CORRESPONDENCE
IN LIEU OF
DIRECTORS’ MEETING
MONDAY, JANUARY 31, 2005

I. MAYOR

*1. NEWS ADVISORY - RE: Mayor’s News Conference at 10:00 a.m. - January 27th - RE: Plans for the 5th Annual Abraham Lincoln Birthday Celebration; Creation of Lincoln/Lancaster County Citizen Corps Council; Award of $2 million in Federal grant to local agencies serving the homeless.

*2. NEWS RELEASE - RE: Workshop To Focus On Intelligent Transportation Systems Projects - (See Release)

II. DIRECTORS

BUILDING & SAFETY

*1. Memo from Mike Merwick - RE: Requests for Special Addresses - (See Memo)

FINANCE/BUDGET -

*1. Response E-Mail from Don Herz, Finance Director to Paul Haith - RE: City purchasing authority - (See E-Mail)

*2. Material from Steve Hubka, Budget Officer - RE: January Sales Tax Receipts for November Sales - (See Material)

PARKS & RECREATION


*2. Memo from Lynn Johnson - RE: E-Mail message from Peter Katt regarding the Antelope Valley project - (See Memo)
PLANNING

*1. Letter from Tom Cajka to Terry Rothanzl - RE: Vintage Heights 21st Addition Final Plat #04118-S. 98th & Pine Lake Road - (See Letter)

*2. Material from Duncan Ross - RE: CPA. 04021 Airport West Subarea Plan Proposed NW 40th/38th Roadway Amendment - (See Material)

PUBLIC WORKS & UTILITIES DEPARTMENT

*1. Public Works & Utilities ADVISORY - RE: Open House regarding the following roadway projects in the vicinity of South 56th Street and Pine Lake Road: - (See ADVISORY)

III. CITY CLERK

*1. Letter from Tim Powers, Contempo/Lincoln Manager - RE: Opposition to Paving District on West Benton Street -(See Letter)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Request to Public Works & Utilities Department - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05)

ANNETTE McROY

1. Request to Larry Worth, StarTran - RE: StarTran Policies (RFI#163-01/21/05). — 1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#163 - 01/24/05.
V. MISCELLANEOUS

*1. E-Mail from David Oenbring - RE: Hammons Hotel - (See E-Mail)

*2. E-Mail with Attachment from Fred Freytag, President, Witherbee Neighborhood Association - RE: In Support of 48th & “O” St. Redevelopment -(Council received copies of this E-Mail on 1/24/05 during Formal Council Meeting)(See Attachments)

*3 Letter from Ralph R. Marlette - RE: City of Lincoln Projects and Budget Priorities (See Letter)

*4. Letter from Jack Smith - RE: Changes to made to Increase Pedestrian Safety at 11th and 10th & “O” Streets (See letter and enclosures)

*5. Article sent by Keith Hatfield - RE: Higher impact fees make sense - (See Article)

*6. Letter from Ron Davis to Larry Worth, StarTran - RE: The latest StarTran bus route changes - (See Letter)

*7. E-Mail from Mary Harris Rauner - RE: Revenue through January 15th - (See E-Mail)

VI. ADJOURNMENT

*HELD OVER UNTIL FEBRUARY 7, 2005.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: January 26, 2004
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at 10 a.m. Thursday, January 27 in the City Council Chambers, first floor of the County-City Building, 555 South 10th Street.

Topics will include:
• Plans for the fifth annual Abraham Lincoln Birthday Celebration February 20 at North Star High School.
• Creation of the Lincoln-Lancaster County Citizen Corps Council to coordinate volunteers in preparing for and responding to emergencies.
• The awarding of $2 million in federal grants to local agencies serving the homeless.
WORKSHOP TO FOCUS ON
INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS

A workshop on transportation safety and efficiency projects is set for 2 to 4:30 p.m. Thursday, January 27 at the Walt Branch Library, 6701 South 14th Street, in Lincoln. This is the third workshop of the 13-county Southeast Nebraska Regional Intelligent Transportation Systems (ITS) Architecture project. Previous workshops attracted more than 100 participants, including transportation officials, office holders, law enforcement personnel and emergency services providers.

“This is the next step, as we discuss the potential projects that could work collectively to address the transportation needs of the 13-county study area,” said Virendra Singh, City Project Manager. “It is at the project level that agency representatives will actively work together to build the future of ITS in southeast Nebraska.” An ITS fact sheet and list of projects are attached.

In addition to enhancing safety and efficiency, the goals of the project are to:
- Provide enhanced and timely traveler information.
- Enhance services, such as transit and emergency response.
- Increase the ability of different agencies to work together more efficiently.
- Provide travelers with reliable and accurate weather and roadway information.

The workshop will be interactive to encourage dialogue between attendees and the project team. This workshop is an opportunity to gain an in-depth understanding of the many ITS projects applicable to the region. Singh said stakeholder input is very important as the final architecture project approaches completion.

Additional workshop activities include:
- Reviewing project sequencing, including implementation timelines.
- Learning applicable ITS standards for sharing information and technologies.
- Discussing interagency agreements.

The City of Lincoln is the lead agency for the project, which also is sponsored by the Federal Highway Administration, the Nebraska Department of Roads and Lancaster County. The other counties involved in the project are Butler, Cass, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee, Richardson, Saline, Saunders and Seward. The ITS project is scheduled to be completed by March 2005. For more information, see the Public Works and Utilities section of the City Web site at lincoln.ne.gov or contact Virendra Singh at 441-7835.
INTELLIGENT TRANSPORTATION SYSTEM
FACT SHEET

When did Intelligent Transportation System (ITS) technology help you?
• As you were driving along a state or federal highway, you saw a message
  sign announcing a closed exit, the date of the closure and alternate routes.
• You were able to check road conditions, weather forecasts and work zones
  along your planned route by dialing 511 on your cell phone.
• You called for medical assistance, and emergency services personnel were
  dispatched.

How could ITS help residents of southeast Nebraska in the future?
• Public schools and law enforcement could be automatically notified when a
  school bus was off its normal schedule or route.
• Traffic signals could be automatically adjusted based on current traffic
  conditions
• In the event of a local or regional disaster, the lines of communication
  would be open in all geographic areas between dispatch personnel and
  emergency service providers.

What are some potential uses of ITS?
• Traffic signals could be coordinated to reduce vehicle stops and delays.
• Travelers could get information about traffic incidents, weather, work
  zones, detours and bus arrival times as well as automatic route guidance
  based on current traffic conditions
• Emergency management and communication between agencies could be
  enhanced.
• Emergency and road maintenance vehicles could have the benefits of
  computer-aided dispatching.
• Emergency vehicles could have priority at traffic signals.
• Security monitoring could be possible for public areas such as major
  bridges and rest areas.
• School buses, emergency vehicles and road maintenance vehicles could use
  automatic vehicle location technology.
• Technology could be used for highway incident detection, response and
  clearance.
<table>
<thead>
<tr>
<th>No.</th>
<th>Project Title</th>
<th>Project Stakeholders</th>
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<tbody>
<tr>
<td>1</td>
<td>Flood Monitoring System</td>
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<td>2</td>
<td>Maintenance Vehicle Tracking</td>
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<td>3</td>
<td>Automated Gate Closure</td>
<td>NDOR</td>
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<td>NDOR District 1 District Operations Center (DOC1)</td>
<td>NDOR, City of Lincoln</td>
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<td>City of Lincoln and NDOR Operations Coordination</td>
<td>NDOR, City of Lincoln</td>
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<td>6</td>
<td>Dynamic Message Sign Expansion</td>
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<td>7</td>
<td>Emergency Services Coordination</td>
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<td>8</td>
<td>City of Lincoln Traffic Management Center (TMC)</td>
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<td>City of Lincoln Joint Operations Center</td>
<td>City of Lincoln, NDOR, Lancaster County, Local Media</td>
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<tr>
<td>10</td>
<td>City of Lincoln Emergency Vehicle Improvements</td>
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<td>City of Lincoln Traffic Signal Response Improvements</td>
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<td>StarTran Automated Vehicle Location (AVL)</td>
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<td>StarTran Transit Information Improvements</td>
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<td>City of Lincoln Traffic Camera Expansion</td>
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<td>Infrastructure Security Monitoring</td>
<td>Local City &amp; County Agencies, NSP, NDOR, City of Lincoln, Lancaster County</td>
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<td>NDOR Traffic Camera Expansion</td>
<td>NDOR</td>
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<td>Local Emergency Management Computer Aided Dispatch</td>
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<td>Regional Communications Improvements</td>
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<td>Portable Weigh-in-Motion</td>
<td>NDOR, NSP, Local City &amp; County Agencies</td>
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<td>20</td>
<td>Expansion of NDOR Speed Monitoring</td>
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<td>Multi-Jurisdictional Transit Coordination</td>
<td>Local City, County and Agencies, StarTran, Lancaster County transit, Metro Area Transit (Omaha)</td>
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<td>Local Emergency Vehicle Improvements</td>
<td>Local City &amp; County Agencies, Lancaster County</td>
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<td>Local Transit Operations Upgrade</td>
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<td>City of Lincoln Traveler Information System</td>
<td>City of Lincoln, NDOR (PioneerNet), Media, Information Service Providers</td>
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<td>Urban Camera Coordination</td>
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<td>City of Lincoln Maintenance Vehicle Tracking</td>
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<td>Trailblazer Signage</td>
<td>NDOR</td>
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<td>29</td>
<td>Ramp Metering</td>
<td>NDOR</td>
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<tr>
<td>30</td>
<td>Local County Maintenance Vehicle Tracking</td>
<td>Local City &amp; County Agencies, Lancaster County</td>
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<td>31</td>
<td>City of Lincoln Smart Grade Crossing</td>
<td>City of Lincoln, Railroad Companies</td>
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<td>32</td>
<td>City of Lincoln Automated Traffic Enforcement</td>
<td>City of Lincoln, NDOR</td>
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<td>33</td>
<td>Transit Signal Priority (TSP)</td>
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<td>School Bus Tracking</td>
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<td>35</td>
<td>Local Transit Vehicle Tracking</td>
<td>Local City &amp; County Agencies, Lancaster County</td>
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<tr>
<td>36</td>
<td>Local Agency Smart Grade Crossing</td>
<td>Local City &amp; Counties Agencies, NDOR</td>
</tr>
</tbody>
</table>
Date: January 27, 2005

To: City Council

From: Mike Merwick, Director of Bldg & Safety

Re: Requests for Special Addresses

On January 31, 2004 Council agenda #25 there is a request for a special address. This is some additional information on this subject:

1. During the past twelve months Building & Safety Department received the following requests for special addresses. All of these requests were denied:

   Westfield Gateway Mall
   44 Corporate Place Office Park
   Home Depot
   NBC Center
   East Park Plaza
   South Point Mall

   On January 26, 2005, the Department was contacted by a car dealership who was seeking information on having a special address called I-80 Auto Plex.

