIAL: 6-0 (Al-Badry, Beckius and Finnegan absent). Public hearing before the County Board is currently pending.

* * * * * * * * * *

FOR ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, THIS HAS BEEN SUSPENDED UNTIL FURTHER NOTICE

* * * * * * * * * *

Adjournment 1:55 p.m.

PENDING LIST: *None.*

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: May 27, 2020

RE: Notice of final action by Planning Commission: May 27, 2020

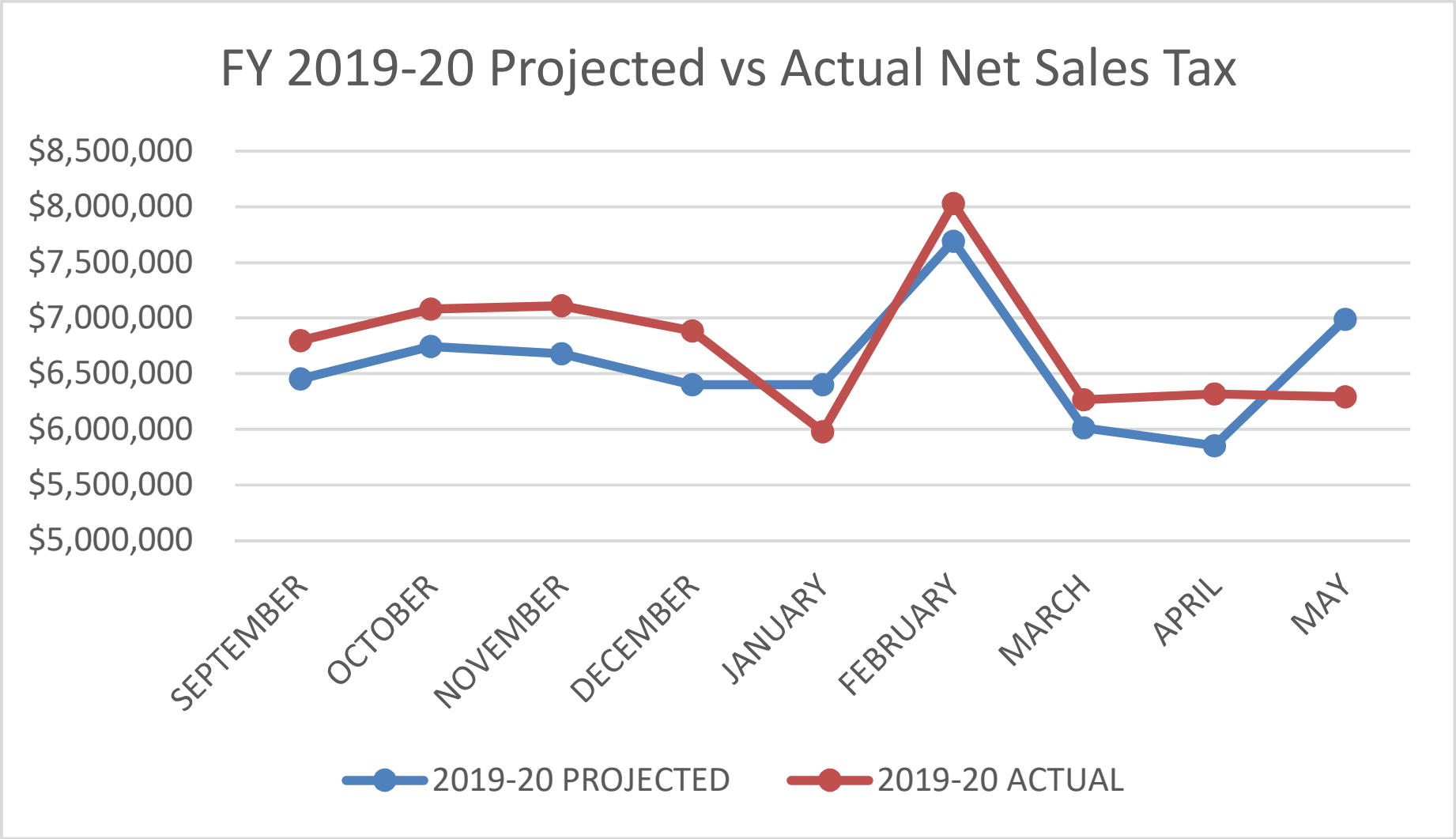
Please be advised that on May 27, 2020, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

Resolution PC-01705, approving **SPECIAL PERMIT 20014**, to allow for soil excavation, on property legally described as Lot 40, located in the SE 1/4 of Section 30-11-6, and Lot 65 and that part of Lot 67 lying west of NW 40th Street right-of-way, located in the NE1/4 of Section 31-11-6, Lancaster County, Nebraska, generally located at NW 40th Street and Highway 34.

