IN LIEU OF
DIRECTORS’ MEETING
MONDAY, SEPTEMBER 26, 2011

I. CITY CLERK

II. MAYOR
1. NEWS RELEASE. Mayor presents August Award of Excellence to Timothy Garrison of the Parks and Recreation Department.
2. NEWS RELEASE. The news conference listed in Mayor Beutler’s weekly public schedule for September 22nd has been postponed.

III. DIRECTORS

LINCOLN LIBRARIES
1. NEWS RELEASE. Celebrate Teen Read Week, October 16th through October 22, 2011, at Lincoln City Libraries.

PLANNING COMMISSION
1. Resolution No. PC-01250 adopted by the Lincoln City - Lancaster County Planning Commission on September 21, 2011.

PLANNING DEPARTMENT
1. Metropolitan Planning Organization meeting agenda for September 27, 2011.

IV. COUNCIL MEMBERS

V. MISCELLANEOUS

VI. CORRESPONDENCE FROM CITIZENS
1. Letter from Nicole D. Jensen, Executive Vice President, REALTORS® Association, in support of the nomination of Mary Stand to fill the unexpired term of former Lincoln City Council member Jayne Snyder.
2. Correspondence from Carol Brown, Landons Neighborhood Association, regarding zoning action.
3. Email from Abbigail Swatsworth in support of the food truck restaurant, Heoya, and more open guidelines for fostering this market growth.

VII. ADJOURNMENT
OFFICE OF THE MAYOR  
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: September 19, 2011
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR PRESENTS AUGUST AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor’s Award of Excellence for August to Equipment Operator Timothy Garrison of the Parks and Recreation Department. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today’s City Council meeting.

Garrison has worked for Parks and Recreation since 1978 and was nominated by Southeast District Park Supervisor Matt Mittelstadt in the categories of customer relations, loss prevention and productivity. Mittelstadt wrote that Garrison’s 30 years of service alone is “a testament of his loyalty and dedication,” but the real measure has been in the past 15 months when Mittelstadt had multiple military commitments. Garrison assumed his duties for the much of that period.

In January, Garrison showed his planning and coordination skills by helping with budget preparation as well as managing the Southeast District. After Mittelstadt returned, Garrison was directed to oversee district mowing operations, and he developed a plan to implement the new mowing program that was established this year. Mittelstadt said Garrison met the challenge with the leadership and dedication needed to maintain a consistent mowing cycle, while dealing with the demands of the existing and new employees. By providing a safe work environment and conducting hands-on training sessions for new workers, the Southeast District reduced mowing incidents to an all-time low and reduced equipment repair down time.

Mittelstadt said Garrison’s consistent oversight of the mowing crews’ operation and his reinforcement of standards has resulted in improved productivity and a quality mowing operation in the Southeast District. Mittelstadt said Garrison also dealt with concerned citizens and handled all phone calls and site visits with courtesy, consideration and professionalism.

The other categories in which employees can be nominated are safety and valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee’s job description. All City employees are eligible for the Mayor’s Award of Excellence except for elected and appointed officials.

- more -
Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at lincoln.ne.gov (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are reviewed by the Mayor’s Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a $500 U.S. savings bond, two days off with pay and a plaque.
The public schedule for Mayor Chris Beutler issued Friday, Sept. 16 included a news conference at 1:30 p.m. today. The news conference has been postponed.
FOR IMMEDIATE RELEASE
CONTACT: Vicki Wood, Youth Services Supervisor
EMAIL: v.wood@lincolnlibraries.org
PHONE: 402-441-8565

Celebrate Teen Read Week at Lincoln City Libraries

In celebration of Teen Read Week (October 16-22) Bennett Martin Public Library’s Teen Advisory Board invites members of the public of all ages to participate in a “Read-In” any time between 2:30 and 4:30 p.m. on Saturday, October 15, 2011, at Bennett Martin Public Library, 136 South 14th Street.

Why is it important to celebrate teen reading? For a lot of reasons! Teens have so many options for entertainment, so it's important to remind them to spend time reading for pleasure: it's free, fun, and can be done anywhere! Research shows that teens who read for fun have better test scores and are more likely to succeed in the workforce.

