IN LIEU OF
AGENDA FOR
DIRECTORS’ MEETING
MONDAY, SEPTEMBER 29, 2008

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of September 20 through 26, 2008 - (E-Mail to Council on 09/19/08).


II. DIRECTORS -

Finance/BUDGET -

1. Material from Steve Hubka - RE: September Sales Tax Reports.

Health/ANIMAL CONTROL -

1. Response E-Mail from Jim Weverka, Animal Control Chief to Kelli Hogeland (Miscellaneous #*4) - RE: A ban of Pitbull type dogs from the community.

PLANNING -

1. Planning Department’s InterLinc site for the 2008-09 Final Edition of the City’s Capital Improvement Program (CIP).

PLANNING COMMISSION FINAL ACTION ..... 

1. Special Permit #08039 - Stone Bridge View Community Unit Plan (N. 14th Street and Humphrey Drive) Resolution No. PC-01142.

III. CITY CLERK -

IV. COUNCIL REQUESTS/CORRESPONDENCE -

ROBIN ESCHLIMAN -

1. E-Mail from Becky Schenaman - RE: Expressing thanks for the much needed and appreciated ordinance regarding couches on porches.

V. MISCELLANEOUS -

1. E-Mail from Brian Peeks - RE: How to make change regarding allowing wood burning in one’s yard.
*2. E-Mail from Ken Vice - RE: In support of the couch ordinance.

*3. E-Mail from Nicki - RE: Couch law is ridiculous and an incredible waste of taxpayer’s money.

*4. E-Mail from Kelli Hogeland - RE: What are steps needed to ban pit bulls in Lincoln?

*5. E-Mail from Rick Tast - RE: Very few supporters of couch ordinance but with many people against.

*6. E-Mail from Ben Placzek - RE: Against couch ordinance. Other stupid ordinances are law but not enforced.

*7. E-Mail from Ed Martin - RE: Stating the couch ban is one of the stupidest laws ever.

*8. 2 E-Mail’s & copy of pictures from Eunice M. Cernohlavek (The E-Mail’s are the same) - RE: Soil Mining West “O” site.


VI. ADJOURNMENT

*HELD OVER UNTIL OCTOBER 6, 2008.
Date: September 19, 2008
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of September 20 through September 26, 2008
Schedule subject to change

No public appearances scheduled.
Wall Street bailouts shift congressional agenda. With only three weeks until a target adjournment date, congressional leaders returned from their summer recess two weeks ago with narrow goals of approving a Continuing Resolution (CR) to keep government operations running through the November elections, an energy bill, and perhaps a second economic stimulus package. However, economic and natural disasters have caused leaders to change course.

Now, representatives from Congress, the White House, and the Federal Reserve are working feverishly on a proposal that would create a federal entity to purchase the most distressed securities from endangered institutions and hold on to them until the financial markets calm down. Most of these risky investments are mortgage-backed securities whose value has plummeted along with real estate prices. The parties involved are hoping to have a proposal ready for Congressional consideration by late next week.

Meanwhile, the Wall Street bailout discussions have quieted talk of a large-scale stimulus package prior to the November election. However, some popular elements of the proposed stimulus – such as an extension of unemployment benefits and low-income home energy assistance – may work their way into the CR. Congress will almost certainly approve a CR in some form next week, and it is likely to also include disaster relief for Gulf Coast hurricanes and Midwest flooding. Final numbers on the disaster relief have not been released yet (some estimate it at $12 billion), but the much of the funds are likely to flow through the Community Development Block Grant (CDBG) program at HUD.

Finally, the CR may in fact be smaller than originally expected, as appropriators appear to be making progress on a FY 2009 spending package that would include funds for the Department of Defense, Department of Homeland Security, and the measure for Military Construction. If House and Senate negotiators can come to some agreement on the package in the next few days, there seems to be bipartisan support for allowing these security-related spending bills to become law.

What all of this means for congressional adjournment is unclear. House leaders – cognizant that their rank-and-file are eager to return to their districts to campaign full-time – had been maintaining that their work can be completed by the end of the week, but House Speaker Nancy Pelosi (D-CA) and Senate Majority Leader Harry Reid have been less certain in recent days. At the very least, Congress is likely to position itself to be able to return to Washington to quickly approve emergency legislation and enable committees to examine the financial crisis.

PUBLIC PENSIONS
IRS to back off on “years of service” regulations regarding public pensions. In a roundtable discussion today with members of the House Ways and Means Committee, representatives of the Internal Revenue Service (IRS) reportedly agreed to retract regulations that could have placed virtually every public pension program in violation of federal law.

The regulations -- which were promulgated by the IRS in 2007 and were set to go into effect in January 2009 -- would have prohibited pension systems from using a “years of service” standard to determine retirement age and forced them to determine a set retirement age (preferably 62 or older) for all employees. The IRS believed it had the
authority to change the rules based on the Pension Protection Act, which was signed into law in 2006.

After hearing from members of the Ways and Means Committee (which has jurisdiction over the agency) that such actions were not the intent of Congress, the IRS reportedly backed off its regulation today.

There has yet to be an official statement on the policy from either Ways and Means or the IRS and no deadline was set for official IRS action.

ENERGY
House clears energy measure with drilling provision while Senate leaders continue negotiations. By a vote of 236-189, the House approved comprehensive energy legislation that would open many of the nation’s coastal waters to oil drilling.

As passed, the bill would allow drilling 100 miles offshore and would give the states the option of allowing drilling between 50 and 100 miles offshore. The eastern Gulf of Mexico and the Georges Bank off the coast of New England, a rich fishery area, would remain closed to drilling. In addition, the bill would essentially preclude drilling off the coast of California, where the most likely drilling areas are close to shore.

Other provisions of the bill include: the extension of a slew of expiring renewable energy tax breaks, many of which are also included in a separate tax bill (see related article); the renewable energy mandate for electric utilities (public power is exempted); incentives for increased energy efficiency in federally-supported housing, and supplemental funding for mass transit (see related article).

The Senate is tentatively scheduled to debate energy legislation next week and will use the House-passed bill as the vehicle for debate. Republican leaders are reportedly preparing an amendment to the bill that would open up all coastal states to drilling.