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the Search Selection@ screen and search by application number (i.e. SP20014). The Resolution and Planning Department staff report are in “Related Documents” under the application number.

F:\devreview\final action notices\cc\2020\052720


FY 2019-20 Projected vs Actual Net Sales Tax
$8,500,000
$8,000,000
$7,500,000
$7,000,000
$6,500,000
$6,000,000
$5,500,000
$5,000,000
SEPTEMBER
OCTOBER
NOVEMBER
DECEMBER
JANUARY
FEBRUARY
MARCH
APRIL
MAY
2019-20 PROJECTED
2019-20 ACTUAL

Actual Compared to
Projected Sales Tax Collections

	2019-20 PROJECTED	2019-20 ACTUAL	VARIANCE FROM PROJECTED	$ CHANGE FR. 18-19	% CHANGE FR. 18-19
SEPTEMBER	$6,455,152	$6,799,287	$344,135	$395,048	6.17%
OCTOBER	$6,745,501	$7,079,014	$333,513	$269,098	3.95%
NOVEMBER	$6,680,185	$7,111,129	$430,944	$476,630	7.18%
DECEMBER	$6,400,511	$6,883,710	$483,199	$448,407	6.97%
JANUARY	$6,399,290	$5,979,671	($419,619)	($194,968)	-3.16%
FEBRUARY	$7,692,336	$8,029,753	$337,417	$676,700	9.20%
MARCH	$6,014,461	$6,266,880	$252,419	$325,557	5.48%
APRIL	$5,853,915	$6,319,319	$465,404	$764,075	13.75%
MAY	$6,989,551	$6,293,302	($696,249)	($288,699)	-4.39%
JUNE	$6,595,173	$0			
JULY	$6,641,288	$0			
AUGUST	$7,049,125	$0			
TOTAL	$79,516,488	$60,762,065	$1,531,163	$2,871,848	4.96%

Actual collections for the fiscal year to date are 2.59% over projections for the year.

CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS (WITH REFUNDS ADDED BACK IN)
2015-2016 THROUGH 2019-2020

	ACTUAL 2015-16	ACTUAL 2016-17	ACTUAL 2017-18	% CHG. FR. PRIOR YEAR	ACTUAL 2018-19	% CHG. FR. PRIOR YEAR	ACTUAL 2019-20	% CHG. FR. PRIOR YEAR
SEPTEMBER	$6,041,963	$6,265,764	$6,386,734	1.93%	$6,457,192	1.10%	$6,927,862	7.29%
OCTOBER	$6,089,519	$6,598,756	$6,811,452	3.22%	$6,817,440	0.09%	$7,116,483	4.39%
NOVEMBER	$6,266,119	$6,471,721	$6,537,754	1.02%	$6,637,486	1.53%	$7,146,575	7.67%
DECEMBER	$5,876,792	$6,128,386	$6,371,026	3.96%	$6,493,888	1.93%	$6,897,823	6.22%
JANUARY	$5,651,337	$6,285,444	$6,432,363	2.34%	$6,516,808	1.31%	$6,776,561	3.99%
FEBRUARY	$7,137,154	$7,293,928	$7,459,132	2.26%	$7,386,107	-0.98%	$8,118,745	9.92%
MARCH	$5,392,157	$5,521,761	$5,930,406	7.40%	$5,981,967	0.87%	$6,303,510	5.38%
APRIL	$5,426,539	$5,639,028	$5,618,037	-0.37%	$5,586,708	-0.56%	$6,350,301	13.67%
MAY	$6,494,521	$6,708,815	$6,759,407	0.75%	$6,623,556	-2.01%	$6,308,611	-4.75%
JUNE	$6,030,654	$6,255,952	$6,325,718	1.12%	$6,721,994	6.26%		
JULY	$6,000,464	$6,440,709	$6,644,137	3.16%	$6,804,001	2.41%		
AUGUST	$6,657,168	$6,736,493	$6,770,977	0.51%	$7,199,568	6.33%		
TOTAL	$73,064,387	$76,346,757	$78,047,143	2.23%	$79,226,715	1.51%	$61,946,471	5.89%

