I. CITY CLERK
   1. Delay Request: Items No. 33 and 34, Bill Nos. 09-120 and 09-121.

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR
**1. NEWS RELEASE. Mayor says Council passed good budget.

**2. NEWS RELEASE. Intersection of 27th and Capital Parkway to be closed two nights this week.

**3. NEWS ADVISORY. Mayor Beutler and Nebraska Department of Environmental Quality will hold a news conference to discuss City wastewater projects to be funded by the American Recovery and Reinvestment Act. Thursday, August 27th, 555 So. 10th Street, in the Mayor’s conference room. (Forwarded to Council Members on 08/26/09)

**4. NEWS RELEASE. Twenty-one (21) sports announce high school football telecast schedule.

**5. NEWS RELEASE. City receives funds for wastewater projects.

*6. NEWS RELEASE. Volunteers needed for game day recycling effort.

*7. NEWS RELEASE. 21 Sports announces Nebraska Wesleyan football telecast schedule.

*8. NEWS RELEASE. City, UNL kickoff “Go Green for Big Red” game day recycling effort.

9. NEWS ADVISORY. Mayor Beutler’s public schedule for September 5 through 11, 2009. (Distributed to City Council on September 8, 2009)

10. NEWS RELEASE. Public invited to annual Patriot Day program, September 11, 2009.

11. State of the City Message by Mayor Chris Beutler, Monday, September 28, 2009 at 10:00 a.m. in Council Chambers at 555 South 10th Street.

12. Drinking water samples tested for Total Coliform and E. Coli bacteria by the Colilert® method of analysis.

DIRECTORS

FINANCE/TREASURER

HEALTH DEPARTMENT
**1. NEWS RELEASE. Grant provides more trees for Lincoln.

   2. NEWS RELEASE. High risk persons should get a seasonal flu shot.
HEALTH DEPARTMENT/ANIMAL CONTROL
**1.** Reply to inquiry on allowing pit bulls in neighborhoods and the fear of the animals being around children from Robert Westfall, Animal Control Division Manager.
   a) Email from Martin Coria requesting action to prevent pit bull attacks.

CITY LIBRARIES
*1.** Get the Smartest Card @ your library. September is Library Card Sign-up Month.
*2.** A very popular program returns to Lincoln City Libraries this fall. Read to a Dog provides an opportunity for children ages 6 to 12 to practice their reading.
3. City Library Schedule for fall includes Preschool Storytime, Toddler Time, Family Nights and Storytimes for Elementary Children beginning September 1, 2009 through December, 2009 at designated City Libraries.

PUBLIC WORKS AND UTILITIES
**1.** Reply to Jim Easom on the deteriorating metal building next to the end of the Harris Overpass. (August 24, 2009, IV. Correspondence from Citizens, No. 4)

URBAN DEVELOPMENT
**1.** Clinton Thomas,’ Housing Rehab & Real Estate Division, memo on the Street and Alley Vacation No. 09005. East/west alley between North 41st and North 42nd Streets, north of Y Street.

WEED AUTHORITY
1. Combined Weed Program, City of Lincoln, August 2009 monthly report.

III. COUNCIL RFI’S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JON CAMP
*1.** Email to Mark Koller requesting explanation on cost with the classification changes to M Class.
2. Councilman Camp’s reply to L. J. Suda regarding the Urban Development Department’s having leased office space with Haymarket Square.

DOUG EMERY
*1.** Letter from Mayor Beutler to Rod Vlcek, United Steelworkers of America, with directive to City Directors and Staff regarding Stimulus Funds: Buying American and Local.
2. Letter from Jane Hood regarding a parking ticket received and reply from John McQuinn, Chief City Prosecutor.

JAYNE SNYDER
**1.** Correspondence from Parks Coble regarding the water foundation at 33rd Street, north of Leighton Street, on the Dietrich bike path not in working order. Also, the water fountain at Fleming Fields is locked up. (Forwarded to Lynn Johnson, Director of Parks & Recreation)
JOHN SPATZ
1. Copy of letter from Wallace Becker to City Ombudsman, Lin Quenzer, regarding Sound Pollution in Downtown Residential Lincoln.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
** 1. Lincoln Chamber of Commerce comments, and thanks, on the 2009 Federal Fly-Back event attracting over 750 local business leaders.
**2. Lisa Franklin email message on planning permit to be considered on Monday, August 31, 2009.
   a) Letter from Lisa Franklin with concerns of the plan for a mental health facility on South 14th Street in a residential neighborhood.
*3. Letter from Larry Sims to Lincoln’s Chief of Police, Tom Cassidy, regarding enforcing traffic laws.
* 4. Emails from Monica Choyeski inquiring about the LES retirement match with their frequent rate increases with replies from Lin Quenzer, City Ombudsman, and Trish Owen, MPA, Mayor’s Office, Deputy Chief of Staff.
*5. Media Release. Mayor’s Blue Ribbon Task Force releases draft recommendations; asks for public comment.

V. ADJOURNMENT

**HELD OVER FROM 08/31/09

* HELD OVER FROM 09/07/09

W:\FILES\CITYCOUN\WP\DA091409.wpdmm
From: Joan E. Ross  
Sent: Thursday, September 10, 2009 3:07 PM  
To: CouncilPacket  
Subject: FW: Delay Request Items Nos. 33 and 34 Bill Nos. 09-120 and 09-121

Tammy - See Danay's request below. I will remind Council at Directors' meeting on Monday at the formal Council meeting.

From: Kalkowski, Danay  
Sent: Thursday, September 10, 2009 1:41 PM  
To: Joan E. Ross  
Subject: Delay Request

Joan – Our client, Andermatt, L.L.C., is requesting that the City Council delay its vote on Annexation No. 09003 and Change of Zone No. 09011 until October 5, 2009. Andermatt is working on items with the future purchaser of the property that need to be finalized before the Annexation and Change of Zone are approved by the City Council. If you have any questions or need any additional information please let me know. Thank you. Danay

Danay Kalkowski  
Seacrest & Kalkowski, PC, LLO  
1111 Lincoln Mall, Suite 350  
Lincoln, Nebraska 68508  
Telephone: (402) 435-6000  
Facsimile: (402) 435-6100  
danay@sk-law.com

WARNING/CAUTION: This e-mail and any files transmitted with it are strictly confidential and are intended solely for the use of the individual or entity to whom it is addressed. This communication may contain material protected by lawyer-client privilege. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail and any file attachments is strictly prohibited. If you have received this e-mail in error, please immediately notify us by a collect telephone call to (402) 435-6000 or by reply e-mail to the sender. You must destroy the original transmission and its contents.
DATE: September 4, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler's Public Schedule
Week of September 5 through 11, 2009
Schedule subject to change

Monday, September 7 - CITY OFFICES CLOSED - LABOR DAY HOLIDAY

Wednesday, September 9
- Sports Car Club of America, Mayor to drive car with American flag on the course for National Anthem - 8 a.m., Air Park, N.W. 36th and West Mathis streets
- Better Business Bureau Integrity Award luncheon - 11:15 a.m., Cornhusker Hotel, 333 S. 13th St.