Given the complexities of the bill and the political posturing that surrounds it, it remains unlikely that the Senate will reach a compromise on energy legislation this year and even less likely that they will be able to reconcile such a compromise with the House-passed bill.

FINANCE
Senate readies tax package for floor vote next week. Leaders of the Senate Finance Committee believe that they have come to an agreement on a massive package of popular tax breaks and hope to clear the measure next week. However, concerns over sufficient revenue offsets for the bill may endanger its chances in the House.

Senators are expected to have the opportunity to vote on three separate aspects of the plan next week. The first is an extremely popular $18.2 billion package of energy-related tax credits that includes: an extension and expansion of the renewable energy production tax credit; $800 million in new clean renewable energy bonds (CREBs); new tax credits for plug-in hybrid automobiles; a new tax credit for cellulosic biofuels facilities, and an extension of a number of energy efficiency tax breaks for homeowners and commercial buildings.

The energy package would be fully offset by rolling back some tax breaks for the oil and gas industry, particularly regarding overseas income. However, to the dismay of environmental organizations, the bill also includes financial incentives for some non-renewable industries such as oil shale, tar sands, and liquid coal refining. Those benefits were included to gain the approval of senators from coal-producing states.

The next vote will be on a one year “patch” for the alternative minimum tax (AMT), in order to prevent it from affecting millions of middle-income taxpayers that were not the intended target of the tax. This proposal will include full offsets for the $64 billion proposal, and the vote is expected to fail.

Then, Senators will vote on a package that includes the AMT patch without offsets and a $67.6 billion package of other tax breaks with $25.2 billion in offsets. These would include popular tax “extenders” such as the research and development tax credit; the Brownfields remediation tax credit; deductions for teachers’ out-of-pocket expenses; the sales tax deduction for states without income taxes; the college tuition reduction, the New Markets Tax Credit, and minuita such as the excise tax exemption for wooden practice arrows used by children. This third package will also include tax breaks for those who suffered natural disasters this year in the Midwest and Gulf Coast.

While that final vote is expected to be approved by the Senate, its lack of full offsets will be of some concern to the House. A group of budget-conscious House Democrats may oppose the measure on those grounds and prevent its ultimate passage.

TRANSPORTATION
House energy bill includes transit funds: Senate panel clears additional bridge funds. The comprehensive energy bill (HR 6899, see related story) approved by the House this week includes provisions to boost funding over the next two years for transit. Meanwhile, the Senate Environment and Public Works Committee considered a measure (HR 3999) to authorize an additional $1 billion in FY 2008 for federal bridge programs.

Energy Bill
The transit title of the House energy bill is designed to address higher gasoline prices by supporting greater ridership on public transportation systems. The bill would authorize an additional $750 million in each of the next two years to the Section 5307 Urbanized Area Formula Grant program. However, use of those funds would be restricted to activities that result in either increased transit service or reduced fares. The funds could also be used to purchase alternative fuel vehicles. In addition, there would be no local match for the funds.

Senate Panel Approves Bridge Bill
Meanwhile, the Senate Environment and Public Works Committee marked up and approved the National Highway Bridge Reconstruction and Inspection Act of 2008 (HR 3999) to increase the frequency of bridge inspections,
implement uniform standards of inspection, develop a system for prioritizing bridge work that is based on risk, and authorize an additional $1 billion in funding for bridge projects.

HR 3999 would authorize funding for the repair and reconstruction of about 6,000 bridges on the National Highway System (NHS) that have been rated as structurally deficient. The NHS is composed of only 4.1 percent of total road mileage in the country, but carries 45 percent of total traffic nationwide.

The bill was approved by voice vote, although several committee Republicans voiced objections to a provision in the bill that requires states to prove that they have addressed all the deficient NHS bridges in the states before they could shift the funds to other programs. The White House has also expressed some concerns about the bill’s pricetag.

The House overwhelmingly approved HR 3999 earlier this year, and should the bill pass the full Senate, the funds would still need to be appropriated by the House and Senate Appropriations Committees through a Continuing Resolution.

House Reauthorization Hearing
With the 2005 SAFETEA-LU law set to expire in 2009, the House Transportation and Infrastructure Committee held a hearing this week on transportation planning. Members heard testimony from witnesses representing cities, counties, metropolitan planning organizations, and multi-state transportation coalitions.

The emergent theme of the hearing was pursuit of a national transportation planning strategy to better prioritize national interests and place a greater premium on intergovernmental and interregional coordination. To facilitate such coordination, the upcoming reauthorization of surface transportation programs should include incentives for States and localities to work together, witnesses urged.

Witnesses also told the panel that the current distribution of resources does not place a great enough emphasis on metropolitan areas. Metro areas cover just 12 percent of the nation’s land, but generate approximately 75 percent of its gross domestic product. In addition, 15 percent of the nation’s interstate system lies in metropolitan areas but so does 50 percent of the total congestion.

Highway Trust Fund
Finally, early this week, the President signed into law HR 6532, a bill that transfers $8.017 billion from the general treasury into the Highway Trust Fund. Both the House and Senate approved the bill last week.

HOUSING & CD
HUD poised to release foreclosure assistance formula; will host summit on emergency housing bill programs. On September 29, the Department of Housing and Urban Development (HUD) will publish the formula and the program notice for the $3.9 billion Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes Program. Early reports indicate that HUD will directly allocate funds to “large” cities and counties and that the funding will be targeted only to those communities with the greatest need.

A week later, on October 7 and 8, HUD and the Department of the Treasury will host a stakeholder and practitioner summit on the Housing and Economic Recovery Act (PL 110-140) and their plans to address the housing and foreclosure crisis. Dubbed “Summit on Housing: Partnering for Responsible Policy,” the meeting is designed to bring together representatives from government agencies at the federal, state and local level, non-profit organizations, foundations and the banking and housing industries to share and learn best practices for addressing both urgent and long term housing issues.

As outlined in a letter to stakeholders, HUD’s goals for the summit are to:

- Present HUD’s current and developing policies and programs, including new programs introduced by PL 1101-40;
- Share state and local policies and programs that are succeeding in foreclosure prevention and public-private partnerships, and
- Offer an open forum for discussion of these issues.

The summit agenda, registration information, and hotel information are at www.hcdi.com/housing_summit. There is limited capacity, so those interested in attending should register as soon as possible.