2. Building & Safety and several other Departments are currently half completed in updating a three year project to correct the address file so that emergency services, post office and citizens can easily and quickly access addresses in our community.

3. A special address can create a problem for the 911 Center as they enter a special address that would not connect to the normal address street file.

4. Although only businesses have requested special addresses so far, special addresses could come from single family residences.

Any questions contact Terry Kathe, 441-6447, in the Building & Safety Department.
January 27, 2005

Mr. Paul Haith
2010 South 80th Street
Lincoln, NE  68506

Dear Mr. Haith:

Mayor Seng asked that I respond to your questions about the authority to issue long term debt to purchase fire engines.

The City is purchasing the new fire engines through a lease/purchase agreement in which the City is making lease payments over a ten year period. During the term of this lease, the lenders own proportionate shares of the lease and receive interest payments in addition to the repayments of the lease. The annual payments are treated as rent and the annual rent payment is required to be included in the City Department’s annual operating budget.

You can review City Ordinance number 18409 on the City of Lincoln’s web site to find the City Council approval of this transaction. The link is as follows:


You will need to click on the document number to view the entire twenty page ordinance.

The specific legal authority for this type of transaction is State Statute 15-201.02. This law states:

Purchase of personal property; installment contracts authorized.

   In addition to any other powers granted to it by law, a city of the primary class may enter into installment contracts for the purchase of personal property. Such contracts need not be restricted to a single year and may provide for the purchase of the property in installment payments to be paid over more than one fiscal year. This section shall be in addition to and notwithstanding the provisions of a home rule charter.

Only significant, non-routine items are considered for lease/purchase. The City of Lincoln does not use this authority for most of its equipment purchases. Routine equipment purchases that recur from year to year are generally paid 100% at time of purchase.

The City’s annual audited financial statements disclose the amount of equipment that is being purchased over a period of more than one year under a lease/purchase agreement. At August 31, 2004, $206,597 of $65,515,482 (0.315%) of equipment paid through tax dollars had been purchased in this manner. Our business-type funds had purchased $2,297,420 of $25,972,534 (8.852%) in this manner. The most significant purchase in the business-type funds includes ambulances and turf equipment for our golf
courses. The purchase of the fire engines was not completed by August 31, 2004. This transaction will be reflected in the financial statements for the year ending August 31, 2005.

In addition to the legal authority, it makes sense to ask that the taxpayer that will benefit in the future from the use of these fire engines pay a proportionate share of the cost, rather than asking that the entire burden be absorbed by today's taxpayer. This concept is called interperiod equity in the government and not-for-profit sector. In the private business sector it is referred to as the matching concept.

Please contact me if you have any questions.

Sincerely,

Don Herz
Finance Director

Cc: Mayor Coleen J. Seng
   Lincoln City Council
   Lincoln Independent Business Association
Dear Mr. Haith:
I received your emailed question about the lease/purchase of the fire pumper trucks. I am forwarding your question to Don Herz, the City Finance Director. Mr. Herz will provide the answer explaining the purchasing authority available to the City and your other questions regarding bonding and long term debt.

Sincerely,
Coleen J. Seng
Mayor of Lincoln

cc: Don Herz, Director, City Finance Department
    City Council
    LIBA

Now that the contract to purchase new fire trucks has been awarded, I have found out that the money to purchase the fire trucks was borrowed money and not part of the City budget. I would like to know what the legal basis is that the city has to obligate the tax payers of Lincoln to long term debt. In addition, I would like to know what other purchases have been made by borrowing over periods of time that exceed one year and a total amount of dollars that the City owes in long term debt that has not been approved by the tax payers through the issuance of voter approved bonds. I do not need exact amounts but an approximate estimate would be appreciated.

Paul Haith
2010 S. 80th St.
Lincoln, NE 68506
402-489-0093
## Actual Compared to Projected Sales Tax Collections

<table>
<thead>
<tr>
<th></th>
<th>2004-05 PROJECTED</th>
<th>2004-05 ACTUAL</th>
<th>FROM PROJECTED</th>
<th>$ CHANGE FR. 03-04</th>
<th>% CHANGE FR. 03-04</th>
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<tbody>
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<td>SEPTEMBER</td>
<td>$4,515,734</td>
<td>$4,512,303</td>
<td>($3,431)</td>
<td>$128,424</td>
<td>2.93%</td>
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<td>OCTOBER</td>
<td>$4,727,381</td>
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<td>NOVEMBER</td>
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<td>($173,681)</td>
<td>$279,549</td>
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<td>DECEMBER</td>
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<td>$4,174,828</td>
<td>($128,650)</td>
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<td>JANUARY</td>
<td>$4,547,686</td>
<td>$4,043,044</td>
<td>($504,642)</td>
<td>($233,565)</td>
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<td>FEBRUARY</td>
<td>$5,600,491</td>
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<td>MARCH</td>
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<td>APRIL</td>
<td>$3,907,319</td>
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<td>MAY</td>
<td>$4,536,832</td>
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<td>JUNE</td>
<td>$4,357,746</td>
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<td>JULY</td>
<td>$4,477,137</td>
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<td>AUGUST</td>
<td>$4,737,625</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>$21,857,907</strong></td>
<td>($996,314)</td>
<td><strong>$406,648</strong></td>
<td><strong>1.90%</strong></td>
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<td>SEPTEMBER</td>
<td>$3,592,214</td>
<td>$3,758,935</td>
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<td>$47,341,091</td>
<td>$48,686,688</td>
<td>$51,068,484</td>
<td>4.89%</td>
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Year to date vs. previous year
## CITY OF LINCOLN
### SALES TAX REFUNDS
#### 1999-2000 THROUGH 2004-2005

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<td>SEPTEMBER</td>
<td>(107,766)</td>
<td>($472,215)</td>
<td>($646,545)</td>
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<td>($69,997)</td>
<td>44.23%</td>
<td>($135,858)</td>
<td>94.09%</td>
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<td>OCTOBER</td>
<td>(375,346)</td>
<td>($127,363)</td>
<td>($379,290)</td>
<td>($64,605)</td>
<td>-82.97%</td>
<td>($110,193)</td>
<td>70.56%</td>
<td>($165,219)</td>
<td>49.94%</td>
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<td>NOVEMBER</td>
<td>(123,176)</td>
<td>($448,872)</td>
<td>($132,336)</td>
<td>($134,088)</td>
<td>1.32%</td>
<td>($219,454)</td>
<td>63.66%</td>
<td>($101,531)</td>
<td>-53.73%</td>
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<td>DECEMBER</td>
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<td>($193,085)</td>
<td>($240,014)</td>
<td>($177,459)</td>
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<td>($390,445)</td>
<td>120.02%</td>
<td>($325,510)</td>
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<td>JANUARY</td>
<td>(1,145,096)</td>
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<td>($74,082)</td>
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<td>FEBRUARY</td>
<td>(8,072)</td>
<td>($115,206)</td>
<td>($509,277)</td>
<td>($61,404)</td>
<td>-87.94%</td>
<td>($323,218)</td>
<td>426.38%</td>
<td>($226,227)</td>
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<td>MARCH</td>
<td>(196,501)</td>
<td>($303,779)</td>
<td>($428,507)</td>
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<td>($478,438)</td>
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<td>MAY</td>
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*Year to date vs. previous year*
## CITY OF LINCOLN
### NET SALES TAX COLLECTIONS
#### 1999-2000 THROUGH 2004-2005

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<td>SEPTEMBER</td>
<td>$3,484,448</td>
<td>$3,286,720</td>
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<td>6.60%</td>
<td>$21,857,906</td>
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Year to date vs. previous year
MEMORANDUM

DATE: January 26, 2005

TO: Lincoln City Council
    Lancaster County Board of Commissioners

FROM: Tom Malmstrom
    Natural Resources Coordinator
    Parks and Recreation Department
    Saline Wetlands Conservation Partnership

RE: Saline Wetland Conservation Partnership
    NEBRASKAland magazine and 2003-04 Progress Report

As members of the saline wetlands conservation partnership I want to make you aware of the recent article in the January-February 2005, NEBRASKAland magazine. On page 46 you will find the Outdoor Update and the article “Preserving the Last of the Least, A partnership of organizations is working to protect saline wetlands.” The article provides a summary of the commitment and efforts to conserve the saline wetlands.

Much has happened since the project was initiated in 2003. To guide the efforts of conserving the saline wetlands the “Implementation Plan for the Conservation of Nebraska’s Eastern Saline Wetlands” was completed. The partnership has purchased nearly 590 acres of saline wetlands and associated habitats. The partnership purchased the following parcels:

Note: BELF = Board of Educational Lands and Funds
      NET = Nebraska Environmental Trust
      NGPC = Nebraska Game and Parks Commission
      SWCP = Saline Wetlands Conservation Partnership

- Frank Shoemaker Marsh – 27th Street and Bluff Road
  Size: 160 acres
  Purchase price: $472,000
  Funding sources: 2001 State Wildlife Grant through the
                   U.S. Fish and Wildlife Service ($222,000)
                   2002 NET grant ($250,000)
  Owner: City of Lincoln
• Melvin King Property – South of Arbor Road and East of 27th Street
  Size: 61.2 acres
  Purchase price: $204,700
  Funding sources: Federal Section 6 ($153,525)
                 2002 NET grant ($51,175)
  Owner: City of Lincoln

• BELF land - 98th Street and Interstate 80
  Size: 140 acres
  Purchase price: $298,580
  Funding sources: Federal Section 319 ($179,148)
                 Lower Platte South NRD ($43,043.20)
                 SWCP ($76,388.80)
  Owner: Lower Platte South NRD

• BELF Land – 1st Street and Raymond Road
  Size: 156 acres
  Purchase price: $476,000
  Funding sources: Federal Section 6 ($276,000)
                 2004 NET grant through NGPC ($200,000)
  Owner: Nebraska Game and Parks Commission

• Anderson Property – Adjacent to Arbor Lake, 27th Street and Arbor Road
  Size: 69.2 acres
  Purchase price: $361,710.67
  Funding source: 2002 NET grant through City of Lincoln
  Owner: City of Lincoln

The partnership is also involved in efforts to restore saline wetland habitat on Frank Shoemaker Marsh located along north 27th street. A conceptual design plan for wetland and upland habitat restoration and improvement measures has been completed. Final design will be completed this spring. Funding for this effort comes from a Federal Section 319 grant the city of Lincoln received for the eastern saline wetland complex.

