DIRECTORS’ MEETING
MONDAY, JUNE 6, 2005 - 11:00 A.M.
CONFERENCE ROOM 113

I. MAYOR

*1. NEWS ADVISORY & NEWS RELEASE - RE: CORRECTIONS:
   Construction On 84th Street Progressing South - The attached release was
   sent out Friday, May 13th. We have three corrections to the previous
   release. The first two are indicated with capital letters: - (See Attached
   News Release for corrections)

*2. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference
   at 10:00 a.m. Thursday, May 19th in the reception area outside the Mayor’s
   Office -Topics will include the nomination for Planning Commission, the
   summer swimming pool schedule, and other topics -(See Advisory)

*3. NEWS RELEASE - RE: Seng Announces Progress on 48th and “O”
   Redevelopment -(See Release)

*4. NEWS RELEASE - RE: Mayor Announces Winners Of Annual Water
   Conservation Art Contest -(See Release)

*5. NEWS RELEASE - RE: Mayor Institutes Voluntary Watering Plan-Mayor
   calls for continued water conservation -(See Release)

*6. NEWS RELEASE - RE: University Place Pool To Open For Holiday
   Weekend-Other pools and Woods “sprayground” to open June 4th -(See
   Release)

*7. NEWS RELEASE - RE: Mayor Seng Nominates Esseks For Planning
   Commission -(See Release)

*8. NEWS RELEASE - RE: Mayor Seng Receives Offer To Buy Surplus City
   Building -(See Release)

*9. NEWS RELEASE - RE: Mayor Announces Events Facility Task Force -
   (See Release)

11. NEWS ADVISORY - RE: News conference at 2:30 p.m., Thursday, May 26th in the Mayor’s Conference Room - Mayor Seng and Public Works officials will have an update on Wednesday’s water main break, which has closed traffic on a portion of 84th Street; also will discuss the City’s theater policy, the Capital Humane Society announcement and activities planned for Memorial Day -(See Advisory)


13. NEWS RELEASE - RE: Water Main Break To Close 84th Street Into Next Week -(See Release)

14. NEWS RELEASE - RE: Mayor Supports Current Theater Policy As Balanced Success – B. Executive Summary of Findings - (See Release)

15. NEWS RELEASE - RE: Mayor Says New Relationship With Humane Society Will Benefit Community -(See Release)

16. NEWS RELEASE - RE: Mayor Calls For Moment Of Silence On Memorial Day -(See Release)

17. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of May 28 through June 3, 2005-Schedule subject to change -(See Advisory)

18. NEWS RELEASE - RE: 40th Street Between Yankee Hill and San Mateo To Reopen Tuesday -(See Release)

19. NEWS ADVISORY - RE: Mayor Seng & representatives of the NRD, City Public Works & Utilities and Parks & Rec. Departments will have a news conference at 10:00 a.m. Thursday, June 2nd - (See Advisory)

20. NEWS RELEASE - RE: Grassland Purchase By Foundation Enhances Pioneers Park -(See Release)

21. NEWS RELEASE - RE: City, NRD Honored For Floodplain Management -(See Release)

II. DIRECTORS

COUNTY COMMISSIONERS

1. Letter from County Commissioners - RE: Concerned about the potential sale of the “K” Street Complex. This sale raises a number of serious legal and financial problems: -(See Letter)

FINANCE DEPARTMENT/BUDGET

1. Material from Steve Hubka - RE: May Sales Tax Reports -(See Material)

FINANCE DEPARTMENT/CITY TREASURER


HEALTH

**1. NEWS RELEASE - RE: Partnering To Prevent Family Swimming Pool Drownings - (See Release)

HUMAN SERVICES


PLANNING

*1. Letter from Mayor Coleen Seng to Lincoln/Lancaster County Planning Commission Mary Bills-Strand, Chair -sent to Council Office by Jean Walker - RE: Item #7: Comp Plan Amendment # 05011, to rezone land at the Lancaster Event Center for commercial development-Annual Review Public Hearing-5/18/05- Mayor Seng requesting that at the conclusion of the public hearing the Commission vote to place this request on pending - (See Letter)

*3. Letter from Brian Will to Dr. R. Samuel Bryant - RE: Piester Addition - Final Plat #05017 - Generally located at South 80th Street & Preserve Lane - (See Letter)

*4. Letter from Becky Horner to Brian D. Carstens, Brian D. Carstens & Associates - RE: Flat Iron Crossing Addition Final Plat #04139-Generally located at N. 33rd and Apple Street - (See Letter)


**6. E-Mail from Marvin Krout to Planning Commission Members- RE: Land use/rezoning along Salt Creek east of N. 27th Street -(See E-Mail)

**7. Memo from Marvin Krout to Annette McRoy - RE: Residential Development in Northwest Lincoln -(See Memo)

PLANNING COMMISSION FINAL ACTION ..... 

1. Special Permit #05021 (On-sale alcohol - Ramos Pizza - 2435 So. 48th Street) Resolution No. PC-00925.

2. Special Permit #05018 (Early Childhood Care Facility - 2030 N. 29th Street) Resolution No. PC-00924.

3. Preliminary Plat No. 05008 - Eagleton Heights (N. 89th and Leighton Avenue) Resolution No. PC-00927.

4. Comprehensive Plan Conformance No. 05004 (Conservation Easement - West of South 38th Street and south of Pine Lake Road) Resolution No. PC-00926.

5. Special Permit No. 05022 - DENIED (Rock crusher to recycle concrete and asphalt - 3900 Industrial Avenue)
PUBLIC WORKS & UTILITIES

1. Public Works & Utilities ADVISORY - RE: Sidewalk Repair Advisory - Project #702167 -(See Advisory)

2. Public Works & Utilities ADVISORY - RE: Water District #1193 -(See Advisory)

3. Public Works & Utilities ADVISORY - RE: Traffic Rehabilitation Projects - 46\textsuperscript{th}, 48\textsuperscript{th} & Adams Project #701787 -(See Advisory)

4. Public Works & Utilities ADVISORY - RE: Harris Overpass-Project 701781 -(See Advisory)

URBAN DEVELOPMENT

1. Material from Wynn S. Hjernstad, Community Development Manager to Community Development Task Force Members - RE: Drafts of the 2005-2009 Strategic Plan and the 2005 Action Plan-(Council copies placed in their file folders on 5/31/05)(FYI: Both of these documents will be discussed at the June 2\textsuperscript{nd} Community Development Task Force Meeting) (Copy of this Material on file in the City Council Office.)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

**1. 2-Response Letters from Jim Tompsett, Public Works/Engineering Services; & Patricia Waegli, Violations Bureau to Erv Rung - RE: Meter Number E6 on 12th between “O” & “N”, not crediting you with the full time - (See Letters)

**2. E-Mail from Larry Keiter to Jon Camp - RE: The Wal-Mart public hearing - (See E-Mail)
ANNETTE McROY

1. Request to Lynn Johnson, Parks & Recreation Director - RE: Skateboard Park in NW Lincoln - (RFI#165 - 5/05/05)

PATTE NEWMAN

1. Request to Don Taute, Personnel/ Bill Kostner, Risk Management - RE: Concerned that his insurance company was being over-charged for a Dec. 3, 2004 accident in the East Campus area - (RFI#35 - 5/16/05). — 1.) SEE RESPONSE FROM BILL KOSTNER, RISK MANAGER & DON TAUTE, PERSONNEL DIRECTOR RECEIVED ON RFI#35 -6/02/05.

KEN SVOBODA

**1. E-Mail from Darrell Podany to Ken Svoboda - RE: Omaha.com Story -(See E-Mail)

TERRY WERNER

1. Request to Personnel Department - RE: ‘M’ class employees - (RFI#143 - 5/02/05)

V. MISCELLANEOUS

*1. E-Mail from Jennifer Augstums - RE: Closing swimming pools -(See E-Mail)

*2. E-Mail from Rachel Larson - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)

*3. E-Mail from Kay Fleig - RE: Closing swimming pools -(See E-Mail)

*4. E-Mail from Kathy Rico - RE: Closing swimming pools -(See E-Mail)

*5. E-Mail from Diane Stewart - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)

*7. Letter from John & Alene Holt - RE: Why won’t the City approve the use of a resin sleeve for the use of private homeowners? - (See Letter)

*8. Letter from Denise & Larry Maack & family - RE: Proposal of the Annexation #05006; Change of Zone #05024, from AG Agricultural to R-3 Residential; Special Permit #05015, Hartland’s Garden Valley Community Unit Plan; and Street and Alley Vacation #05002 on property generally located at N.14th Street and Humphrey Avenue -(See Letter)

*9. Letter from Bruce Spilker - RE: Annexation #05006; Change of Zone #05024, From AG Agricultural to R-3 Residential; Special Permit #05015, Hartland’s Garden Valley Community Unit Plan; and Street and Alley Vacation #05002, on property generally located at N. 14th Street and Humphrey Avenue -(See Letter)

*10. Letter from Keith Spilker - RE: Annexation #05006; Change of Zone #05024; Special Permit #05015, Hartland’s Garden Valley Community Unit Plan; and Street and Alley Vacation #05002 at N. 14th Street & Humphrey Avenue-(See Letter)

*11. Note Card from Ruth Mussmann - RE: Opposed to the Wal-Mart at 84th & Adams -(See Note Card)


*13. E-Mail from William J. Rogers Jr. - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)


*15. 6 - E-Mail’s from James Takaacs; Citizen; Karin Kotschwar, Lincoln Neighborhood Alliance; Maurice Titsworth; Ronell Titsworth; Coby Mach, LIBA; - RE: Supports North Hills Comprehensive Amendment - (See E-Mail’s)
*16.  E-Mail from Thomas Varner - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail)

*17.  5 -E-Mail’s from John Brown II; Brian Jackson; Mark Kenne; Michael Wittrock; Christina Wittrock; - RE: Support for North Hills Comp Plan Amendment #05005 -(See E-Mail’s)

*18.  3 -E-Mail’s from Lori Ann Pippitt; Michael Archer; Karon Harris; - RE: North Hills Comp Plan Amendment #05005 & Comp Plan Amendment #05012 -(See E-Mail’s)


*20.  Letter from Shelley Eitel - RE: Please don’t turn down the low-income transportation for people with handicaps -(See Letter)

*21.  Letter & Material from Neal Grummert, Twisted Steele Inc. D.B.A. Lazzari’s - RE: Our application for a sidewalk café - we were denied by the Sidewalk Café Committee and we are appealing this denial in front of the City Council on Monday, May 23rd - (See Material)

*22.  E-Mail from Carol Brown - RE: Economic Development/Tourism -(See E-Mail)

*23.  Letter - RE: “Global Oil Production” -(See Letter)

**24.  E-Mail from Richard & Rae Geier - RE: 70th & Old Cheney fire debris - (See E-Mail)

**25.  2 -E-Mail’s from Roger Yant; & Keith Ernst; - RE: Wal-Mart plan at 84th & Adams -(See E-Mail’s)

**26.  E-Mail from Bob Hampton - RE: ‘K’ Street Complex -(See E-Mail)

**27.  Letter from Tim Van Boening - RE: The ‘Ride For Five’ program -(See Letter)

28.  E-Mail from Ernst Bekkering, Ph.D. - RE: Smoking ban -(See E-Mail)
29. Letter from Richard L. Schmeling, President, ProRail Nebraska, Inc. - RE: Proposed Arena and Convention Center -(See Letter)

30. Media Release from Lori Vrtiska Seibel, Executive Director, Community Health Endowment of Lincoln - RE: Community Health Endowment Announces Micro-Project Funding Awards -(See Release)


32. E-Mail from Alan Hersch - RE: Omaha paper editorial -(See E-Mail)

33. E-Mail from Tracy Renner - RE: Schools - (See E-Mail)

34. Letter from Thomas A. Green, Corresponding Secretary, Lancaster County Democratic Party - RE: The Lancaster County Democrat Central Committee has voted to remind Lincoln City Government to fully abide by and enforce our Lincoln City Code Chapter 2.18 Purchasing Division and the related Lincoln City Standard Specifications in their entirety. It is our concern that some of the contracts to repair and build sidewalks are not up to these specifications. - (See Letter)

35. Faxed Letter from Joy Wilder - RE: Proposed Wal-Mart at 84th & Adams - (See Letter)

VI. ADJOURNMENT

*HELD OVER FROM MAY 23, 2005.
**HELD OVER FROM MAY 30, 2005.
WATER MAIN BREAK TO CLOSE 84TH STREET INTO NEXT WEEK

A section of South 84th Street is expected to fully re-open by Friday, June 3. The street remains closed between “A” and South streets because a private contractor broke a large water main Thursday morning. No area of the City has been without water service.

The broken main is under the middle of the four-lane roadway. Extensive damage to the road surface and the degree of dirt erosion caused by the ruptured pipe are factors in restoring traffic to 84th Street. Repairs to the street are expected to begin yet this week. The water main is expected to be back in service by late Friday afternoon.

-30-
FOR IMMEDIATE RELEASE: May 26, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Marvin Krout, Planning Department, 441-7491

MAYOR SUPPORTS CURRENT THEATER POLICY AS BALANCED SUCCESS

Mayor Coleen J. Seng today said she would oppose efforts to gut the City’s current theater policy of maintaining downtown as the main entertainment district with regional theaters of up to six screens each serving the neighborhoods.

“The theater policy has worked well for our City and does not need fixing,” said Mayor Seng. “It is a balanced approach that encourages movie theater development equally in regional shopping centers appropriately sized for the neighborhoods they serve while preserving downtown as the main entertainment district. The vibrant night life in the heart of our City has spurred additional investment in downtown.”

A developer is seeking to end the current policy of maintaining downtown as the location of megaplex movie theaters by tripling the six-screen limit currently allowed at regional shopping centers. The Lincoln-Lancaster County Planning Commission has scheduled a public hearing on the proposed change for June 8. The policy is part of the City-County Comprehensive Plan and the City Zoning Ordinance.

According to a report from an independent theater consultant, Lincoln has more movie screens per capita than the national average. Seng said the current policy helps the economy by promoting downtown as a tourism and entertainment destination while fostering moderately sized theater complexes to serve the neighborhoods. The policy also helps the City use public tax funds wisely by encouraging the use of existing infrastructure, including streets and utilities.

The City-County Planning Department is recommending denial of the requested change based on a market study conducted by the consultant. The consultant’s report said allowing more than six screens at any one location outside of downtown would have a serious negative affect on existing downtown theaters. The report also says there would be secondary effects on downtown businesses, which would hamper downtown economic revitalization efforts. (The executive summary of the report is attached. The complete 10-page report is available on request.)

“The current theater policy has done a good job of spreading the availability of movie theaters all across town equally in the regional shopping centers that serve neighborhoods,” Seng said. “Lincoln’s careful theater planning has spared this community from the ‘boom and bust’ cycle of overbuilding theater complexes that then, in some cities, stand vacant and weedy because the market really wasn’t there.”
B. Executive Summary of Findings

There are currently six (6) locations and 43 movie screens currently serving the Lincoln, NE market.