DAM SAFETY
Senate panel clears dam safety bill. The Senate Environment and Public Works Committee unanimously approved a bill (HR 3224) that would authorize $200 million through FY 2012 for grants to help state and local governments upgrade deficient dams. The House passed HR 3224 last October by a vote of 263-102.

The Committee did not make any changes to the House-passed bill, which would amend the National Dam Safety Program Act to create a new FEMA grant program that would provide funds to the states for the rehabilitation of non-federal, publicly-owned deficient dams. The bill would require FEMA to establish a risk-based priority system for identifying dams to be rehabilitated under the program; funds would be allocated to the states based on the number of non-federal, publicly-owned dams. Although states would be the only eligible applicants for these grants, the bill includes language allowing the states to use the grants to rehabilitate dams owned by local governments. The grants would require a 35% non-federal match.

The bill now heads to the Senate floor. The decision to approve the House bill without any changes rather than take up a similar bill (S 2238) sponsored by Senator Daniel Akaka (D-HI) points to the likelihood that bill supporters are looking for the Senate to quickly clear the bill for President’s signature before Congress recesses for the election.
**WATER RESOURCES**

The Senate Environment and Public Works Committee approved legislation (S 2970) that would authorize $25 million a year through FY 2019 for research grants to study the effect on climate change on drinking water supply and quality.

The grants, which would go to the American Waterworks Association Research Foundation, would fund research in 11 major research areas:

- Water quality/quantity impacts and solutions;
- Impacts on groundwater supply from carbon sequestration;
- Infrastructure impacts and solutions for water treatment facilities and underground pipelines;
- Desalination, water reuse and alternative supply technologies;
- Energy efficiency and greenhouse gas minimization;
- Regional and hydrological basin cooperative water management solutions;
- Utility management, decision support systems, and water management models;
- Reducing water utility greenhouse gas emissions and energy demand management, and
- Water conservation and demand management.

The bill, sponsored by Senate Majority Leader Harry Reid (D-NV), now goes to the Senate floor, where it is not expected to see action this year. Rep. Diana DeGette (D-CO) has introduced a companion bill to the House panel’s legislation (HR 5793). The legislation states that “No State or local jurisdiction shall impose a new discriminatory tax on or with respect to mobile services, mobile service providers, or mobile service property, during the 5-year period beginning on the date of enactment of this Act.”

Witnesses representing the U.S. Conference of Mayors, the National League of Cities, and other local government groups testified that the bill is an unwarranted federal intrusion into an area that has consistently been recognized as the authority of state and local governments. Witnesses also stressed the telecommunication industry’s desire to receive preferential treatment and expressed concerns with federally-initiated tax favoritism of one industry.

Witnesses testifying on behalf of the telecommunications industry emphasized the need for federal action to stop what they see as a trend of State and local tax increases on wireless services providers.

Bill sponsor Rep. Zoe Lofgren (D-CA) touted the bipartisan support the bill has received in the House. It currently has 132 cosponsors. No action on HR 5793 is expected this year, however, the hearing has set the stage for action to take place early next year.

Senator John McCain (R-AZ) is the sponsor of S 166, the Senate equivalent to HR 5793.
Attached are the September sales tax reports. While our net collections were under projections, it was what we expected due to the large amount of refunds of $435,079. Our gross was up 4.35%. Next month's refunds are much lower so maybe we can make up for this month fairly quickly.
### Actual Compared to Projected Sales Tax Collections

<table>
<thead>
<tr>
<th></th>
<th>2008-09 PROJECTED</th>
<th>2008-09 ACTUAL</th>
<th>VARIANCE FROM PROJECTED</th>
<th>$ CHANGE FR. 07-08</th>
<th>% CHANGE FR. 07-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,648,330</td>
<td>$4,377,476</td>
<td>($270,854)</td>
<td>($144,262)</td>
<td>-3.19%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,842,011</td>
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<tr>
<td>NOVEMBER</td>
<td>$4,836,314</td>
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<tr>
<td>DECEMBER</td>
<td>$4,534,401</td>
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<tr>
<td>JANUARY</td>
<td>$4,654,027</td>
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<tr>
<td>FEBRUARY</td>
<td>$5,930,039</td>
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<tr>
<td>MARCH</td>
<td>$4,312,238</td>
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<tr>
<td>APRIL</td>
<td>$4,101,468</td>
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<tr>
<td>MAY</td>
<td>$4,785,046</td>
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<tr>
<td>JUNE</td>
<td>$4,631,241</td>
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<tr>
<td>JULY</td>
<td>$4,699,599</td>
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<tr>
<td>AUGUST</td>
<td>$4,990,120</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$56,964,834</td>
<td>$4,377,476</td>
<td>($270,854)</td>
<td>($144,262)</td>
<td>-3.19%</td>
</tr>
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</table>

Actual collections for September are 5.83% below projections for the month.
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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,453,875</td>
<td>$4,648,160</td>
<td>$4,630,210</td>
<td>$4,573,597</td>
<td>-1.22%</td>
<td>0.84%</td>
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<td>OCTOBER</td>
<td>$4,670,587</td>
<td>$4,706,690</td>
<td>$4,823,369</td>
<td>$4,712,519</td>
<td>-2.30%</td>
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<td>NOVEMBER</td>
<td>$4,526,166</td>
<td>$4,687,792</td>
<td>$4,799,275</td>
<td>$4,658,480</td>
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<td>DECEMBER</td>
<td>$4,314,111</td>
<td>$4,500,338</td>
<td>$4,511,403</td>
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<td>-1.46%</td>
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<td>JANUARY</td>
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<td>$4,264,010</td>
<td>$4,342,902</td>
<td>$4,554,634</td>
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<td>1.37%</td>
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<td>FEBRUARY</td>
<td>$5,531,405</td>
<td>$6,086,841</td>
<td>$5,797,893</td>
<td>$5,993,653</td>
<td>3.38%</td>
<td>-6.62%</td>
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<td>MARCH</td>
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<td>$4,158,874</td>
<td>$4,247,908</td>
<td>$4,125,074</td>
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<td>7.18%</td>
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<td>APRIL</td>
<td>$3,889,388</td>
<td>$4,097,988</td>
<td>$3,991,159</td>
<td>$4,018,709</td>
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<td>JUNE</td>
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<td>$4,557,735</td>
<td>$4,539,614</td>
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<td>JULY</td>
<td>$4,391,257</td>
<td>$4,519,466</td>
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<td>$4,772,617</td>
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<td>AUGUST</td>
<td>$4,893,438</td>
<td>$4,803,665</td>
<td>$4,991,723</td>
<td>$4,887,329</td>
<td>-2.09%</td>
<td>2.85%</td>
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<td>TOTAL</td>
<td>$54,188,225</td>
<td>$55,761,877</td>
<td>$55,873,886</td>
<td>$56,302,764</td>
<td>0.77%</td>
<td>2.52%</td>
<td>$4,812,555 4.35%</td>
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</table>