Thursday, September 10
- KFOR - 7:45 a.m.
- Lincoln Parks Foundation Night at the Gardens - 5:30 p.m., Hamann Rose Garden and Sunken Gardens, 27th Street and Capitol Parkway

Friday, September 11
- “Patriot Day – Lincoln Remembers” ceremony, remarks - 11 a.m., Veterans Memorial Garden, Antelope Park
PUBLIC INVITED TO ANNUAL PATRIOT DAY PROGRAM

The Veterans Memorial Garden in Antelope Park will again be the site of “Patriot Day – Lincoln Remembers,” a free community memorial to observe the eighth anniversary of the terrorist attacks on America. The event is at 11 a.m. Friday, September 11. It is sponsored by the City of Lincoln and the Mayor's Advisory Council for the Veterans Memorial Garden.

Speakers will include Mayor Chris Beutler; Keith Fickenscher, Chairman of the Mayor's Advisory Council for the Veterans Memorial Garden; General Mark Musick; and Deborah Coyle whose niece died in the attack on the World Trade Center. Rev. Don Coleman will give the invocation and benediction, and Lincoln Fire and Rescue and the Lincoln Police Department will provide the color guard for the event. Zuri will sing “My Country, 'Tis of Thee,” “The National Anthem” and “God Bless America.” Lumir Vajgrt will play “Taps.”

The public is encouraged to arrive early to tour the Garden and its memorials. Bench seating will be available, but those attending are encouraged to bring lawn chairs. Parking is available north and south of the Auld Recreation Center. Handicapped parking is available south of Auld. In case of rain the event will move inside the Auld Recreation Center.

The next event at the Garden is the Veteran's Day tribute at 11 a.m. November 11.

For more information, contact Fickenscher at 486-8570 or 440-2997.
You are invited
to attend the
State of the City
Message
by
Mayor Chris Beutler

Monday, September 28, 2009 at 10:00 a.m.
in the Council Chambers
County-City Building
555 South 10th Street

Refreshments will be served immediately following the address outside the Mayor’s Office.

If you have questions, please call the Mayor’s office at 441-7511.
September 2, 2009

The Honorable Mayor and City Council

All of the drinking water samples were tested for Total Coliform and E. coli bacteria by the Colilert® method of analysis.

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<th>Regulatory Tests during the month of August 2009:</th>
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Respectfully,

[Signature]

Sandra Irons
Nebraska Public Health Environmental Laboratory
Lab Manager

enc.
FOR IMMEDIATE RELEASE: September 10, 2009

FOR MORE INFORMATION: Bruce D. Dart, Ph.D. - 402-441-8001
Health Director

Tim Timmons, RN – 402-441-8056
Communicable Disease Program Supervisor

HIGH RISK PERSONS SHOULD GET A SEASONAL FLU SHOT
The Lincoln-Lancaster County Health Department is encouraging persons at high risk for complications due to influenza to begin obtaining their seasonal flu shot. It is not too early to get the seasonal flu vaccine. The seasonal flu shot is not the same shot that will be needed for vaccination against the new H1N1 virus. This year the Centers for Disease Control and Prevention (CDC) is encouraging high risk individuals to get the seasonal flu shot early. Although the seasonal vaccine will not protect against the new H1N1 influenza virus, it will protect against the seasonal flu viruses. Seasonal flu viruses can cause either mild or severe illness in infected persons, especially those with certain medical conditions. The start of seasonal flu activity in Nebraska can vary but generally activity begins in late December or early to late January. However, there have been flu seasons were activity began as early as October and as late as March. Flu season are unpredictable as to how mild or severe the flu illnesses will be and when the seasonal flu viruses will show up.

Influenza (flu) vaccination is the primary method for preventing influenza. Influenza is a highly infectious disease of the lungs, it can cause mild to severe illness and at times can lead to death. Every year in the United States, on average 5% to 20% of the population
gets the flu; more than 200,000 people are hospitalized from flu complications and about 36,000 people die from flu.

Beginning September 14, 2009, the Lincoln-Lancaster County Health Department will provide flu shots to all children between the ages of 6 months through 18 years of age as part of the Department’s childhood immunization program. Low income uninsured adults will be provided flu shots as well. The Department will not be providing flu shots to adults who are covered by insurance, Medicare, Medicaid, other third-party payers, and those who do not fall at or below 185 percent of the U.S. poverty guidelines. Medicare continues to cover flu shots and those on Medicare can obtain their flu shot through either their doctor or health care provider or by checking with the many flu clinic sites available in the community. The Lincoln-Lancaster County Health Department is located at 3140 N Street and is open from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The Lincoln-Lancaster County Health Department’s (LLCHD) local Flu Hotline is available to the public to provide information about flu immunization availability in the community. The local Flu Hotline can be accessed by calling 441-0358. The Health Department has also posted many of the locations at www.lincoln.ne.gov, Keyword “Flu”.

Individuals considered at high risk for seasonal flu include the following:

- Children aged 6 months up to 4 years
- Pregnant women
- People 50 years of age and older
- People of any age with certain chronic medical conditions (Chronic Lung disease, asthma, chronic cardiovascular disease, kidney disease, liver disease, blood and metabolic disorders such as diabetes.)
• People with any condition that can compromise the respiratory function or the handling of respiratory secretions or can increase the risk of aspiration.
• People who live in nursing homes and other long-term care facilities
• People who are immune compromised
• Children on long-term aspirin therapy

Others who should get a flu immunization include:

• Health care workers
• Household contacts of persons at high risk for complications from the flu
• Household contacts and out of home caregivers of children less than 6 months of age (these children are too young to be vaccinated)

###
For immediate release, 9-8-09
For further information, Vicki Wood, Youth Services Supervisor
Phone: 441-8565
Email: v.wood@lincolnlibraries.org

Lincoln City Libraries offers a variety of literacy-related activities at our library locations. The fall schedule for Preschool Storytime, Toddler Time, Family Nights, and Storytimes for Elementary School Children begins September 1, 2009 and runs weekly through December.