CITY OF LINCOLN
SALES TAX REFUNDS
2015-2016 THROUGH 2019-2020

	ACTUAL 2015-2016	ACTUAL 2016-2017	ACTUAL 2017-2018	% CHG. FROM PRIOR YEAR	ACTUAL 2018-2019	% CHG. FROM PRIOR YEAR	ACTUAL 2019-2020	% CHG. FROM PRIOR YEAR
SEPTEMBER	($105,779)	($217,212)	($98,235)	-54.77%	($52,954)	-46.09%	($128,575)	142.81%
OCTOBER	($94,343)	($31,712)	($30,920)	-2.50%	($7,524)	-75.66%	($37,469)	397.97%
NOVEMBER	($83,553)	($81,460)	($923)	-98.87%	($2,944)	218.96%	($35,446)	1104.01%
DECEMBER	($43,624)	($79,179)	($46,365)	-41.44%	($58,585)	26.36%	($14,114)	-75.91%
JANUARY	($98,310)	($294,431)	($379,926)	29.04%	($342,169)	-9.94%	($796,890)	132.89%
FEBRUARY	($276,479)	($90,752)	($719)	-99.21%	($33,054)	4497.22%	($88,992)	169.23%
MARCH	($39,620)	($92,105)	($49,445)	-46.32%	($40,643)	-17.80%	($36,630)	-9.87%
APRIL	($75,796)	($29,707)	($41,280)	38.96%	($31,464)	-23.78%	($30,982)	-1.53%
MAY	($105,297)	($67,726)	($91,272)	34.77%	($41,555)	-54.47%	($15,309)	-63.16%
JUNE	($152,053)	($83,394)	($51,268)	-38.52%	($13,186)	-74.28%	($10,195)	-22.68%
JULY	($55,289)	($1,932)	($347,486)	17885.82%	($29,772)	-91.43%		
AUGUST	($312,528)	($17,202)	($96,471)	460.81%	($9,385)	-90.27%		
TOTAL	($1,442,671)	($1,086,812)	($1,234,310)	13.57%	($663,236)	-46.27%	($1,194,602)	91.42%

Year to date vs. previous year

CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2015-2016 THROUGH 2019-2020

	ACTUAL 2015-16	ACTUAL 2016-17	ACTUAL 2017-18	% CHG. FROM PRIOR YEAR	ACTUAL 2018-19	% CHG. FROM PRIOR YEAR	ACTUAL 2019-20	% CHG. FROM PRIOR YEAR
SEPTEMBER	$5,936,184	$6,048,552	$6,288,498	3.97%	$6,404,239	1.84%	$6,799,287	6.17%
OCTOBER	$5,995,177	$6,567,045	$6,780,531	3.25%	$6,809,916	0.43%	$7,079,014	3.95%
NOVEMBER	$6,182,565	$6,390,261	$6,536,831	2.29%	$6,634,499	1.49%	$7,111,129	7.18%
DECEMBER	$5,833,168	$6,049,207	$6,324,661	4.55%	$6,435,303	1.75%	$6,883,710	6.97%
JANUARY	$5,553,027	$5,991,013	$6,052,437	1.03%	$6,174,639	2.02%	$5,979,671	-3.16%
FEBRUARY	$6,860,675	$7,203,175	$7,458,413	3.54%	$7,353,053	-1.41%	$8,029,753	9.20%
MARCH	$5,352,537	$5,429,656	$5,880,960	8.31%	$5,941,323	1.03%	$6,266,880	5.48%
APRIL	$5,350,744	$5,609,320	$5,576,757	-0.58%	$5,555,244	-0.39%	$6,319,319	13.75%
MAY	$6,389,224	$6,641,089	$6,668,135	0.41%	$6,582,001	-1.29%	$6,293,302	-4.39%
JUNE	$5,878,601	$6,172,558	$6,274,450	1.65%	$6,708,808	6.92%		
JULY	$5,945,175	$6,438,777	$6,296,651	-2.21%	$6,774,229	7.58%		
AUGUST	$6,344,640	$6,719,292	$6,674,506	-0.67%	$7,190,183	7.73%		
TOTAL	$71,621,717	$75,259,945	$76,812,830	2.06%	$78,563,436	2.28%	$60,762,065	4.96%

Year to date vs. previous year

Angela M. Birkett

From: Dusty Hatt <walstonsd@yahoo.com>
Sent: Tuesday, May 19, 2020 1:02 PM
To: Mayor; Council Packet
Subject: Pools usage for the summer

CAUTION: This email comes from a sender outside your organization.

May 19, 2020

Dear Mayor Gaylor Baird and City Council Members:

We are writing to express our support for opening public swimming pools this summer. We read in the Journal Star that concerns with opening the pools were both budgetary and health related. We would like to share some thoughts on these matters.