A saline wetlands educational kiosk is nearing completion. This exhibit will be located at the Pioneers Park Nature Center. It will include general information about Nebraska’s saline wetlands and its flora and fauna, endangered species, a map of the saline wetlands in Lancaster and Saunders counties, and include a tabletop interactive ecosystem balance. Funding for this exhibit is from the saline wetlands conservation partnership. Information on the saline wetlands and the partnership is also available on the city website.

We think this program has been extremely successful and think that we have been able to accomplish many of the goals of the Implementation Plan for the Conservation of the Eastern Saline Wetlands. We hope you would agree. Your continued support is appreciated. If you have any questions, please contact me at 476-2729 or tmalstrom@lpsnr.org.
Memorandum

January 26, 2005

TO: City Council members

FR: Lynn Johnson, Parks and Recreation

RE: E-mail message from Peter Katt regarding the Antelope Valley project

Cc: Mayor Coleen Seng

I received a copy of Peter Katt’s e-mail of January 19, 2005 concerning public art associated with the Antelope Valley project.

Mr. Katt is certainly entitled to his opinion that public art is just “the pretty” and Antelope Valley is a “Beast”. This major public project includes public parks, trails and other “people places”. Lincoln has a long and proud tradition of enhancing major public spaces with artworks that are often privately funded. The Antelope Valley project has always been envisioned to continue Lincoln’s best traditions for parks and public works projects. It is important that opportunities for future public art installations in Antelope Valley be identified during the design phases, and we are striving to accomplish this. A funding strategy has yet to be determined, but will likely rely heavily upon grants and donations. We have made commitments to the community that Antelope Valley will a “Beauty” when completed - not Mr. Katt’s “Beast”.
January 25, 2005

Terry Rothanzl
Engineering Design Consultants
2200 Fletcher Ave. Suite 102
Lincoln, NE 68521

RE: Vintage Heights 21st Addition Final Plat #04118 Generally located at S. 98th St. & Pine Lake Rd.

Dear Mr. Rothanzl,

Vintage Heights 21st Addition generally located northwest of S. 98th St. and Pine Lake Rd. was approved by the Planning Director on January 25, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at $.50 per existing lot and per new lot and $20.00 per plat sheet for the plat, and $.50 per new lot and $5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Tom Cajka
Planner

CC: Robert Hampton
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
File

I:\PC\FP\Approval.wpd
MEMORANDUM

TO:        City Council
           County Board

FROM:     Duncan Ross, Planning

SUBJECT:  CPA. 04021 Airport West Subarea Plan
           Proposed NW 40th/38th Roadway Amendment

DATE:     January 26, 2005

COPIES:   Mayor Coleen Seng
           Marvin Krout, Director of Planning
           Ann Harrell, Interim Director of Public Works and Utilities
           Nicole Fleck-Tooze, Public Works
           Randy Hoskins, Public Works
           Rick Peo, City Law
           Kristy Mundt, County Attorney’s Office
           File

The Airport West Subarea Plan public hearing was held with the City Council on
Monday, January 10, 2005; and the County Board on Tuesday, January 25, 2005. On
December 7, 2004, the City County Common was briefed by Planning staff on the
major objectives and outcomes of the subarea planning effort.

In response to Barbara Erickson’s testimony and upon request of the County Board,
Planning has drafted an amendment for your consideration to show the proposed NW
40th/38th roadway east of her property at the northeast corner of NW 40th and West
Holdrege Street. This is shown on the attached materials and shown as Amendment A.

Also, it was requested from the County Board to distribute the Hub Hall Heights
Preliminary Plat. This plat is attached and shown as Exhibit 1. This exhibit is for
information purposes only and not part of the proposed amendment.

If you have any questions please contact me at your convenience.
Requesting Party: County Board

Date: January 26, 2005

Title: Amendment A - NW 40th/38th Street Alignment

Request: At the request of Barbara Erickson, a property owner at 3900 West Holdrege Street, move the NW 40th/38th future roadway east of her property as shown on the attached map, and amend text where necessary.

Specific sections of the December 8, 2004 draft Subarea Plan to be amended as shown on the attached map are:

1. Figure 2, Airport West Subarea Plan, page 9 to reflect attached map;

2. Figure 3, Transportation Plan, page 22 to reflect attached map; and

3. Amend text Under **New Major Roadways** on page 21 as follows:

   - **NW 40th/38th Street**: Minor arterial and industrial/commercial collector with 2-lanes plus turn-lanes. The new roadway will run from West "O" Street to US 34. This new facility will provide a parallel north/south arterial with NW 48th Street, that will help circulate and move traffic, and provide access to newly developable areas during the planning period. Between West Adams and West Cuming, the roadway is designated as a collector street. Traffic benefits were apparent in the modeling of this facility, and it is possible that once constructed this facility should be identified as a truck route. This roadway will provide continuous movement from SW 40th Street, south of West "O" Street. This roadway will require a new grade separated crossing of Interstate 80, and this facility should be considered for a bike trail facility to help develop the trail system. This new roadway will require further coordination with the Nebraska Department of Roads. North of West Holdrege Street, the alignment is shifted to approximately NW 38th Street to provide greater separation with residential subdivisions along the NW 40th Street section line, and to align with the NW 38th Street corridor within the Air Park West Industrial Park. The alignment of NW 40th/38th Street, between West Vine Street and West Adams Street is generally east of NW 40th Street. This alignment will be reviewed as part of the design and evaluation of this roadway. A connection with US Highway 34 may or may not remain at the existing NW 31st Street access point. This proposed roadway, Interstate crossing, and connection with US Highway 34 will need further study.
January 26, 2005

The City of Lincoln, Department of Public Works would like to take this opportunity to invite you to an open house regarding the following roadway projects in the vicinity of South 56th Street and Pine Lake Road:

- **Pine Lake Road; 40th Street - 61st Street**
  - Project 700014

- **South 56th Street; Old Cheney Road - Shadow Pines Drive**
  - Project 701763

- **South 56th Street; Thompson Creek Boulevard - Yankee Hill Road**
  - Project 701764

- **Pine Lake Road; 61st Street - Highway 2**
  - Project 701765

On Monday, February 7, 2005 from 6:00 to 8:00 p.m. at Humann Elementary School, 6720 Rockwood Lane, Engineers from the Public Works Department, E & A Consulting Engineers, The Schemmer Associates, and HWS Consulting Group will be available to answer questions about the proposed projects. A brief description of the work is:

- Reconstruction of the existing roadways to urban standards to include curb and gutter and storm drainage systems.

If you cannot attend and have questions, please feel free to call.

Amy Mickey  
Public Information Contact  
E & A Consulting Group  
(402) 420-7217

Kris Humphrey  
Project Manager  
City of Lincoln, Engineering Services  
(402) 441-7592
CITY COUNCIL
C/O CITY CLERK
555 S 10TH
LINCOLN NE 68508

01-25-05

DEAR CITY COUNCIL MEMBERS:
CONTEMPO/LINCOLN MOBILE HOME PARK IS AGAINST THE PAVING DISTRICT ON WEST BENTON STREET. THIS STREET WOULD NOT BENEFIT CONTEMPO/LINCOLN.

IT IS OUR UNDERSTANDING THAT CONTEMPO/LINCOLN WOULD BE ASKED TO PAY FOR HALF OF THIS PAVING. CONTEMPO/LINCOLN PROVIDES AFFORDABLE HOUSING AND WE WOULD BE FORCED TO RAISE OUR RATES AFFECTING APPROX. 380 FAMILIES. THE PAST SEVERAL YEARS THE MOBILE HOME INDUSTRY HAS FACED RECORD REPOSSESSIONS, HIGH VACANCY RATES, HIGHER TAXES AND HIGHER OPERATING EXPENSES. THE TIME IS NOT RIGHT TO ASK OUR RESIDENTS TO PAY FOR EVEN MORE.

WITH THE EXCEPTION OF 2 HOMES ON WEST BENTON STREET ALL OF THE OTHER HOMES WERE BUILT KNOWING THAT W BENTON WAS A GRAVEL ROAD. I WOULD THINK THE PEOPLE DEVELOPING THESE NEW HOME SITES WOULD HAVE EITHER BEEN HAPPY WITH THE RURAL SETTING OR BUILT THE PRICE INTO THEIR LOTS TO PAY FOR THEIR OWN PAVING.

PLEASE CONSIDER THE FINANCIAL BURDEN TO THE FAMILIES OF CONTEMPO/LINCOLN AND VOTE NO.

THANK YOU
TIM POWERS, MANAGER
January 24, 2005

Ms. Julie Poykko-Post
1736 Otoe
Lincoln NE 68502

Dear Ms. Poykko-Post:

This letter is to follow-up our January 21, 2005 phone conversation regarding your concerns about StarTran patrons carrying purchases on the bus. Apparently, some residents of the President and Ambassador Apartments were advised by StarTran drivers of a two-sack limit for groceries able to be brought onto the bus. As I indicated during our phone conversation, StarTran has no such policy, other than a related policy that drivers may not actually carry the sacks onto or off the bus.

I can surely understand the concerns expressed by the individuals on whose behalf you wrote Councilperson McRoy, and hope they will not experience such problems in the future. As I noted, since the actual driver(s) are unable to be identified, I will...

- Post a notice in the drivers sign-in area advising that patrons are not limited in the number of bags, etc brought onto the bus, and
- Advise the StarTran dispatchers/supervisors of this issue

Please advise the persons expressing this concern that they may ask the driver to contact the StarTran dispatcher for verification of this policy if a driver limits the number of carry-on items.

Please accept my apology for the inconvenience experienced by those individuals.

Sincerely,

Larry D. Worth
Transit Manager

cc: Annette McRoy
Dear Mr. Oenbring: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy Grammer
City Council Office
555 South 10th Street
Lincoln, NE  68508
Phone:  402-441-6867
Fax:        402-441-6533

Dave O <daoco@yahoo.com>

Dear Council & Mayor:

The city of Lincoln intends to move forward with the condemnation of several local businesses in order to make room for a new hotel. It would seem that the members of the Planning Commission and the City Council need to be reminded that the powers of eminent domain are limited to the taking of property for public use. The fact that a new hotel will generate more tax revenue than a restaurant and convenience store should not figure into the equation. If we allow the city to condemn a property simply because someone else promises to make a more profitable use of it no home or business will be safe.