Last year, 30 people participated in the Read-In and the Teen Advisory Board is counting on public support of teen reading to break that record this year. It’s easy to participate. Sign the library’s Read-In roster when you arrive, find a book at the library or bring your own, read to your children, with a friend, or read to yourself.

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Teen Read Week is an initiative of the Young Adult Library Services Association (YALSA). Teen Read Week started in 1998. This year's theme is Picture It @ your library®.

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council
FROM : Jean Preister, Planning
DATE : September 22, 2011
RE : Notice of final action by Planning Commission: September 21, 2011

Please be advised that on September 21, 2011, the Lincoln City-Lancaster County Planning
Commission adopted the following resolution:

Resolution No. PC-01250, approving Special Permit No. 11023, with conditions,
requested by Dan Klein and Martin Fortney of Regal Building Systems, for authority to
develop Magic Hills Community Unit Plan for 96 dwelling units, on property generally
located at North 24th Street and Dodge Street.

This is final action unless appealed to the City Council within 14 days of the action by the
Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov
(Keyword = PATS). Use the “Search Selection” screen and search by application number (i.e.
SP11023). The Resolution and Planning Department staff report are in the “Related
Documents” under the application number.

Note: On September 21, 2011, a letter of appeal was filed by Carol Brown on behalf of the
Landon’s Neighborhood Association. The associated Change of Zone No. 11035 from R-3
Residential District to R-5 Residential District and the appeal of this special permit will be
scheduled for Council introduction on Monday, October 3, 2011, with public hearing on Monday,
October 10, 2011. Please also note that an application requested by the Landon’s
Neighborhood Association to downzone this property from R-4 Residential District to R-2
Residential District is currently on the Council’s Pending List (Bill #05-188, Change of Zone No.
3413).
** ACTION BY PLANNING COMMISSION **

September 21, 2011

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 21, 2011, at 1:00 p.m., in the City Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, (402) 441-7491.

**PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of “FINAL ACTION”. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, SEPTEMBER 21, 2011

[Commissioner Taylor absent]

Approval of minutes of the regular meeting held September 7, 2011. **APPROVED, as amended, 8-0 (Taylor absent)**

1. CONSENT AGENDA
   (Public Hearing and Administrative Action:
   CHANGE OF ZONE:
   1.1 Change of Zone No. 11033, from I-1 Industrial District, I-3 Employment Center District, B-2 Planned Neighborhood Business District and R-5 Residential District to P Public Use District; from I-3 Employment Center District, B-2 Planned Neighborhood Business District, R-3 Residential District and R-5 Residential District to H-3 Highway Commercial District; and from B-2 Planned Neighborhood Business District and R-3 Residential District to R-5 Residential District, on property generally located at N. 33rd Street and Folkways Circle.
   Staff recommendation: Approval
   Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
   Planning Commission recommendation: APPROVAL, 8-0 (Taylor absent).
   Public Hearing before City Council tentatively scheduled for Monday, October 10, 2011, 3:00 p.m.
MISCELLANEOUS:

1.2 Street & Alley Vacation No. 11009, to vacate that portion of Bancroft Avenue from the east line of S. 49th Street to the west line of South 51st Street; and that portion of S. 51st Street from the south line of Calvert Street to the south line of Bancroft Avenue.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0 (Taylor absent).
Public Hearing before City Council will be scheduled when the provisions of Chapter 14.20 have been satisfied and a final plat eliminating lots without frontage to a public street has been approved.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

CHANGE OF ZONE WITH RELATED ITEMS:

4.1a Change of Zone No. 11032, from R-2 Residential District to R-6 Residential District, on property generally located at Holdrege Street and Idylwild Drive (3611 Holdrege Street).

Staff recommendation: Approval, subject to a Conditional Zoning Agreement
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, subject to a Conditional Zoning Agreement, as amended, 8-0 (Taylor absent).
Public Hearing before City Council is tentatively scheduled for Monday, October 17, 2011, 3:00 p.m.

4.1b Special Permit No. 11021, for a parking lot, with a request to waive the front yard setback from 25' to 20' for the parking lot located in the R-2 zoned area, on property generally located at Idylwild Drive and Starr Street.

Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated September 7, 2011, with amendments, 8-0 (Taylor absent).
Public Hearing before City Council is tentatively scheduled for Monday, October 17, 2011, 3:00 p.m.
4.2a Change of Zone No. 11035, from R-3 Residential District to R-5 Residential District, on property generally located at N. 24th Street and Dodge Street.