First, in response to concerns about the budget: Swimming pools provide a safe and health-driven opportunity for children to play, practice, and compete in swimming and diving. As you know, since March, our kids have had all of their normal activities cancelled due to COVID-19. Now, as the City and State are looking to relax some restrictions, it is important to provide the chance for our children to experience some sense of normalcy. We all understand that there will likely be a "new normal" in our communities for an extended period of time, but it is also important for our children to be able to experience a part of summer in a safe manner. It is well worth spending budgetary dollars to open, if not all, some of the public swimming pools throughout our city. Community support for our swimming pools and City Parks and Recreation programs is strong. In past years, when there has been consideration to not open public pools, the community clearly expressed their opinion that summer swimming and diving opportunities are an important investment for our children and families and should not be restricted or eliminated. You will find that this position has not changed. Access to public pools is an important offering by the City and should not be lost, especially in a year when so many other activities for children and families have been sacrificed. If a limited number of public pools could be opened, perhaps two locations, Wood Park Pool and Star City Shores, be considered. These two pools provide the widest range of recreation and practice/competition opportunities.

Since the City budget relies heavily on people being out in our community, working, playing, and spending money, it seems counterproductive to close venues and events that can promote, in a safe manner, people doing just that. Many swimming and diving clubs, both City and private, use Woods Park Pool to train for summer competitions. Woods provides a 50 meter pool and 5, 7, and 10 meter platforms for City Rec, private clubs, and University of Nebraska athletes to train. There is no other facility in all of Nebraska that provides this type of opportunity to young athletes and there is no way to make up for the loss of this level of training if Woods does not open for the summer.

Regarding concerns about safety: The Centers for Disease Control and Prevention has found no evidence that COVID-19 can be spread through properly treated pool water. The concern about health risks associated with swimming pools is attributed to use of bathrooms and locker rooms. Asking families to shower and dress before coming to the pool, to wear masks when entering and leaving the facility, and limiting access to bathhouses/locker rooms all seem to be reasonable alternatives. Some facilities are even providing the use of port-a-potty bathrooms, on site. As with restaurants and other venues that are now re-opening, pools could

certainly find ways to follow all health directives and the benefits of providing the children, athletes, and families a sense of summertime would be well worth the time and energy to make it happen.

We hope you will consider the need for the public pools to open this summer and thank you for your time and efforts on the behalf of children and families in Lincoln.

Sincerely,
Ryan, Susan, David and Devri Hatt

Angela M. Birkett

From:	Big Red Ed Svendsen <lnknehusker123@hotmail.com>
Sent:	Friday, May 22, 2020 10:52 AM
To:	Mayor; Council Packet
Cc:	Big Red Ed Svendsen
Subject:	PERSHING AUDITORIUM & DOWNTOWN LIBRARY
Attachments:	2015-10-17 Library Article.pdf

[CAUTION] This email comes from a sender outside your organization.

Good morning,

Many years ago, the mayor at that time was against converting Pershing Auditorium to a downtown library. Numbers mentioned were in the $50,000,000 range. The matter died.

Here we go again. Proposals have been presented for the former Pershing Auditorium. A new downtown library is included in all except one of the proposals. I read where $100,000,000 could be involved.

Get rid of Pershing. Get the property on the tax rolls. We have libraries at 14th & Superior, 56th & Adams, 56th & Normal, and S. 14th Street North of SW High School. We do not need a downtown library. Forget a new downtown library.

I attach an article in which it is mentioned that the courts have ruled that Google can scan books for its digital library. There are ample audio books on the market and available from local libraries. Please do NOT throw our tax money down the drain for a downtown library.

As an example, we travel to/from Indiana once or twice per year to visit family, to/from Husker away football games, and to/from Arizona as we are snow birds. My wife downloads audio books to her player and listens to them while we travel. She does this from the Red Mountain Library in Mesa, AZ.

WE DO NOT NEED TO SPEND TAX MONEY FOR ANY DOWNTOWN LIBRARY.

BRE

Ed Svendsen
5554 S. 80th Street
Lincoln, NE 68516

Telephone: 402-202-5489
Email: LNKNEHUSKER123@HOTMAIL.COM

_____
Big Red Ed Svendsen
Lincoln, NE and Mesa, AZ
Home of the Five time National Champion Nebraska Cornhuskers

E Mail Ed: lnknehusker123@hotmail.com

MY TYPING IN CAPS IS **NOT** YELLING AT YOU. I JUST DO NOT WANT TO DEAL WITH THE SHIFT KEY

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Nasdaq +16.59 | 4,886.69

Russell 2000 -0.47 | 1,162.30

Appeals court rules in favor of Google

Search giant can continue scanning books into its digital library.