Preschool Storytime Schedule

Lincoln City Libraries presents its popular preschool storytimes at all library locations. Preschool Storytime is a half-hour of books and activities for children ages three, four and five. Preschool Storytime supports early literacy by offering vocabulary development, experiences with a variety of literature, and participation in language-related activities. Pre-registration is not required. Newcomers are always welcome!

Bennett Martin Public Library
136 S. 14th Street • 441-8566
Thursdays, 10:15 to 10:45 a.m.
No Storytime December 24, 2009 - January 14, 2010

Anderson Branch Library
3635 Touzalin Avenue • 441-8540
Tuesdays, 10:30 to 11:00 a.m.
No Storytime in December

Bethany Branch Library
1810 North Cotner Blvd. • 441-8550
Thursdays, 10:30 to 11:00 a.m.
No Storytime in December

Eiseley Branch Library
1530 Superior Street • 441-4250
Tuesdays, 7:00 to 7:30 p.m.
Wednesdays, 10:30 to 11:00 a.m.
 Thursdays, 10:30 to 11:00 a.m.
No Storytime in December

Gere Branch Library
2400 S. 56th Street • 441-8560
Tuesdays, 10:30 to 11:00 a.m.
Thursdays, 10:30 to 11:00 a.m.
No Storytime in December

South Branch Library
2675 South Street • 441-8570
Wednesdays, 10:30 to 11:00 a.m. and 2:00 to 2:30 p.m.
No Storytime in December

Walt Branch Library
6701 S. 14th Street • 441-4460
Tuesdays, 10:30 to 11:00 a.m.
Wednesdays, 10:30 to 11:00 a.m.
No Storytime in December

Williams Branch Library
5000 Mike Scholl Street 441-8580
(north side of Arnold Elementary)
Thursdays, 7:00 to 7:30 p.m.
Storytime begins week of October 5th
No Storytime in December

Toddler Time Schedule

Toddler Time is for children aged 18 to 36 months and their parents or caregivers.
During Toddler Time, a librarian leads adult/child pairs in activities and reading aloud.
Toddler Time also supports early literacy by building vocabulary and sharing age appropriate
literature in an atmosphere of fun age-appropriate activity.

Anderson Branch Library
3635 Touzalin Avenue • 441-8540
Mondays, 10:10 to 10:30 a.m.
No Toddler Time in December

Eiseley Branch Library
1530 Superior Street • 441-4250
Wednesdays, 10:35 to 10:55 a.m.
Thursdays, 10:35 to 10:55 a.m.
No Toddler Time in December

Gere Branch Library
2400 S. 56th Street • 441-8560
Tuesdays
10:00 to 10:20 a.m. & 10:35 to 10:55 a.m.
Thursdays, 10:00 to 10:20 a.m and 10:35 to 10:55 a.m.
No Toddler Time in December

Walt Branch Library
6701 S. 14th Street • 441-4460
Tuesdays, 10:30 to 10:50 a.m.
Wednesdays, 10:30 to 10:50 a.m.
No Toddler Time in December
Storytime for Elementary School Children
Williams Branch Library, 5000 Mike Scholl St., 441-8580, presents storytimes for elementary-aged children. These storytimes include books and related activities. Free of charge, no pre-registration is necessary
Mondays, 4:15 to 5:00 p.m.

Family Nights at the Library
Family Nights at Gere Branch Library, 2400 So. 56th St., 441-8560, feature a 7:00 p.m. storytime intended for children ages 3 to 6, with the whole family encouraged to attend together. Make-and-take crafts are available from 6:30 to 7:00 p.m.
Thursday, October 15--Spooky Stories--wear costumes!
Tuesday, December 1--Winter Fun--wear your pj’s!

Family Nights at Walt Branch Library, 6701 So. 14th St., 441-4460 feature a 7:00 p.m. storytime intended for children ages 3 to 6, with the whole family encouraged to attend together. Make-and-take crafts are available from 6:30 to 7:00 p.m.

Tuesday, September 8--Cars and Trucks and Things that Go
Tuesday, October 13--Things that Go Bump in the Night
Tuesday, November 10--Hop Down to Australia
Tuesday, December 8--Under the Sea

For additional information, please call Youth Services at 441-8566.

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512

Lincoln City Libraries Annual Book Sale October 8 - 10, 2009
**Inspection Activity**

A total of 3,300 inspections on 1,622 sites were made this year.

**Noxious Weeds**
- Made 679 inspections on 395 sites on 2,283 acres.
- Found 330 violations on 299 acres.
  - 242 musk thistle
  - 26 leafy spurge
  - 50 phragmites
  - 10 purple loosestrife
  - 1 saltcedar
  - 1 Canada thistle
- Found no violations on 67 sites.
- Sent 43 notices, 167 letters, and made 70 personal contacts.
- Landowners controlled 214 sites
- Contractors controlled 5 sites.
- Inspectors controlled 16 sites.
- Control is pending on 49 sites.

**Weed Abatement**
- Made 2,621 inspections on 1,227 sites on 853 acres.
- A total of 1,260 complaints have been received 1,060 sites.
- Found 934 violations on 500 acres.
- Found no violations on 218 sites.
- Sent 631 notices, 452 letters, published 15 notifications, made 9 personal contacts.
- Landowners cut 703 sites.
- Forced cutting contracts on 101 sites.
- Cutting is pending on 127 sites.

**August Activities**
- 4 NAWMA planning meeting
- 18 LPWMA Mtng
- 19 Streambed Ownership Task Force

**Planned September Activities**
- 2 NAWMA planning meeting
- 3 State Fair booth
- 10 Management Team meeting
- 15 LPWMA Meeting
- 21-24 NAWMA Conf Kearney
- 25-30 Vacation
Mr. Suda:

Now that I am officially not a member of the Public Building Commission, let me set the record straight regarding the City's lease for Urban Development with Haymarket Square.

1. I voted against selling the Old Federal Bldg. many years ago which would have allowed the Urban Development Department to stay there.