Staff recommendation: Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov

Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Taylor absent).
Public Hearing before City Council tentatively scheduled for Monday, October 10, 2011, 3:00 p.m.

4.2b Special Permit No. 11023, Magic Hills Community Unit Plan, for approximately 96 apartment units in four buildings and a clubhouse, on property generally located at N. 24th Street and Dodge Street.

*** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov

Had public hearing.
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated September 7, 2011, 8-0 (Taylor absent).
Resolution No. PC-01250.
Letter of Appeal filed by Carol Brown on behalf of Landon's Neighborhood Association on September 21, 2011.
Public Hearing before City Council tentatively scheduled for Monday, October 10, 2011, 3:00 p.m.

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

CHANGE OF ZONE WITH RELATED ITEMS:

5.1a Change of Zone No. 11031, from B-1 Local Business District and R-3 Residential District to R-5 Residential District and from R-1 Residential District to R-4 Residential District, on property generally located at S. 70th and Van Dorn Streets.

Staff recommendation: Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov

Had continued public hearing.
Planning Commission recommendation: APPROVAL, as revised, deleting the change of zone from R-1 to R-4, 8-0 (Taylor absent).
Public Hearing before City Council tentatively scheduled for Monday, October 10, 2011, 3:00 p.m.
5.1b Special Permit No. 459A, an amendment to the Georgetown Apartments Community Unit Plan, for expansion from 115 to approximately 160 apartment units with a waiver request to adjust required parking, on property generally located at S. 70th and Van Dorn Streets.

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov

Had continued public hearing.

Planning Commission recommendation: CONDITIONAL APPROVAL, as forth in the revised staff report dated August 23, 2011, as amended by the applicant and staff, 8-0 (Taylor absent).

Public Hearing before City Council tentatively scheduled for Monday, October 10, 2011, 3:00 p.m.

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AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO

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PENDING LIST:

1a. Change of Zone No. 11009, amending Section 27.63.500 of the Lincoln Municipal Code relating to Zoning Code Special Permits for Scrap Processing Operations, Salvage Yards, and Enclosed Disassembly Operations, to allow outdoor salvage material to be located closer than 500 feet from certain entrance corridors if land forms or screening completely obstructs the view by the traveling public of the salvage material, and to authorize the City Council to decrease the 500-foot setback under limited circumstances; and repealing Section 27.63.500 of the Lincoln Municipal Code as hitherto existing.

(6-11-11: Planning Commission voted 8-0 to place on pending, no date certain, at the applicant’s request.)

1b. Special Permit No. 11006, for a scrap processing operation and to allow salvage material kept outside a building to be located closer than the 500 feet to the West “O” Street entrance corridor, on property generally located at West O Street and Sun Valley Boulevard (545 West “O” Street).

(6-11-11: Planning Commission voted 8-0 to place on pending, no date certain, at the applicant’s request.)
2. Change of Zone No. 11028, amending Section 27.35.025 of the Lincoln Municipal Code to allow the sale of alcoholic beverages for consumption on the premises in the B-4 Lincoln Center Business District as a permitted conditional use; and repealing Section 27.35.025 of the Lincoln Municipal Code as hitherto existing. 

(8-10-11: Planning Commission voted 9-0 to continue public hearing on November 30, 2011 at the request of the applicant.)

3. Change of Zone No. 11019, amending Title 27 of the Lincoln Municipal Code, the Zoning Code, by amending Chapter 27.03 to add the definition of “Entertainment Restaurant” as Section 27.03.218 and to renumber existing Section 27.03.218 (Existing Urban Area) as Section 27.03.219; amending Sections 27.31.040, 27.33.030, and 27.37.025 to allow entertainment restaurants as a conditional use in the B-2, B-3, and B-5 zoning districts, respectively; amending Section 27.47.020 to prohibit an entertainment restaurant as a permitted use in the I-1 Industrial District; and repealing Sections 27.03.218, 27.31.040, 27.33.030, 27.37.025, and 27.47.020 of the Lincoln Municipal Code as hitherto existing. 

(9-7-11: Planning Commission voted 9-0 to place on pending, no date certain, at the request of the applicant.)