Bloomberg

NEW YORK — Google's book-scanning project is back on track.

The world's biggest search provider can keep adding to its digital library of millions of books without paying their authors, a U.S. appeals court said, ruling that the effort is "fair use" of published material under copyright law.

Google, which has scanned more than 20 million books since 2004, has said that its goal is to provide a "virtual card catalog" of all books in all languages, so that people can search and find excerpts. At the same time, the Web company said it makes sure to respect authors' and publishers' copyrights, while providing links to where people can buy or borrow a book. The court's decision gives institutions — public or private, large or small — a template for how they can scan and share books, according to Brandon Butler, a practitioner-in-residence at American University's Washington College of Law.

The ruling promises to help Mountain View, California-based Google retain its dominance in Web searches. The court also approved Google's Library Project, which provides digital copies of books for participating research libraries.

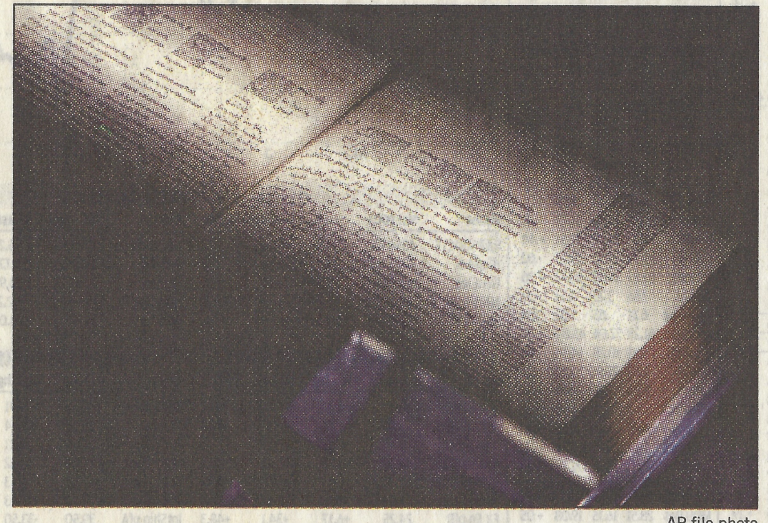
"Google's unauthorized digitizing of copyright-protected works, creation of a search functionality and display of snippets from those works are non-infringing fair uses," U.S. Circuit Judge Pierre Leval wrote on behalf of the court. "The purpose of the copying is highly transformative, the public display of text is limited and the revelations do not provide a significant market substitute for the protected aspects of the originals."

The appeals panel upheld a lower-court decision throwing out a copyright lawsuit by writers including Jim Bouton, the former New York Yankees pitcher and author of "Ball Four" — a behind-the-scenes look at life in the major leagues published in 1970.

The Authors Guild, a writers' organization, argued the Google project is "quintessentially commercial in nature" and intended to advance the company's business interests. The group said Google Books violates authors' rights to control their works. The guild may ask the Supreme Court to consider the case.

The appeals court ruled that Google Books is fair use despite the company's commercial motivation. Other recognized forms of fair use, including news reporting and commentary, quotation, book reviews and parodies, are generally done for profit, as well, Leval said in the opinion.

The Authors Guild sued in 2005 alleging that Google infringed copyrights by scanning and indexing books without writers' permission. Judge Denny Chin ruled in November 2013 that Google Books provides a public benefit and doesn't harm authors. Chin, now a judge on the appeals court, didn't participate in the review of his decision.



AP file photo

In this file photo, a scanner passes over a book at the University of Michigan in Ann Arbor, Mich., where one of hundreds of librarians from all over the world was helping Google Inc.'s Book Search create digital versions of all the estimated 50 million to 100 million books in the world.

Grant to support world bowling event

The Nebraska Tourism Commission announced a Community Impact Grant of $70,000 to the Lincoln USBC Bowling Association to promote the 2016 World Tenpin Youth Bowling Championships through CBS Sports Network and USB Worldwide Webcast. This biennial event was in Hong Kong i 2014, Bangkok in 2012 and Finland in 2010

The focus of this grant program, per Legislative Bill 449, is to provide marketing assistance grants to commun ties and organizations hosting national or international-calibe events held in Nebraska that have the potential to attract a significant percentage of out-of-state visitors and to generate favorable national or international press coverage f Nebraska.

The Commission's grant programs HAVE selection com mittee of professional grant reviewers from both the privat and public sectors, as well as private citizens.