2. When UDD was put out for bid, Haymarket Square, of which I am a part-owner, submitted a proposal along with approximately 8 other property owners
   a. I abstained from any participation in the review process
   b. Haymarket Square's proposal was the lowest of the 9 bids received
   c. Mayor Don Wesley and the City Council unanimously accepted Haymarket Square's proposal

3. When the UDD lease was up for renewal, normally it would have been automatically renewed. However, Haymarket Square and I agreed with the City Purchasing Agent that it would be best to allow an open process and go ahead and have another request for proposals.
   a. Again, many property owners submitted bids
   b. Again, Haymarket Square's proposal was lower than any other proposals
      i. For your information, Haymarket Square even reduced its proposal to the original rental amount it received 4 years earlier
      ii. Mayor Seng and the City Council unanimously accepted Haymarket Square's low bid for renewal.

4. Haymarket Square has fulfilled 100% or greater all of its obligations under the UDD lease. In fact, Haymarket Square has gone above and beyond the provisions of the Lease.

5. For your information, the rent Haymarket Square receives for the UDD space also includes:
   a. Utilities
   b. Janitorial service
   c. Parking spaces
   d. Storage space
   e. Use of a conference room

6. The rent the UDD will pay for space in the City-County Building covers only "operating expenses" and no capital expenses and will be approximately what has been paid to Haymarket Square. Thus, UDD will be subsidized by the taxpayers if and when it relocates to the City-County Building since the operating expenses are greater on a square footage basis that the total rent paid to Haymarket Square.

7. Haymarket Square is a taxpayer. The City-County Building pays no taxes.

Mr. Suda, when all is said and done, unfortunately you and the other taxpayers will be paying more to house UDD. Perhaps you should also ask the employees of the UDD where they would prefer to work.

Thank you for the opportunity to set the record straight.
Regards,

Jon

From: Lou Suda [lousuda@yahoo.com]
Sent: Thursday, August 27, 2009 2:58 PM
To: Jonathan A. Cook; Doug Emery; ecarrol@lincoln.ne.gov; Adam A. Hornung; John Spatz; Jayne L. Snyder; Jon Camp
Subject: Public Building Commission

Mr. Camp, you should not be reappointed to the Public Building Commission considering one of your numerous (8) buildings in the Haymarket is costing we tax payers $77,285 a year for the Commission to rent the facility from you, clearly a conflict-of-interest.

L.J. Suda
Lincoln
September 4, 2009

Jane Hood
139 N. 11th St., Apt. 504
Lincoln, NE 68508-3622

RE: Parking Ticket #27010169

Dear Ms. Hood:

Your letter regarding the above-referenced ticket has been forwarded to me for review and response. I have carefully read your letter and reviewed your prior payment of numerous other parking meter violations. Based solely on your responsible disposition of these previous parking tickets, I have elected to dismiss this ticket as a warning.

In response to your letter, I cannot speak to the allocation of non-commissioned public service officers, assigned to monitor parking. I would note that the parking in the downtown and HayMarket areas is specifically designated to accommodate the broad spectrum of parking interests in those areas. Regulation of parking ordinances is of utmost importance in maintaining the compliance necessary to accomplish that objective. The use of available resources to accomplish that objective does appear to be in a legitimate means to achieve the requisite compliance.

Enclosed with this letter is your check, #1309, you sent with the ticket. Once again, I can only speak for my observations of this situation and inform you of the reason for dismissal of the ticket.

Sincerely yours,

John C. McQuinn
Chief City Prosecutor

cc: Chief of Police
    Mayor’s Office
    City Council Chair Doug Emery
Aug. 22, 2009

Dear Sir/Madam:

I do not have time to go to court to protest this ticket, so I have enclosed a check for $10.00. But Lincoln’s parking violation enforcement is so petty and, I am assuming, so expensive to enforce, that I cannot pay another parking ticket without registering a protest with the Police Department, the Mayor’s office, and the City Council.

This ticket, which was put on my car’s windshield at 11:21 P.M. last Monday is an example of over-zealous enforcement that makes downtown Lincoln an increasingly expensive and unattractive place to live and work. And, unfortunately, it is not the first time I have received a ticket that suggests someone isn’t setting appropriate priorities for the deployment of our police force and the funding of its personnel. It is merely the most recent example.

My 16-year-old granddaughter and I had returned about 11:10 P.M. from a day at Ft. Hartsuff and the Calamus Reservoir State Park, and we had parked in front of Georgian Place where I live to unload our day’s beach chairs, towels, etc. as well as my granddaughter’s suitcases because she had arrived that day from Chicago for a week’s visit in Nebraska. There were no metered parking places on either side of the street for the entire block, and it was too far for us to carry all of our belongings from the Q-Place Garage where I rent a monthly space. So I pulled next to the car nearest the alleyway and parked. I probably should have put my blinkers on so that it would have been clear that I wouldn’t be there long. But we had traveled a lot that day, and we were both tired so neither of us thought to do so. When I came back down to the street about 11:30 P.M. to move my car to the Q-Place Garage, the ticket was on my car.

With the demands on the city’s budget, and the necessity of good, effective police work in Lincoln to control crime and keep our streets and homes safe—both of which require a well-trained and fairly-paid police force—why in God’s name are my taxes being used to pay someone to check on minor parking offenses at 11:10 on a Monday night? This seems to be a stupid allocation of personnel and, thus, a significant waste of precious financial resources when Lincoln cannot afford such foolish policies and ill-considered priorities for our police force. Believe me, your parking enforcers are called Parking Nazis by many Lincolnnites for a reason.

Please explain to me why you are paying someone to enforce minor parking violations at 11:10 P.M. on a Monday when we can’t afford to keep our main library downtown open after 6 P.M.? Someone hasn’t thought through carefully the priorities for a livable city.

Sincerely,

[Signature]

Jane Hood
139 N. 11 Street
Lincoln, NE 68508

Cc. Police Chief Casady
Mayor Beutler
Council President Emery
Lin Quenzer, Ombudsman, City of Lincoln
City-County Building
Mayor’s Office
555 South 10th Street
Lincoln, Nebraska 68508

Re: Sound Pollution in Downtown Residential Lincoln

Downtown residents on Saturday night, 29 August 2009 were again subjected to an intrusive, penetrating, percussive, unbidden, high-decibel, vocal/instrumental musical performance originating from the 14 and O Street rooftop (atop Sandy’s Bar) of Devin Seacrest. This was the second 2009 Seacrest-originated performance and follows Friday-Saturday night back-to-back street performances this summer, sponsored (!) by the city, itself (celebrating the city’s “global” outreach), by Zoo Bar, and by Ribfest. Sound traverses straight-line open distance from the performance site directly through the outer walls, sealed windows, and into the bedrooms of University Towers residents virtually until 1 a.m.