Annual movie theatre admissions in Lincoln are approximately 1,461,000 in total, and approximately 1,238,000 for first run full price admission theatres.

The market trade area of Lincoln, NE (estimated at 261,545 people) is over screened by approximately 35% based on comparative data on the U.S. as a whole.

The proposed Prairie Lake site at 84th Street and Highway 2 is likely too near to the Edgewood 6 to constitute a “free film zone.”

79% of the forecasted attendance for the proposed Prairie Lake 18 comes from the transfer of business from the existing theatres in the market.

Operation of an 18 screen theatre at the proposed Prairie Lake site will cause an annual drop in attendance at the existing first run theatres within the Lincoln market of approximately 345,000, equivalent to 28% of current total first run theatre attendance.

The forecasted stabilized attendance decline at The Grand 14, after opening of the proposed Prairie Lake theatre is 409,000, a 25% deterioration from the current level.

Extremely sparse population to the Southeast of the proposed site causes excessive overlap with the trade areas of the existing theatres in the market, including the Grand 14.

The population living within a ten minute drive time of the proposed Prairie Lake site, forecasted at 87,349 in 2006, does not currently warrant the construction of a Mega-Plex theatre. In 2006 the total population forecast to be living within a fifteen minute drive southeast of the proposed site is only 4,575.

There is not a sound financial model to justify the construction of the proposed Prairie Lake Mega-Plex theatre. Finding a theatre chain willing to move forward on the site will prove challenging, if not impossible.
FOR IMMEDIATE RELEASE: May 26, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR SAYS NEW RELATIONSHIP WITH HUMANE SOCIETY WILL BENEFIT COMMUNITY

Mayor Coleen J. Seng today thanked the Capital Humane Society for its partnership with the City in dealing with Lincoln’s animal population. The Humane Society announced earlier today that as of June 1, 2006, it will no longer provide shelter to stray animals picked up by Lincoln Animal Control, a division of the Lincoln-Lancaster County Health Department. Mayor Seng said she is supportive of the new focus chosen by the Humane Society, which will continue to seek homes for pets picked up by Animal Control.

“I was aware that the Society had been reviewing how it was achieving its main mission of animal adoption,” said Mayor Seng. “I think the Society’s decision is a good one because its expertise is animal adoption. Director Bob Downey told me that handling the increasing volume of animal enforcement for the City and animal adoptions in the same facility has stretched the resources of the Humane Society staff and building beyond capacity. The partnership between the Humane Society and Animal Control has reduced the number of unwanted animals and resulted in the adoption of thousands of pets into Lincoln families.”

Seng said Downey told her that the living wage issue and earlier discussions regarding the contract were not factors in the Humane Society’s decision. “It is my understanding that the Society looked at its core mission and decided to focus on the adoption of animals rather than contract with the Health Department to also participate in animal control enforcement.” Seng said the Humane Society has been submitting claims for the services provided this year, and the City has been paying them. That will continue until the transition is complete.

Seng said the City and the Humane Society will work together to separate the animal control enforcement from animal adoption by June 2006. The Health Department has been looking into alternatives for a few months since the City became aware of the Society’s interest in focusing more on animal adoptions. Seng said the Health Department will create a transition plan to ensure that the new relationship continues to protect public health and animal safety.

“Lincoln is committed to the humane treatment of our animal population,” said Mayor Seng. “The work of the Humane Society has protected the health, safety and welfare of our community, and we are fortunate that this organization has such a strong and positive vision for the future of our animal population. More pets will find homes, and that is good for our entire community.”
FOR IMMEDIATE RELEASE: May 26, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR CALLS FOR MOMENT OF SILENCE ON MEMORIAL DAY

Mayor Coleen J. Seng today called on the citizens of Lincoln to honor veterans and the armed forces with a moment of silence at 3 p.m. on Memorial Day, Monday, May 30. The Mayor said the period of silence is intended to honor veterans, current soldiers and all those who have given their lives serving our country.

“As we enjoy a holiday, it is important to remember that Memorial Day was created as a day of remembrance for those who died in the nation’s military,” said Mayor Seng. “We especially want to remember the more than 20 Nebraska soldiers, including several from Lancaster County, who have lost their lives in Iraq, Afghanistan and Bosnia over the past several years. Five years ago, the President of the United States called for a ‘National Moment of Remembrance’ at 3 p.m. local time every Memorial Day. We encourage the people of Lincoln to take a minute to reflect on the sacrifices made for our freedom.”

Mayor Seng’s request is supported by the Governor’s office; Nebraska Adjutant General Roger Lempke and the Nebraska Military Department; the Department of Nebraska Veterans of Foreign Wars; the Nebraska American Legion; the Veterans Memorial Garden Advisory Committee; Wyuka Cemetery; and Lincoln Memorial Park.

On Memorial Day, Mayor Seng, Governor Dave Heineman and Congressman Tom Osborne will participate in a ceremony beginning at 9 a.m. at Wyuka, 3600 “O” Street. The keynote speaker at that observance is Lt. Shane Osborn. The Mayor also will participate in a candlelight remembrance service at 8 p.m. at the Veterans Memorial Garden in Antelope Park. Other observances include a program at 11:30 a.m. at Lincoln Memorial Park, 6700 South 14th Street.
Date: May 27, 2005
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of May 28 through June 3, 2005
Schedule subject to change

Monday, May 30 - Memorial Day - City offices closed
• Wyuka Cemetery, Memorial Day observance, remarks - 9 a.m., 3600 "O" Street
• Memorial Day candlelight ceremony, remarks - 8 p.m., Veterans Memorial Garden, Antelope Park

Tuesday, May 31
• Food Bank, Empty Bowls luncheon, remarks - noon, Embassy Suites, 1040 "P" Street

Wednesday, June 1
• Fifth grade promotion, remarks - 2 p.m., Hartley Elementary School, 730 North 33rd Street
• Mayor's Arts Awards, remarks - 5:30 p.m., Lied Center stage, 301 North 12th Street
PUBLIC WORKS AND UTILITIES
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68521, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: May 27, 2005
FOR MORE INFORMATION: Larry Duensing, Public Works and Utilities, 441-8401

40TH STREET BETWEEN YANKEE HILL AND SAN MATEO TO REOPEN TUESDAY

Beginning Tuesday, May 31, 40th Street from San Mateo Lane to Yankee Hill Road will be re-open to traffic. The street had been closed for water main and pavement construction.

Yankee Hill Road from 40th Street to 56th Street will remain closed to through traffic until June 15 for water main construction. Yankee Hill Road from 27th Street to 40th Street will remain closed to through traffic until September 30 for water main and pavement construction.

For more information on City road construction projects, check the City web site at lincoln.ne.gov.

- 30 -
DATE: June 1, 2005
FOR MORE INFORMATION: Dave Norris, Citizen Information Center, 441-7547

Mayor Coleen J. Seng and representatives of the NRD, City Public Works and Utilities and Parks and Recreation Departments will have a news conference at 10 a.m. Thursday, June 2 at the corner of S.W. 47th Street and West Van Dorn to discuss a recent parkland acquisition by the Parks and Rec Foundation and an award to be received by the City of Lincoln and the Lower Platte South NRD.

To get to the news conference site, go west on Van Dorn past the Pioneers Park Nature Center and golf course entrances. Proceed west to S.W. 47th and Van Dorn. In case of inclement weather, the news conference will be moved to the auditorium in the Nature Center Prairie Building.
FOR IMMEDIATE RELEASE: June 2, 2005
FOR MORE INFORMATION: Dave Norris, Citizen Information Center, 441-7547
Terry Genrich, Parks and Recreation Department, 441-7939

GRASSLAND PURCHASE BY FOUNDATION ENHANCES PIONEERS PARK

Last week’s purchase of 230 acres west of Pioneers Park by the private, non-profit Lincoln Parks and Recreation Foundation to expand the Pioneers Park Nature Center is good news for Lincoln residents, Mayor Coleen J. Seng said today.

The acquisition by the foundation preserves a large piece of rare native prairie land for future generations and enhances one of Lincoln’s most beloved and historic parks, Mayor Seng said. Additionally, the creative partnership forged to make the purchase will allow the City to buy the land at very low cost to taxpayers.

“The community’s vision for the future of Lincoln and Lancaster County includes preservation of unique natural landscapes including rare tracts of native prairie,” Seng said. “I am so pleased that this land is being added to Lincoln’s beloved Pioneers Park. We all know that by acting to protect the environment and acquire park lands in a timely manner, we enhance the quality of life we all value in Lincoln.”

John Harris donated the land for Pioneers Park to the City in 1928. At the time, it was part of a larger prairie tract used by the Burlington Northern Railroad as a watering and feeding stop for livestock. Part of the land west of the park was used for crops in the early 1900s, but most of it never has been tilled and remains virgin prairie.

The City previously acquired 157 acres west of Pioneers Park in 1997 from David A. and Bonnie Martin and another 80 acres in 1999 from the Martin’s estate. The land purchased by the foundation last Friday was acquired from the Martin’s children; David C. Martin, Sony Lowery and Carol James.

“The Martin family has worked very closely with the City of Lincoln to establish a marvelous legacy of land conservation and parks enhancement,” Seng said. “I want to express our gratitude for their commitment and vision.”

This 230 acres was a critical piece to add to the park, Seng said. The land, which is visible from the Nature Center buildings, is the last remaining native prairie adjacent to Pioneers Park.

-more-
The Lincoln Parks and Recreation Foundation paid $5,500 per acre for the 230 acres, or about $1.26 million. The Foundation will work with the U.S. Department of Agriculture to establish a grassland reserve program easement on the newly acquired property. The USDA will pay the foundation the majority of the value of the property for the easement. The Foundation then will transfer ownership of the land to the City of Lincoln at a heavily discounted rate of about $500 per acre, or about $115,000.

The City’s $115,000 will come from a combination of donations, grants and local governmental support. In the end, the cost to City of Lincoln taxpayers comes to less than $30,000.

“We thank our partners,” Seng said. “We could not have done this without the generous support of The Friends of the Pioneers Park Nature Center, the Nebraska Environmental Trust, donors to the Lincoln Cares Program, Lancaster County and the Lower Platte South Natural Resources District.”

The Pioneers Park Nature Center celebrated its 40th anniversary in 2004. The center’s mission is to provide learning opportunities about Nebraska and the Great Plains. The center is open year-round at no charge.

More than 12,000 school children participate in tours and learning activities at the Pioneers Park Nature Center each year. In the future, the land acquired last Friday will allow visitors to capture a glimpse of what early settlers experienced as they traveled through and settled in eastern Nebraska. Visitors will be invited to hike through stands of head-high prairie grasses and look out upon what will be expanded herds of grazing buffalo and elk on this land at Pioneers Park.

-30-
CITY, NRD HONORED FOR FLOODPLAIN MANAGEMENT

The City of Lincoln and the Lower Platte South Natural Resources District (NRD) will receive the 2005 James Lee Witt Local Award for Excellence from the Association of State Floodplain Managers (ASFPM) for the Flood Standards for New Growth Areas adopted last year, Mayor Coleen Seng announced today.

The Witt Award recognizes local programs for outstanding floodplain management. It is named after former FEMA Director James Lee Witt in recognition of his landmark efforts to support, enhance and encourage local floodplain management capabilities. The Association of State Floodplain Managers (ASFPM) will present the award to the City Public Works and Utilities Department and the Lower Platte South NRD, at their 29th annual national conference in Madison, Wisconsin June 16.

The adoption of Flood Standards for New Growth Areas by the Lincoln City Council in 2004 followed more than a three-year public process and technical study effort, which was led by the NRD and City. This process included engineering and economic studies, as well as 18 months of work by a 16-member Citizen Task Force representing a broad cross-section of interests in the community.

The Flood Standards for New Growth Areas include the protection of flood conveyance, flood storage and natural buffers along stream channels, but the overriding policy goal is the concept of “No Adverse Impact” set by ASFPM. “No Adverse Impact” means that the action of one property owner does not adversely impact the flooding risk for other property owners, and it serves as the umbrella policy for the specific ordinances and standards adopted for Lincoln’s new growth areas.

The Witt Award recognizes the high-level of commitment by the City of Lincoln and the Lower Platte South NRD to implement a floodplain management program according to the principles of “No Adverse Impact.” Flood management in Lincoln also is supported by the development of detailed watershed master plans, which are being developed and implemented by the City and NRD. Together, the flood standards and master plans are expected to serve Lincoln well as it expands by a projected 35 square miles or more over the next 25 years.

-more-
ASFPM represents 7,000 floodplain management practitioners, including the leading experts in flood hazard management throughout the U.S. and beyond. Nearly every state in the U.S. will be represented, as well as a number of international agencies. Lincoln’s standards will fit well with this year’s theme: “No Adverse Impact: Partnering for Sustainable Floodplain Management.” The focus will be on techniques to mitigate against the effects of flooding before floodwaters rise, which is considered to be the most effective option to limit the effects of flooding.

Information regarding ASFPM and the Witt Award can be found at www.floods.org. Information regarding the flood standards for new growth areas or the work of the Floodplain Task Force is available on the City of Lincoln website at lincoln.ne.gov.
TRANSPORTATION

Congress approves 30-day extension to highway bill, appoints highway bill conferees. This week, both the House and Senate cleared the seventh temporary extension of the 1998 TEA-21 law, which originally expired in September 2003. The 30-day extension would fund federal surface transportation programs and hopefully allow lawmakers and the White House time to negotiate major differences between the competing versions of a multi-year reauthorization bill. The extension continues the flow of funds to states at current levels until July 1 and does not include earmarks.

In addition, both chambers yesterday named their representatives to the House-Senate conference committee on the highway bill. The Senate appointed 16 Republicans: Inhofe (OK), Warner (VA), Bond (MO), Voinovich (OH), Chafee (RI), Murkowski (AK), Thune (SD), DeMint (SC), Isakson (GA), Vitter (LA), Grassley (IA), Hatch (UT), Shelby (AL), Allard (CO), Stevens (AK), and Lott (MS). The 13 Democrats and one Independent are: Jeffords (I-VT), Baucus (MT), Lieberman (CT), Boxer (CA), Carper (DE), Clinton (NY), Lautenberg (NJ), Obama (IL), Conrad (ND), Inouye (HI), Rockefeller (WV), Sarbanes (MD), Reed (RI), and Johnson (SD).

The House appointed 17 Republican and 15 Democratic conferees from the Transportation and Infrastructure (T&I) Committee, for consideration of the majority of the bill. Republicans are: Young (AK), Petri (WI), Boehlert (NY), Coble (NC), Duncan (TN), Mica (FL), Hoekstra (MI), LaTourette (OH), Bachus (AL), Baker (LA), Gary Miller (CA), Hayes (NC), Simmons (CT), Brown (SC), Graves (MO), Shuster (PA), and Boozman (AR). Democrats appointed are: Oberstar (MN), Rahall (WV), DeFazio (OR), Costello (IL), Norton (DC), Nadler (NY), Menendez (NJ), Corrine Brown (FL), Filner (CA), Eddie Bernice Johnson (TX), Taylor (MS), Millender-McDonald (CA), Cummings (MD), Blumenauer (OR), and Tauscher (CA). There are a total of 64 House conferees, with the others participating in narrowly focused issues outside of the major highway and transit programs.