Year to date vs. previous year
### CITY OF LINCOLN
**SALES TAX REFUNDS**
**2003-2004 THROUGH 2008-2009**

<table>
<thead>
<tr>
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<td>SEPTEMBER</td>
<td>($69,997)</td>
<td>($135,858)</td>
<td>($80,882)</td>
<td>-40.47%</td>
<td>($27,350)</td>
<td>($90,282)</td>
<td>230.10%</td>
<td>($435,079)</td>
<td>381.91%</td>
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<td>OCTOBER</td>
<td>($110,193)</td>
<td>($165,219)</td>
<td>($358,866)</td>
<td>117.21%</td>
<td>($166,695)</td>
<td>($79,688)</td>
<td>-52.19%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<tr>
<td>NOVEMBER</td>
<td>($219,454)</td>
<td>($101,531)</td>
<td>($173,972)</td>
<td>71.35%</td>
<td>($3,881)</td>
<td>($158,855)</td>
<td>3993.08%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<td>DECEMBER</td>
<td>($390,445)</td>
<td>($325,510)</td>
<td>($6,319)</td>
<td>-98.06%</td>
<td>($175,440)</td>
<td>($29,848)</td>
<td>-82.99%</td>
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<td>36.69%</td>
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<td>JANUARY</td>
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<td>($220,967)</td>
<td>($269,713)</td>
<td>22.06%</td>
<td>($84,287)</td>
<td>($26,308)</td>
<td>-68.79%</td>
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<td>FEBRUARY</td>
<td>($323,218)</td>
<td>($394,324)</td>
<td>($73,395)</td>
<td>-81.39%</td>
<td>($327,119)</td>
<td>($489,939)</td>
<td>49.77%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<tr>
<td>MARCH</td>
<td>($22,759)</td>
<td>($99,240)</td>
<td>($165,869)</td>
<td>67.14%</td>
<td>($133,574)</td>
<td>($325,269)</td>
<td>143.51%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<td>APRIL</td>
<td>($199,018)</td>
<td>($69,900)</td>
<td>($196,682)</td>
<td>181.38%</td>
<td>($130,611)</td>
<td>($108,764)</td>
<td>-16.73%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<tr>
<td>MAY</td>
<td>($155,787)</td>
<td>($122,283)</td>
<td>($166,567)</td>
<td>36.21%</td>
<td>($381,653)</td>
<td>($22,529)</td>
<td>-94.10%</td>
<td>($108,925)</td>
<td>36.69%</td>
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<tr>
<td>JUNE</td>
<td>($194,593)</td>
<td>($34,811)</td>
<td>($14,085)</td>
<td>-59.54%</td>
<td>($186,252)</td>
<td>($136,308)</td>
<td>-26.82%</td>
<td>($108,925)</td>
<td>36.69%</td>
</tr>
<tr>
<td>JULY</td>
<td>($42,086)</td>
<td>($162,998)</td>
<td>($39,492)</td>
<td>-75.77%</td>
<td>($155,825)</td>
<td>($478,184)</td>
<td>206.87%</td>
<td>($108,925)</td>
<td>36.69%</td>
</tr>
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<td>AUGUST</td>
<td>($531,884)</td>
<td>($148,028)</td>
<td>($57,700)</td>
<td>-61.02%</td>
<td>($569,595)</td>
<td>($43,759)</td>
<td>-92.32%</td>
<td>($108,925)</td>
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<td>TOTAL</td>
<td>($2,318,751)</td>
<td>($1,980,668)</td>
<td>($1,603,541)</td>
<td>-19.04%</td>
<td>($2,342,280)</td>
<td>($1,989,734)</td>
<td>-15.05%</td>
<td>($544,004)</td>
<td>220.06%</td>
</tr>
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</table>

Year to date vs. previous year
### CITY OF LINCOLN
### NET SALES TAX COLLECTIONS
### 2003-2004 THROUGH 2008-2009

<table>
<thead>
<tr>
<th></th>
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<tr>
<td>SEPTEMBER</td>
<td>$4,383,878</td>
<td>$4,512,303</td>
<td>$4,549,328</td>
<td>$4,546,247</td>
<td>$4,521,738</td>
<td>-0.54%</td>
<td>$4,377,476</td>
<td>-3.19%</td>
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<td>OCTOBER</td>
<td>$4,560,394</td>
<td>$4,541,471</td>
<td>$4,464,503</td>
<td>$4,545,825</td>
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<td>9.40%</td>
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<td>NOVEMBER</td>
<td>$4,306,712</td>
<td>$4,586,261</td>
<td>$4,625,303</td>
<td>$4,654,599</td>
<td>$4,659,859</td>
<td>0.11%</td>
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<td>DECEMBER</td>
<td>$3,923,666</td>
<td>$4,174,828</td>
<td>$4,505,085</td>
<td>$4,270,321</td>
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<tr>
<td>JANUARY</td>
<td>$4,276,609</td>
<td>$4,043,044</td>
<td>$4,073,189</td>
<td>$4,470,347</td>
<td>$4,590,789</td>
<td>2.69%</td>
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<tr>
<td>FEBRUARY</td>
<td>$5,208,187</td>
<td>$5,692,517</td>
<td>$5,724,498</td>
<td>$5,666,534</td>
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<td>MARCH</td>
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<td>$4,082,038</td>
<td>$3,991,501</td>
<td>$4,096,136</td>
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<td>APRIL</td>
<td>$3,690,371</td>
<td>$4,028,088</td>
<td>$3,794,477</td>
<td>$3,888,098</td>
<td>$4,118,712</td>
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<td>MAY</td>
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<td>$4,376,803</td>
<td>$4,514,268</td>
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<td>JUNE</td>
<td>$4,404,651</td>
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<td>$4,525,529</td>
<td>$4,478,219</td>
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<td>JULY</td>
<td>$4,349,171</td>
<td>$4,356,468</td>
<td>$4,615,569</td>
<td>$4,616,793</td>
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<td>AUGUST</td>
<td>$4,361,554</td>
<td>$4,655,637</td>
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<td>$53,960,485</td>
<td>$55,733,297</td>
<td>0.00%</td>
<td>$4,377,476</td>
<td>-3.19%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
Dear Ms. Hogeland,