1) Airborne sound which penetrates private living quarters violates common law rules protecting interior occupants from tortious trespass and public nuisance.

2) It also contravenes Lincoln city ordinances 8.24.090(a)(1),(2),(17) [noise control] and 9.20.050(d) [disturbing the peace]. The Downtown Neighborhood Association has also signaled its concern with “outdoor musical events”. See minutes, DNA board of directors 8 April 2009.

Many University Towers residents are employed; for them, sleep is a health issue. All University Towers residents, employed or retired, enjoy the legal right to quiet enjoyment of their premises. Intrusive nocturnal sound subverts this city’s cherished quality of life and undermines the city’s long-term strategy to induce productive workers to live downtown.

In granting requested variances from noise control ordinances, the city clerk should, at minimum, condition approval on the applicant’s agreement to (i) prior written notice to affected area residents; (ii) compliance with ordinance-decreed decibel-levels (see, e.g., the city’s noise control ordinance); and (iii) closing down outdoor performances not later than 10 p.m. (as does Kansas City).
Kindly acknowledge receipt of this correspondence and advise of your proposed corrective action. Thank you.

Sincerely,

Wallace Becker
402.438.1313 x 14 (daytime phone)

cc: Councilman John Spatz
ADDENDUM
TO
DIRECTORS’ AGENDA
MONDAY, SEPTEMBER 14, 2009

I. CITY CLERK - None

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL -

MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler will participate in three public events on 09/11/09; 1.) The Mayor will join representatives from Safe Kids of Lincoln/Lancaster County and Lincoln Fire & Rescue to discuss the first Lincoln Smoke Alarm Rally at a news conference at 9:30 a.m.; 2.) At 11:00 a.m., the Mayor will speak at the Patriot Day event; 3.) The Mayor will testify on highway funding at a State legislative hearing that begins at 1:30 p.m. (Forwarded & Council received copies in their packets on 09/10/09).

2. NEWS RELEASE - RE: Game Day Recycling Effort Collects More Than 1.5 Tons of Material (Forwarded & Council received copies in their packets on 09/10/09).

3. NEWS RELEASE - RE: Three Gifts From Kenneth J. Good Estate To Fund Parks Projects.

4. NEWS RELEASE - RE: Smoke Alarm Rally Set For September 19th.

5. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule for Week of September 12 through 18, 2009 - Schedule subject to change.

6. NEWS RELEASE - RE: Mayor’s Committee For International Friendship To Host Visitors From Africa.

DIRECTORS -

HEALTH -

PUBLIC WORKS & UTILITIES


III. COUNCIL RFI’S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS -

JON CAMP -


IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL -

Mayor Chris Beutler will participate in three public events **Friday, September 11**:

- At a **9:30 a.m. news conference**, the Mayor will join representatives from Safe Kids of Lincoln-Lancaster County and Lincoln Fire & Rescue to discuss the first Lincoln Smoke Alarm Rally. The news conference will take place at **Everett Elementary School, 1123 “C” Street**. Also attending will be an individual who will provide a first-hand account of how a properly working smoke alarm can make the difference between life and death.

- At **11 a.m.**, the Mayor will speak at the **Patriot Day** event at the **Veterans Memorial Garden** in Antelope Park.

- The Mayor will testify on highway funding at a **State legislative hearing** that begins at **1:30 p.m. in Room 1113 at the State Capitol**.
Recycling Enterprises collected about 3,500 pounds of recycled material from Saturday's Nebraska-Florida Atlantic football game. The total includes the recycled materials from inside the stadium and from surrounding parking lots. Recycling in the parking lots was carried out by the “Go Green For Big Red” volunteer effort, which was organized by the City of Lincoln, UNL Landscape Services and AmeriCorps.

Twenty-two volunteers, identified by their green sling bags, participated in Go Green for Big Red. They walked designated parking lots and provided plastic bags to encourage tailgaters to recycle #1 and #2 plastic containers and aluminum cans. The volunteers collected the bags right after kick-off. Go Green For Big Red collected 775 pounds of material in seven UNL parking lots.

“In just a few hours, we diverted more than 1.5 tons of recyclable material from the landfill,” said City Recycling Coordinator Gene Hanlon. “We are very pleased with the volunteer effort and the cooperation of fans. We hope to increase the number of volunteers and the amount of recyclables collected at every home game.”

Go Green for Big Red is recruiting volunteers for all of the remaining home football games on Sept. 12, Sept. 26, Oct. 17, Oct. 24, Nov. 7 and Nov. 21. Interested volunteers may contact AmeriCorps volunteer Kelly Heavey at 441-6845 or Kheavey@lincoln.ne.gov.
Mayor Chris Beutler and the Lincoln Parks Foundation today announced that three significant gifts from the Kenneth J. Good estate will be used to fund two new program initiatives and a key amenity in Union Plaza. Good passed away in July 2008 at the age of 92. He was a UNL graduate who had a 31-year career as a soil scientist with the USDA Soil and Conservation Service in Lincoln.

“Mr. Good had a passion for parks, trees, and gardens, and these gifts will enable us to share his passion with future generations,” said Mayor Beutler. “We are pleased that he recognized our excellent parks system and chose to support it in this way. His generosity is an inspiration to all of us, and we will work to find ways to leverage his gifts with other private and public resources while protecting Mr. Good's intent and wishes.”

The first gift will establish a **Public Gardens Internship**, endowed through the Good estate in the amount of $162,000. This endowment will be managed by the Lincoln Parks Foundation. The Lincoln Parks and Recreation Department in partnership with the University of Nebraska Horticulture Department will select and supervise an annual paid internship for one student to receive hands on training in the development and management of public gardens.

“This gift from Mr. Good will benefit not only aspiring horticulturalists, but all those who enjoy our public gardens in Lincoln and beyond,” said Lynn Johnson, Director of the Lincoln Parks and Recreation Department.

The second gift will establish the **Tree Legacy Program**. The Kenneth J. Good Environmental Enhancement Fund at the Lincoln Community Foundation will fund the initial infrastructure costs to create memorial tree groves across Lincoln. The public will be able to purchase trees as memorials to loved ones. The initial two tree legacy groves will be built at Mahoney Park and Antelope Park. “The gift from the Good estate will help us create the appropriate amenities to provide a place of serenity and reflection for Lincoln families now and for generations to come,” said Johnson.