Other grants were:

- Omaha Sports Commission: $100,000 to promote tl 2016 U.S. Olympic Team Swi Trials.
- Omaha Equestrian Foundation: $50,000 to promote the 2016 International Omaha event — a gateway activity to broaden global exposure for the 2017 World Cup Finals to

Angela M. Birkett

From: Big Red Ed Svendsen <lnknehusker123@hotmail.com>
Sent: Friday, May 22, 2020 10:59 AM
To: Mayor; Council Packet; Big Red Ed Svendsen
Subject: COVID-19 and THE HAYMARKET FARMER'S MARKET

[CAUTION] This email comes from a sender outside your organization.

Good morning,

I feel that I must make a report to all of you.

Close friends of ours attended the downtown Farmers Market last Saturday. They told us that social distancing was nonexistent, many customers were not wearing masks, and worst of all, many vendors were NOT wearing masks.

Failing to practice social distancing by customers is STUPID. Failing to wear masks by customers is STUPID. Failing to wear masks by vendors is BEYOND STUPID. Vendors without masks SHOULD HAVE BEEN SHUT DOWN.

Your move. Thanks.

BRE

Ed Svendsen
5554 S. 80th Street
Lincoln, NE 68516

Telephone: 402-202-5489
Email: LNKNEHUSKER123@HOTMAIL.COM

Big Red Ed Svendsen
Lincoln, NE and Mesa, AZ
Home of the Five time National Champion Nebraska Cornhuskers

E Mail Ed: lnknehusker123@hotmail.com

MY TYPING IN CAPS IS **NOT** YELLING AT YOU. I JUST DO NOT WANT TO DEAL WITH THE SHIFT KEY

Angela M. Birkett

From: Jill Kuhel <kuhelcreations@gmail.com>
Sent: Saturday, May 23, 2020 9:00 PM
To: Council Packet
Subject: Noise level on "0" street

Follow Up Flag: Follow up
Flag Status: Completed

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I live at 40th and N street, it is frankly like living at a race track. I am conscious of not being the person who moves in by the airport then complains about the airplane noise. I lived just off lakeshore drive in Chicago; traffic noise does not bother me. It is the unnecessary racing motorcycles/cars, non standard mufflers and revving engines that are the problem. I have mentioned the noise to others and have been astonished that people even on "S" and "W" Street wear ear plugs to block the racing car noise. There are federal noise regulations that must be complied with. I am certain the levels with racing cars/motorcycles, revving engines and non regulation mufflers exceeds these standards. I understand the police force has not increased since what 1990 while the city has significantly increased, so they have their hands full, but this has gotten out of hand and something needs to be done. Thank you for your consideration ~ Jill Kuhel

Sent from my iPhone

Angela M. Birkett

From: Angela O'Neal <info@aolandscapes.com>
Sent: Sunday, May 24, 2020 11:33 AM
To: Council Packet
Subject: 84th and Billy Wolff underpass
Attachments: IMG_20200523_143521.jpg

Follow Up Flag: Follow up
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Not entirely sure who or which department to submit this to, so I'm turning this over to the council. Last year the Billy Wolff trail was closed down by 84th and revamped to address issues of mud and water in the tunnel and on the trail.

Here is the finished project after this Spring's first really heavy rain. I'm thinking the remodel didn't work.

Can this be addressed?

Angela ONeal
6100 Blackstone Rd
402-202-3016

Angela M. Birkett

From: Russell Miller <neb31340@twc.com>
Sent: Monday, May 25, 2020 3:53 PM
To: Council Packet
Subject: from russell miller about proposed cip

Follow Up Flag: Follow up
Flag Status: Completed

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From : Russell Miller 22 May 2020
341 S. 52
Lincoln, Nebraska 6851

To : Lincoln City Council

Subject : Requests concerning proposed CIP and repair of City streets

Hello,

After watching LTU director's presentation/comments of 18 May 2020, I have the following concerns and suggestion :

At an ACT (Advisory Committee on Transportation) meeting we were told that in order for any projects to be built, the **project must be in the CIP before they can be put out for bids and be built**. This is what drives my angst about the direction the proposed street CIP budget is taking. I am of the opinion the proposed street CIP gives scant attention to interior Lincoln streets (Transportation System Preservation section of CIP) because it lists by name only $5.3 million worth of projects. However the CIP does list by name over $20 million of growth projects (Transportation System Growth).

We must learn from the history of the wheel tax.

Lincoln's $4 per vehicle wheel tax was approved 4 November 1958 by a 'two to one' margin (Lincoln Star newspaper 5 Nov. 1958). In the campaign the Mayor stated "All the money from the wheel tax under the ordinance will be used in widening and resurfacing our heavy traffic arterials" (Lincoln Star 19 Oct. 1958). The first project was the one-way pair of K & L Streets from 16th to 21st.