Lincoln does have a dangerous dog municipal chapter, which applies to all breeds of dogs, that is in the process of being reviewed and revised to meet the updated requirements of state statutes by the City Law Department. Our dangerous dog ordinance has worked well in Lincoln and the Animal Control Advisory has made some suggestions for improvements. Jim Weverka, Animal Control Manager, and his staff have also been researching other community ordinances, their successes, and costs.

There is a misconception that a “ban” eliminates all Pitbull type dogs from a community as they are grandfathered and must be kept under some requirements such as spaying/neutering, microchip, photos, confinement, tethering prohibited, etc. Consequently, there is an additional cost for enforcement and registration. Some communities have rescinded such bans as their bite rates have not decreased.

Other communities have had more success and lower costs with ordinances that directly penalize the dog owner for allowing his dog to endanger the health and safety of the community. These communities have increased fines for violations of license, rabies, at large, dangerous dog regulations, and by prohibiting ownership if a certain number of violations occur over a period of time. This is the approach the Omaha City Council is currently proposing.

We will have the Animal Control Advisory Committee continue their ongoing study of the issue to determine if we do have a problem and find the best and most effective solution for our community. The next meeting is October 7, 2008. Our community needs to evaluate our best options based on our circumstances and not make reactive judgments to media stories. I do appreciate your input for improvements in our community. If you have any questions, please let me know.

Sincerely,

Jim Weverka
Animal Control Chief
3140 N Street
Lincoln, Nebraska 68510
Phone 402-441-7900 Fax 402-441-8626

Animal Control - Protecting People and Animals

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As we have done with the last several versions of the City’s Capital Improvement Program (CIP), we are not distributing hard copy versions of the document to individual City departments. Rather, we have placed a copy of the Final Edition of the FY 2008/2009 - 2013/2014 CIP on the Planning Department’s InterLinc site for your use. Please use this version of the CIP as a reference during this current budget year and in preparation of the 2009/10-2014/15 CIP.

Once you have logged onto the City’s InterLinc site (<www.lincoln.ne.gov>), follow these easy steps to view the CIP document:
- type the keyword “cip” into the Search box in the center of the page
- from there you are able to link directly to the summary tables and departmental programs by clicking the appropriate link.

Each file has been created in a “pdf” format, which means that you and your staff will be able to print copies of the CIP as you need them.
We would also request that you make this procedure known to members of your staff who may have a need to have a copy of the CIP.

If you have any questions concerning the draft CIP document, or how to view and print the document, please call David Cary at 441-6364, or email at dcary@lincoln.ne.gov. Thanks.

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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : September 25, 2008

RE : Special Permit No. 08039 - Stone Bridge View Community Unit Plan
(N. 14th Street and Humphrey Drive)
Resolution No. PC-01142

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, September 24, 2008:

Motion made by Sunderman, seconded by Carroll, to approve Special Permit
No. 08039, with conditions, requested by Lincoln Federal Bancorp, Inc., for
authority to develop Stone Bridge View Community Unit Plan for 35 single-
family lots and 31 lots that may be a combination of single-family detached, two-
family or townhouses, together with waivers of the requirements of the Land
Subdivision Ordinance to reduce the average lot width for single family detached
dwellings, minimum lot area requirement and depth-to-width ratio, on property
generally located southeast of North 14th Street and Humphrey Drive.

Motion for conditional approval carried 7-0: Cornelius, Esseks, Francis, Sunderman,
Larson, Taylor and Carroll voting 'yes'; Partington and Gaylor Baird absent.

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.

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-
day appeal period.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Pam Dingman, EDC, 2200 Fletcher Avenue, Suite 102, 68521
Jerry Maddox, Lincoln Federal Bancorp, Inc., 1101 N Street, 68508
Michael Rierden, 645 M Street, Suite 200, 68508
Brad Okamoto, 1650 Culbera Street, 68521
David Strom, 7304 N. 19th Street, 68521
Clayton Anderson, 1550 Torreys Drive, 68521
Tina and John Scully, 1720 Culbera Street, 68521
Tyson and Lindsey Alegria, 6420 Grays Peak Drive, 68521
Ryan DeVall, 1520 Blanca Drive, 68521
Doug and Lexie Nagel, 6517 Elbert Drive, 68521
Caroline Province, 1540 Torreys Drive, 68521
RESOLUTION NO. PC-01142

SPECIAL PERMIT NO. 08039

WHEREAS, Lincoln Federal Bancorp, Inc. has submitted an application designated as Special Permit No. 08039 for authority to develop Stone Bridge View Community Unit Plan for 35 single-family lots and 31 lots that may be a combination of single-family detached, two-family or townhouses, together with a request to waive the requirements of the Land Subdivision Ordinance to reduce the average lot width for single family detached dwellings, minimum lot area requirement, and depth to width ratio, on property generally located southeast of N. 14th Street and Humphrey Drive and legally described as:

A portion of Stone Bridge Creek 8th Addition, located in the Southwest Quarter of Section 36, Township 11 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska and more particularly described by metes and bounds as follows:

Commencing at the West Quarter corner of Section 36, Township 11 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska; thence south 89 degrees 35 minutes 54 seconds east for a distance of 2638.19 feet to a point on the north line of the Southwest Quarter; thence south 38 degrees 54 minutes 07 seconds west for a distance of 610.28 feet; thence south 38 degrees 46 minutes 18 seconds west for a distance of 79.98 feet to the point of beginning; thence south 38 degrees 45 minutes 36 seconds west for a distance of 1130.98 feet, on the north right-of-way of Interstate 80; thence north 32 degrees 03 minutes 30 seconds west for a distance of 315.49 feet on the south line of Lot 48, Block 1 to the northwest corner of Lot 48, Block 1; thence on a curve to the right having a radius of 470.00 feet and an arc length of 24.75 feet, being subtended by a chord of north 73 degrees 15 minutes 21 seconds east for a distance of 24.74 feet to a point on the north line of Lot 48, Block 1; thence on a curve to the left having a radius of 630.00 feet and an arc length
of 18.42 feet, being subtended by a chord of north 74 degrees 00 minutes 25 seconds east for a distance of 18.42 feet to a point on the north line of Lot 47, Block 1; thence north 29 degrees 38 minutes 21 seconds west for a distance of 61.70 feet to the southwest corner of Lot 13, Block 5; thence north 29 degrees 38 minutes 21 seconds west for a distance of 159.80 feet on the north line of Lots 1 and 2, Block 5, to the northeast corner of Lot 2, Block 5; thence north 40 degrees 33 minutes 00 seconds west for a distance of 130.97 feet on the north line of Lots 2-4, Block 5, to the northwest corner of Lot 4, Block 5; thence north 50 degrees 21 minutes 27 seconds west for a distance of 65.69 feet on the north line of Lot 5, Block 5, to the northwest corner of Lot 5, Block 1; thence north 54 degrees 01 minutes 03 seconds west for a distance of 78.88 feet on the north line of Lot 6, Block 5, to the northwest corner of Lot 6, Block 5; thence on a curve to the left having a radius of 1530.01 feet and an arc length of 117.76 feet, being subtended by a chord of north 33 degrees 43 minutes 55 seconds east for a distance of 117.73 feet to a point on the north line of Lot 7, Block 5; thence north 31 degrees 28 minutes 48 seconds east for a distance of 3.63 feet on the south right-of-way of Elbert Drive to the northwest corner of Lot 7, Block 5; thence along a curve to the right having a radius of 870.00 feet and an arc length of 74.24 feet, being subtended by a chord of south 54 degrees 03 minutes 15 seconds east for a distance of 74.22 feet to a point on the north line of Lot 7, Block 5; thence north 40 degrees 16 minutes 11 seconds east for a distance of 60.00 feet to the southeast corner of Lot 25, Block 7; thence north 40 degrees 33 minutes 23 seconds east for a distance of 10.70 feet on the north right-of-way of Belford Street to a point on the east line of Lot 7, Block 5; thence on a curve to the right having a radius of 280.02 feet and an arc length of 64.25 feet, being subtended by a chord of north 46 degrees 56 minutes 44 seconds east for a distance of 64.12 feet to the northeast corner of Lot 25, Block 7; thence north 36 degrees 32 minutes 58 seconds west for a distance of 151.37 feet on the north line of Lot 25, Block 7, to the northeast corner of Lot 25, Block 7; thence north 72 degrees 57 minutes 11 seconds east for a distance of 143.84 feet on the south line of Lots 3-5, Block 7, to the southeast corner of Lot 5, Block 7; thence north 88 degrees 51 minutes 58 seconds east for a distance of 230.69 feet on the south line of Lots 6-9, Block 7 to the southeast corner of Lot 9, Block 7; thence south 68 degrees 43 minutes 10 seconds east for a distance of 87.28 feet on the south line of Lots 10-11, Block 7, to the southeast corner of Lot 11, Block 7; thence south 51 degrees 19 minutes 40 seconds east for a distance of 260.19 feet on the south line of Lots 12-15, Block 7, to the southeast corner of Lot 15, Block 7; thence south 51 degrees 19 minutes 40 seconds east for a distance of 60.07 feet to a point on the west line of Lot 26, Block 1; thence north 38 degrees 44 minutes 24 seconds east for a distance of 297.63 feet on the west
line of Lots 18-26, Block 1, to the northwest corner of Lot 18, Block 1; thence south 51 degrees 22 minutes 21 seconds east for a distance of 133.68 feet to the northeast corner of Lot 18, Block 1; thence south 51 degrees 46 minutes 00 seconds east and the point of beginning, and containing a calculated area of 11.13 acres, more or less;

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 community unit plan 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; and

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of Lincoln Federal Bancorp, Inc., hereinafter referred to as "Permittee", to develop Stone Bridge View Community Unit Plan for 35 single-family lots and 31 lots that may be a combination of single-family detached, two-family or townhouses, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 66 dwelling units (35 single-family lots and 31 lots that may be a combination of single-family detached, two-family or townhouses), and grants the following adjustment to the Zoning Code and Land Subdivision Ordinance.
The requirement in Sections 27.15.080 and 27.19.080 of the Lincoln Municipal Code that single family dwelling (detached) lots in the R-3 Residential District and the R-5 Residential District have an average lot width of 50 feet is hereby reduced to 40 feet.

b. The requirement in Section 27.15.080 of the Lincoln Municipal Code that single-family dwelling lots in the R-3 Residential District have a minimum lot area of 6,000 square feet is hereby waived as shown on the site plan.

c. The requirement of Section 26.23.140(a) of the Lincoln Municipal Code that residential lots shall have a maximum depth of three times its width is waived for those lots which exceed said ratio as shown on the site plan.

2. Before receiving building permits:

a. Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including five copies showing the below required revisions.

i. Add the waivers for lot width and lot area to the Waiver Notes.

ii. Remove the tie lines from the townhouse lots.

iii. Show the Outlot at the rear of Lots 1-31, block 4, that was approved with the preliminary plat. Identify the landscape easement in the Outlot.

iv. Show utility easements as requested by the Lincoln Electric System in the September 8, 2008 inter-department communication from Emily Koenig.

v. Show the lot area for each lot.

vi. Sign the Surveyor's Certificate.

vii. Revise Note #6 under Site Specific Notes to read, "Lots 1-31, Block 4, may be single-family detached, two-family or townhouses. Single-family detached shall have an average lot width of 40 feet. Two-family and townhouses shall meet the lot width and area of the R-5 district."

viii. Add Vistar Homes as an owner. Vistar Homes owns two lots within the boundary of the CUP.

b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

c. The construction plans substantially comply with the approved plans.
d. Final plats must be approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

e. Permittee shall enter into an agreement with the City wherein Permittee as subdivider agrees:

i. to complete the installation of sidewalks along both sides of Belford St., Blanca Dr., and Grays Peak Dr. as shown on the final plat within four (4) years following the approval of the final plat.

ii. to complete the planting of the street trees along both sides of Belford St., Blanca Dr., and Grays Peak Dr. within this plat within four (4) years following the approval of the final plat.

iii. to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

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

v. to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.
vi. 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.

vii. to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

viii. To complete the public improvements shown on the Community Unit Plan.

ix. To keep taxes and special assessments on the outlots from becoming delinquent.

x. To maintain private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

xi. To maintain the landscape screens on a permanent and continuous basis.

xii. 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.