In addition, although he serves on no committee with jurisdiction over the bill, House Majority Leader Tom DeLay (R-TX) was appointed to the conference as a “super-conferee” who will participate in all portions of the bill. DeLay has been a vigorous opponent of a bill that is larger than the $284 billion preferred by the President, but he also has insisted on the guarantee of a 95 percent return for each state on their gas tax contributions. Since most believe it is impossible to reach that 95 percent threshold with the $284 billion figure, it will be interesting to see how DeLay plays these competing interests in conference.

Beginning June 6, when lawmakers return from the Memorial Day recess, conferees will have 19 legislative days to consider more than 2,000 pages of legislative language before the short-term reauthorization expires. According to senior-level House staff, however, one strategy could facilitate negotiations and prevent future setbacks.
Keeping an eye on the clock, House conferees could push for early agreement on the number one issue -- the overall funding level -- before moving on to the more easily resolved issues. Senate conferees have not yet publicly commented on this suggested agenda, but may balk at jumping into the conference head first.

ENERGY
Senate panel completes energy bill. The Senate Energy and Natural Resources Committee completed its two-week markup of omnibus energy legislation this week. Before it can be considered on the Senate floor, however, the tax portion of the bill must be approved by the Senate Finance Committee.

The highlight of the markups this week was the acceptance of a compromise on the repeal of the Public Utilities Holding Company Act (PUHCA), a depression-era law that was designed to discourage monopolies. Republicans have long considered the law outdated and moved for its outright repeal, while Democrats insisted that additional consumer protections be put in place before its extinction. The Senate bill would repeal PUHCA but would also provide the Federal Energy Regulatory Commission (FERC) with added authority over utility mergers.

The Senate bill also does not include any mandates on utilities to meet renewable energy standards, a provision that was sought by many committee Democrats. Public power interests strongly oppose such a mandate but expect that amendments will be offered on the Senate floor to include them in the bill. The committee did, however, approve a requirement that refiners use more renewable fuels – mostly ethanol – in its gasoline. Opponents argue that the ethanol mandate is not economically feasible in many regions, and Senator Dianne Feinstein (D-CA) cited evidence that ethanol actually increased emissions on many vehicles during hot days. She successfully offered an amendment to exempt California from the ethanol mandate in the summer.

The Finance Committee now will take up an $11 billion package of tax breaks that is reported to include more incentives for conservation and renewable fuels than its $8 billion House counterpart. The Senate also did not include two controversial provisions of the House measure in its bill: liability exemptions for producers of the gasoline additive known as MTBE; and opening up the Arctic National Wildlife reserve (ANWR) in Alaska to oil and gas exploration.

PUBLIC SAFETY
House Judiciary Committee approves gun liability legislation. The bill (HR 800) would protect manufacturers, distributors, dealers and importers of guns and ammunition from being held liable for harm suffered due to misuse of the weapons.

The committee began working on the bill on April 20 and had previously rejected seven Democrat amendments before revisiting the bill last week. All proposed Democrat amendments were again rejected Wednesday, including proposals to allow suits to be brought against gun manufacturers, sellers or trade associations for negligence and one to allow gun dealers to be held liable for knowingly selling a gun to anyone on the Violent Gang and Terrorist Organization list. Also defeated along party lines was a Democratic amendment to allow suits to be brought against gun dealers who sell guns to people who use the firearms in acts of domestic violence and have been convicted of or have a history of domestic violence.

A similar bill is before the Senate, though it is not expected to pass as the Senate has killed gun liability legislation in previous years.

In a related item, the Senate approved legislation to reauthorize SCAAP. The legislation (S 188) reauthorizes the State Criminal Alien Assistance Program (SCAAP) through 2011. SCAP assists states and local governments (primarily counties) with the costs incurred by illegal immigrants being jailed for crimes unrelated to their immigration status. Companion legislation (HR 557) has not yet been considered by the House Judiciary Committee. President Bush, for the second consecutive year, has not included funding for the program in his proposed budget. However, Congress has ignored that recommendation, appropriating $302 million for SCAAP in FY 2005.

HEAD START
Senate panel passes reauthorization measure. The Senate Health, Education, Labor and Pensions Committee unanimously passed legislation (S 1107) to reauthorize Head Start through FY 2010. Like the recently passed House bill (HR 2123), the bill does not include an Administration proposal to transfer control of the program from individual Head Start centers and turn it into a block grant to the states. Like its House counterpart, the bill would instead require Head Start centers to align their curricula with state elementary school curricula and standards.

The bill would authorize $7.2 billion for the program in FY 2006, $7.5 billion in FY 2007, $7.8 billion in FY 2008 and such sums as may be necessary in FY 2009 and FY 2010. Congress provided $6.8 billion for Head Start this year. The bill would also widen eligibility for participation in Head Start by expanding the income limitations from families with incomes of up to 100 percent of the federal poverty level to families with incomes of up to 130 percent of the federal poverty level.

In an effort to improve teacher quality, the bill would require that half of all teachers at each Head Start center have a bachelor’s degree by 2011. Current law requires that half of all Head Start teachers nationally have an associate’s degree. Committee Democrats voiced concern that the requirement would make it difficult for Head Start centers to retain teachers, pointing out that Head Start teachers earn an average salary of $25,000, considerably less than teachers with a bachelor’s degree generally earn teaching elementary school.

Senator Patty Murray (D-WA) offered an amendment that would delay the bachelor’s degree requirement unless Congress appropriates at least $7.2 billion for the program each year. Murray argued that such a trigger would help prevent the loss of teachers if Congress did not fully fund the program.
at the levels authorized in the bill. Murray withdrew her amendment after Enzi promised to work with her to address the issue.

Responding to a recent General Accountability Office (GAO) report that found financial mismanagement at some Head Start centers, the bill, like HR 2123, would require Head Start centers to reapply for their grant every five years. It would also require that each Head Start center have a governing body to oversee the program and ensure it is meeting state educational goals, is financially sound and is complying with the law.

The bill now heads to the Senate floor, probably after the Memorial Day recess. Though it is widely expected that the Senate will approve the bill, the Administration says that it will pursue its block grant proposal via floor amendments. Any such amendment is unlikely to pass. Last year, language in the House version authorizing a pilot block grant approach in eight states stymied a House-Senate Conference Committee and killed the legislation. Though the Administration has expressed displeasure about the lack of at least a pilot state block grant program, it has stopped short of issuing a veto threat over the issue.

**TAX INCENTIVES**

Legislation to protect state tax incentives introduced in House and Senate. Senator George Voinovich (R-OH) and Rep. Patrick Tiberi (R-OH) recently introduced legislation (S 1066, HR 2471) that is intended to protect state tax incentives that encourage economic development.

The effort is in response to a 2004 decision (Cuno v. DaimlerChrysler, Inc) in the U.S. Court of Appeals for the Sixth Circuit that invalidated the state of Ohio investment tax credit program on the grounds that it violated the commerce clause of the U.S. Constitution. The case involved an agreement between DaimlerChrysler and the City of Toledo, Ohio in which the City and two local school districts gave the company a 10 year, 100 percent property tax exemption and an investment tax credit of 13.5 percent against the state corporate franchise tax for certain investments. The value of those tax credits were estimated at $280 million.

In return, the auto maker agreed to construct a new vehicle assembly plant near the company’s existing facility. The company estimated that the project would cost $1.2 billion and create several thousand new jobs in the region.

Some Constitutional scholars have argued that the Cuno decision strikes down tax incentives but would still allow for direct subsidies and that such distinctions between the two would be difficult to maintain over time.

The Voinovich legislation would override the Cuno decision and authorize the provision of tax credits such as those offered in Ohio that would in most cases interfere with interstate commerce.

No action has been scheduled in either the House or Senate on the legislation, although a recent House Judiciary Committee hearing focused on the Cuno decision but did not address the legislation directly.

**GRANT OPPORTUNITIES**

Institute for Museum and Library Services: The Institute has published the FY 2006 Grant Opportunities Guide. The guide includes summaries, deadlines and priorities for fifteen grant programs. The first deadline is for the Conservation Project Support program and is October 1, 2005. The guide can be found at: www.imls.gov/pubs/pubs_pub.htm.

Department of Health and Human Services: The Family and Youth Services Bureau is accepting applications for the Community-Based Abstinence Education Program. There is $36.8 million available for 60 to 70 awards to promote abstinence before marriage to youth between twelve and eighteen. Local governments are encouraged to apply, and the funds can be used to develop abstinence programs targeted to preventing teen pregnancy. Areas that do not have an abstinence program in place will receive priority in the review process. The deadline to apply is June 20, 2005. For more information, see: www.aef.hhs.gov/grants/open/HHS-2005-ACF-ACYF-AE-0099.html.
COUNTY-CITY BUILDING
555 South 10th Street, Room 110
Lincoln, Nebraska 68508
Phone: (402) 441-7447
Fax: (402) 441-6301
E-mail: commish@co.lancaster.ne.us

June 2, 2005

Mayor Coleen Seng
555 S. 10th Street, Suite 208
Lincoln, NE 68508

Dear Mayor Seng:

The Lancaster County Board of Commissioners is concerned about the potential sale of the "K" Street Complex (440 So. 8th Street). This sale raises a number of serious legal and financial problems:

- The property is no longer surplus. The building now provides approximately 112,000 square feet of space serving the needs of County, City and State government.

- The sale of this property will not result in placing more land back on the tax rolls since the lost space must be replaced. Land presently owned by the City and County in this area is needed for future government uses. Ultimately, additional private land will need to be acquired.

- Replacement cost for this facility far exceeds expected proceeds from the sale. Based on a conservative construction cost estimate of $100 per square foot, the price tag on a new building could exceed $10,000,000. This figure does not include the cost of land.

- The Public Building Commission issued bonds to finance the renovation of the old "K" Street Power Plant. The outstanding balance is $2,985,000. The property cannot be sold until the bonds are retired, and the bonds are not callable until 2006.

- The Building Commission recently voted 5-0 against selling the "K" Street Complex.

- The building is served by the District Energy Corporation, which was formed with tax payer support to provide energy to government facilities. If the building is sold to a private developer, it would be inappropriate to allow the new owner to reap the benefit of the public's investment in district energy.

The "K" Street Complex was developed in the spirit of cooperation between the County and City as a long-range solution to the records storage needs of government. Thus the County Board requests the financial and legal concerns raised by the County be addressed before the City considers the possible sale of this joint government facility.

The County Board looks forward to working with you on this important matter to best serve the public interest.

Sincerely,

Larry Hudkins, Chairman

Bernie Heier

Deb Schorr, Vice Chair

Ray Stevens

Bob Workman

F:\FILES\COMMISS\KPF\k.street.mayor.letter.wpd
### Actual Compared to Projected Sales Tax Collections

<table>
<thead>
<tr>
<th>Month</th>
<th>Projected</th>
<th>Actual</th>
<th>From Projected</th>
<th>$ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<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>
</tr>
<tr>
<td>October</td>
<td>$4,727,381</td>
<td>$4,541,471</td>
<td>($185,910)</td>
<td>($18,923)</td>
<td>-0.41%</td>
</tr>
<tr>
<td>November</td>
<td>$4,759,942</td>
<td>$4,586,261</td>
<td>($173,681)</td>
<td>$279,549</td>
<td>6.49%</td>
</tr>
<tr>
<td>December</td>
<td>$4,303,478</td>
<td>$4,174,828</td>
<td>($128,650)</td>
<td>$251,162</td>
<td>6.40%</td>
</tr>
<tr>
<td>January</td>
<td>$4,547,686</td>
<td>$4,043,044</td>
<td>($504,642)</td>
<td>($233,565)</td>
<td>-5.46%</td>
</tr>
<tr>
<td>February</td>
<td>$5,600,491</td>
<td>$5,692,517</td>
<td>$92,026</td>
<td>$484,330</td>
<td>9.30%</td>
</tr>
<tr>
<td>March</td>
<td>$4,156,954</td>
<td>$4,059,634</td>
<td>($97,320)</td>
<td>$102,351</td>
<td>2.59%</td>
</tr>
<tr>
<td>April</td>
<td>$3,907,319</td>
<td>$4,028,088</td>
<td>$120,769</td>
<td>$337,718</td>
<td>9.15%</td>
</tr>
<tr>
<td>May</td>
<td>$4,536,832</td>
<td>$4,608,034</td>
<td>$71,202</td>
<td>$161,033</td>
<td>3.62%</td>
</tr>
<tr>
<td>June</td>
<td>$4,357,746</td>
<td>$4,477,137</td>
<td>$119,391</td>
<td>$1,492,081</td>
<td>4.35%</td>
</tr>
<tr>
<td>Total</td>
<td>$54,628,325</td>
<td>$40,246,181</td>
<td>($809,636)</td>
<td>$1,492,081</td>
<td>4.35%</td>
</tr>
</tbody>
</table>
## GROSS SALES TAX COLLECTIONS (WITH REFUNDS ADDED BACK IN)
### 1999-2000 THROUGH 2004-2005