Planning Dept. staff contacts:

Steve Henrichsen, Development Review Manager . . . 441-6473 . . shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, Long Range Planning Manager . 441-6363 . . ntooze@lincoln.ne.gov
Mike Brenzio, Transportation Planner ............... 441-6369 . . mbrenzio@lincoln.ne.gov
Tom Cajka, Planner .......................... 441-5662 . . tcajka@lincoln.ne.gov
David Cary, Planner ............................. 441-6364 . . dcary@lincoln.ne.gov
Christy Eichorn, Planner .......................... 441-7603 . . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner .......................... 441-6373 . . bgarrett@lincoln.ne.gov
Sara Hartzell, Planner .............................. 441-6371 . . shartzell@lincoln.ne.gov
Rashi Jain, Planner ................................. 441-6372 . . rjain@lincoln.ne.gov
Brian Will, Planner ................................. 441-6362 . . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner ............. 441-6370 . . ezimmer@lincoln.ne.gov

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The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.

* * * *

The Planning Commission agenda may be accessed on the Internet at
http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm
Officials Committee Meeting

An Officials Committee meeting is scheduled as follows:

**DATE:** September 27, 2011  
**TIME:** 1:30 p.m. - 2:30 p.m.  
**PLACE:** Mayor's Conference Room  
County-City Building

Meeting Agenda:

*Roll call and acknowledge the “Nebraska Open Meeting Act”*

1. Review and action on the draft minutes of the **June 23, 2011** Officials Committee meetings.

2. Election of committee officers. According to the Bylaws, Committee officers consist of a Chairman and Vice-Chairman that are elected annually from the members of the committee.

3. Review and action on the **Project Selection Task Force** recommendations on project funding and programming for the Federal Transit Administration Job Access/Reverse Commute (Section 5316) and New Freedom (Section 5317), programs. Action is to include amending to the proposed **FY 2012-2015 Transportation Improvement Program** to add these projects and federal funding.

4. Review and action on revising the MPO **Transportation Improvement Program** amendment policy to better reflect the State STIP revision criteria.

5. Briefing on the **2040 Long Range Transportation Plan** (LRTP) update planning activities, planning schedule and Planning Commission recommendations.

6. Other topics for discussion.

**Next MPO Officials Committee Meeting: December 1, 2011**
MEMORANDUM

TO: Lincoln City Council
FROM: Marvin Krout, Planning
SUBJECT: Applications for I-80 West Lincoln Business Center
Conditional Annexation and Zoning Agreement (Bill #11R-235)
Annexation No. 07005 (Bill #11-149)
Change of Zone No. 07063 (Bill #11-150)

DATE: September 21, 2011
cc: Mayor Beutler
Miki Esposito, Public Works
Rick Peo, Law Department
DaNay Kalkowski

The Council will see three associated items regarding this proposed development, scheduled for introduction on September 26 and public hearing on October 3: a change of zone (PUD), annexation, and annexation agreement. The Planning Commission acted on the PUD and annexation requests back in 2008, after which the applicant requested a delay in scheduling these items for Council action until this time.

The Planning Commission reviewed the annexation and change of zone for the entire ownership of 233+ acres on the west side of NW 48th Street, stretching from the I-80 interchange to north of Holdrege. The applicant is now requesting that the Council approve an initial phase of annexation and change of zone for about 8 acres north of Holdrege. The PUD provides for future phases which are consistent with the overall plan already approved by the Planning Commission to be forwarded directly to the Council for approval.

The annexation agreement is the City staff proposal, which is not yet signed by the applicant. There are three conditions in the City version of the annexation agreement that the applicant wishes to discuss at the hearing. The applicant will provide an amendment to the agreement for the Council to consider. The areas of disagreement involve three locations where the applicant is being asked to fund road improvements:

1) Right hand turn lanes on both sides of West Holdrege Street, west of NW 48th Street, at future intersections with NW 50th and NW 52nd Streets.
2) Right hand turn lane east to southbound at the intersection of NW 48th and West Holdrege Streets.

3) Paving a 500 foot graveled road section on NW 56th Street between two paved sections, south of the southern end of the NW 56th Street bridge over I-80.