In the following 50 plus years the wheel tax has been systematically increased to $74. The tax is paid by **all** vehicles inside City limits but the money was almost exclusively used for construction of arterials servicing new developments which were always in the cornfields. This misuse of the wheel tax was so grievous that the Council in 2004 changed the ordinance so that today a meager 14.86% of the wheel tax must be used for residential rehab. Then starting in the budget year of 2018 50% of wheel tax is used for LTU's O & M funding (operation and maintenance, approximately $10 million annually). O & M is a necessary and important part of street usability AND it keeps the street department from using general tax fund money.

BUT it also removed $10 million from building arterials serving the new developments. Therefore there must be tremendous pressure to find funding for arterials serving developments located in the cornfields. I fear the LOTM System Preservation monies will be raided for their growth projects just like the wheel tax has been.

During the Pre-Council meeting Director Elliot did a walk-through of the Lincoln on the Move (LOTM) website (https://www.lincoln.ne.gov/city/ltu/streets/projects/prioritized.htm). She used the ' Rehabilitation of Existing Streets' as an example. Of the 19 LOTM rehab projects listed, only 3 are listed in the proposed CIP. However of LOTM 15 Growth Projects six are listed in the proposed CIP.

Under "normal" sales tax conditions it was expected the LOTM sales tax to produce approximately $3.25 million for the '**Growth**' portion of the CIP and approximately $9.55 million for 'System **Preservation**' portion. As I have already stated the "System Preservation" portion in the proposed CIP only lists $5.3 million of projects which leaves over $4.2 million in the "System Preservation" bucket for the first year of the proposed budget and $9.55 million the second year.

LOTM **Growth** Prioritized Projects indicate that every project funding contains a percentage of LOTM money and the remainder by " Developer Loan/ Directed Impact Fees." Unofficially that phrase was explained to me to mean the developer provides the upfront money/loan and the developer will be repaid with impact fees as the lots are sold. It sounds clever except impact fees have been kept artificially low and not allowed to increase with 5% yearly construction inflation for the past 18 years. Therefore the lot sales will not generate enough impact fee money to repay the developers

“loans” to build the desired arterials that will service their projects. Thus the need to raid the unobligated LOTM money in the street **Preservation** “bucket.”

The solution is for the Council to NOT approve the CIP proposal until the CIP includes by **name** addition projects that obligate $19 million ($9.5 for each fiscal year of the budget) of CIP System Preservation section. These projects are found at https://www.lincoln.ne.gov/city/ltu/streets/act/pdf/2019-10-17-residential-packages.pdf?act.

Thank you,
Russell Miller 402-499-2611

Post Script

During the 18 May Pre-Council meeting a Council member stated that her constituents were stating the wheel tax was increasing every year. I will suggest that a possible answer is that wheel tax can only be changed by Council action and the last change was September 2013 (http://online.encodeplus.com/regs/lincoln-ne/doc-viewer.aspx#secid-6971). HOWEVER the ordinance lists 19 different wheel tax categories which includes 2 for cars and 4 for pick-ups (listed as commercial trucks). My guess is that the constituent changed their vehicle from car to pick-up or upgraded their pick-up capacity and thus increased their costs.

Angela M. Birkett

From: Betty Levitov <betty.levitov@doane.edu>
Sent: Monday, May 25, 2020 4:14 PM
To: Council Packet
Subject: Promises to Keep: Fairness Ordinance

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

Dear Members of Lincoln City Council,

Whatever happens in the Supreme Court and the State Legislature related to LGBTQ rights, you, our Lincoln City Council members, could proudly lead by keeping your promises. When you campaigned, you vowed to make Lincoln a better place to live and work. You and the mayor promoted One Lincoln, meaning equity, diversity, and inclusion in government and the community. A **Fairness Ordinance** would stamp and seal the contract.

Covid-19 has kept us all busy and worried about how to protect ourselves and how to respect the safety of others. While we are figuring out how and when to reopen and rejoin, we must also consider those who have been most affected, lost jobs, and will be applying for new ones.

Unless we offer equal protection under the law, the LGBTQ applicants will enter a workplace knowing there are no legal protections.

Some say we should wait until everyone is on the same page. Or until the State legislature or the Supreme Court acts. Some fear that passing a Fairness Ordinance would stir up conflict, and that those in opposition to antidiscrimination protections would mount a campaign for a vote of the people. That vote, they believe, would doom a Fairness Ordinance.