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>$3,592,214</td>
<td>$3,758,935</td>
<td>$3,844,150</td>
<td>$4,239,938</td>
<td>10.30%</td>
<td></td>
<td>$4,453,875</td>
<td>5.05%</td>
<td>$4,648,160</td>
<td>4.36%</td>
</tr>
<tr>
<td>October</td>
<td>$3,831,639</td>
<td>$4,273,028</td>
<td>$4,116,763</td>
<td>$4,464,191</td>
<td>8.44%</td>
<td></td>
<td>$4,670,587</td>
<td>4.62%</td>
<td>$4,706,690</td>
<td>0.77%</td>
</tr>
<tr>
<td>November</td>
<td>$4,067,052</td>
<td>$4,060,765</td>
<td>$4,125,824</td>
<td>$4,407,744</td>
<td>6.83%</td>
<td></td>
<td>$4,526,166</td>
<td>2.69%</td>
<td>$4,687,792</td>
<td>3.57%</td>
</tr>
<tr>
<td>December</td>
<td>$3,668,154</td>
<td>$3,824,569</td>
<td>$3,855,906</td>
<td>$4,034,958</td>
<td>4.64%</td>
<td></td>
<td>$4,314,111</td>
<td>6.92%</td>
<td>$4,500,338</td>
<td>4.32%</td>
</tr>
<tr>
<td>January</td>
<td>$3,896,477</td>
<td>$3,968,572</td>
<td>$4,140,990</td>
<td>$4,046,633</td>
<td>-2.28%</td>
<td></td>
<td>$4,335,924</td>
<td>7.15%</td>
<td>$4,264,010</td>
<td>-1.66%</td>
</tr>
<tr>
<td>February</td>
<td>$4,917,238</td>
<td>$4,895,886</td>
<td>$4,982,568</td>
<td>$5,224,986</td>
<td>4.87%</td>
<td></td>
<td>$5,531,405</td>
<td>5.86%</td>
<td>$6,086,841</td>
<td>10.04%</td>
</tr>
<tr>
<td>March</td>
<td>$3,259,926</td>
<td>$3,731,090</td>
<td>$3,908,567</td>
<td>$4,076,943</td>
<td>4.31%</td>
<td></td>
<td>$3,980,041</td>
<td>-2.38%</td>
<td>$4,158,874</td>
<td>4.49%</td>
</tr>
<tr>
<td>April</td>
<td>$3,454,776</td>
<td>$3,126,694</td>
<td>$3,641,403</td>
<td>$3,711,803</td>
<td>1.93%</td>
<td></td>
<td>$3,889,388</td>
<td>4.78%</td>
<td>$4,097,988</td>
<td>5.36%</td>
</tr>
<tr>
<td>May</td>
<td>$4,098,255</td>
<td>$4,061,857</td>
<td>$3,949,873</td>
<td>$4,184,028</td>
<td>5.93%</td>
<td></td>
<td>$4,602,788</td>
<td>10.01%</td>
<td>$4,730,317</td>
<td>2.77%</td>
</tr>
<tr>
<td>June</td>
<td>$3,619,721</td>
<td>$3,741,325</td>
<td>$3,856,119</td>
<td>$4,169,550</td>
<td>8.13%</td>
<td></td>
<td>$4,599,245</td>
<td>10.31%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July</td>
<td>$3,948,039</td>
<td>$3,804,895</td>
<td>$4,033,350</td>
<td>$4,105,554</td>
<td>1.79%</td>
<td></td>
<td>$4,391,257</td>
<td>6.96%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td>$4,062,654</td>
<td>$4,093,476</td>
<td>$4,231,174</td>
<td>$4,402,156</td>
<td>4.04%</td>
<td></td>
<td>$4,893,438</td>
<td>11.16%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$46,416,145</td>
<td>$47,341,091</td>
<td>$48,686,688</td>
<td>$51,068,484</td>
<td>4.89%</td>
<td></td>
<td>$54,188,225</td>
<td>6.11%</td>
<td>$41,881,011</td>
<td>3.91%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
## CITY OF LINCOLN
### SALES TAX REFUNDS
#### 1999-2000 THROUGH 2004-2005

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>(107,766)</td>
<td>($472,215)</td>
<td>($646,545)</td>
<td>($48,531)</td>
<td>-92.49%</td>
<td>($69,997)</td>
<td>44.23%</td>
<td>($135,858)</td>
<td>94.09%</td>
</tr>
<tr>
<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>
</tr>
<tr>
<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>
</tr>
<tr>
<td>DECEMBER</td>
<td>(36,049)</td>
<td>($193,085)</td>
<td>($240,014)</td>
<td>($177,459)</td>
<td>-26.06%</td>
<td>($390,445)</td>
<td>120.02%</td>
<td>($325,510)</td>
<td>-16.63%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>(1,145,096)</td>
<td>($352,999)</td>
<td>($74,082)</td>
<td>($306,467)</td>
<td>313.68%</td>
<td>($59,315)</td>
<td>-80.65%</td>
<td>($220,967)</td>
<td>272.53%</td>
</tr>
<tr>
<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>($394,324)</td>
<td>22.00%</td>
</tr>
<tr>
<td>MARCH</td>
<td>(196,501)</td>
<td>($303,779)</td>
<td>($428,507)</td>
<td>($17,601)</td>
<td>-95.89%</td>
<td>($22,759)</td>
<td>29.30%</td>
<td>($99,240)</td>
<td>336.05%</td>
</tr>
<tr>
<td>APRIL</td>
<td>(219,339)</td>
<td>($478,438)</td>
<td>($333,878)</td>
<td>($281,861)</td>
<td>-15.58%</td>
<td>($199,018)</td>
<td>-29.39%</td>
<td>($69,900)</td>
<td>-64.88%</td>
</tr>
<tr>
<td>MAY</td>
<td>(200,539)</td>
<td>($79,461)</td>
<td>($176,292)</td>
<td>($275,081)</td>
<td>56.04%</td>
<td>($155,787)</td>
<td>-43.37%</td>
<td>($122,283)</td>
<td>-21.51%</td>
</tr>
<tr>
<td>JUNE</td>
<td>(108,185)</td>
<td>($47,618)</td>
<td>($127,168)</td>
<td>($138,914)</td>
<td>9.24%</td>
<td>($194,593)</td>
<td>40.08%</td>
<td>($34,811)</td>
<td>-82.11%</td>
</tr>
<tr>
<td>JULY</td>
<td>(193,310)</td>
<td>($235,932)</td>
<td>($181,863)</td>
<td>($563,339)</td>
<td>209.76%</td>
<td>($42,086)</td>
<td>-92.53%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>(155,756)</td>
<td>$0</td>
<td>($63,949)</td>
<td>($341,868)</td>
<td>434.60%</td>
<td>($531,884)</td>
<td>55.58%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>(2,869,134)</td>
<td>($2,854,968)</td>
<td>($3,293,201)</td>
<td>($2,411,218)</td>
<td>-26.78%</td>
<td>($2,318,751)</td>
<td>-3.83%</td>
<td>($1,669,642)</td>
<td>-4.31%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$3,484,448</td>
<td>$3,286,720</td>
<td>$3,197,606</td>
<td>31.08%</td>
<td>$4,191,407</td>
<td>4.59%</td>
<td>$4,383,878</td>
<td>4.59%</td>
<td>$4,512,303</td>
<td>2.93%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$3,456,293</td>
<td>$4,145,665</td>
<td>$3,737,474</td>
<td>17.72%</td>
<td>$4,399,587</td>
<td>3.66%</td>
<td>$4,560,394</td>
<td>3.66%</td>
<td>$4,541,471</td>
<td>-0.41%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$3,982,687</td>
<td>$3,611,894</td>
<td>$3,993,488</td>
<td>7.02%</td>
<td>$4,273,655</td>
<td>0.77%</td>
<td>$4,306,712</td>
<td>0.77%</td>
<td>$4,586,261</td>
<td>6.49%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$3,668,154</td>
<td>$3,631,485</td>
<td>$3,615,893</td>
<td>6.68%</td>
<td>$3,857,499</td>
<td>1.72%</td>
<td>$3,923,666</td>
<td>1.72%</td>
<td>$4,174,828</td>
<td>6.40%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$2,751,381</td>
<td>$3,615,574</td>
<td>$4,066,908</td>
<td>-8.03%</td>
<td>$3,740,166</td>
<td>14.34%</td>
<td>$4,276,609</td>
<td>14.34%</td>
<td>$4,043,044</td>
<td>-5.46%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$4,909,166</td>
<td>$4,780,680</td>
<td>$4,473,291</td>
<td>15.43%</td>
<td>$5,163,582</td>
<td>0.86%</td>
<td>$5,208,187</td>
<td>0.86%</td>
<td>$5,692,517</td>
<td>9.30%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$3,063,425</td>
<td>$3,427,311</td>
<td>$3,480,060</td>
<td>16.65%</td>
<td>$4,059,342</td>
<td>-2.51%</td>
<td>$4,357,283</td>
<td>-2.51%</td>
<td>$4,059,634</td>
<td>2.59%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$3,235,437</td>
<td>$2,648,256</td>
<td>$3,307,525</td>
<td>3.70%</td>
<td>$3,429,942</td>
<td>7.59%</td>
<td>$3,690,371</td>
<td>7.59%</td>
<td>$4,028,088</td>
<td>9.15%</td>
</tr>
<tr>
<td>MAY</td>
<td>$3,897,718</td>
<td>$3,982,395</td>
<td>$3,773,581</td>
<td>3.59%</td>
<td>$3,908,947</td>
<td>13.76%</td>
<td>$4,447,001</td>
<td>13.76%</td>
<td>$4,608,034</td>
<td>3.62%</td>
</tr>
<tr>
<td>JUNE</td>
<td>$3,497,973</td>
<td>$3,693,707</td>
<td>$3,728,951</td>
<td>8.09%</td>
<td>$4,030,637</td>
<td>9.28%</td>
<td>$4,404,651</td>
<td>9.28%</td>
<td>$4,404,651</td>
<td>9.28%</td>
</tr>
<tr>
<td>JULY</td>
<td>$3,948,039</td>
<td>$3,568,964</td>
<td>$3,851,488</td>
<td>-8.03%</td>
<td>$3,542,215</td>
<td>22.78%</td>
<td>$4,349,171</td>
<td>22.78%</td>
<td>$4,608,034</td>
<td>3.62%</td>
</tr>
<tr>
<td>AUGUST</td>
<td>$3,906,898</td>
<td>$4,093,476</td>
<td>$4,167,224</td>
<td>-2.57%</td>
<td>$4,060,288</td>
<td>7.42%</td>
<td>$4,361,554</td>
<td>7.42%</td>
<td>$4,024,180</td>
<td>3.85%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$43,801,620</td>
<td>$44,486,126</td>
<td>$45,393,489</td>
<td>7.19%</td>
<td>$48,657,267</td>
<td>6.60%</td>
<td>$51,869,477</td>
<td>6.60%</td>
<td>$40,246,180</td>
<td>3.85%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 26, 2005

RE : Preliminary Plat No. 05008 - Eagleton Heights
     (N. 89th and Leighton Avenue)
     Resolution No. PC-00927

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 25, 2005:

Motion made by Taylor, seconded by Krieser, to approve Preliminary Plat No. 05008, Eagleton Heights, with conditions, as revised, requested by Ridge Development Company, for 77 residential lots and one outlot for detention, with a request to waive the design standards to permit sanitary sewers to flow opposite street grades, on property generally located at No. 89th Street and Leighton Avenue.

Motion for approval, with conditions, as revised, carried 8-0: Sunderman, Carroll, Larson, Taylor, Krieser, Carlson, Pearson and Bills-Strand voting 'yes'.

The Planning Commission action on this preliminary plat is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission. The Planning Commission action approving the associated Annexation No. 05011 and Change of Zone No. 05034 is a recommendation to the City Council.

Attachment
cc: Building & Safety
     Rick Peo, City Attorney
     Public Works
     Mark Palmer, Olsson Associates, 1111 Lincoln Mall, 68508
     Ridge Development Company, 8644 Executive Woods Dr., 68512
     Steve Bussey, Sunrise Estates Community Assn., 1001 N. 88th Street, 68505

\shared\wpjlua2005 ccnotice.pp\pp_05008
RESOLUTION NO. PC-00927

WHEREAS, Ridge Development Company has submitted the preliminary plat of Eagleton Heights Addition for acceptance and approval together with a request pursuant to Section 26.31.010 of the Lincoln Municipal Code to waive the Design Standards to permit sanitary sewers to flow opposite street grades; and

WHEREAS, the Planning Director has recommended conditional approval of said preliminary plat and the Director of Public Works & Utilities has recommended approval of the requested waiver of the Sanitary Sewer Design Standards.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission that the preliminary plat of Eagleton Heights Addition, generally located at N. 89th Street and Leighton Avenue as submitted by Ridge Development Company is hereby accepted and approved, subject to the following terms and conditions:

1. Revise the preliminary plat to show:
   a. Berg Drive renamed to a name that does not approximate an existing street name.
   b. Revisions to the satisfaction of the Public Works and Utilities Department.
   c. Revisions to the satisfaction of the Watershed Management Department.
   d. Revisions to the satisfaction of the Parks Department.
   e. Utility Easements to the satisfaction of the Lincoln Electric System.

2. The City Council approves associated request:
   a. Annexation #05011.
   b. Change of Zone #05034
3. Final Plats will be approved by the Planning Director after:

a. The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.

b. The Subdivider has signed an agreement that binds the subdivider, its successors and assigns:

i. To complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

ii. To complete the installation of sidewalks along both sides of Garland, Colby, N. 89th Streets, Eagleton and Seng Lanes, Berg Drive (to be renamed) and the south side of Leighton Avenue as shown on the final plat within four (4) years following the approval of this final plat.

iii. To complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

iv. To complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

v. To complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

vi. To complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

vii. To complete the installation of public street lights along Garland, Colby, N. 89th Streets, Eagleton and Seng Lanes, Berg Drive (to be renamed) and the south side of Leighton Avenue within this plat within two (2) years following the approval of this final plat.
viii. To complete the planting of the street trees along Garland, Colby, N. 89th Streets, Eagleton and Seng Lanes, Berg Drive (to be renamed) and the south side of Leighton Avenue within this plat within four (4) years following the approval of this final plat.

ix. To complete the installation of the street name signs within two (2) years following the approval of this final plat.

x. To complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

xi. To timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

xii. To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

xiii. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

xiv. To complete the public and private improvements shown on the preliminary plat.

xv. To maintain the outlots and private improvements on a permanent and continuous basis.

xvi. To maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.

xvii. To retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property
owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

BE IT FURTHER RESOLVED that Section 3.6 of the Sanitary Sewer Design Standards requiring the slope of the sanitary sewer to parallel the slope of the street is hereby waived to permit sanitary sewers to flow opposite street grades.

DATED this 25th day of May, 2005.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO: Mayor Coleen Seng  
Lincoln City Council

FROM: Jean Walker, Planning

DATE: May 26, 2005

RE: Comprehensive Plan Conformance No. 05004  
(Conservation Easement - West of South 38th Street and south of Pine Lake Road)  
Resolution No. PC-00926

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 25, 2005:

  Motion made by Larson, seconded by Carroll, to find the proposed acquisition of a permanent conservation easement over approximately 1.83 acres of open space and wetlands to be in conformance with the Comprehensive Plan (Comprehensive Plan Conformance No. 05004), on property generally located west of South 38th Street and south of Pine Lake Road. Motion carried 7-1: Sunderman, Carroll, Larson, Taylor, Carlson, Pearson and Bills-Strand voting 'yes'; Krieser voting 'no'.

A resolution proposing that the City accept this permanent conservation easement is tentatively scheduled for public hearing before the City Council on Monday, June 13, 2005, 1:30 p.m.