If Mr. Hammons wants the properties in question he is free to negotiate with the owners and upon securing their consent purchase them at a fair market price. It is not the place of government, nor is it the right of government to take the private property of one person only to convert it to the private property of another. Why should the taxpayers of Lincoln pay to line the pocket of a millionaire developer when we can’t even finish the work on S 84th Street? These actions and indeed similar actions contemplated throughout the Antelope Valley project are not only wrong, they are illegal and unconstitutional.

Where is the money going to come from? The massive Antelope Valley project is already consuming the lions share of the roads and parks capital budgets. Meanwhile the city council tells us that if we want to flush our toilets or have potholes filled then we had better vote to raise our taxes when the next bond issue is proposed. The fact is if the city wasn’t pouring our money into projects such as Antelope Valley, the Baseball Stadium and now this hotel we wouldn’t be nearly so far behind on basic infrastructure.

David Oenbring
2630 S 13th St
Lincoln, NE 68502
Cell 402-525-0204
Home 402-474-4300
Dear Mr. Freytag  
Your message has been received in the Council Office and will be forwarded to the 
Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

Fred Freytag <fred@witherbeena.org>

Dear Council Member:

Attached is a letter of support for the redevelopment plan of the 
blighted area at 48th & O Street, Resolution 04R-332. The Witherbee 
Neighborhood is also in support of widening O Street in conjunction with 
developing the blighted area to minimize the impact on new development.

Sincerely

Fred Freytag  
President WNA  
530 So 38th (10)  
435-2465

Visit us at http://www.WitherbeeNA.org

letter of support 48&O.p
January 24, 2005

Lincoln City Council

Re: Additional Comments on 48th and O Street Redevelopment Plan Resolution 04R-332

Dear Council Members:

After listening to all of the testimony that was presented last Monday, January 10th, our association wishes to add the following comments.

- **The issue of controlling the property on the south side of 48th Street.** The owner of the property, Mr. Misle, has had four years to develop a new use for it. His last tenant left in October 2002, but had already bought their new property in March of 2001. Three or four years should be enough time for a property owner of a large area in a prime section of town to either sell it to a new owner or lease it to a new business. He has not done this. This has resulted in a degradation of the entire area because the current buildings are unoccupied and not maintained.

- **Diversion.** At the August 23rd hearing before the City Council, there was a discussion with this owner or his representatives about this property on the south side of O Street and how they were going to demolish the building and start a new development. At the January 10th hearing all the discussion was about the north side and the uncertainty of driveway access. The meeting should have included information from him about the south side and the lack of progress in turning it into a useful area.

- **Conclusion.** We are anxious for, and eager to support, the guiding hand the City Council and the Urban Development department in making this property an asset to the area, instead of dragging it down. The redevelopment of this central area of Lincoln needs to be cohesive and deliberate rather than piecemeal and haphazard. How redevelopment is handled can have a positive or negative impact on the surrounding area and all of Lincoln (property values, sales tax income and quality of life). They city plans all kinds of things (liquor licenses, business zoning, health department expansion, etc.) and it needs to invest strong vision and guidance here too. The current owner has shown no progress in this. The evidence is plain. Drive by and you’ll see a deteriorating building with broken and boarded up windows. The neighborhood demands respect from property owners and inclusion by developers to build a friendly environment as the development moves forward. With city involvement this is more likely to happen then if it is left only to private industry.

Sincerely,

Fred Freytag
President
CITY OF LINCOLN PROJECTS

The Lincoln Journal-Star carried a news story, Jan.11, 2005, titled, "Big-ticket projects questioned." The list of 14 would make anyone gag.

As a resident of Lincoln since 1938 and a taxpayer since 1950, my suggestion is to scale down. I recommend that the Mayor & Council agree on three items that can be completed without outside help and then select three more. This plan could be completed in 20 or 30 years. My recommendation is 'start w/the last 3 on the J-S list: Health Dept expansion, University Place and Havelock'. I think a majority of long-term, older voters would endorse my list.

Thank you for your service to our community and keeping our growth within reasonable limits.

Ralph R. Marlette
UN-L Professor, Emeritus
1/24/05

Councilman Werner,

I am trying to get changes made to increase pedestrian safety particularly at 11th and O and at the crosswalk on the east side of 10th street at O street.

I’m enclosing a drawing and a letter I’m sending to Mayor Seng. The enclosures lay out what I consider to be inexpensive yet needed changes to keep pedestrians safer as they cross O street.

Many of us that live and work downtown will appreciate any help given.

Sincerely,

Jack Smith

1000 O St. #603

475-9922
Re: Changes to protect pedestrians crossing O Street.

I gave a drawing, similar to the one enclosed, to the group planning for a future Lincoln, they met at the Cornhusker Hotel, the meeting was open to the public. Near the end of October June Pederson, director of the Lincoln Aging Services, gave a copy of that drawing to Alan Abbott. Neither of us have heard anything regarding changes to protect pedestrians crossing O street at 10th St. or 11th St.

_The countdown lights will not address the problem of drivers violating the crosswalks at 10th and 11th on O street, they will be of no use to blind pedestrians nor to those who, for some reason, cannot walk at a “normal” pace._

A flashing sign, prohibiting a right turn on red, should eliminate many of the near misses we experience daily at O and 10th and should cost no more than one countdown light.

Pedestrians crossing O street at 11th have only 17 seconds to cross before O street before the traffic starts moving again. Many pedestrians cannot cross in that length of time. Blind people and elderly are especially at risk. The blind wait for four or five seconds until they can hear that O street traffic has stopped before they start to cross, that gives them only twelve or thirteen seconds to cross. It takes the elderly, and the more timid pedestrians, several seconds to make sure there are no red light runners before they proceed.

We ask that you act to make it safer for everyone crossing O street. It would be most helpful if you came to those intersections and observe the many drivers that ignore ordinances regarding pedestrians in the crosswalks. While you are down here, please walk across O street a few times, at 10th and 11th, so that you may personally experience what we experience every day.

It would not be cost effective to have police assigned full-time to enforce the right of way laws in this area, flashing lights would be a more practical way to keep us safer.
5:45 p.m. Monday, January 24

From 1 to 1:45 p.m. I timed the traffic signal at 11th and O St. to find the maximum amount of time pedestrians had in which to cross O St..

The shortest time was 9 seconds -
The longest time was 20 seconds -
Most of the time they had 18 seconds.

Time was clocked from when the green light came on for 11th St. traffic until the red light came on.

*Between 1:05 to 1:17 p.m. 5 drivers, west bound on O St., ran red lights. Employees of LES remarked that this happens all day every week day.*

Between 11:30 a.m. to 1:00 p.m. and at 4:30 to 6:00 p.m., 11th St. at O is frequently, completely, blocked by westbound traffic backed up from the 10th St. traffic signal. Pedestrians cut between stopped vehicles in order to cross O street.
Lincoln High would be excellent one on Capital Parkway and north edge of
Use at a bollard/marked sign such as the

The crosswalk needs to be more visible.

Stop

Clear across the crosswalk before

The crosswalk is blocked by vehicles that pull
down the middle from 10th and

north are in danger from vehicles

Pedestrians crossing from south to

Most everyone that crosses at 10th

Crosswalk

See or ignore pedestrians in the

make a right hand turn and do not

In the drivers lane focusing on

that problem on the west bound curb

that vehicles are from vehicles

The main danger of crossing on
EDITORIAL

Higher impact fees make sense

The city of Port Richey shouldn't be shy about increasing its impact fees — the one-time charges on growth intended to ensure new residents and businesses help pay for the added demand on services.

This week, a developer announced plans for 140 condominiums along Bay Boulevard, bringing to three the number of multifamily projects proposed for Port Richey.

If all three are approved and built, the 460 units will mean a 26 percent increase in the city's housing stock. Even if all are occupied by empty nesters, the townhomes and condominiums could bring more than 900 new residents to the city, a 30 percent population gain for this city of 3,021.

There is near universal agreement the city did a poor job of accommodating its last significant growth spurt — the redevelopment of Ridge Road and U.S. 19 into a Wal-Mart Supercenter and adjacent businesses. The added commerce brought new customers and an improved tax base, but also traffic-clogged roads and an increased demand for police services to handle theft complaints.

The city currently charges a transportation impact fee of $1,162 per multifamily unit. Previous discussions on revising the impact fee schedule ended because council members believed the city fees matched up closely with Pasco County's. That is no longer the case. Pasco County's road impact fee, as of Oct. 1, is $3,342 per multifamily unit and will increase each year until 2008.

It's based in part on the nearly $1.9-million cost to acquire land and build a single lane of road, which puts the cost of a mile of two-lane road at $3.8-million.

Reached Thursday, Mayor Eloise Taylor and council members Bill Bennett and Phyllis Grae agreed the impact fees warrant new scrutiny. It is smart thinking. Grae also said she advocates a parks and recreation fee. That, too, is worth considering, although roads and utilities are more pressing needs at the moment.

Council members also must remember that impact fees cannot be used as the sole funding source for infrastructure. It is illegal to charge new residents the cost of fixing old shortcomings.

Still, the fees are imperative even though some municipalities have been reluctant to embrace them in the past. New Port Richey, for instance, used its lack of a transportation impact fee as a recruitment inducement for developers. It hasn't worked as expected.

Meanwhile, Pasco County, which charges more than $8,525 per single-family home to help cover the cost of roads, schools, firetrucks, ambulances, utilities, parks and libraries, issued a record 6,300 building permits for single-family homes in 2004.

The boom in Port Richey is attributable to a near buildout in Pinellas County and the allure of the city's waterfront. But the city's lack of long-term planning has forced officials to deal with proposed developments on an ad hoc basis.

A new city administration shouldn't allow that to continue. A completed land development code and new impact fees are prerequisites to better managing growth in Port Richey.
To: Mr. Larry D. Worth, Transit Manager (extraordinaire)  
StarTran—Public Works and Utilities Department  
710 J Street  
Lincoln, NE 68508

Dear Mr. Worth:

As I was sitting here today thinking about one of the latest StarTran bus route changes that has had a most detrimental impact upon my life, I thought to myself, “self, why not write your pen pal Mr. Larry Worth a letter on this matter”? So, this is what I am doing. For as you can plainly see from the StarTran bus route map for the 27th Street Shuttle (North Direction) below, this bus is supposed to go north on Wildcat Drive instead of south on Whitehead. But much to my dismay, the last few times that I have taken this bus it has went in the opposite direction from where my favorite gourmet eating place is, (the Cracker Barrel).