Also take note that the annexation agreement contains an attached three-party agreement between the applicant, the Nebraska Department of Roads, and the City. There are no areas of disagreement in that document.
September 19, 2011

Lincoln City Council
555 So. 10th Street, Room 111
Lincoln, Nebraska 68508

Dear Council Members:

The Board of Directors of the REALTORS® Association of Lincoln supports the nomination of Mary Strand to fill the unexpired term of former Lincoln City Council member Jayne Snyder.

Mary’s past experience on the Lincoln/Lancaster County Planning Commission and the Lincoln Electric System Board of Directors has given her the knowledge and understanding of city ordinances and city codes to ensure a smooth transition into the role of City Council member.

Mary is a well-respected citizen and REALTOR® who is active in a broad range of community organizations. Her extensive community involvement will also be a tremendous asset as a City Council member.

Thank you for your time and consideration.

With regards,

Nicole D. Jensen
Executive Vice President
REALTORS® Association

Cc: Mayor Chris Beutler
Marvin,
We will be appealing today's zoning action at the City Council. Pretty sad when everyone even the developer admits our neighborhood has problems but everyone just rams the project through.

Carol Brown-Secretary
Landons Neighborhood Association
City Council Members -

Thank you for all you do to help make Lincoln a great place to live!

I am writing in support of one of Lincoln's newest restaurants, Heoya. Although Heoya is a food truck and not at a permanent address, their investment and value in our community should not be viewed as less than any other entrepreneurial venture.

Lincoln needs reasonable rules that foster new business markets not regulations that force new start ups to close down.

High-quality food trucks can add to Lincoln's foodie culture, generate sales taxes and create new jobs.

Do we need food trucks to follow basic food safety regulations - yes. Do we need them to pay their sales and employment taxes - yes. Do we need them parked only on private property - no.

Please address this issue with an eye toward supporting new ventures in our city. Please work with Heoya and Downtown businesses to craft more open guidelines for fostering the growth of this market.

One of the things I love to do when I travel is to visit local eateries and local food trucks. I am proud to live in a city with so many great local chefs. I fully support the addition of new food trucks to Lincoln and new places to access them.

Abigail Swatsworth
1433 S 14th St
Lincoln NE 68502
I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

MAYOR

III. DIRECTORS

PUBLIC WORKS AND UTILITIES/PEDESTRIAN MANAGEMENT/SIDEWALKS
1. Sidewalk Improvement District Number 96. Public Hearing for ordinance scheduled September 26th would allow Public Works to proceed with contract preparation and contract award to complete the sidewalks at specified locations with costs assessed upon completion next year.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. InterLine correspondence from Jay Crawford in support of food trucks in Lincoln, specifically Heoya.
2. Correspondence from Jeanette Fangmeyer commenting NW 48 should be viewed as one complete street improvement project.
3. InterLinc correspondence from Megan Spain in support of Heoya parking downtown.
4. Larry J. Wagner email commenting on who is needed for the Lincoln City Council vacancy and possible other offices.

VI. INVITATIONS
See invitation list.
Date: September 23, 2011  
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

**Mayor Beutler’s Public Schedule**  
**Week of September 24 - 30, 2011**  
*Schedule subject to change*

Saturday, September 24  
• Lincoln Arts Festival patron breakfast, remarks - 9:30 a.m., SouthPointe parking lot near Barnes and Noble

Sunday, September 25  
• Streets Alive!, remarks - 12:30 p.m., south parking lot of Lincoln-Lancaster County Health Department, 3140 “N” Street

Tuesday, September 27  
• Corrections Joint Public Agency - 9 a.m., City Council Chambers, County-City Building, 555 S. 10th St.  
• KFOR - 12:30 p.m. (pre-recorded)

Wednesday, September 28  
• Bio-Innovation Conference, remarks - 11 a.m., (also attending session at 1:15 p.m.), Pfizer Global Manufacturing Facility, 601 W. Cornhusker Highway

Thursday, September 29  
• Nebraska Economic Developers Association, remarks - 8 a.m., Embassy Suites, 1040 “P” Street  
• League of Nebraska Municipalities annual conference, remarks - 8:10 a.m., (also attending sessions at 10:45 a.m. and noon) Cornhusker Marriott, 333 S. 13th

Friday, September 30  
• League of Nebraska Municipalities annual conference - 11 a.m., Cornhusker Marriott
Memorandum

To: Lincoln City Council
From: Harry Kroos, Public Works & Utilities Dept.
Subject: Sidewalk District Number 96
Date: September 23, 2011
cc: Mayor Buetler, Miki Esposito, Roger Figard, Randy Hoskins, Thomas Shafer, Joan Ross

The Public Works and Utilities Department has prepared an ordinance creating Sidewalk Improvement District No. 96. The Public Hearing for this ordinance is scheduled for September 26, 2011 at 5:30 p.m. This ordinance will allow the Public Works and Utilities Department to proceed with contract preparation and contract award to complete the sidewalks at the specified locations with the costs assessed upon completion of the contract next year.