Attachment

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Ben Higgins, Watershed Management  
Tim Texel, Pine Lake Heights Assn., 7640 S. 38th, 68516  
Mark Hickson, 7140 Phoenix Drive, 68516  
Glenn Johnson, Lower Platte South NRD, P.O. Box 83581, 68501
RESOLUTION NO. PC-00926

Comprehensive Plan Conformity No. 05004

WHEREAS, Pine Lake Heights Ltd. is willing to convey and the City of Lincoln desires to acquire a permanent conservation easement over approximately 1.83 acres of open space and wetlands on property generally located at West/38th Street and south of Pine Lake Road, more particularly described as:

Outlot A, Pine Lake Heights Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the City of Lincoln is authorized to accept and hold conservation easements under the terms of the Conservation and Preservation Easement Act (Neb. Rev. Stat. §§ 76-2,111 to 76,2,118); and

WHEREAS, Neb. Rev. Stat. § 76-2,112 requires that, in order to minimize conflicts with land use planning, the proposed conservation easement must be submitted to the Lincoln City - Lancaster County Planning Commission for comments regarding the conformity of the proposed conservation easement to the Lincoln City Comprehensive Plan prior to acceptance of the easement by the City of Lincoln and/or Lancaster County; and

WHEREAS, the Director of Planning has submitted a request designated as Comprehensive Plan Conformity No. 05004 to find the proposed acquisition of the permanent conservation easement by the City of Lincoln to be in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:
That the proposed acquisition by the City of Lincoln to acquire a permanent conservation easement to protect the open space and wetlands over approximately 1.83 acres of land generally located west of South 38th Street and south of Pine Lake Court, is hereby found to be in conformance with the Comprehensive Plan. The foregoing Resolution was approved by the Lincoln City - Lancaster County Planning Commission on this 25th day of May, 2004.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 26, 2005

RE : Special Permit No. 05022 - DENIED
     (Rock crusher to recycle concrete and asphalt - 3900 Industrial Avenue)

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 25, 2005:

Motion made by Carlson, seconded by Pearson to deny Special Permit No. 05022, requested by Sanford and Son, L.L.C., for authority to operate a rock crusher to recycle concrete and asphalt, on property located at 3900 Industrial Avenue. Motion to deny carried 5-3 (Sunderman, Larson, Krieser, Carlson and Pearson voting ‘yes’; Carroll, Taylor and Bills-Strand voting ‘no’).

The Planning Commission’s action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc:  Building & Safety
     Rick Peo, City Attorney
     Public Works
     Bob Lewis, Hampton Development, 3801 Union Dr., Suite 102, 68516
     Rob Hackwith, Landon’s Neighborhood Assn., 4210 N. 23rd, 68521
     Carol Brown, Landon’s Neighborhood Assn., 2201 Elba Circle, 68521
     J. Michael Rierden, Attorney, 645 M Street, Suite 200, 68508
     Doug Tobiassen, 6931 Lynn Street, 68505
     Gary Walsh, Health Department
WHEREAS, Sanford and Son LLC has submitted an application
designated as Special Permit No. 05022 for authority to operate a rock crusher to
recycle concrete and asphalt on property located at 3900 Industrial Drive, and legally
described to wit:

Lot 2, Northwestern Metal Addition, located in the Northwest
Quarter of Section 7, Township 10 North, Range 7 East,
Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission has
held a public hearing on said application; and

WHEREAS, the community as a whole, the surrounding neighborhood,
and the real property adjacent to the area included within the site plan for this rock
crusher to recycle concrete and asphalt will not be adversely affected by granting such
a permit; and

WHEREAS, said site plan together with the terms and conditions
hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
public health, safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of Sanford and Son LLC, hereinafter referred to as "Permittee", to operate a rock crusher to recycle concrete and asphalt be and the same is hereby granted under the provisions of Section 27.63.290 of the Lincoln Municipal Code upon condition that construction of said rock crusher be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits a rock crusher to recycle concrete and asphalt.
2. The applicant must identify the location of the rock crusher on the site plan. The rock crusher must be a minimum of 100' from the boundary of the site.
3. Before operating the rock crusher:
   a. The construction plans must comply with the approved plans.
   b. The applicant must provide an approved Flood Plain Development Permit for the storage of material in the flood plain.
   c. The applicant must obtain an approved section 404 permit from the U.S. Army Corps of Engineers or a letter stating that a 404 permit is not required.
   d. Special Permit #212 must be rescinded or the boundary reduced in size to accommodate the rock crusher.
4. The rock crusher must, at all times, be in compliance with the Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32-Dust Duty to Prevent Escape of Dust.
5. The rock crusher must, at all times, be located a minimum of 100' from the boundary of the site.

6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

7. This resolution’s terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

8. The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this ____ day of __________, 2005.

ATTEST:

DENIED: 5/25/05 (5-3: Sunderman, Larson, Krieser, Carlson and Pearson voting ‘yes’; Carroll, Taylor and Bills-Strand voting ‘no’).

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
WATER DISTRICT NO. 1193

The week of May 30, 2005, a private contractor, K2 Construction, will be starting construction of a new water main for the Engineering Services Division of Public Works and Utilities Department in your area.

**Limits of Construction:** The water main will run along the west side of South 14th Street from Sumner Street to Garfield Street.

**Construction Schedule:** Beginning the week of May 30, 2005, construction will last approximately 4 weeks barring weather delays or unforeseen conditions.

**K2 Construction:** Tom Rogge
(402) 467-2355

**Temporary Inconvenience:** The City of Lincoln realizes this project may temporarily inconvenience you. The contractor will try to maintain access to individual properties, but at times may have to close the access for a period of time.

If you have any problems or questions during the construction period, please contact K2 Construction or the City of Lincoln Project Manager for additional information.

Charlie Wilcox, Project Manager
City of Lincoln - Public Works and Utilities
441-7532 or 440-6067
cwilcox@lincoln.ne.gov
TRAFFIC REHABILITATION PROJECTS
46th, 48th & Adams Project #701787

The Engineering Services Division of the Public Works Department has awarded a contract to Commonwealth Electric Company of Lincoln, Nebraska for signal rehabilitation work at 48th and Adams and a pedestrian signal at 46th and Adams.

The 46th and 48th and Adams project will start work the week of June 6, 2005 weather permitting. There will be some disruption to vehicular and pedestrian access during construction. The school will be notified. Most of the concrete work will be removed and replaced during the school break and all areas of work will be barricaded. Caution should be used around these work areas that are under construction.

If you have any problems or questions during the construction period, please contact Paul Claus Jr. with Commonwealth Electric at 402-432-3348 or the City of Lincoln Project Manager Charlie Wilcox at 402-440-6067.

Charlie Wilcox, Project Manager
City of Lincoln, Public Works and Utilities
Phone: 402-440-6067 or 402-441-7532
Email: cwilcox@lincoln.ne.gov
The City of Lincoln, Department of Public Works would like to take this opportunity to invite you to an open house regarding the Harris Overpass Project.

On Tuesday, June 14, 2005 from 5:30 to 7:30 p.m. at Lincoln Station, 201 North 7th Street, Engineers from the Public Works Department and The Schemmer Associates along with architects from Sinclair Hille will be available to answer questions about the proposed project that will replace the existing viaduct between 3rd and 9th Streets along “O” Street.

Members of the public may attend anytime it is convenient between the hours of 5:30 p.m. and 7:30 p.m. and will be able to get information and provide input on many topics including:

- the bridge’s future width and length
- aesthetics and architectural details
- construction issues including access and possible detours
- the 9th and “O” Street intersection

Officially named in honor of John F. Harris who donated land to the City for Pioneers Park, the viaduct that was completed in 1955 is in poor enough condition to qualify for federal bridge replacement funds. Biennial field inspections for the Harris Overpass indicate a progressive pattern of deterioration over the past decade.

If you cannot attend and have questions, please feel free to call or look at the project website www.harrisoverpass.com.

Andrea Bopp
Public Information Contact
The Schemmer Associates
(402) 488-2500

Kris Humphrey
Project Manager
City of Lincoln, Engineering Services
(402) 441-7592
Tammy
Could you please send the following RFI to Don Taute, Personnel and Bill Kostner, Risk Management.

I received a phone call Friday from a gentleman concerned that his insurance company was being over-charged for a December 3, 2004 accident in the East Campus area. He apparently ran into one of the LES ornamental lights and was charged what he feels is an extraordinary amount for replacement. In his opinion, all the work that was necessary for repair was to unscrew four bolts and install a new post. The bill received from the City charged him a total of $2,681.57; $2,031 for the post and 8 hours labor, including one overtime hour.

He also noted that it took the City five months to send this bill with language stating that he had eight days to pay or be subject to additional charges. He suggested if that was not a strict city policy (which is what he was told when he called Risk Management to discuss his concerns) that perhaps it might be better not to make that kind of written statement.

Could you please explain how the City of Lincoln calculates the cost of a job like this including labor? Is it based on averages or are employee hours strictly documented?

In light of what happened in this situation (and please let me know if the facts are different than what I was told), is there any flexibility in this five month time frame to get the bill out more promptly and then allow the citizen billed a little more time to pay?

Thank you!
Effective 9/1/2004, the City took over ownership of all LES light poles, and the Risk Management division took over the subrogation, or collection, of damages caused by auto accidents, etc.

As such, we received a bill from LES for repairs to a light pole involved in a single vehicle accident on 12/30/04 involving Mr. Don Post of Lincoln. The police report is attached. Although this occurred some months ago, we only recently received the bill from LES on 4/25/05. LES completed all of the repairs.

The invoice from LES was sent to Mr. Post with our standard collection letter on 5/10/05. We also sent this to his insurance representatives at Shelter insurance because of their call requesting this. In the future, I have instructed our staff to send only the itemized bill, as the LES invoice alone is not well understood. All letters and invoices are attached.

On 5/13/05 Mr. Post called our office and spoke to Pam Hoffman. See her email account of this call, attached. Mr. Post was then referred to Kent Imig of our office, who had the file. Kent went over the details of the bill, explained that we had just received this bill from LES, and also told Mr. Post that he did not have to pay this immediately. Kent also sent a letter to Mr. Post on 5/13/05, after his phone conversation, again explaining the issues.

Kent later checked with LES on labor costs, and I attach an e-mail from Doug Friendt of LES who explains how the costs were arrived at. Again, all parts and labor were completed by LES.

Although it is human nature to be discouraged with the results of a single vehicle accident, where repair costs may be more than anticipated, I believe Mr. Post was treated fairly and reasonably in this matter by our division staff.

Please advise if you have any further questions or concerns.

Attachments:
P.O.I.
12 WEST OF THE WEST CURB
OF 38 ST.
75 NORTH OF THE NORTH CURB
OF APPLE ST.

LIGHT POLE

O LIGHT POLE

DESCRIPTION OF ACCIDENT BASED ON OFFICER’S INVESTIGATION

D#1 stated he was backing out of a private drive w/b across 38th St. when the back of his veh. struck a light poll.

VEHICLE MOVEMENT BEFORE COLLISION

VEHICLE 1
POINT OF IMPACT
POINT OF DAMAGE
04

VEHICLE 2
POINT OF IMPACT
POINT OF DAMAGE
04

POINT OF IMPACT AND MOST DAMAGED AREA

VEHICLE 1

VEHICLE 2

AIRBAG DEPLOYED

VEHICLE 1

RESTRANST USE

VEHICLE 1

TOTAL OCCUPANTS

Y
Y
Y

ALCOHOL TESTING

Driver No. 1
N

Driver No. 2
N

Pedestrian
N

ALCOHOL LEVEL TESTED

Y
Y
Y

BAC LEVEL

ALCOHOL/DRUGS SUSPECTED

1. Neither alcohol nor drugs suspected
2. Yes - alcohol suspected
3. Yes - drugs suspected
4. Yes - alcohol & drugs suspected
5. Unknown

INVESTIGATOR NAME (Print or Type)

INVESTIGATOR SIGNATURE

DATE OF REPORT

12/30/2020
MAY 10, 2005

DONALD POST
1220 N. 40 ST.
LINCOLN, NE 68503

RE: OUR FILE#: 05-5172
D/A: 12/30/04
AMT/DAMAGES: $2689.57

According to a report filed with this office, CITY OF LINCOLN property was damaged as the result of the above accident involving your vehicle. Enclosed is a statement of repairs for the damaged property.

If you have insurance to cover this accident, please forward this letter to your insurance carrier. If you did not have insurance in force on the above date, please forward check to:

CITY OF LINCOLN
233 SOUTH 10TH STREET 2ND FLOOR,
SUITE 210
LINCOLN, NE 68508

Thank you for your anticipated cooperation.

Sincerely,

Pam Hoffman
Risk Management

Enclosure
City of Lincoln-Risk Mgmt  
233 S. 10th, Rm 210  
Lincoln NE  68508

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle/pole accident @ 1111 N. 38th</td>
<td>2,689.57</td>
</tr>
</tbody>
</table>

LINEOLN ELECTRIC SYSTEM  
1040 O Street  
P.O. Box 80869  
Lincoln, Nebraska  68501-0869  
Tel: (402) 473-3318  
Fax: (402) 473-3332

INVOICE NUMBER-18019906  
INVOICE DATE -04/25/2005  
DUE DATE -05/25/2005  
CUSTOMER NO. -100296  
TERMS : Net 30

AMOUNT PAID: $
4/7/2005

Bill to:  City of Lincoln Risk Management
         233 S. 10th
         Room 210
         Lincoln, NE  68508

Description:  Replaced pole damaged by vehicle accident
              LPD Case # A4-142872
Location:  1111 N. 38th
Completion Date:  12/30/2004

<table>
<thead>
<tr>
<th>Labor:</th>
<th>Accounting</th>
<th>Hours</th>
<th>Rate/HR.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Labor</td>
<td>I 5008518</td>
<td>6</td>
<td>$48.00</td>
<td>$288.00</td>
</tr>
<tr>
<td>Overtime Labor</td>
<td>R 5008518</td>
<td>1</td>
<td>$72.00</td>
<td>$72.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation:</th>
<th>Accounting</th>
<th>Hours</th>
<th>Rate/HR.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCE - 81A Single Bucket</td>
<td>R 5008518</td>
<td>1</td>
<td>$9.00</td>
<td>$9.00</td>
</tr>
<tr>
<td>SCE - 81J 15000 Digger</td>
<td>I 5008518</td>
<td>3</td>
<td>$15.00</td>
<td>$45.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Material:</th>
<th>Accounting</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Material</td>
<td>I 5008518</td>
<td></td>
<td></td>
<td>$2,031.76</td>
</tr>
<tr>
<td>Material Overhead</td>
<td>I 5008518</td>
<td></td>
<td></td>
<td>$243.81</td>
</tr>
</tbody>
</table>

Total Billing:  $2,689.57
I called and left a message, however, since I have a dental appointment this afternoon, I thought I would email you. Neil Engleman, LES VP Operations (467-7515) provided the following information. Material cost of $2,031.76 plus overheads was 85% of the total bill and includes $1,524.76 for the pole and $485.78 for the pole top luminaire. This is typical of the cost of an ornamental street light pole and fixture. The 6 hours of labor was a 2 person crew for 3 hours of work including travel time to remove the old pole and install the new one. The 1 hour of overtime was for responding and clean-up when the accident occurred. Labor and equipment are billed at our standard rates. The job was completed on 2/23/05, normally it takes time to get these poles. The remaining time between the accident and the billing was to gather the information and process the invoice to you. Since I'll be leaving at 12:30pm, if you have any other questions today, please contact Neil.