Thus, this requires me to have to walk across the very busy 27th street traffic in order to get over to the Cracker Barrel when all I use to have to do before was go across this fine restaurant’s parking lot in order to get to the front door. Now the reason that I like to eat at the Cracker Barrel so much is because it is one of the few gourmet restaurants that I have found that can make “chicken and dumplings” the way my good old mother use to be able to make them back before she got Alzheimer’s disease and then died from it last fall. So you see, by me being able to eat at the Cracker Barrel now and then, I am able to partake of a ritual that reminds me of my dear mother’s good cooking, (by sitting down and eating some of the Cracker Barrel’s excellent strip dumplings and chicken). Now I know that you are probably asking yourself why I don’t just go across the 27th street traffic that is still traveling at 440 speeds as they exit at that ramp and stop trying to get the StarTran bus company to change the routing of its buses back to the way that they use to run. Well have you ever seen a 66 year old broken down man trying to dodge an 80 mph speeding car on 27th street with a cane before? If not, let me tell you that the sparks sure fly high as I am doing my best to “raise as much cane” as fast as I can in order to dodge those type of cars with my cemetery plot’s name written on its sides!

As a reminder to you, I thought that I would attach a picture of my dear mother back in her “hey days” when she was young and not in bad health. For one of the few things that I use to enjoy doing around here was eat at the Cracker Barrel. But as with most things in life, (at my advanced age), this is just one more luxury that I use to enjoy doing which I can no longer do. For both my mother and I use to enjoy eating at the Cracker Barrel for breakfast right before we would go over to Council Bluffs and spend a $20 bill a piece each trying to get rich at some upstanding businesses in that area. Then after we would lose all of our hard saved money on those “one arm bandits” at the local casinos in Council Bluffs, we would stop by the Cracker Barrel on our way home and have a good plate of those “chicken and dumplings” while we would “lick our wounds” from losing so much money at those darn casinos! But every now and then when we would hit it rich and win a $50-$200 jackpot on one of those machines, then as we would come home we would stop at the Cracker Barrel and celebrate by having you know what. Yes, a good dish of that health food known as “chicken and dumplings”. So do you see any pattern here? For first the good Lord takes away my dear mother. Then StarTran takes away my easy access to my mother’s and my favorite gourmet restaurant. So what’s next? Is somebody going to take away my right to eat? Well, that is all that I have to write to you about today. If I think of anything else, do not worry, I will send you another letter. O-h-h-h, now that I think of it, the trash can at the 27th and O Street bus shuttle next to Paycheck Advance was overflowing with trash while I was there the other day. And then the bus shelter near the UNL-East Campus and approximately 36th street had an overflowing trash can too. Now if I get my old 27th Street-North bus route back, perhaps I will not be able to see those overflowing trash cans so easily, (what with my poor eyesight and all)! Do you catch my drift?

P.S. In case you are wondering, except for these minor distractions, my paper on curing Alzheimer’s is coming along fine.

Bona apatite,

R. Allen Davis the 1st

---

Copy to the usual:
- Mayor Coleen Seng
- Director Allain Abbott
- Mr. Les Helms
- City Council
- Management at the Cracker Barrel

Ron Davis
3405 Holdrege Street—#102
Lincoln, NE 68503
Ms. Rauner: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533

Would you please distribute this to the Council members? Thank you.

I have listened for the last year and a half about how a smoking ban will be good for our hospitality industry in Lincoln, and in all honesty, I was hoping that this would prove to be true. Perhaps it will be true, eventually. In the meantime, there are few businesses that can take a percentage loss of over 10% for long. Most of these establishments have long-term leases that cannot be broken, payrolls that must be paid and above all, taxes that must be honored.

I am tracking 25 bars and bars and grills in Lincoln over the next six months. This information is confidential and is submitted to me in percentage form. I have asked these establishments to provide the following information for the first two weeks in January, 2005 compared to January, 2004, then once a month for the next six.

Of these establishments, 21 have returned the information at this time and the other four will have their information monthly.

The average loss was 27% over last year’s income. A majority of the businesses, (14) have losses of revenue from 20% to 36%. Three have losses of 8% to 14%, and four have losses over 40%. The highest loss was at 52% and the lowest 8%.

Two establishments have gone out of business since January 1, 2005, (one bar and grill and one restaurant). One of Lincoln’s oldest bars will close at the end of business on February 6 (instead of relocating in Lincoln), and January 29 will be the last day of business for another established bar and grill. (One more bar has gone out of business, January 25, bringing the count to five small businesses)
The bars reflect a greater loss of revenue than the bars and grills. The highest loss reflects a bar only and the lowest figure is from a bar and grill. Most on the low end of the losses have access to outside (some heated) areas of smoking, a majority of those on the high end of the losses are not allowed by the City to have those outside areas.

I hope these figures will provide information on the revenue from these establishments and will hopefully be followed by a breakdown in sales tax revenue for January, 2005 reflecting these categories; restaurants, bars and grills and bars only. All of the statistics that have been thrown at the public reflect general sales tax revenue only. Without a breakdown of revenue, there are no valid statistics for comparison.

In conclusion, I would ask that you view these figures with logic rather than instant skepticism. Most of us go to a restaurant to eat; to a bar and grill, perhaps to eat, but primarily to socialize (watch a game, celebrate a birthday or event); and finally, to a bar to socialize. Most bars provide a social environment for adult drinking (and smoking), they are not restaurants and do not aspire to be restaurants. In light of these differences, I would again ask that you view these statistics on the basis of category.

Thank you,

Mary Harris Rauner
1820 Surfside Drive
ADDENDUM TO DIRECTORS’ AGENDA
MONDAY, JANUARY 31, 2005

I. MAYOR

1. NEWS RELEASE - RE: Plans Announced For City’s Fifth Annual Abraham Lincoln Birthday Celebration - (See Release)

2. NEWS RELEASE - RE: Volunteer Citizen Corps Council Created To Help With Emergencies - (See Release)

3. NEWS RELEASE - RE: Lincoln Awarded $2 Million In Homeless Grants - (See Release)

4. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of January 29 through February 4, 2005-Schedule subject to change - (See Advisory)

II. CITY CLERK

1. E-Mail from Denene Collura, Homeowner forwarded to Council Office by City Clerk Joan Ross - RE: Item #9, 05R-20-Vote NO -Willowbrook Lot 1 24-hour operation amendment to Use Permit No. 132A - (See E-Mail)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Christine Kiewra to Jon Camp - RE: Item #9, 05R-20-Willowbrook - Use Permit 132A - (See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS

CITY ATTORNEY’S OFFICE

1. E-Mail from Assistant City Attorney Steven Huggenberger - RE: Item #31, 05-7- Additional Amendment to Bid Protest Ordinance-Motion To Amend No. 4 -(See Material)
HEALTH

1. Physician Advisory from Bruce Dart - RE: Influenza Update & Bordetella Pertussis - (See Release)

PLANNING

1. E-Mail Response from Jean Walker to Robin Epp - RE: Item #9, 05R-20-Use Permit 132A, S. 70th Street & Highway 2 - (See E-Mail)

2. Memo from Ray Hill - RE: Addressing One Talent Plus Way - (See Memo)

C. MISCELLANEOUS

1. Letter from Thomas A. Green, Corresponding Secretary, Lancaster County Democrats - RE: Wishes to give support to allowing public comment at every City Council Meeting - (See Letter)

2. E-Mail from Royce Mueller, Country Meadows Homeowners Association President - RE: Item #9, 05R-20 - Use Permit 132A - (See E-Mail)

3. E-Mail from Paul Haith - RE: Bidding Appeals - (See E-Mail)

4. Letter from Weston Furrer - RE: Item #23, 04R-333 - The Airport West Subarea Plan - (See Letter)

5. Letter from Douglas O. Emery, Postmaster, United States Postal Service - RE: Item #26, 05-2 - Strongly suggests that the City Council disapprove a proposed street name of Talent Plus Way and/or One Talent Plus Way- (See Letter)

6. E-Mail from Doug Emery, Postmaster - RE: The Postal Service would once again like to express our opposition to the naming of the street on which Talent Plus resides to One Talent Way - (See E-Mail)
PLANS ANNOUNCED FOR CITY'S FIFTH ANNUAL
ABRAHAM LINCOLN BIRTHDAY CELEBRATION

Mayor Coleen J. Seng today announced plans for the City's fifth annual Abraham Lincoln Celebration from noon to 6 p.m. Sunday, February 20, at North Star High School. The Celebration is free to the public and will feature two performances on the main stage:

- At 2:30 p.m., tenor Robert Trentham and pianist Richard Pearson Thomas will present "In Thinking of America - Songs of the Civil War."
- At 4:30 p.m., Fritz Klein and Joyce Browning will perform as President Abraham Lincoln and Mary Todd Lincoln in a program called "Farewell from Springfield." The pair performed together at the 2004 Celebration, and Klein also performed in 2002.

"This Celebration has become a tradition for many families in the area," said Mayor Seng. "Because Lincoln is the largest city in the world to be named for Lincoln, it is important that we observe his birthday by learning more about his accomplishments and about the times in which he lived. We promise an educational and entertaining afternoon."

Mayor Seng thanked the community donors who make it possible to offer the event free to the public. A volunteer steering committee headed by Cleve Reeves of Bahr Vermeer and Haeker has planned the Celebration. Producers are the City of Lincoln and the Lincoln-Lancaster County Convention and Visitors Bureau.

"In Thinking of America" combines letters, speeches and social commentary of the Civil War with songs from the era. The program was inspired by the lives of Trentham's ancestors. Through research, he was able to identify 30 ancestors who had fought on both sides of the war. The California-based singer has recorded a CD entitled "Epitaph - A Collection of Civil War Songs." Songs from that recording have been selected for The Civil War Experience™, a new reference CD-ROM developed by SouthPeak Interactive™ in conjunction with The History Channel® and the Civil War Preservation Trust®. Trentham has sung with regional theater and opera companies throughout the U.S. and has performed at Carnegie Hall, the Kennedy Center and the Philadelphia Academy of Music. More information is available at geocities.com/rdtrentham.