Our foremothers and fathers who pursued human rights kept on keeping on. If they hadn't, and waited for "a right time," or they had been cowed by predictions of defeat, would there be voting rights, civil rights (and Title VII and IX), or same sex marriage rights?

When people ask, "Why should I live and work in Lincoln?" Most of us want to say, "Because it's a fair, diverse, safe, judicious, and welcoming place. Who wants to say, "Well, it's an okay place unless you are gay or trans"?

When you are doing what must be done because it is the right thing, the time to act is always now.

Sincerely,
Betty Levitov

Angela M. Birkett

From: Rex Yoder <Rex.Yoder@vvscanteen.com>
Sent: Wednesday, May 27, 2020 3:38 PM
To: Council Packet
Cc: Jim Lakey
Subject: Please help us open our business back up since COVID-19

[CAUTION] This email comes from a sender outside your organization.

May 27, 2020

Dear Lincoln City Council,

We work in the amusement game industry for VVS, Inc. as directors of VVS Music and Games in Lincoln, Nebraska. VVS Music and Games provides the entertainment equipment at almost every bar, restaurant, and several of the fun centers in Lincoln. We also serve a large portion of the amusement games to bars and restaurants throughout the entire state of Nebraska. Our company is one of several companies in Nebraska that specialize in providing coin operated equipment that include all types of arcade games, pool tables, dart boards, foosball tables, shuffleboard tables, etc. I believe that we are an "invisible industry" since most people assume these games are owned by the bars, restaurants, and amusement complexes. Many people see these games as a fixture the restaurant owns much like a table or a chair. What they don't realize is there is another layer of people and their families that are being affected by these regulations. The video game industry employs hundreds of thousands of people in the US. Like so many others the video game industry and the coin operated industry have been directly affected here in Nebraska as well.

Currently the City's COVID-19 Restaurant and Bar Operating Protocol states "***Bar games like billiards and darts -- and arcade games -- are still prohibited***". This includes all of the arcades and fun centers across the state. The protocol provides no path for these games to eventually be made available to customers. The result is that businesses and employees in our industry, at all levels, remain unemployed or on restricted work schedules with a very uncertain future. Some experienced personnel have moved into other occupations due to the uncertainty of the amusement game's future. These directives pertaining to our industry have certainly affected the restaurants, bars, and amusement centers since they get a portion of the money that is earned from the use of this equipment. However, the remaining portion of the income generated from this equipment is the money necessary to operate and employ workers at companies such as VVS, Inc.

While some might picture a pool table, pinball machine, or arcade game as a constant line of customers touching and connecting with it, the truth is that most games will average about 20 plays per day. The contact point is typically a joystick, button, or a handle, which for all intents and purposes are the same as a doorknob. While these "contacts" with the public are currently prohibited, at the same time places like McDonald's, Subway, Wendy's, USPS, and ATMs locally and worldwide

are allowed to use their self-service touchscreen kiosks without restrictions. These kiosks receive hundreds of glove-less contacts daily. Similarly, even credit card keypads in all types of retail stores and convenience stores are allowed to use these personal contact devices. This seems to be unfair since their equipment is hardly different from the coin operated equipment and amusement games that we provide and service for our customers.

We are only requesting that you provide a path to reopening our industry here in Lincoln. Our service technicians already sanitize our equipment during their service calls and collections which usually will happen on a weekly, and sometimes on a daily basis for service. However, since the restrictions and closings of bars, restaurants, and arcade/game rooms we have not seen the inside of some accounts since March. The accounts that house our equipment have always sanitized their facilities regularly. This includes all of the game equipment, and in many cases sanitization happens multiple times throughout the day. Moving forward we will certainly work with our accounts to create a protocol that follows the guidelines for social distancing and the sanitization of the gaming equipment in order to protect our customers from infection. Once again these points of contact are basically a door knob (joystick, button, handle).

If you have ever had an enjoyable family experience at any of the bars, restaurants, or amusement centers in Nebraska, in a way we have helped facilitate that experience. We could now use your help to create a path for reopening so that we can continue to work with our accounts in a way to allow them to generate their expected revenue, and to allow our entities to get back to work in the new normal.

Please feel free to contact me regarding any possible health measures that we could set in place in order to open our amusement games back up in Lincoln. Thank you for all that you are doing through these unprecedented times.

Respectfully,

Jim Lakey
Vice President – VVS Music and Games
jim.lakey@vvscanteen.com
402-480-0907

Rex Yoder
Director - VVS Music and Games
rex.yoder@vvscanteen.com
402-480-0908