Doug Friendt / Manager General Accounting / Lincoln Electric System / P.O. Box 80869 / Lincoln, NE 68501 / Phone: 402-473-3297 / Fax: 402-473-3332 / dfriendt@les.com

NOTE: This electronic message and attachment(s), if any, contains information which is intended solely for the designated recipient(s). Unauthorized disclosure, copying, distribution, or other use of the contents of this message or attachment(s), in whole or in part, is prohibited without the express authorization of the author of this message.
May 13, 2005

Donald Post
1220 N. 40th St.
Lincoln NE 68503

RE:  Our file #: 2005-5172
     D/A: 12/30/04

Dear Mr. Post:

Per our phone conversation, here is the breakdown that we received from LES. Risk Management collects for City property that has been damaged in an accident. If you have questions about the bill, we can call LES to try to get you an answer or we can get the name and phone number of someone that you may discuss the repair costs with.

The invoice date is the date that LES processed the bill. The City is actually billed by LES and our office has paid the amount due. So the due date isn’t applicable to you. However, the City of Lincoln is entitled to seek restitution from a negligent third party for costs incurred by the City. Based on the police report, it shows that you backed into the light pole. Therefore, we have sent you the bill for the damages incurred by the City to either you or your insurance company to reimburse the City of Lincoln.

If you have any questions, please call me at 441-7082.

Sincerely,

[Signature]

Kent D. Imig, CPCU, AIC
Claims and Insurance Coordinator
City Risk Management
Bill

Kent ended up speaking to this man, Mr Post, because after having him yell at me for two minutes, I couldn't deal with trying to explain it to him anymore, so I passed him on to Kent. I'm sure Kent still has the file. We did not tell him he had only 8 days to pay the bill. Those dates were posted on the LES bill and we have never had anyone call about them before. I think the guy just wants us to drop the whole thing, even though he is clearly at fault in the accident. He was also mad because the bill was sent to his insurance company, but they called us and told us to send them the bill, we did not forward it to them first. If they had not called about it, the bill would have been sent to him. As for the time frame involved, we can only send out the bill when we receive it from LES. These were all things we told Mr. Post, but I don't think he was really interested in having answers, he only wanted to get mad at someone. The conversation with him upset me greatly and that is why I left early on Friday. Barb was able to overhear my end of the conversation and can attest to the fact that I was having a problem with Mr. Post. I asked him several times to stop yelling at me so we could discuss the file, but he continued to yell that he wasn't yelling at me. I would prefer to not discuss this for too long, as it is still an issue that is really bothering me. I'm not required to allow people to do that to me, am I? I am not mentioned in the letter from Ms. Newman, but I feel like I have to defend myself because I did nothing wrong.

Pam
Dear Dr. Bekkering: 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

"Ernst Bekkering" <ernst.bekkering@gmail.com>

Dear Council Members:

While traveling from Kansas to Minneapolis last weekend, we stopped at the Shoemaker's truckstop on I-80. Apparently, the owners were very displeased with the Council's decision to forbid smoking in the building, and the heavy fines that could be imposed ($100 for customer/manager/business for first and second offenses, increased to $500 for subsequent offenses). A sign on the door used the words "the city council in their infinite wisdom..." when it informed the public that they could not smoke inside.

Contrary to that sentiment, I want to thank you for taking this step. It may be hard to enforce, and cause problems for establishment owners and employees when some patrons refuse to extinguish their cigarettes. However, establishments have long refused to serve patrons who are improperly dressed ("No shoes, no shirt, no service"), and somehow businesses have coped with problems these customers might have caused.

Again, thank you for this measure.

Ernst Bekkering, Ph.D.
Dept of Management Information Systems
NorthEastern State University
Office: 221-E Practical Arts Building
700 North Grand
Tahlequah, OK 74464
Tel: 918-456-5511 ext. 2917
1390 Heritage Lane Apt 95
Tahlequah OK 74464
Phone: (918) 458-8042
ernst.bekkering@gmail.com
May 21, 2005

Hon. Coleen J. Seng, Mayor
City of Lincoln
555 So. 10th Street
Lincoln, NE 68508

RE: Proposed Arena and Convention Center

Dear Mayor Seng:

I would like to suggest an innovative method of financing at least a portion of the new Arena and Convention Center to be located in the Haymarket area which is being conceptualized by a task force appointed by you.

The proposed project will rest, in part, upon the Burlington Northern Santa Fe Railway land west of the Lincoln Station. This area is currently the X Yard (Downtown yard) of the railroad. It would appear that the proposed project will eliminate current railroad tracks through the Lincoln Station (old Burlington depot) area. As you know, our current Amtrak depot for Lincoln is located in the north end of that building. With the tracks removed and rail traffic routed further west, the Amtrak station will have to relocated in order to serve the passenger trains.

Several years ago I worked with the Jefferson County Historical Society in Fairbury to rehabilitate the former Rock Island depot as a museum. We applied for and received a large grant from ISTEA funds. That program is still available although now known as TEA 21 (which stands for Transportation Enhancement Act, 21st Century). The TEA 21 funding cannot be used to build track and purchase locomotives and cars for rail operations, but it can be used for things like station buildings, passenger platforms and anything that will enhance transportation and improve its utilization and connectivity.

It would be good planning and make sense to incorporate a multi-modal transportation terminal as a part of the Arena/Convention project. This could be the new Amtrak passenger depot, a terminal for the proposed P Street Light Rail Line, an interchange point for StarTran bus routes and, down the road, the terminal for Lincoln-Omaha commuter rail.
Any time you bring together a mass of people in our autocentric society for an event, traffic flow and parking are major concerns. By co-locating a transportation center in the Arena/Convention project, you take a big step toward mitigating these problems. Those who live outside Lincoln and arrive by rail will be right at the complex and near the new hotel. People in Lincoln can leave their cars at home and ride StarTran to events or drive to downtown parking garages and ride the P Street Light Rail Line to the complex. A modern, well-designed transportation center would be a positive welcome to those coming to Lincoln.

Omaha missed the train with its Quest Center. A rail line from the airport to the center would have been a natural and only now are there some people in Omaha awakening to this fact. Lincoln has the opportunity to do it right with the new complex.

The TEA 21 funding is administered by the Nebraska Department of Roads in conjunction with the Nebraska Game & Parks. A formal application must be submitted and a committee judges each application on its merit and then gives it a point rating. The funds are limited and the request can be funded in part, in whole or not at all. In the case of the Fairbury depot, we had to go back with a supplemental request the next year because of complications in installing the handicap elevator. We were given the extra funding.

I also dare to suggest that the next 100 years will see a radical change in the way we get from place to place. Futurists say that global oil production has peaked and will move downward, resulting in sharply higher gasoline prices forcing more people to use public transportation. Alternative fuels are not practical, according to those who have pondered the issue. By incorporating the multi-modal transportation center into the Arena/Convention project, we take out an insurance policy that the complex, once built, will not become a white elephant that no one can get to.

James Pearson at the NDOR is in charge of TEA 21 applications. I suggest that immediate contact be made with him about the requirements and possibilities for funding. I have already suggested this to Kent Seacrest. A local match is required for the TEA 21 funds and this might be in the form of funds for site acquisition, planning, etc.

I'd be glad to meet with the task force to expand on these ideas or even serve on the task force.

Very truly yours, pc - Patte Newman, Chairperson, Lincoln City Council Planning Director
RICHARD L. SCHMELING, President Public Works Kent Seacrest
Media Release

To: Media
CC: Mayor's Office, Lincoln City Council
From: Lori Vrtiska Seibel, Executive Director, 436-5516
Date: 05-27-05
Re: Funding Awards

Community Health Endowment
Announces Micro-Project Funding Awards

Following an extensive review of 39 applications, the Board of Trustees of the Community Health Endowment (CHE) is pleased to announce the funding of 15 micro-projects (one-year or one-time projects of $10,000 or less). The 15 projects represent $108,089 in new funding.

Medical Co-Payment Assistance Program
A co-payment assistance fund for persons who are referred to the People's Health Center as part of the Homeless Referral Program.
(Center for People in Need: $5,000)

High Risk Case Management
On-site case management services at the President and Ambassador Apartments.
(Interfaith Housing Coalition: $10,000)

Eat Smart, Move More
A mini-grant program to deliver peer-to-peer messages about healthy eating and physical activity at five LPS Middle Schools.
(Lincoln Public Schools: $5,000)

BackPack Program
Fresh fruit and milk vouchers for 150 students/families in the 2005-06 BackPack Program at Clinton, Everett, and McPhee schools.
(Food Bank of Lincoln: $5,144)

Good Nutrition from the Start
Clinical breastfeeding assistance and nutrition education to low-income mothers and infants.
(MilkWorks: $3,000)
Elementary School Enrichment Nutrition Education Expansion
Nutrition and hand washing curricula in seven Lincoln Public Schools.
(Cooperative Extension of Lancaster County: $3,350)

Triple Play – Successfully Treating Co-occurring Disorders
Facilitation of a community process to create a model for serving patients with mental illness, physical illness, and/or substance addictions, resulting in a large scale federal funding application.
(Centerpointe, In. and others: $9,495)

The Heart of the Home
Kitchen construction and equipment associated with planned renovation of a new Fresh Start Home facility.
(Fresh Start Home: $10,000)

Prevention and Management of Diabetes among Adults Diagnosed with Severe Mental Illness
Exercise equipment and nutrition education for clients of the Midtown Center
(Midtown Center: $9,400)

Forging Links
Health outreach and education to female African newcomers.
(African Community Center: $7,700)

Community Diabetes Project – Action Now!
Placement of media in movie theaters related to prevention, identification, and management of diabetes.
(Community Diabetes Project: $5,000)

Community Diabetes Treatment and Management Project
Provision of diabetic supplies, insulin, oral medication, and/or diabetes education to un/under-insured individuals.
(Community Diabetes Project: $10,000)

Sustaining Community Medical Transportation
Resource development staffing to raise community support and awareness for medical transportation.
(Community Medical Transportation Task Force: $10,000)

Foot Clinic for the Homeless
Matching funds to continue a foot clinic, including foot care and new shoes/socks, for homeless individuals.
(Union College: $5,000)

Food and Fitness for Better Health
A pilot project to provide fruits and vegetables and increased physical fitness in the classroom environment of two LPS schools.
(Lincoln Public Schools: $10,000)

Christi Chaves, President of the CHE Board of Trustees, recognized the funded projects, "The Board of Trustees remains continually impressed by our community's ability to recognize and address existing and emerging health issues. We are confident that these micro-projects will fill unmet needs in our community."

For additional information, contact Lori Vrtiska Seibel, Executive Director, 402.436.5516.
Dear Mr. & Ms. Leonhardt:

We are homeowners in Country Meadows which is adjacent to the proposed Apple’s Way development. We are OPPOSED to changing the zoning of this property to allow commercial development because:

- Traffic engineers say that commercial development will significantly increase traffic on Highway 2 and 66th Street.
- Mayor Wesley promised no further commercial development along the corridor from Old Cheney to 70th Street.
- Country Meadows is a uniquely beautiful park-like neighborhood whose beauty will be compromised by adjacent commercial development.
- Concern that property values in Country Meadows will drop and result in loss to homeowners and the city’s tax revenue.

Please do not vote to change the zoning to allow commercial development of Apple’s Way.

Respectfully,
Dwain & Carol Leonhardt, Country Meadows Homeowners
6530 South 66th Street
Lincoln, NE 68516
Dear Mr. Hersch: 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

I sent this letter to OWH and LJS today:

Something is going on in the editorial room at the Omaha World Herald, and, quite frankly, it smells. That newspaper has decided it’s time to bash Lincoln. An editorial last week offered pointed commentary about Lincoln politics and development processes, but offered best wishes that things would improve. But when Lincoln Mayor Coleen Seng cited the numerous progressive actions taking place in Lincoln, the World Herald editors lashed back with guns blazing. This makes me wonder: what’s the real agenda here? Why has the Omaha paper decided all of the sudden to bash the Capitol City? Does Omaha really want to see Lincoln grow and prosper, or do other feelings prevail? And is this the just the opinion of the World Herald editors, or does it reflect sentiment of the broader Omaha community? Those folks have certainly opened a wound. I hope Omaha business and community leaders will respond to their newspaper’s recent rants.

Alan Hersch
InterLinc: City Council Feedback for General Council

Name: Tracy Renner
Address: 151 W Lombard Dr
City: Lincoln, NE 68521
Phone: 438-5814
Email: TRENNER @ neb.rr.com

Comment or Question:
My name is Tracy Renner. I'm writing as a mom, a healthcare worker, and a property owner, in the Highlands. Two years ago I we were told my son couldn't go to Goodrich, there was no room. He was one of the Fredstrom children to go to North Star middle school. On April 8'h a note came home telling me you wanted to change my sons hours he is in school. Next year he is to start at 9:00 am and be dismissed at 4:00 pm.

I realize there are many issues facing the school board. Boundaries, overcrowding, air quality, too many transfers, are all issues. Start times and children's well being is at the top of mine.

As a registered respiratory therapist and registered sleep technician, I need to say medically, what we are doing is bad. At minimum, its backwards. Middle school children still have the natural ability to get up earlier than high schoolers. Middle school is a time when orthodontia, and things like that, need to be done. They need time for that after school. A lot of kids that age are helping watch siblings after school. They need to be able to get places, safely, without it getting dark.

High school age children experience a natural change in their 24-hour clock due to growth and hormones. They become "phase delayed". Their bodies naturally want to go to bed at 11:00 pm (on average). They have after school sports. They have jobs. They have the ability to transport themselves.

This is most important! Studies and research already tells us what will happen with earlier start times and sleep deprivation. Sleep deprivation has a direct link to: weight gain, metabolic syndrome, high BP, heart disease, negative moods, symptoms that mimic ADHD, low grades, increased unintentional injuries, and stimulant use.

We want to dismiss the high school children at 2:00. Studies show these kids have riskier behavior. 45% of juvenile crime takes place between 2:00-4:00 pm. Have the middle schoolers start earlier and the high schoolers later, or make no changes to North Stars schedule.

We are not messing with the kids we displaced two years ago. We have still not fixed where future Fredstrom children are going. "

We need to get creative here and think outside the box. The school board needs help in making some big decisions that effect the future of this city. Parents are not happy. People are moving out to surrounding towns. We need to make Lincoln an attractive place to live. City planning that works with school planning helps achieve this. I have 5 neighbors moving. They are all stating the school situation is all or part of the problem.

There has been talk that the Highland should be divided into several schools. This should not be an option. I chose for my kids to be here and grow up with these people. I care about my community. Our neighborhood and city
quality are in jeopardy. We are killing our city with poor planning and growth. We have several new housing projects going up in the Highlands. Where will they go to school? Redrawing boundaries was a top priority over two years ago. We have not seen any progress. We need new boundaries now. It may also need to happen again or even regularly, like Denver.