- more -
Abe Lincoln Celebration
February 27, 2005
Page Two

Browning is from Charleston, West Virginia and has been portraying Mary Todd Lincoln since 1996. Klein lives in Springfield, Illinois and has been portraying President Lincoln since 1976. He is considered by many to be one of the nation's foremost Lincoln actors, appearing in 35 states for film and television, on stage and as a motivational speaker. More information is available at LincolnInstitute.com.

Also on the schedule:
- Children can enjoy toys, games and crafts from noon to 6 p.m., with storytelling by Virginia O pocensky scheduled for 1 and 1:30 p.m.
- The Smith Family Band from Hastings will be back for its fourth year to perform Civil War era music for re-enactors and the public to dance starting at noon.
- Those dressing as President Lincoln can enter the "Impersonators Contest" by registering at the information desk at North Star. Judging is at 1:30 p.m.
- A Birthday Party begins at 2 p.m. and includes a mayoral proclamation and awards for the Impersonators Contest.
- Lincoln musician Chris Sayre will play folk and traditional music in the commons area from 4:15 to 5:45 p.m.

A variety of Abraham Lincoln exhibits will be on display, and area Civil War re-enactors in authentic uniforms will mingle with the crowd and answer questions. Those attending are encouraged to wear costumes from the era. Refreshments and souvenirs will be available.

For more information, see the City Web site at lincoln.ne.gov.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7831, fax 441-7120

FOR IMMEDIATE RELEASE: January 27, 2005
FOR MORE INFORMATION: David Norris, Citizen Information Center, 441-7547
Margo McKendree, Volunteer Partners, 435-2100
Doug Ahlberg, County Emergency Management, 441-7441

VOLUNTEER CITIZEN CORPS COUNCIL
CREATED TO HELP WITH EMERGENCIES

Mayor Coleen J. Seng today announced the formation of the Lincoln-Lancaster County Citizen Corps Council, which will recruit volunteers to help their community prepare for and respond to emergencies. The Citizen Corps Council activities will be funded by a Homeland Security grant administered through Lancaster County Emergency Management and operated by Volunteer Partners.

"Volunteers are a critical part of any emergency or disaster relief effort," said Mayor Seng. "The goal of the Citizen Corps Council is to give all citizens an opportunity to participate in making their communities safer, stronger and better prepared for all kinds of emergencies."

"We saw the importance of volunteers in the past year with their work in the Hallam and Lancaster County relief effort," said Doug Ahlberg, Lancaster County Emergency Management Director. "The Citizen Corps Council will enhance their organization, efficiency and productivity, enabling an already outstanding volunteer base to become even better."

"The Council is a wonderful opportunity for Volunteer Partners and the participating agencies to engage community volunteers, our greatest asset, in activities and educational opportunities that will help individuals and the community be better prepared should disaster strike," said Margo McKendree, Emergency Volunteer Project Coordinator for Volunteer Partners. "Citizen interest and involvement in volunteerism will not only strengthen our agencies, but also our city and county."

The Citizen Corps Council has five components:

- Emergency Volunteer Centers (EVCs) are pre-designated sites that would be activated to safely and efficiently utilize volunteers during emergency or disaster situations. Volunteers will be trained to operate EVCs. An example was the volunteer-operated EVC in Princeton following the Hallam tornado.
Citizen Corps Council
January 27, 2005
Page Two

- **Community Emergency Response Team (CERT)** training prepares volunteers to take care of their neighbors, co-workers and others during emergency situations. CERTs are trained in the areas of fire suppression, light search and rescue, disaster preparedness, and pre- and post-storm operations. CERT volunteer recruitment efforts will target teachers, businesses, service clubs, nursing home staffs, neighborhood associations and other organizations.

- **Volunteers in Police Service (VIPS)** would enhance the capacity of state and local law enforcement to use volunteers. VIPS can provide training for volunteers to perform administrative and non-intervention policing activities to free up law enforcement professionals for front-line duty.

- **Neighborhood and Business Watch Programs** are cooperative programs involving citizens and law enforcement. In Neighborhood Watch, citizens report suspicious activity and crime to the police. The Business Watch program would establish a formal network for businesses to communicate with each other and the police regarding crime-related problems, crime prevention and security-related issues.

- **Student Disaster Education** provides students with information on emergencies and disasters that can affect the community. The American Red Cross has a curriculum for use by schools in Lancaster County.

Members of the Citizen Corps Council include local elected officials; neighborhood representatives; the Lancaster County Red Cross; the Salvation Army of Lincoln; the Lincoln Public Schools; the Lincoln Police Department; the Lancaster County Sheriff’s Office; Lancaster County Emergency Management; the Lancaster County Medical Society; the Mutual Aid Firefighters Association for Lancaster County; and Volunteer Partners.

Those wanting more information or a presentation on the Citizen Corps Council can contact Volunteer Partners at 435-2100 or see the Web site at [www.citizencorps.gov](http://www.citizencorps.gov) or [www.volunteerpartners.org](http://www.volunteerpartners.org).
OFFICE OF THE MAYOR  
555 S. 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 27, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
                         Bradd Schmeichel, Urban Development, 441-7856
                         Reginald Robinson, HUD, Omaha, 492-3138

LINCOLN AWARDED $2 MILLION IN HOMELESS GRANTS

Mayor Coleen J. Seng today announced that local agencies serving the homeless have been awarded more than $2 million in federal grants. The U.S. Department of Housing and Urban Development (HUD) awards “Continuum of Care” grants through a competitive process. The grants provide permanent and transitional housing as well as job training, health care, mental health counseling, substance abuse treatment and child care.

“This is the largest amount Lincoln agencies have received from this HUD grants program,” said Mayor Seng. “This is an indication of the strength of our local programs in meeting the needs of our homeless population. These grants will allow them to continue and enhance the vital services they offer to individuals and families in crisis.”

All of the grants received by Lincoln agencies are renewals except for the CenterPointe Permanent Housing Project. Grant recipients are:
- CenterPointe, Inc. - $556,775 for its Permanent Housing Project (30 beds); $187,612 for its GlidePATH Transitional Housing Project (22 beds); and $443,273 for its Transitional Housing Project (25 beds).
- Lincoln Action Program - $449,539 for LAP’s supportive housing project, the City’s largest transitional housing project for families with a capacity of 165.
- Saint Monica’s - $140,456 for the Women in Transition program (29 beds).
- CEDARS Youth Services - $130,707 for the New Futures project which provides transitional housing for homeless pregnant and parenting teen-agers and their children.
- Catholic Social Services - $93,683 for transitional housing for seven families.

The local agencies that provide services to those in need are members of the Lincoln Lancaster County Homeless Coalition, founded in the mid-1980s. The Coalition formed a Continuum of Care Planning and Evaluation Committee in 1996 to submit the application for federal funds, to identify service gaps, to coordinate the “Point in Time Count” of the homeless and to conduct peer review of service providers.

The total in grants awarded to Nebraska agencies is $5.9 million. HUD officials say the grants will support more than 3,700 programs nationwide, and more than 700,000 Americans will receive services. Details on the HUD grants can be found at www.hud.gov/offices/cpd/homeless/budget/2004/index.cfm.
Date: January 28, 2005  
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule  
Week of January 29 through February 4, 2005  
Schedule subject to change

Saturday, January 29  
• School Neighborhood Advisory Council Summit - 8:30 a.m., Huntington School, 48th and Adams streets

Monday, January 31  
• Lincoln Action Program annual meeting - 11:30 a.m., Embassy Suites ballroom, 1040 "P" Street

Tuesday, February 1  
• Rotary Club 14 Nebraskan of the Year luncheon honoring Susan Seacrest, Groundwater Foundation, remarks and Key to the City - 11:45 a.m., Cornhusker Hotel, 333 South 13th Street

Wednesday, February 2  
• Lincoln Chamber of Commerce Balderdash 2005 forum- 5:30 p.m., Chamber offices, 1135 “M” Street, Suite 200

Thursday, February 3  
• Mayor's Environmental Advisory Committee meeting - noon, Mayor's Conference Room, 555 South 10th Street  
• Lincoln Public Schools Foundation Celebration of Excellence, remarks - 4 p.m., North Star High School, 5801 North 33rd Street
Ms. Collura, Your e-mail has been received and I am forwarding to City Council staff herewith.

Joan Ross, CMC  
City Clerk  
402/441-7438  
Fax: 402/441-8325  
"Denene Collura" <collud1@hotmail.com>

"Denene Collura" <collud1@hotmail.com>  
To: jross@lincoln.ne.gov  
cc: collud1@hotmail.com  
Subject: Vote NO re Willowbrook Lot 1 24-hour operation amendment to Use Permit No. 132A

01/30/2005 09:20 AM

Please send this information to the City Council meeting for the above agenda item 1/31/05 mtg.

Bill No. 00R-320 AMEND #2 (December 12, 2000) clearly states "hours of operation shall only be allowed between the hours of 5:00 a.m. to 12:00 midnight". This was the stipulation agreed to by Livingston/Katt in order to develop the Home Depot area. This stipulation has NOT CHANGED.

There has been NO NEGOTIATION to change the above amendment between the developer and the neighbors.

Planning Commission and Planning Dept staff are requested to honor the amendment as written; further, they are requested to respect and uphold the homeowners’ wishes as recorded.

Planning Commission and Planning Department are requested to also uphold the Comprehensive Plan that DOES NOT INCLUDE strip development along HWY 2 from 56th to 84th Street.

Requesting City Council to please VOTE NO to the above cited Willowbrook amendment allowing 24-hour operation on property located @ 70th & HWY 2.

Thank you.

Denene Collura, Homeowner  
6500 South 66th Street, Lincoln, NE 68516

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FREE pop-up blocking with the new MSN Toolbar - get it now!  
http://toolbar.msn.click-url.com/go/onm00200415ave/direct/01/
Christine:

Thank you for your email and discussion of the light restrictions at nearby Willowbrook. Yes, I recall well the discussions when the zoning request was made.

I will share your email with my colleagues. I have also received other emails from your neighbors voicing similar concerns.

Best regards,

Jon

In her email, Christine Kiewra wrote:

Subj:  change of zone request for IHOP at 70th and Hwy 2
Date:  1/29/2005 4:29:45 PM Eastern Standard Time
From:  "CHRISTINE KIEWRA" <ckkiewra@msn.com>
To:    <jcamp@ci.lincoln.ne.us>
Sent from the Internet (Details)

Dear Mr. Camp,

I hope that you remember well the original zoning process for the Home Depot at 70th and Highway 2. I urge you to recall the strong opposition to the entire project. The only concessions the neighbors were given at the time of commercial approval was a minor decrease in the number of pad sites and reassurance that the businesses hours of operation would not be 24 hours a day.