3. Before occupying the dwelling units all development and construction must substantially comply with the approved plans.

4. All privately-owned improvements, including landscaping, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

6. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors and assigns.

7. The Permittee shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

8. This resolution voids and supersedes Special Permit No. 1703 and Special Permit No. 1728.

9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving other previous permits remain in full force and effect except as specifically amended by this resolution.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this __ day of September __, 2008.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Special Permit #08039
Blanca Dr & Belford St

Zoning:

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 36 T11N R06E

Zoning Jurisdiction Lines
City Limit Jurisdiction
Tammy, you can post this for Thursday

----- Original Message ----- 
From: <schenaman@juno.com>
To: <robine@neb.rr.com>
Sent: Tuesday, September 23, 2008 11:19 AM 
Subject: Re: Couches on porches

> Thank you and the council members who passed this much needed
> and appreciated ordinance. Robin you took an issue that had been
> ignored and ridiculed by many in this city, as a frivolous unimportant
> college students right, but you saw the bigger picture. Couches are
> a slap in the face to older neighborhoods. Them sitting there
> so openly spoke volumes. I am proud to say you represent what is
> good and insightful leadership on the City Council, we as citizens
> are blessed to have your service.
> Sincerely
> Becky Schenaman
> 817 Y street North Bottoms
> Lincoln
>
> No more waiting. Click now to experience the thrill of high speed
> internet!
> http://thirdpartyoffers.juno.com/TGL2l41/fc/Ioyw6i3nAYy2JknV29uhSepsVooK15sTKtBdz4jURwECSnVjl3EvMs/
>
InterLinc: City Council Feedback for General Council

Name: Brian Peeks
Address: 2811 Coronado Drive
City: Lincoln, NE 68516
Phone: 421-7599
Fax: 
Email: bjpeeks@huskeraccess.com

Comment or Question:
I'm trying to find out how to go about getting a change made. According to the environmental health dept. it is legal in the city of lincoln to burn wood in your yard. Well I am sick and tired of having to close up my house when the weather is nice because people are burning wood in their backyards in the evening. There is no way when someone is burning wood in their yard that with any kind of breeze, the smoke will drift to other neighbors. We have three in our neighborhood alone burning them. Have reported one and now two others are also burning. It is a health hazard to inhale the smoke and we can't even enjoy the nice weather because of this.
This email is to let you know I support the couch ordinance as an improvement in community standards.

This is a good idea.

Thanks,
Ken Vice
617-3781
InterLinc: City Council Feedback for General Council

Name: Nicki
Address: 11th & Cornhusker
City: Lincoln, NE 68521

Phone: 
Fax: 
Email: 

Comment or Question:
I am writing to express my concern over the "Couch Law". I feel it is a ridiculous bill and an incredible waste of taxpayer's money. While I think it is inappropriate to display "junk furniture" on one's porch, I also feel there are WAY more important things to spend our money on.

Thank you.
InterLinc: City Council Feedback for General Council

Name: Kelli Hogeland
Address: 1912 Otoe Street
City: Lincoln, NE 68502
Phone: 4024212239
Fax: 
Email: khogeland@gmail.com

Comment or Question:
What are the steps needed to ban pit bulls in Lincoln? Several concerned parents and I have been visiting about this but do not know where to start. Your guidance is appreciated! Thanks, Kelli
Being aware you are voting on the proposed ordinance banning indoor furniture use outdoors this evening, I would recommend reading the comments of readers on the Journal Star website covering this story today. While this is in no way scientific, it can give the members a good feel for how the City is sitting on a particular issue. You have very few supporters of this ordinance, and very many against it.
InterLinc: City Council Feedback for General Council

Name: Ben Placzek
Address: 4400 Birch creek dr.
City: Lincoln, NE, 68516

Phone:
Fax:
Email:

Comment or Question:
Honestly! I know I'm the one of thousands to complain about this. But come on, did you really vote on a couch ban. You should all be working for free during the month of september. You guys make all of these stupid ordinances and don't even enforce them. My neighbors lawn in covered in weeds and is 2 feet tall! Also i officially have a couch on my porch and its where my pitbull sleeps. Don't ticket me and dont shoot my pit.
just wanted to say congratulations on making this country more communist. that couch ban is the stupidest law i have ever heard. i thought this country was all about freedom..... obviously it isn't. keep continuing to sell this country out just like your doing with lincoln to all the idiots and special interest people. i will NEVER consider living in a city that sells it citizens out like you all have.

Pissed off in central nebraska
Ed Martin
To: Mike Dekalb, Planning  
  Mike Merwick, Building & Safety  
  All members of the City Council  
  Karen Kurbis, Soil Mining coordinator

From: Eunice M. Cernohlavek  
  6205 West "O" St.  
  Lincoln, NE  68528  
  402-475-8636  
  eunice@isp.com

Dear Gentle Persons:

Enclosed in the snail mail that I will be sending to you today (Sept. 24, 2008), you will find pictures of Roger Schichow's West "O" site and his soil mining that was done prior to all the necessary permits, etc. that should be in place before soil mining takes place. Phone calls to Mr. Merwick and an e-mail to Mike Dekalb both assured us that no soil mining was taking place as the necessary permits were not in place and the work that was being done at the site was only "prep work" and no trucks or hauling was done. Contrary to what I was told and what was happening at the site were two different stories. I understand calls to Roger confirmed that no soil mining was taking place, however as you will see in the pictures, soil mining was actively being done and soil was being loaded onto the trucks and hauled off down West "O" going east. (Since this is not Roger's 1st soil mining place, I am sure he knew the rules that your departments have in place before soil mining commences). Incidentally after the complaint was filed and after the call to Roger from you departments, and after two days of mining, the mining ceased and the following day a sign went up with the necessary information on who to call.