I'm concerned of student's safety with the overcrowding. I heard rumors the Goodrich students were told to get home in 20 minutes due to weather alerts and there was no room to shelter them all. If true that is quite a liability for the city to take.

We are tired of band aides. Moving to North Star was a band aide. It was only a temporary solution. We need options that are going to last longer than 2 years.

Some of my neighbors feel we should consider an option like sending our children to Park. The Highlands could all go together, everyone. It appears we could stay there for years and allow the system to be fixed. There appears to be room for growth there. Moving us out of North Star allows it to grow as well.

I hold our city responsible for our children's success. Their test scores are impressive. They need to stay that way. We need: 1) Well worded and planned bond issues. Let the public know how bad things are. 2) Creativity utilizing what we have. Try building up instead of out. 2nd stories are cheaper. 3) If reliance on property tax continues to be unsuccessful we need other resources. 4) Re-look at costs and salaries of those other than paras and teachers. I hear we out-do Omaha on some of this. 5) Investigate what is working for others. In Millard, there is a new housing development that is opening a new school that is closed to transfers because it will be full once all the houses are built.

6) Consider our children's health and well being when making decisions.

I am asking for you attention on what is a whole city issue, not just a minor school board issue.

Thank you for your time,
Councilwoman Patte Newman  
City County Building  
555 S 10 St  
Lincoln, NE 68508

The Lancaster County Democrat Central Committee has voted to remind Lincoln City Government to fully abide by and enforce our Lincoln City Code Chapter 2.18 Purchasing Division and the related Lincoln City Standard Specifications in their entirety. It is our concern that some of the contracts to repair and build sidewalks are not up to these specifications. However our concern is not limited to sidewalks as the section of code is broad in its application.

For your information this shall specifically include but not be limited to Chapter 2.18 PURCHASING DIVISION §2.18.030:

(C) The Purchasing Division in cooperation with all officers of the several departments, shall provide for the standardization of materials, supplies, and equipment in accordance with the use of which the various articles are to be put and shall provide for adequate specifications for materials, supplies and equipment used in large quantities or in common use by more than one department. The Purchasing Division shall in addition to other duties:

(1) ACT TO PROCURE FOR THE CITY THE HIGHEST QUALITY IN SUPPLIES AND CONTRACTUAL SERVICES AT LEAST EXPENSE TO THE CITY (emphasis added)

(j) In determining “lowest responsible bidder,” in addition to price, the Purchasing Agent or department shall consider:

(1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required.

(3) The character, integrity, reputation, judgement, experience, and efficiency of the bidder.

(4) The quality of performance of previous contracts or services.
(5) The previous and existing compliance by the bidder with the laws and ordinances relating to the contract or service.

(6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.

(7) The quality, availability, and adaptability of the supplies or contractual services to the particular use required.

(8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.

There shall be no waiving of guarantee periods in the Lincoln Standard Specifications and all guarantees shall be fully enforced.

We would hope that all Lincoln City Government elected and appointed officials, department heads, and city employees shall be fully educated as to Lincoln City Code Chapter 2.18 Purchasing Division and Lincoln Standard Specifications in their entirety and the reason for their existence and be responsible for their enforcement. This is to serve the public interest, prevent harm to the public and our city, to prevent and stop the waste of the taxpayer’s money, to further the quality of our business community, and to protect and further the quality of our city and the quality of life in Lincoln for our citizens.

Thank you for your time and interest.

Sincerely,

[Signature]

Thomas A Green
Corresponding Secretary
Lancaster County Democratic Party
June 1, 2005

To the members of the Lincoln City Council:

My name is Carolyn Joy Wilder and my husband, Walter Wilder, and I bought our house at 140 E. Cherrywood Drive in March, 1998. We planned on living at this location for several years and want to keep it as tranquil as possible. However, it seems there is always something that threatens us. I attended the meeting on Monday night (May 23) and learned many things that caused me to reinforce my opinion that Wal-Mart should not build at 84th & Adams on either corner.

I would like to itemize the reasons for my position below:

1. The traffic at 84th & "O" will increase substantially. I don't need any study to know that fact. I've been to both of the existing Wal-Marts. There is no way a person could walk safely nor would anyone want to.

2. Isn't there any laws regarding the distance from schools to the sale of alcohol and/or tobacco? If not, there should be.

3. The other independent businesses and ultimately the consumers will lose their opportunity for free trade and Wal-Mart will operate as a Monopoly. Isn't that against public policy and in violation of antitrust laws? If not, it should be.

4. The traffic from having the Wal-Mart at that corner will be a real danger for children trying to cross the streets in either direction. It will also be a danger for parents trying to pick up children or dropping them off. This will also cause problems for other drivers in the area.

5. The increase in traffic will put pressure on the city or citizens to widen "O" Street, 84th Street and Adams sooner than needed. The speaker on behalf of Wal-mart that stated that this is inevitable was wrong. Small stores would not put near the constant flow as a Wal-Mart will.

6. My property value will decrease due to the subsequent negativities with a new Wal-Mart as the proximate cause.

7. Wal-Mart parking lots always have trash such as cigarette butts, cigarette packages, fast food paper, alcohol containers, etc. This should not be close to a church and/or parochial school.

8. Overnight guests in Wal-Mart parking lots pose a danger to children leaving school. Do you want to have a missing child on your conscious?? People coming from out of town will not know laws to not plan to park there.
9. Many try to say "Wal-Mart will increase the tax base" but as I heard this is not true. The taxes will actually decrease. Is increased taxes the ultimate goal or is quality of life also a consideration?

10. Where are all the people that requested a 3rd Wal-Mart in the NE Lincoln area?? The only people pushing this store were employed by Wal-Mart. No one I know objects to driving a few miles to either of the existing stores. Right now we still have the option of going to a Russ's, Super Saver, HyVee, Sun-Mart or any store that would be closer if we want to. If Wal-Mart has a 3rd store and we lose the above mentioned stores in this area, the smaller stores such as Leon's, Wagner's Food Pride and Klein's wouldn't have a chance. Then we would be at the mercy of Wal-Mart's prices.

11. There were several Wal-Mart employees that stood up at the meeting. Were they Full time with benefits? Or are they getting minimum wages with no healthcare, etc.? If Wal-Mart is such a great employer and community supporter, why do we never hear that they sponsor programs such as the ones by Russ's??

12. My final point is summary is that Wal-Mart is like an epidemic. It starts our small and innocent looking, but then spreads to all corners of the city, smothering all other businesses until we're left with only Wal-Mart.

Please vote against the change in zone so that Wal-Mart would not be allowed to locate on any area of 84th & Adams.

Respectfully,

Joy Wilder
ADDITION

TO

DIRECTORS’ AGENDA

MONDAY, JUNE 6, 2005

I.  MAYOR

1. NEWS RELEASE - RE: City Garages and Lots, Haymarket Offer Parking
   Alternatives For NCAA Regional Baseball Fans -(See Release)

2. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of June 4
   through June 10, 2005-Schedule subject to change -(See Advisory)

3. NEWS RELEASE - RE: Public Invited To Downtown Lincoln Master Plan
   “Community Update” Session -(See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Vicky Valenta with response from Jon Camp - RE: The
   proposed Arena in the Haymarket area -(See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. 2 E-Mail’s from Bob & Kathy Batterman; Don & Mary Kuhn; - RE:
   Opposition to Comp. Plan Amendment #04010 & Change of Zone #05026 -
   (See E-Mail’s)

2. E-Mail from Jeff King - RE: Due to the closing of Pioneers at 80th Street,
   the posted detour is not being followed -(See E-Mail)
3. E-Mail from Jon Weirman - RE: Concerned about the new skatepark in Belmont being modeled after Tierra and Peter Pan!! The new skatepark needs a concrete bowl. -(See E-Mail)

4. E-Mail’s from Beth Buck; Gerald Bryant; Susan Schulte; - RE: Proposed Wal-Mart at 84th Street -(See E-Mail’s)

5. Letter & Maps from Vicki Hopkins - RE: Opposed to the proposed townhouse development in the area of “Outlot G”, Pine Lake Heights South 7th Addition-north of Grainger/south of Diablo Dr./west of 40th Street -(See Material)
FOR IMMEDIATE RELEASE: June 2, 2005
FOR MORE INFORMATION: Ken Smith, City Parking Manager, 441-6097

CITY GARAGES AND LOTS, HAYMARKET OFFER PARKING ALTERNATIVES FOR NCAA REGIONAL BASEBALL FANS

The City of Lincoln parking system will charge a $3 all-day fee for parking at Haymarket Garage, 9th and "Q" streets, and the Iron Horse Lot, 7th and "Q" streets, for the NCAA Regional baseball games in Lincoln this weekend. The $3 fee will be charged Friday through Monday prior to and during all games.

Fans are encouraged to park in the Haymarket District and use the pedestrian bridge to walk to Haymarket Park. Highway message boards will display parking and traffic information on I-180 and West "O" Street.

On-street meters will be enforced from 8 a.m. to 6 p.m. Monday through Saturday. Games on Friday and Saturday are scheduled at 1:05 and 7:05 p.m. Sunday games will be held at 1:05 and 6:05 p.m. If necessary, a seventh game will be played Monday at 1:05 p.m.
Date: June 3, 2005  
Contact: Dave Norris, Citizen Information Center, 441-7547

Mayor Seng's Public Schedule
Week of June 4 through June 10, 2005

Schedule subject to change

Saturday, June 4
- Grand Opening of Sprayground at Woods Park Pool, remarks - noon, Woods Park (east side), 33rd and "I" streets

Tuesday, June 7
- National Hunger Awareness Day, proclamation and brief remarks - 10 a.m., Memorial Stadium (east side)

Wednesday, June 8
- Downtown Master Plan, Community Update - 5:30 p.m., Cornhusker Conference Center, 333 S. 13th St.

Thursday, June 9
- Yankee Hill Brick, brief remarks and ribbon-cutting - 11:30 a.m., Yankee Hill Brick, 3705 S. Coddington Ave.
- Neighborhood Inc. Annual Award Luncheon, brief welcome remarks - 12:15 p.m., Cornhusker Hotel, Lancaster Room, 333 S. 13th St.
- Neighborhood Roundtable - 4:30 p.m., Room 113, County-City Building, 555 S. 10th St.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 3, 2005
FOR MORE INFORMATION: Kent Morgan, City-County Planning Department, 441-7491
Dallas McGee, Urban Development, 441-7606
Polly McMullen, Downtown Lincoln Assn., 434-6900

PUBLIC INVITED TO DOWNTOWN LINCOLN MASTER PLAN
“COMMUNITY UPDATE” SESSION

The public is invited to attend a “community update” session Wednesday, June 8 on the
Downtown Lincoln Master Plan. The meeting is set for 5:30 p.m. at the Cornhusker Conference
Center, 333 S. 13th Street.

Citizens will have the opportunity to hear from Downtown Master Plan consultants George
Crandall and Don Arambula on the draft report of the Master Plan, the implementation program
and the urban design standards. There also will be time for questions and public discussion. The
draft report of the master plan, implementation program and urban design standards will be
available for viewing Tuesday, June 7 on the City web site at lincoln.ne.gov (keyword:
downtown).

For more information, citizens should contact the Downtown Lincoln Association at 434-6900,
the City Urban Development Department at 441-7606 or the City-County Planning Department
at 441-7491.

The Downtown Lincoln Master Plan Community Update is sponsored by the Downtown Lincoln
Association and the City of Lincoln.

-30-
Joan:

Please put this in the packets of my colleagues, if it has not already been so placed.

Jon

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

-----Original Message-----
From: Jim & Vicky <jandv@inebraska.com>
To: campjon@aol.com
Sent: Thu, 2 Jun 2005 07:49:56 -0500
Subject: the arena

Mayor Seng, et. al.,
I hope you will allow me to voice my opinion on the proposed arena in the Haymarket area of Lincoln. I don't think you realize the can of worms you have opened here. I am the wife of a Postal employee who has worked at the main Post Office for many years. First, there is absolutely no way the main office can be moved for anything close to $20,000,000. If you would go to this main branch and see for yourself the massive machines which would have to be disassembled and moved, then reassembled, not to mention the cost of a new building to house all these machines, you would see how unrealistic this is. I don't believe the city of Lincoln can afford such an undertaking, and the U. S. Postal Service certainly can't be expected to fund this whim of yours, which brings me to the real dilemma-

There is a very good chance that the powers that be will choose to close the main Post Office and consolidate with Omaha, which would mean the loss of over 200 good jobs in Lincoln. These jobs provide a decent wage along with good benefits for these families i.e. health insurance, retirement etc. Unfortunately for us, we would have to move to Omaha or wherever the Lincoln employees end up.

This would also affect over a third of a million Postal customers in southeast Nebraska.

Some observations on the arena plan-
1. The loss of over 200 good Postal jobs in Lincoln. These will be replaced with minimum wage jobs making beds for John Q. Probably no health insurance, lower tax income for the city, creating more of a drain on Lincoln. More welfare, Medicaid etc. for the state.
2. Nobody getting rich except for John Q. I believe he is already able to make ends meet. A couple of Haymarket businessmen getting rich- although they are probably able to get by also.
3. This project is not going to make the city any money. No class act is going to book both Lincoln and Omaha. That’s a no-brainer. They are still going to book Omaha. Is that so hard to figure out? For a new hotel’s lodging tax to be beneficial to the city, the rooms need to be occupied. We tax payers deserve to have data presented regarding the year-round occupancy rates for all existing hotels and motels in this city to prove there is even a need for another hotel downtown.
4. Higher taxes to fund all this. And you wonder why there is such a brain-drain out of Lincoln?? It is not because there isn’t enough to do here. Maybe it is because we have the highest property taxes of any state bordering ours, and most of the Nation? Maybe because we have the highest gas prices of any state bordering ours? Maybe it is because one can move just about anywhere and enjoy a higher standard of living on the same income. Duh!! Doesn’t John Q. live in Missouri? "More bang for your buck" is their motto! What does he know that we don’t?
5. The city of Lincoln has more pressing problems to fund right now. If the city can’t afford to fix the deplorable state of our existing streets and sidewalks, why in heaven’s name are you considering these massive undertakings? Simple suggestion- if you can’t take care of what you have, you don’t need more!
6. Closing of the Lincoln P&DC (Processing and Distribution Center= Main Post Office) will be a HUGE step backward for this city. To mail a birthday card across the street, it will have to be sent to Omaha to be canceled. Does this make any sense to you at all? This brings us to-
7. The Ripple Effect (AKA That giant sucking sound)- Have you thought for one minute about the impact to the city of closing the Main Post Office? What are Lincoln’s big mailers to do? Quebecor, Sandhills, Miller Mailing, the Journal Star and Experian to name just a few. Experian has already moved the bulk of it’s operation to Seward to avoid Lincoln’s ridiculous taxes. These businesses rely on the Lincoln Postal facility to make their businesses work. Why would they want to stay in Lincoln if they have to truck their mail all the way to Omaha? We are no longer talking about 200 jobs, we are looking at many hundred to thousands of jobs lost in Lincoln. Is this not a huge step backwards? It sure would be refreshing to see you, the City Planners, City Council, Chamber of Commerce, LIBA, etc. cease from drooling all over yourselves every time John Q. comes to town. It only ends up costing us money. And alas- now it will most likely cost hundreds of employees their right to retire from their jobs here in Lincoln. There are a lot of folks in this town who don’t want to see us become Omaha. I grew up there, and swore never to return when I left. Most of us aren’t interested in the stench, pollution, crime, traffic, noise, gangs etc.
If John Q. is so intent on owning Lincoln, let him move here and pay the outrageous taxes we residents must endure. He wouldn’t be quite so rich, now would he?
Vicky Valenta
1550 Sunburst Ln.
Lincoln, NE 68506
489-3623
C. C. Lincoln City Council, LIBA, State Senators, City Planners, Chamber of Commerce
Vicky:

Thank you for your salient points.