At this time Livingston Investments is requesting a change of zone to allow for 24 hour operation for a new restaurant. The staff recommendation is for approval conditional on neighbor support. The Planning Commission also recommended approval if there was neighbor support. There is not neighbor support. Family Acres expressed opposition and they were the only Association notified. The homeowners across 70th Street and closest to where the building would be built, Bob & Kathy Batternman, are opposed and Country Meadows though not notified or met with by Livingston Investments is also opposed.

On a sort of side note I feel that this proposal for a change comes in bad faith. Both the city and the developer at the time of this zoning and comprehensive plan amendment assured home owners that this large scale development would not be intrusive to our neighborhoods especially because the businesses wouldn't be open 24 hours a day. Now they are pushing the envelope again by requesting a change but noting that it is not for the entire center.
just one pad site. History shows that one change just leads to more.

Mr. Camp we need you to represent home owners. The zoning should not be changed again. Please vote against allowing for 24 hour operation on any portion of the Home Depot/Willowbrook Shopping Center.

Sincerely,
Christine Klewra
6400 South 66th Street
Lincoln, NE 68516

home phone: 421-6773

---

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany
Here is an additional amendment for Mr. Friendt's consideration. This amendment is exactly the same as the Amendment No. 2 with the addition of the language in Item No. 3 which adds "until the Mayor has made a decision on the protest". That sentence would then read "Upon timely receipt of a protest, the City shall not proceed further with the solicitation or with the award of the contract and shall suspend performance under the contract, if awarded, until the Mayor has made a decision on the protest." This additional language will clarify that the City's actions on the bid or award will only be stayed until the Mayor makes a decision on the protest. The City's actions will not be stayed during any subsequent litigation. A court can always order injunctive relief to stay the City's action if the Court thinks that is appropriate. If you wish us to prepare this amendment for introduction, please let me know.

Steven Huggenberger  
Assistant City Attorney  
City of Lincoln  
575 S. 10th, Rm 4201  
Lincoln, NE 68508  
402-441-7286  FAX 402-441-8812
MOTION TO AMEND NO. 4

I hereby move to amend Bill No. 05-7 in the following manner:

1. On page 2, lines 18, 19, and 20, strike the entire sentence beginning with the words "The City Purchasing Agent" and ending with "should be suspended."

2. On page 2, line 20, strike the word "The" and insert Upon timely receipt of a protest, the.

3. On page 2, line 22, strike the remainder of the sentence after the words "if awarded" including all of lines 23 and 24, and insert "until the Mayor has made a decision on the protest".

Introduced by:

Approved as to Form & Legality:

City Attorney

Requested by: Glenn Friendt

Reason for Request: To stop the issuance of a contract during a bid protest.
January 27, 2005

To: All Physicians, Administrators and Laboratory Personnel

From: Bruce Dart, MS, Health Director

Subject: Physician Advisory

**INFLUENZA UPDATE**

The Lincoln-Lancaster County Health Department flu surveillance program is reporting that flu activity has shown a significant increase in the last week in Lancaster County. Ten (10) positive influenza labs were reported in Lancaster County during the week of January 16 through January 22, 2005. Eight were type A influenza and two type B influenza. There were a total of 23 positive influenza lab reports in Lancaster County through January 22, 2005 (19 type A and 4 type B). Weekly provider and hospital flu surveillance for last week shows local influenza-like illness (ILI) activity beginning to increase, with provider-patient visits increasing from 0.2 percent to 0.6 percent of total patient visits. At the peak of the flu season last year, provider-patient visits for influenza-like illness reached 8 percent of visits, during 2002-2003 flu season it reached 2.4 percent.

With the marked increase in influenza activity in the state and locally, the likelihood of false-positive tests with rapid diagnostic tests (RDT) decreases. Because of this increased specificity of RDT in high incidence areas, it is no longer recommended that specimens be submitted to the Nebraska Public Health Laboratory (NPHL) for confirmatory viral culture testing from patients who have a positive RDT for influenza.

**Bordetella Pertussis**

Lincoln and Lancaster County is currently experiencing a significant increase in pertussis cases. A total of six laboratory confirmed cases of pertussis were reported to the Lincoln-Lancaster County Health Department in 2004. Four laboratory confirmed cases have been reported since the beginning of 2005. This compares to one laboratory confirmed case reported in Lancaster County in 2003. Three of the current cases were in infants under 6 months of age, all 3 required hospitalization. Two additional cases were in children, ages 4 and 7 years, both of who were current on their childhood immunizations. In these five cases of young children, our investigations were able to identify an adult (typically a parent) who had been symptomatic with onsets 2-3 weeks prior to the child’s onset date. The remaining five laboratory confirmed cases were in adults 30 to 58 years of age, one of whom required hospitalization.

OVER
Eighteen individuals meeting the clinical definition of pertussis were identified through investigation of confirmed cases. These 18 individuals were close contacts of a laboratory confirmed case, and had a cough lasting two weeks or more and either paroxysmal coughing and/or post-tussive vomiting but were not lab confirmed. Four of these individuals were under 11 years of age, 3 of these children were fully immunized while the fourth, a one year old, had received no primary doses of pertussis vaccine. The remaining 14 individuals were 7 adolescents and 7 adults, 20 to 40 years of age.

We are asking that physicians maintain a high index of suspicion for pertussis in patients presenting with an acute illness characterized by a prolonged cough.

Pertussis should be considered when evaluating patients with an acute cough illness lasting two weeks or longer, irrespective of immunization status. It should also be considered when evaluating patients who have had contact with an individual diagnosed with pertussis in the preceding 21 days. Only symptomatic persons should be tested. Asymptomatic persons should not be tested, regardless of whether there has been contact with a case or whether an outbreak is occurring.

Serology is NOT recommended as a diagnostic test for Bordetella pertussis. Serology is not currently standardized in the U.S. and, therefore, is not considered reliable for laboratory confirmation. The two recommended diagnostic tests for Bordetella pertussis infection are PCR and culture. This recommendation is consistent with the American Academy of Pediatrics’ 2003 Red Book. The challenge of laboratory diagnosis is two-fold: specimen collection requires an appropriately collected nasopharyngeal swab, and successful culture requires careful specimen handling, along with the use of special transport and culture media.

In collecting specimens use two posterior nasopharyngeal swabs (use a dacron or rayon-tipped swab), one for the culture and the other for the PCR. Avoid cotton or calcium-alginate tipped swabs. Gently insert the swab through the nostril to the posterior nasopharynx. Leave the swab in place for 15-30 seconds, rotate, and remove.

The PCR swab should be maintained, stored, and transported in a dry fashion. No transport media is necessary. For the culture, when possible, the specimen should be immediately plated on full-strength Regan-Lowe media or Bordet-Gengou media, and incubated. If prompt inoculation and incubation is not possible, the swab should be inserted into specialized Bordetella transport media (half-strength Regan-Lowe media is acceptable). The inoculated transport medium should be kept cool or refrigerated to prevent overgrowth of normal respiratory flora. The specimen should be transported as quickly as possible to a laboratory where it can be plated onto the appropriate media and observed for 10 days.

Prompt diagnosis of Bordetella pertussis infections is crucial. It will ensure that the appropriate disease control measures and necessary antibiotic prophylaxis of contacts can be accomplished quickly.

All household contacts of a pertussis case should be treated regardless of immunization status or age. Chemoprophylaxis should be considered for adults who have close or extensive contact. Other contacts outside the home that are symptomatic should be evaluated and treated as necessary. Asymptomatic contacts outside the home need not be treated.
Erythromycin estolate (40-50 mg/kg per day orally in four divided doses; maximum, 2 g/day) for 14 days is the drug of choice. Erythromycin resistance has been rarely reported. Azithromycin or Clarithromycin is as effective as Erythromycin and has fewer adverse effects and better compliance.

Azithromycin (10-12 mg/kg on day 1, orally, than 5 mg/kg per day orally for days 2-5; maximum 600 mg/day)

Clarithromycin (15-20 mg/kg per day orally in two divided doses; maximum, 1 g/day for 7 days)

Bordetella pertussis infections should be reported to the Lincoln-Lancaster County Health Department at 441-8053 (Monday–Friday 8:00–4:30) or after hour and weekends call 441-8000 and ask for the Communicable Disease program.

Physician Advisory Available By E-Mail

Physicians, Advance Nurse Practitioners, Physician Assistants, Health-Care and Laboratory Administrators can receive periodic physician advisories by e-mail. Send an e-mail to ttinmons@ci.lincoln.ne.us with your name, type of practitioner (MD, ARNP, PA-C, Administrator, etc.) and location of practice.

PC: Mayor Coleen J. Seng
    Board of Health
    Steven Rademacher, MD, Medical Consultant
    Thomas Stalder, MD, Medical Consultant
    James Nora, MD, Medical Consultant
    Joan Anderson, Executive Director, Lancaster County Medical Society
Dear M. Epp:

Thank you for submitting your comments on Use Permit No. 132A. Please be advised that the public hearing on this application was held before the Planning Commission on January 5, 2005, and the Planning Commission voted 6-0 to recommend approval to the City Council. The City Council public hearing is scheduled for this evening, January 31st, beginning at 5:30 p.m. There was testimony in opposition at the Planning Commission hearing by Steve Nickel on behalf of the Family Acres Neighborhood Association, who raised the same issues that you raise.

The Factsheet prepared by the Planning Department, which includes the staff report and the minutes of the Planning Commission meeting may be found at www.lincoln.ne.gov/city/council/agenda/2005. Use Permit No. 132A is Item No. 9 on today’s Council agenda.

I am forwarding your e-mail to the Planning Department project planner, Brian Will, as well as the applicant’s attorneys, Peter Katt and Mark Hunzeker, and the City Council office.

I would encourage you or someone on your behalf to also attend the Council hearing this evening, should you wish to give testimony in opposition.

If you need any further information, please let me know.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6385
"Epp, Robin L" <REpp@mail.public-health.uiowa.edu>

"Epp, Robin L" <REpp@mail.public-health.uiowa.edu> To: <plan@lincoln.ne.gov> cc: Use Permit No. 132A, S. 70th Street and Highway 2

01/31/2005 08:16 AM

Dear Planning Commission,

I am writing to express my frustration at the letter I received regarding an amendment to remove the restriction on the hours of operation on Lot 1 of the
Willowbrook Addition to allow a 24-hour operation at the area of 70th and Highway 2.