**THREE GIFTS FROM KENNETH J. GOOD ESTATE TO FUND PARKS PROJECTS**

FOR IMMEDIATE RELEASE: September 10, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Lynn Johnson, Parks and Recreation, 441-8265
Christie Dionisopoulos, Lincoln Parks Foundation, 441-8258
To provide additional support for the Tree Legacy program, the Lincoln Community Foundation will match the initial $50,000 in donations from the public. The match is made possible by two endowed funds held at the Lincoln Community Foundation: the Kenneth J. Good Endowed Fund and the Marjorie Barstow Endowed Fund. Interested individuals can purchase memorial trees at the $100, $250, and $500 levels and will receive varying levels of recognition for those gifts. The Tree Legacy program offers other donation options and recognition in addition to the purchase of memorial trees.

“Each year the Parks Foundation receives countless inquiries from residents who want to donate a tree as a tribute to or in memory of someone they love throughout the Lincoln Parks system,” said Christie Dionisopoulos, President of the Lincoln Parks Foundation. “At the same time, the Parks Department has challenges in tending to newly planted trees across the City. This program allows residents to purchase living legacies and ensures an efficient use of City resources and tax dollars. The Tree Legacy program is a shining example of public private partnerships at their best.”

More information about the Tree Legacy program is available at [www.lincolnparks.org](http://www.lincolnparks.org)

The third gift from the Kenneth J. Good estate in the amount of $150,000 has been accepted by the Lincoln Parks Foundation to fund a fountain in Union Plaza. The fountain will be at street level between “O” and “P” streets and will represent the precipitation that falls on the plains, supporting native landscapes and agriculture in our State.

Good was born in Peru, Nebraska and moved to Lincoln at age 13. He attended Lincoln High and graduated from UNL in 1937 with a bachelor’s degree in Agricultural Sciences, majoring in Agronomy. He served in the armed forces overseas, and upon his return from England, he began his career with the USDA.

Vicki Huff, trust officer at Union Bank and personal friend of Mr. Good, said he denied himself many “creature comforts” to accumulate a substantial nest egg to benefit charitable organizations in Nebraska committed to parks, trees and gardens. “Ken was a gentle and compassionate man who left life a much better place for him having been in it,” Huff said. “He will be missed but his gifts represent his passions for many years to come.”

- 30 -
Mayor Chris Beutler today urged residents who live in the neighborhood surrounding Everett Elementary School to welcome volunteers who will install free smoke alarms Saturday, September 19 during the first Lincoln Smoke Alarm Rally.

From 8 a.m. to noon that day, volunteers will canvass the neighborhood, knock on doors and offer to install free smoke alarms. They will work with trained personnel from Lincoln Fire & Rescue, the American Red Cross and other health and safety organizations. Organizers hope to install 500 dual-detection smoke alarms, each equipped with a 10-year battery. The targeted area, bounded by Washington, “F”, 10th and 14th streets, was identified by the Fire Department as having a higher than average rate of residential fires.

“Fire is the second leading cause of accidental death to children in Nebraska,” said Mayor Beutler. “Having properly working smoke alarms is the number one strategy for fire injury prevention because they do save lives. More than 80 percent of fire deaths occur in homes with no smoke alarm or a non-functioning alarm. That kind of statistic can’t be ignored.”

Safe Kids of Lincoln-Lancaster County has teamed up with Lincoln Fire & Rescue to organize the rally, modeled after a successful program in Phoenix, Arizona.

“I appreciate all the volunteers and sponsors who have come together to protect children, their families and their homes from fire,” said Mayor Beutler. “This kind of community partnership is exactly what our Stronger Safer Neighborhoods Initiative is all about. Efforts like this do make a difference in keeping Lincoln a safe place to live, work and raise a family.”

Jon Carlson of the Stronger Safer Neighborhoods Initiative, said the City has been investing resources in Everett and surrounding neighborhoods for the past year as part of a larger effort to revitalize neighborhoods and increase safety. Safe Kids Lincoln-Lancaster County, a coalition dedicated to preventing childhood injury, is a leading partner in the safety efforts.

- more -
“Safe Kids is a program that focuses on a wide-range of injury prevention programs for children,” said Steve Beal, Assistant Health Director, Lincoln-Lancaster County Health Department. “To do that, we bring together State and local agencies, medical providers, service groups, businesses, schools and others in the community. We believe events like the Smoke Alarm Rally provide a great opportunity to educate residents, provide prevention resources and increase the health of the community.”

Volunteers age 18 and older are still needed to help install the smoke alarms, which were donated by Wal-Mart Stores of Lincoln. Those who are 16 and 17 years old can participate if accompanied by a parent or guardian. No experience is necessary. Organizers are especially in need of Spanish-speaking volunteers. Those wishing to help can contact Julie Anderson at 441-8071 or show up at Everett Elementary School, 1123 “C” St., at 8 a.m. Saturday, September 19.

Other community groups and sponsors involved in the rally include Allied Insurance Company; American Red Cross Cornhusker Chapter; the Center for People in Need; Continental Western; Lincoln Firefighters Association, I.A.F.F. Local 644; the Real Estate Owners and Managers Association; Saint Elizabeth Regional Medical Center Burn Unit; Southeast Community College Fire Protection and Technology Department; Union Bank & Trust; and United Rentals.

Additional information is available on the City Web site at lincoln.ne.gov (keyword: smoke alarm).
DATE: September 11, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler's Public Schedule
Week of September 12 through 18, 2009
Schedule subject to change

Monday, September 14
• City Impact “Hopes and Dreams” Benefit Dinner - 6 p.m., Embassy Suites, 1040 “P” St.

Tuesday, September 15
• Assurity ground-breaking, remarks - 9:30 a.m., 20th and “Q” streets
• International visitors from Africa, presentation of honorary citizen certificates - 4 p.m., Mayor's Conference Room, County-City Building, 555 S. 10th St.
• Life Insurance Awareness Month, proclamation - 4:30 p.m., Mayor's Conference Room

Wednesday, September 16
• Face the Chamber - noon, Country Club of Lincoln, 3200 S. 24th St.
MAYOR'S COMMITTEE FOR INTERNATIONAL FRIENDSHIP TO HOST VISITORS FROM AFRICA

The Mayor's Committee for International Friendship (MCIF) today announced that 20 women leaders from Africa will visit Lincoln September 13 through 15 to meet with local elected officials and community leaders. The group was invited to the U.S. under the auspices of the U.S. Department of State's International Visitor Leadership Program.