The dates the soil mining was active, were Sept. 17th, 1st day, and Sept. 18th, 2nd day, and the sign went up on Sept. 19, 2008, and no soil mining has been done since that day. This information is being sent to you to go on record of the dates and this e-mail is a verification of the dates and today's date as the date the pictures were sent to you.

Thank you for your time you spent checking over this and hope that we have cooperation in the future from Mr. Schichow if there are violations of Special Permit #08015 rules and regulations. Being totally at the mercy of Roger and his soil mining since I live right across the street from the site, and all the woes soil mining brings like dust, well issues, noise, traffic safety, etc., I can only look to you and your departments to help me to live as much an issue free life as I can for myself, my family, and my llamas.

In that regard, I do need to be able to contact someone at all hours of the day and night and weekends during soil mining operations. So a *single source* of contact (person to call) would be a valuable tool for me to use. Is this at all possible and can you make it happen?
Thank you!

Sincerely yours,

Eunice M. Cernohlavek
Subject: Soil Mining West "O" site
From: eunice <eunice@isp.com>
Date: Wed, 24 Sep 2008 12:03:19 -0500
To: mdekalb@lincoln.ne.gov, bldgserafe@lincoln.ne.gov, council@lincoln.ne.gov, Karen Kurbis <karen.kurbis@bryanlg.h.org>

To: Mike Dekalb, Planning
     Mike Merwick, Building & Safety
     All members of the City Council
     Karen Kurbis, Soil Mining coordinator

From:
Eunice M. Cernoholavek
6205 West "O" St.
Lincoln, NE 68528
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Sincerely yours,

Eunice M. Cernoholavek

P.S. Prep work - no trucks - no resumed as of noon, Sept. 24, 2008.
Kevin

We are the developer and have had no letter.

You mention their time frame. We are very aware of our time frame and are now requesting that the City as you state below “remove or replace any trees” under it’s obligation.

What am I missing here?

Why does it take a month to reply?

Greg

Lincoln North Creek, LLC
c/o DeCameron Group, Inc.
Gregory S. Nielsen
6701 Northfork Circle
Lincoln, NE 68516
GNielsen@neb.rr.com
402-540-5600
Greg,

We have inspected that area/addition and sent the developer a letter stating what trees are in need of replacing. We cannot remove or replace any trees until they have fulfilled their obligation within the Surety Bond, which is in their time frame.

Kevin
ADDENDUM
TO
DIRECTORS’ AGENDA
MONDAY, SEPTEMBER 29, 2008

I. MAYOR -

1. NEWS RELEASE - RE: Mayor Beutler’s Public Schedule Week of September 27 through October 3, 2008 - Schedule subject to change.

2. NEWS ADVISORY - RE: Mayor Beutler will discuss drug and alcohol testing of firefighters at a news conference TODAY (09/29/08) at 10:00 a.m.

3. NEWS RELEASE - RE: City and Fire Union Reach Agreement On Drug Testing.

II. CITY CLERK - None

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE - None

B. DIRECTORS AND DEPARTMENT HEADS - None

C. MISCELLANEOUS - None
DATE: September 26, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of September 27 through October 3, 2008
Schedule subject to change

Monday, September 29
- News conference (topic to be announced) - 10 a.m., Mayor’s Conference Room, County-City Building, 555 S. 10th St.
- Madonna Chairman’s Goal Award Luncheon - noon, Embassy Suites, Regents Ballroom, 1040 “P” St.

Tuesday, September 30
- Special Olympics fund-raiser breakfast, remarks - 7:30 a.m., Embassy Suites
- KLIN - 8:10 a.m., 4343 “O” St.
- REALTORS® Association of Lincoln Awards Banquet - 5:30 p.m., Wilderness Ridge, 1800 Wilderness Woods Place

Wednesday, October 1
- Kohl’s ribbon-cutting, remarks - 8 a.m., 8700 S. 27th St.

Thursday, October 2
- KFOR - 7:45 a.m.
- Mayor’s “State of the City” address - 10 a.m., City Council Chambers
DATE: September 29, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will discuss drug and alcohol testing of firefighters at a news conference at 10 a.m. TODAY, Monday, September 29 in the Mayor’s Conference Room, 555 S. 10th St.
CITY AND FIRE UNION REACH AGREEMENT ON DRUG TESTING

Mayor Chris Beutler announced today that the City and the International Association of Fire Fighters (IAFF) Local 644 have reached an agreement on a program of drug and alcohol testing for Lincoln firefighters. The program is part of the tentative union contract to be introduced to the Lincoln City Council Monday, October 6.

Two Lincoln firefighters were arrested this summer on drug charges. They no longer work for Lincoln Fire and Rescue, and the State has suspended their paramedic and EMT certificates.

“Lincoln Fire and Rescue is not immune to our society’s challenges with drug and alcohol abuse,” Beutler said. “Like the rest of our population, some will find themselves battling the iron grasp of addiction. The difference is that emergency responders are entrusted with the health and well-being of our families. They make decisions every day that can impact a person’s life forever. We must demand a higher level of accountability. We have a responsibility to assure the public that this essential service is not compromised. Drug and alcohol testing provides that assurance.”

Beutler commended local IAFF President Dave Engler and union members for working toward the goal of “emergency response that is responsible, dependable and accountable.”

“A drug and alcohol testing policy also provides more protection for emergency responders,” said Fire Chief Niles Ford. “It is crucial that all those on the scene know they can depend on each other. This policy will add another level of professionalism to this outstanding department.”

Pre-employment testing will begin at the time the policy is adopted, and active employee testing will begin 60 days after that. The testing pool will include 271 current employees who work as firefighters, fire apparatus operators, captains, mechanics and fire inspectors. Half of the pool will be tested each year for drugs, and ten percent will be tested for alcohol. In addition to pre-employment and random testing, pool members also are subject to testing for follow-up purposes, in cases of reasonable suspicion or cause or when they return to duty after a positive test.

City Personnel Director Don Taute said the program will cost about $13,000 a year at current staffing levels.