I am a residential property owner on Almira Lane. The said area is across the street from my home. I am adamantly opposed to this amendment and would remind the planning commission of the previous agreement that my neighborhood association came to with the Livingstons when this area was initially developed. This agreement was that there would be NO 24-hour operation in this area. I would appreciate it if the planning commission would uphold previous agreements and contracts concerning this area.

Thank you very much,

Sincerely,

Robin L. Epp
(Owner of 6565 S. 70th Street property)
MEMORANDUM

DATE: January 31, 2005

TO: City Council Members

FROM: Ray Hill, Planning Department

SUBJECT: Addressing One Talent Plus Way

COPY: Mayor Coleen Seng

Dennis Roth with Emergency Communications/911 submitted the following memo for your consideration before voting on this issue this evening.

"Addresses are not just numbers and a street name. They are a logical listing for any location plotted along a line for a given street name. In fact, your address is like a Social Security Number. It's your guarantee that services, like benefits, will reach you when and where they are needed.

Between the City and County, nearly 200 persons have been assigned corrected "logical" addresses over the last 3 years, in an effort to assist Emergency Responders locate them in their time of need. The most common errors being addresses out of sequence, i.e. 400 coming before 298 or being addressed off a street that has no access to the residence. All have assumed the financial responsibility of changing their checkbook, drivers license, notifying family and friends, magazine subscriptions, etc. and although a times they weren't happy with the decision, they did understand the reason for the change. The safety of their lives and property. How can we ask the Public to comply with the rules and ordinances that apply to addressing when Business' ask for exemptions.

Emergency Management obtained thousands of dollars in Government grants through the Homeland Security Act, to help Emergency Responders find homes in the County by posting house number signs along the road side. "Volunteers" will be erecting those signs and the residents will be maintaining them because each understand the importance of being found by Responders when needed.

By years end the 9-1-1 Center hopes to achieve Phase III Wireless status and be capable of plotting the location of cell phone callers because people don't always know where they are. This phenomena isn't limited to those traveling through or visiting the City but residents as well. On a daily basis, the request for an address or location from at least
1 caller is answered with, "up the street from 14th and O St", "the blue house on 33rd and Vine" or more frightening "I don't know". With Phase III and electronic mapping, we hope to be able to answer that question or be close enough to find them. Recent events in Omaha resulted in 2 persons freezing to death because they "thought" they were at one location, when in fact they were miles away in Sarpy County.

Approving this request, not only set's a dangerous precedent for others that will indeed follow but says that all the efforts, of all involved in correcting the addressing problems though out the City and County have been wasted. You are approving an address for a street that does not exist and where a street sign will never be erected, thus removing all possibilities of ever appearing on a map, electronic or paper, and denying Emergency Responders the precious seconds needed to revive the patient in cardiac arrest or apprehension of a criminal that just committed a crime. We can however locate the fire by following the smoke, provided there is enough time.

Talent Plus is already listed in the 2004-2005 Official Alltel Telephone Book as One Talent Plus Way but when you ask the operator where that is, their response is "65th and Pioneers". Management may not see the need for a logical address but the City owes their employees, potential guests and visitors the right to work in a safe environment that shouldn't be limited to smoke free.

Save a life and just say NO."
January 24, 2005

Terry Werner
City Council Office
County-City Bldg
555 S 10th St
Lincoln, NE 68508

Dear Councilmember Werner,

The Lancaster County Democratic Party wishes to give support to allowing public comment at every city council meeting. We feel that the new plan to only allow public comment every other week does not serve the public interest. We do recognize the difficulties of the matter and we would recommend limiting public comment to three minutes instead of five.

We also encourage the public to use the many ways they have to contact their city council representatives such as e-mail, phone, and fax.

Sincerely,

Thomas A Green
Corresponding Secretary
Dear Members of the City Council,

As President of the Country Meadows Homeowners Association, I would like to address the proposed change for the Willowbrook property (Use Permit #132A) at 70th and Hwy 2.

Our neighborhood is adamantly OPPOSED to the resolution to change the restricted hours of operation at this site.

We stood collectively in front of the City Council years ago in an effort to protect our neighborhood from the continual attempts to commercialize the surrounding properties. Multiple meetings were held with the Planning Committee, the City Council, Country Meadows representatives and all participants discussed the pros and cons of this development. The issues of noise, lighting, traffic, and hours of operations were foremost in the discussions. The property developer AGREED to certain restrictions including the limitation on hours of operation to preserve the “quiet time” at night adjacent to our neighborhood.

We as a group are obviously disappointed that despite all the previous negotiation, the compromises, and the fact that the development is built that they would like to go back and change the agreements to fit their commercial needs. This totally defeats the entire process in which we all participated in.

I would also request that the Planning commission position be changed from “Conditional Approval” to “not recommended”. I reviewed the Planning Commission report dated December 20, 2004 and would offer the following comments. The Commission clearly stated that the time limitations on this property were included by the developer as part of their package to win approval for the development of this property. The Commission also stated they would not object if the developer and surrounding property owners reached an agreement of the elimination of the restriction. To date I have not had any contact from the developer to discuss the issue and we as a neighborhood stand firmly against any change in the limitation on hours.

Unfortunately I have had to file a complaint against the developer already as the car wash immediately south of Home Depot operates 24 hours/day in violation of the use permit. One only has to drive down 70th street at night to see 8 to 12 bright lights shining toward our neighborhood all night. Obviously they didn’t respect the original agreement or the position of the city council which authored the use permit with the light and hour limitations agreed to.

I would appreciate your assistance in defeating this proposal.

Royce A. Mueller
Country Meadows Homeowners Association President
January 27, 2005
Forwarded by Joan V Ray/Notes on 01/31/2005 09:08 AM

Roycemueller@aol.com
01/30/2005 11:48 PM

To: council@ci.lincoln.ne.us
cc: 
Subject: Item 05R-20

Included is our neighborhood position letter. Thank you for your assistance.

Dear Mr. Haith: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

Joan V Ray
01/31/2005 08:08 AM

Paul Haith <phaith@alltel.net>

I would urge the council to not approve any changes in the city's bid process at this time. Instead, I would suggest that you ask the State Auditors office to investigate the fire truck bidding fiasco, and review the overall city bidding procedures. It would appear from the article in the Sunday Journal, that the proposed changes in the appeal process would give the city carte blanch in awarding contracts. Raising the appeal fee would certainly discourage some appeals, but allowing the city to proceed with awarding contracts even if an appeal is filed would essentially eliminate all appeals.

Paul R. Haith
2010 S. 80th St.
Lincoln, NE 68506
489-0093
phaith@alltel.net

Paul Haith <phaith@alltel.net>
01/31/2005 07:54 AM

To: council@ci.lincoln.ne.us
cc:
Subject: Bidding appeals
TO: Honorable City Council
Ladies & Gentlemen

Re: Airport West Subarea Plan:

I appeared at your Council meeting earlier this month when you heard testimony regarding the Airport West Subarea Plan.

I appeared in favor of the plan, but with one request for changing the priority of one small item. ——The right-of-way of West Cumings St. from NW 43rd St to NW 56th St. ——so that we could give access to the Lincoln Rebels Baseball team to the North 25 acres of my property——which is a condition of my wife and me donating this property to the Lincoln Rebels.

All we are asking for at this time is "Right-of-Way" and the removal of the gate at NW 43rd & Cumings, and Opening in the Fence at NW 56th and Cumings. I think the Lincoln Rebels will do some grading of the road. Since it will take a year to clear the Timber and construct the four ball diamonds, there would be very little traffic the first year, and even when they do start using the fields, it is very unlikely that they would be playing when the fields, and the road were muddy.

All I am asking at this time is for you to consider this request as a priority——The right-of-way. ——which is part of the total plan, but is presently somewhere in the future.

Thank you for your kind consideration of this request.

Kindest Regards,

Weston Furrer

(Please excuse my crudetyping, with one finger missing)

The Nation's Largest Farm and Ranch Management Company
Management ■ Sales ■ Appraisals ■ Insurance ■ Commodity Trading
January 28, 2005

Terry Werner
City Council Office
County-City Building
555 S 10th Street
Lincoln NE 68508

Dear Terry Werner:

The Postal Service strongly suggests that the City Council disapprove a proposed street name of Talent Plus Way and/or One Talent Plus Way.

The Postal Service, City Street Naming Committee, City Planning, Building & Safety, Lincoln Police, Lincoln Fire and Rescue as well as the Lancaster County Engineers offices have been working together the past couple of years to ensure new addresses reflect their physical location within the city and the county. Using physical location addresses instead of prestige/personalized addresses will allow 911 services to better serve the public during emergencies.

An example is Circuit City. Their address is 6140 O Street which does not reflect their physical location as they are located on the North side of Gateway Mall. What if the ambulance/rescue services were looking for 6140 O Street and did not know that Circuit City was not really on O Street but rather a couple blocks North of O Street? Precious time would be lost which could be the difference between life and death.

What happens if in a couple years Talent Plus no longer exists? Who would want to use another business’s name as their address? Gateway Mall is a great example. Even though it is now Westfield Shopping Town their address is still Gateway Mall which I’m sure is confusing to their customers. It would be a nightmare to change all the Gateway Mall addresses to Westfield Shopping Town addresses.

The Postal Service does indeed try to deliver all the mail regardless of how it is addressed. However, if customers use an address that does not exist, the mail piece requires additional handling by the Postal Service which is not cost effective for us which in turn is not cost effective for our customers. Using an incorrect address may also cause a delay in delivery. If a particular business/company continually uses an incorrect address they are contacted by the Postal Service.

The Postal Service respectfully requests that prestige/personalized addresses are not granted. Please call me at 473-1602 if you have questions.

Sincerely,

Douglas O. Emery
Postmaster
Lincoln NE 68501-9998
To: <council@ci.lincoln.ne.us>
cc: 
Subject: Please give to all council members

01/31/2005 11:33 AM

The Postal Service would once again like to express our opposition to the naming of the street on which Talent Plus resides to One Talent Way. We worry about the precedent set and that it is important to the Postal Service and 911 services that the address reflect the physical location of the building.

Thank you for your time.

Doug Emery
Postmaster
Lincoln Nebraska 68501-9998