The visitors will meet with Mayor Chris Beutler; Secretary of State John Gale; Alexcia Taylor-Bogg, Deputy Director, Ponca Tribe; Tammy Eagle Bull, Architect/Owner - Encompass Architects; former State Senator DiAnna Schimek; Judy gaiashkibos, Executive Director, Nebraska Commission on Indian Affairs; Kathy Uhrmacher, President, Mayor's Commission on Women; former Lt. Governor Maxine Maul, U.S.D.A. Rural Development State Director; and Shirley Sneve, Executive Director, Native American Public Telecommunications.

The group will explore the role of women as agents of social and political change in America and document how the concerns of women have increasingly been incorporated into American political discourse. They also will illustrate the essential role of non-governmental and grassroots organizations in supporting women leaders and empowering women both professionally and personally.

The African visitors are from the countries of Chad, Comoros, Democratic Republic of Congo, Djibouti, Gabon, Gambia, Ghana, Malawi, Mali, Mauritius, Mozambique, Namibia, Nigeria, Senegal, Sudan and Togo. MCIF is a volunteer organization which hosts visitors from around the world. The committee sets up visits with professional counterparts and plans cultural exchanges and learning experiences to promote international understanding among the visitors and citizens in the Lincoln area. Participants are established or potential foreign leaders in government, politics, media, education, science, labor relations and other key fields. They are selected by American Embassies overseas to visit the U.S. to experience this country firsthand.

-30-
FOR IMMEDIATE RELEASE: September 12, 2009
FOR MORE INFORMATION: Dan King, 441-8084, dnking@lincoln.ne.gov or Laurel Erickson, 441-8035, lerickson@lincoln.ne.gov

Get Rid of Excess Latex Paint and Household Hazardous Waste

The Lincoln-Lancaster County Health Department (LLCHD) is collaborating with two community partners on the weekend of September 18-19, 2009, providing two pollution prevention events at which residents can dispose of unwanted paint and household chemicals.

On Friday, September 18, from 3 – 7 p.m., Lincoln and Lancaster County residents can bring unwanted usable latex paint to EcoStores Nebraska, 530 West P Street, at the Usable Latex Paint Exchange.

Households and individuals (not businesses) may donate paint in cans without rust or leaks. The cans must be at least half full with intact, readable labels; the paint cannot be lumpy when stirred, and should not have been frozen. Residents who bring latex paint that is not usable can pay EcoStores $2 for disposal. Instructions about safely drying out the paint and disposing of it at home will be provided to participants.

Anyone, including homeowners, schools, churches, businesses, organizations, childcares, and landlords, can take free paint from the exchange on Friday, Saturday, and Sunday. Exterior and interior latex paint in a variety of colors will be available. Call EcoStores Nebraska at 477-3606 for more information.

In another collaborative effort to reduce the amount of leftover paint in the county, the LLCHD “SmartPainter” project continues to work with most local ACE, True Value, and Sherwin Williams stores. The stores provide customers with guidance on buying the right amount of paint for the job and on dealing with excess paint (from passing it on to drying it out). Excess paint should never be dumped in the street, as the storm drains provide a path to local waterways, ponds, and lakes, impacting water quality and harming aquatic wildlife.
On Saturday, September 19, 2009, a Household Hazardous Waster collection will be held at Veyance Technologies, Inc. (formerly Goodyear - 4021 N. 56th) from 9 a.m. to 1 p.m. Households (not businesses) can bring fluorescent bulbs (CFLs) and tubes, pesticides, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, mercury-containing items including thermometers, upholstery cleaners, grease removers and brake and power steering fluids.

Items that can be recycled or safely disposed of locally will not be accepted at the HHW collection: latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics, and batteries. For more information about local recycling, call 441-8021 or check the on-line “Guide to Recycling” at www.lincoln.ne.gov (keyword: recycling).

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Memorandum

To: City Council Members
From: Roger Figard, City Engineer RAF
Subject: Sidewalk Repair Concerns Expressed by Dale Gardner
Date: September 10, 2009
cc: Mayor's Office, Harry Kroos

The Public Works and Utilities Department has reviewed the concerns expressed by Dale Gardner at the August 31, 2009 Council Meeting. The Mayor's Office and the Sidewalk Office have had a number of contacts with Mr. Gardner over the past 2 years. Mr. Gardner contacted the Mayor's Office in July 2007, reporting that he had fallen on a sidewalk at 4627 Calvert Street. The Sidewalk Office called Mr. Gardner and discussed his concerns with the sidewalks along Calvert Street. Upon investigation of this area, a letter was mailed on July 31, 2007, explaining the repair schedule for the locations identified along Calvert Street as well as the repair of sidewalks in the College View Neighborhood.

The Public Works and Utilities Department completed grinding of a half dozen locations along Calvert Street, between 45th and 48th Street, on October 2, 2007. This allowed Mr. Gardner the ability to walk from his residence a 4415 Calvert to S. 48th Street along the south side to the pedestrian crossing light at 46th Street, and then along the north side to 48th Street without encountering the severely displaced sections of sidewalk adjacent to the trees. Replacement of the sidewalk along the south side of Calvert Street between 45th Street and 47th Street, was completed in August 2008. The letter sent to Mr. Gardner in July 2007, and subsequent phone conversations, have reiterated that the College View area is targeted for sidewalk repair in 2011-2012. This is the schedule shown on the Sidewalk Repair Map which is included in the City's Transition Plan for compliance with the Federal ADA Requirements.

This schedule was also discussed in a phone conversation between Harry Kroos and Mr. Gardner, the week of August 24th, 2009. The Sidewalk Office will field inspect the locations identified in the photos provided by Mr. Gardner, and note the existing conditions. Any locations which have significant defects will be assessed for repair work, which will be scheduled the summer of 2010.

I:\FILES\Basket\Sept 2009 response Dale Gardner.wpd
July 31, 2007

Dale Gardner
4415 Calvert Street
Lincoln, NE 68506

Dear Mr. Gardner:

This is a follow-up to our phone conversation on July 11, 2007 regarding the sidewalk along the south side of Calvert Street in the 4500 and 4600 blocks. The Sidewalk Office has inspected this location and noted the condition of the sidewalks. The sidewalks at 4627, 4635, 4643, 4609 and 4603 Calvert Street will be included with priority contract work that will be initiated this fall, with completion of the work next spring and summer.