For your information, I recently questioned the propriety of moving the Post Office, in any event. Rather, I asked several individuals why a convention center/arena could not be built west of the Post Office and Haymarket, thereby leaving the Post Office alone, and perhaps even improving its transportation access to the truck routes.

My question is not to be considered an endorsement of the convention center/arena. I am still interested in understanding more precisely the economics.

Thank you again for taking the time to discuss your concerns.

Best regards,

Jon

Jon Camp  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

-----Original Message-----
From: Jim & Vicky <jandv@nebraska.com>
To: campjon@aol.com
Sent: Thu, 2 Jun 2005 07:49:56 -0500
Subject: the arena

Mayor Seng, et. al.,

I hope you will allow me to voice my opinion on the proposed arena in the Haymarket area of Lincoln. I don’t think you realize the can of worms you have opened here. I am the wife of a Postal employee who has worked at the main Post Office for many years. First, there is absolutely no way the main office can be moved for anything close to $20,000,000. If you would go to this main branch and see for yourself the massive machines which would have to be disassembled and moved, then reassembled, not to mention the cost of a new building to house all these machines, you would see how unrealistic this is. I don’t believe the city of Lincoln can afford such an undertaking, and the U. S. Postal Service certainly can’t be expected to fund this whim of yours, which brings me to the real dilemma-
There is a very good chance that the powers that be will choose to close the main Post Office and consolidate with Omaha, which would mean the loss of over 200 good jobs in Lincoln. These jobs provide a decent wage along with good benefits for these families i.e. health insurance, retirement etc. Unfortunately for us, we would have to move to Omaha or wherever the Lincoln employees end up.

This would also affect over a third of a million Postal customers in southeast Nebraska.

Some observations on the arena plan-
1. The loss of over 200 good Postal jobs in Lincoln. These will be replaced with minimum wage jobs making beds for John Q. Probably no health insurance, lower tax income for the city, creating more of a drain on Lincoln. More welfare, Medicaid etc. for the state.
2. Nobody getting rich except for John Q. I believe he is already able to make ends meet. A couple of Haymarket businessmen getting rich– although they are probably able to get by also.
3. This project is not going to make the city any money. No class act is going to book both Lincoln and Omaha. That’s a no-brainer. They are still going to book Omaha. Is that so hard to figure out? For a new hotel’s lodging tax to be beneficial to the city, the rooms need to be occupied. We tax payers deserve to have data presented regarding the year-round occupancy rates for all existing hotels and motels in this city to prove there is even a need for another hotel downtown.
4. Higher taxes to fund all this. And you wonder why there is such a brain-drain out of Lincoln?? It is not because there isn’t enough to do here. Maybe it is because we have the highest property taxes of any state bordering ours, and most of the Nation? Maybe because we have the highest gas prices of any state bordering ours? Maybe it is because one can move just about anywhere and enjoy a higher standard of living on the same income. Duh!! Doesn’t John Q. live in Missouri?? “More bang for your buck” is their motto! What does he know that we don’t?
5. The city of Lincoln has more pressing problems to fund right now. If the city can’t afford to fix the deplorable state of our existing streets and sidewalks, why in heaven’s name are you considering these massive undertakings? Simple suggestion- if you can’t take care of what you have, you don’t need more!
6. Closing of the Lincoln P&DC (Processing and Distribution Center= Main Post Office) will be a HUGE step backward for this city. To mail a birthday card across the street, it will have to be sent to Omaha to be canceled. Does this make any sense to you at all?

This brings us to-
7. The Ripple Effect (AKA That giant sucking sound)- Have you thought for one minute about the impact to the city of closing the Main Post Office? What are Lincoln’s big mailers to do? Quebecor, Sandhills, Miller Mailing, the Journal Star and Experian to name just a few. Experian has already moved the bulk of it’s operation to Seward to avoid Lincoln’s ridiculous taxes. These businesses rely on the Lincoln Postal facility to make their businesses work. Why would they want to stay in Lincoln if they have to truck their mail all the way to Omaha? We are no longer talking about 200 jobs, we are looking at many hundreds to thousands of jobs lost in Lincoln. Is this not a huge step backwards?

It sure would be refreshing to see you, the City Planners, City Council, Chamber of Commerce, LICA etc. cease from drooling all over yourselves every time John Q. comes to town. It only ends up costing us money. And alas- now it will most likely cost hundreds of employees their right to retire from their jobs here in Lincoln.

There are a lot of folks in this town who don’t want to see us become Omaha. I grew up there, and swore never to return when I left. Most of us aren’t interested in the stench, pollution, crime, traffic, noise, gangs etc.

If John Q. is so intent on owning Lincoln, let him move here and pay the outrageous taxes we
residents must endure. He wouldn't be quite so rich, now would he?

Vicky Valenta
1550 Sunburst Ln.
Lincoln, NE 68506
489-3623

C. C. Lincoln City Council, LIBA, State Senators, City Planners, Chamber of Commerce
Dear Mr. & Ms. Batterman: 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

mary kuhn <donkuhn2@yahoo.com>

As residents living within the area of the proposed zone change we strongly recommend DENIAL of the Southeast Lincoln/Highway 2 Sub Area Plan of commercial development.

As the community continues to grow to the southeast we must have a blueprint for developing Highway 2 that allows for development but DOES NOT create a strip mall environment. The subarea plan provides that opportunity and that protection.

Thanks for your consideration.

Bob & Kathy Batterman
6901 Almira Lane
Lincoln, Nebraska 68516

Yahoo! Mail
Stay connected, organized, and protected. Take the tour
Dear Mr. & Ms. Kuhn: 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: 402-441-6386
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

We are opposed to the changing of the 39 acres plus called Apples Way to Commercial zoning. We all live on lots in excess of 1 acre. We feel that wider and better roads will be needed to handle the additional traffic that will follow such a change. We feel the land owners can settle for profits far less than having large box stores in this area. We were promised that there would not be this type of stores in this location. Where is the trust of our city leaders.

Thank you.

Don & Mary Kuhn
6701 Almira Lane
Lincoln, Ne. 68516

Discover Yahoo!
Use Yahoo! to plan a weekend, have fun online & more. Check it out!
InterLinc: City Council Feedback for
General Council

Name: Jeff King
Address: 4018 South 83rd Street
City: Lincoln, NE 68506
Phone: 402-483-0599
Fax:
Email: jeffrey892@nebraska.com

Comment or Question:
Due to the closing of Pioneers at 80th street, the posted detour is not being followed. Traffic is traversing the neighborhood from 80th to Lowell to Prescott then to 84th. The traffic is very heavy at times and is a safety issue with several children in the area who are now out of school for the summer. Can we get the detour posted better at 70th/Pioneers and 84th/Van Dorn so drivers do not get as far as they do?

Can we close off Prescott at 84th to keep the traffic away?

Thank you.

Jeff King
I am very concerned about the new skatepark in Belmont being modeled after Tierra and Peter Pan!!! The new skatepark NEEDS a concrete bowl. Concrete never needs weather damage repairs like Peter Pan's wooden obstacles!!! The city spends SO MUCH money on ballfields, grooming, construction. I know the budget is tight, but I just want you to know that all the experienced riders passing through town said that Peter Pan and Tierra are a waste of space!!! the obstacles are small at Tierra and too close together.

Concrete bowls offer the rider corners to go around, making the ride more exciting. I am 30 yrs old, work full time as an office personell and am getting a bachelors in business at night. I am a responsible citizen and value my skating time when I get it. I have seen Peter Pan keep some youth out of trouble. But my main point is this: there are towns in Colorado and Oregon that have 5,000 people, yet have found a way to have world class CONCRETE parks. When you build wooden obstacles, you always have to pay to repair them.

If anyone has time, please look at www.grindline.com for details on what real parks look like. If a bowl or snake run area is built, you will never have to maintain it. Council Bluffs and Omaha have fairly good outdoor free concrete parks. The wooden parks DO NOT offer challenges to experienced riders. The halfpipe at Peter Pan is "ok", and not a complete disaster. But Tierra park does not draw anyone over 14 yrs old. When concrete bowls have been built in other cities, they have always appealed younger riders as well as old. Please contact me with comments or questions, or Phil at Precision skateboards for some general direction.

Jon Weirman
Jonw56@yahoo.com
To The City Council:

I really believe that Lincoln DOES NOT need another Walmart. I am so sick and tired of hearing how great their prices are. They don't have lower prices, their clothing, produce and meat are below standards and parking is awful with all the traffic. I believe two Walmart's in Lincoln are more than enough.

I really believe that with the golf course on the west side, the cemetery on the northwest side and Faith Lutheran Church on the southeast side - it will create a nightmare for homeowners. I really believe it will reduce the value of homes. Why would any one want to live that close to a Walmart store.

I live near 84th & Vine Street and the traffic is bad enough. I believe letting Walmart build at 84th and Adams would be a gross negligence for the City of Lincoln.

Lincoln is a nice town, why over kill with low standard shopping. Since all of this started, I have not set foot in a Walmart store.

I just want to let you know how I feel.

Sincerely,

Beth Buck
8331 Russwood Ct.
Lincoln, NE 68505

--- Forwarded by Joan V Ray/Notes on 06/06/2005 08:14 AM ---

To: council@ci.lincoln.ne.us
cc: Jerryjudybryant@aol.com

06/06/2005 07:27 AM

Jerryjudybryant@aol.com

I realize something and it will probably be commercial will be placed at the location being discussed today. However, please keep in mind, another stop light on Highway 2 at that location is not reasonable. Especially with the current volume of traffic. Also, the planning commission does not recommend it and prior discussion indicates another "Big Box" store along Hwy 2 in this location was not to happen. Prior city officials promised this.

Build the bypass, get the traffic reduced or at least thru traffic off this Hwy and then discuss what should
Dear City Council Members:

I want to thank you all for your time and efforts on the future of East Lincoln and 84th & Adams.

I don't know what more can be said. Walmart is not a good fit out here. I've not heard ANY reason on Walmart's behalf why they would want to put it out here next to a church/school when the area is not set up for this type of size of store.

I will continue to pray for you all.

Sincerely,

Susan Schulte

Discover Yahoo!
Use Yahoo! to plan a weekend, have fun online and more. Check it out!
http://discover.yahoo.com/

----- Forwarded by Joan V Ray/Notes on 06/06/2005 08:14 AM -----
here next to a church/school when the area is not set up for this type of size of store.

I will continue to pray for you all.

Sincerely,

Susan Schulte

Discover Yahoo!
Find restaurants, movies, travel and more fun for the weekend. Check it out!
http://discover.yahoo.com/weekend.html
Lincoln City Council Members  
Lincoln City Council Office  
555 So. 10th St.  
Lincoln, NE  68508

This letter is being sent to you to express my opposition to the proposed townhouse development in the area of “Outlot G”, Pine Lake Heights South 7th Addition. (north of Grainger/south of Diablo Dr./west of 40th St.)

My opposition lies in two main areas: safety and equity.

1. This area was always intended to be an office park. As such, there is only one residential connection, 38th street, for the north, east and west boundaries of the area. Office park patrons would not have the familiarity to utilize the neighborhood streets and would therefore utilize the main roads (Grainger/40th). The one residential street connection could handle the small amount of traffic that would utilize it.

With the townhouse proposal of 130 units (>200 vehicles), these residents will have ONE way they will go to north – 38th St. 38th St. is a short street that ends in a T-intersection at Diablo Dr. Vehicles would have to either take four very short turns in a distance of less than 200 yards to get out to 40th street or take Diablo to 36th and around Cavett Elementary School. The traffic back up in the mornings will be horrendous and personally, I will not be able to get out of my driveway which faces 38th St.

The main problem is the intensity of the traffic in this small area. The Cavett School traffic plan for the 700+ students enrolled that has been approved by Lincoln Police Department, the City Traffic Engineer’s Office, and the Public School’s Safety Consultant routes all outgoing traffic down Diablo along with all incoming traffic from the east. Diablo Dr. is NOT a “Collector Street”. It is narrower than San Mateo (one block to the north) and always has numerous calls parked along it. Cavett evening events that go on all year long create an abundance of on-street parking along Diablo, 36th and Scottsdale Ln. The speeds along these streets are often excessive and there is a dangerous blind spot as you round the corner from 32nd to Scottsdale Lane. Adding 200 more cars going these routes is a dangerous situation for the hundreds of children/families in this area and goes against the City’s Comprehensive Plan of locating schools and streets in such a way that children can get to and from school in a safe manner.

June 3, 2005
While townhouse development may be a "permitted use" included in the O-3 zoning, it is NOT AN APPROPRIATE ONE in this instance. If the intent was to allow for residential housing (of any kind) there should have been other ways to get out through the adjoining neighborhoods. I have nothing against townhouses. I have lived in them numerous times and think it is a nice option for people; however, there are too many being put in this area considering the limited street options.

2. My second point of opposition lies in the immense disparity between the setback of my neighbors and the setback behind my house. I live on the corner of 38th and Diablo Dr. The proposal intends the place a two story townhouse, on the same level as my back yard, 15 feet from my property line. My neighbors all the way around the development (except for one – which has the same issue as I do) have a 40 foot setback and the units will be 6-10 feet lower than their yards. This is an issue of privacy and safety for my family. I am told that the reason is because it is a “side yard” (the townhouse is to sit sideways). It may be a side yard for them, but it is still a “rear yard” for me. We will spend a majority of our time in the back yard. The unit also has second story windows. All I ask is for equality.

In addition, this is a different type of housing at a different cost to buyers. There should be a gradual transition from the single family homes to these units. Forty foot of green space, behind my yard would be equal with my neighbors and would allow for some nice landscaping and a maybe a sign for “Grainger Heights”.

In conclusion, I ask that for the safety of our neighborhood families that you deny this townhouse proposal, or at the very least, significantly reduce the numbers of units that can be built here and maintain the equality of the setback s FOR ALL OF US!

Thank you for your time.

Vicki Hopkins
3801 Diablo Dr
Lincoln, NE 68516