We understand and share your concerns with the condition of these sidewalks and the City regrets your recent difficulties in using the sidewalk. With the significant budget constraints, we are only able to schedule a limited amount of sidewalk repair each year. The most significant repair needs are included with priority contracts as funds are available. The schedule for repair of the overall College View area from 40th to 56th, between Calvert Street and Pioneers Boulevard, is tentatively identified to occur in 2011 to 2012. This estimate is based entirely upon a significant level of funding for the next five to six years.

Please contact my office at 441-7541 with any questions or by e-mail at hkroos@lincoln.ne.gov.

Sincerely,

Harry Kroos
Engineering Services

cc: Lin Quenzer
Ken Svoboda
Jon Camp
Karl Fredrickson
Randy Hoskins
Scott Opfer

Lincoln
The Community of Opportunity
7-5-07

Dale Gardner
4415 Calvert
489-8355

RE: 4627 Calvert, heaved walk:

EMAILED to PW-Harry Kroos, cc Maggie Kellner, Karen Sieckmeyer:

HARD COPY to Mayor:

INTERVIEW-PHONE:
He was walking his dog and tripped and fell due to badly heaved walk in front of 4627 Calvert. He is disabled and is not happy with the way the City handles sidewalk repairs. He hurt his back in this incident and is very angry that the City seems to be able to spend money on everything but fixing the sidewalks. Other addresses where he sees similar problems are 4513, 4523, 4547 Calvert and the 4600 block on Calvert. According to constit, all are badly heaved and have breaks, cracks due to tree roots.

FINDINGS:
This constit has been a regular caller on a variety of issues as far back as 1999. High property taxes, sidewalks, sidewalk snow removal, street snow plowing, parks maintenance are a few of his favorite topics.

On the issue of sidewalk repairs I have related to the constit that funding for this comes only through the general fund (property tax dollars) and the amounts put into the account for sidewalk repair has gone down as the budget has tightened over the past 3 years. He doesn’t distinguish between general revenue tax funds and funds from other sources for new streets, street maintenance, trails & parks and cannot understand why some of these other items can get funded while sidewalks do not.

I explained that the City Council has to work with the Mayor to draft a balanced budget and that people need to let their elected representatives know where they would have the general fund monies spent.

He demands to talk to the Mayor regarding his concerns.

ACTIONS:
Please have someone check on the walk at 4627 Calvert and the other addresses mentioned and let me know the status of repairs for this area.

I said that I will bring his concerns to the attention of the Mayor, but cannot promise he will get a call back directly from the Mayor. I also gave him the number to call City Council offices to express his desire to place more money into funding sidewalk repairs in the budget.

Thanks,

Lin Quenzer
Ombudsman, City of Lincoln
Office of the Mayor
555 South 10th Street, Suite 208
Lincoln, NE 68508
(402) 441-7511
lquenzer@lincoln.ne.gov
From: Jon Camp  
Sent: Monday, September 14, 2009 9:12 AM  
To: Tammy J. Grammer  
Subject: FW: Thank you

Please put this in our Council packets and for general distribution.

From: Melissa Beecher [mbeecher@earthlink.net]  
Sent: Wednesday, September 09, 2009 6:08 PM  
To: Jon Camp  
Subject: Thank you

I just wanted to thank you for all the honorable work you do for this city!

I am thankful to have at least one person looking out for the citizens of Lincoln unlike the Mayor's office which seems to think that it is okay to spend an extra $380,000 of taxpayer money and then say oh sorry we messed up. The public knows that they knew exactly what they were doing and that it was purely political. They made sure to hide all the documents from the city council to carry it through. I am sure if you would have had those documents you would have put up a good fight!

The Mayors office is getting good at the old do it now and apologize later trick and then let Rick Hoppe try to go on the radio and spin things. I think rather than another apology from Rick I would like to see them take responsibility for their actions and take the $380,000 out of the Mayor's budget maybe starting with both the Mayor and Rick's salary. :)

One can only hope some day we will have qualified, good, decent, honorable people in office.

Keep up the fight for Lincoln, You have my vote forever!

Melissa Beecher  
Life long registered independent

p.s. feel free to forward this email to others. I plan to email the mayor's office but I am sure they don't want to hear from citizens like me.
Tammy J. Grammer

From: Jon Camp
Sent: Monday, September 14, 2009 10:29 AM
To: Tammy J. Grammer
Subject: FW: permits

Tammy:

Please share the email below with my colleagues for the upcoming legislation on alarm systems and annual fees.

Jon

From: Mary Jane Nielsen [mjn@necosecurity.com]
Sent: Monday, September 14, 2009 8:02 AM
To: Jon Camp
Subject: permits

Jon, this is in follow-up to our phone conversation.

5.56.025 (c)
An earlier draft had an annual permit fee of $250.00, which I thought was fair. This draft has a permit fee of $100.00 for two years, which I do not believe will cover cost of administering permits. I favor $250.00 for annual permits. The majority of residential systems are sold and leased by out-of-state companies and I believe annual permits will be necessary to keep up to date on local and out-of-city vendors, which change with the wind. Beyond permits, for some degree of consumer protection, I believe there should be licensing requirements for vendors. This is true for fire alarm systems: as well as heating, plumbing, electrical, and should equally apply to intrusion detection systems.

5.56.030 (c)
The earlier draft had an annual permit fee of $25.00, which I know would not cover cost of administering permits. I favor $100.00 for five years, which is the same renewal period as a drivers license, and would make it easier to remember and "notice of renewal" much less costly to administer. An annual Alarm User permit cost of $100.00 is, in my opinion, much too high -- especially for a residential system.

5.56.030 (f)
The 30 day provision for current Alarm Users to obtain permits seems burdensome.

5.56.050 (a)
One through twenty false alarms during the permit term...$0.00; twenty-one through forty false alarms during the permit term....$100.00; Each false alarm exceeding forty during the permit term....$250.00. Same 50% Late Fee.

Don
NECO Security
The paper reported that water consumption is down. The water rates might go up. I am against any permanent increase of water rates for one down year. If a rate increase is needed it should be a temporary assessment to restore funds that were planned for if the water consumption had been as projected. Then the assessment should go away after it has restored the shortage of budgeted funds. All of this is easily calculated. The budgeted consumption less the actual consumption equals the shortage. The winter usage rate should be a stable amount so just add a temporary surcharge to the winter consumption rate. If the surcharge is not tied to usage, then it becomes regressive in that poor or people that use less are subsidizing those that use more. A permanent increase, if passed, would allow excess funds to be collected in perpetuity when water usage rates return to normal, or even more funds collected if consumption is higher than anticipated by the Water Department. Same goes for electric.