Section 14.80.070 of the Lincoln Municipal Code provides the authority for the City Council to order the construction of public sidewalks by resolution. The sidewalk locations noted by the letters A, B, C & D were ordered constructed by Council Resolution No. A-86025 adopted September 27, 2010. The sidewalk locations noted by letters E & F were ordered constructed by Resolution No. A-83295 adopted on July 10, 2006. The requirement for property owners abutting public streets to construct sidewalks is detailed in Section 19, Article VII of the City Charter.

I have included a brief summary of the locations for sidewalk construction associated with this ordinance included with the memo.
Summary of Sidewalk District Locations

A. 6546 Benton Street - Portion of sidewalk along Benton Street was removed prior to construction of modular home in 2003. Location has been a concern for an individual in the area.

B. North 27th Street along the west side between Enterprise Drive and Fletcher Avenue - single irregular tract which has not been included in the development occurring along North 27th Street. We have received several calls and e-mails regarding completion of this sidewalk.

C. West side of Northwest 20th Street adjacent to Lakeview Park.

D. East side of Northwest 20th Street south of West 'Q' Street - Local resident has called indicating that an individual in a wheel chair must travel in the street due to the lack of sidewalk along the east or west sides of Northwest 20th Street.

E. Northwest 48th Street along west side between West Madison and West Adams Street - This location has been requested by residents in the Arnold Heights Neighborhood who wish to walk to the grocery store and also residents in Ashley Heights who wish to walk to the school or swimming pool. The Sidewalk Office has had several conversations with Duane Hartman regarding completion of this portion of the sidewalk. Mr. Hartman has not completed the required construction.

F. South 70th Street along west side from Nebraska Highway 2 to Stevens Ridge Road - Requests for the sidewalk along South 70th Street have been received by several local residents. The issue for completion of this sidewalk became more exacerbated when Sheridan Lutheran Church was constructed at 70th and Old Cheney Road.
InterLinc: City Council Feedback for
General Council

Name: Jay Crawford
Address: 511 Lakeside Dr #307
City: Lincoln, NE, 68528
Phone: (402)-419-9187
Fax:
Email: crawford_jay@hotmail.com

Comment or Question:
Dear Council members,

My name is Jay Crawford. I would have emailed just my City Council representative but was unable to do so on your web site. But my concern is about what Jon Camp recently said about food trucks in a Lincoln Journal Star article. Camp said he's, "not sure whether allowing a food truck downtown would be fair to the many restaurants that pay real estate taxes there that then would have to compete with Heoya's (food truck)." Well to me that does not make a whole lot of sense, since one business is in a building and one business is in a truck.

Heoya's business will be paying taxes and fees on his truck that businesses in a building will not incur. He will have to get a vendor's license, a truck license, registration fees, Wheel tax, Insurance on the truck along with all the contents, Property tax on the truck and contents, tax on the gas he will have to buy to move his truck around the city every day, plus any other tax that I might have missed. I believe that these fees and taxes that a mobile business incurs, make a wash out of the real estate taxes that Camp is concerned about. For a city that is having a hard time with its budget, more businesses like this in Lincoln would benefit the city.

Further, for Camp to say that its not "fair" for fixed business to have a mobile business parked out in front, is a bit of an over dramatic statement. Are these fixed business not only competing with each other, and every other business in town? Lincoln needs to emphasize it's diversity, in order to compete and become a destination that stands on its own next to Omaha. Considering these trucks are local business owners, it seems to be obvious that the city council would want to support them. The money they are making is staying here, and not going to back to some big chain's headquarters (like the recent additions of 5 Guys Burgers and Pickleman's to the downtown area). In my opinion, all a food truck does is add a bit of competition to business' that are already downtown, making the downtown area more attractive. What happened to free enterprise?

Thank you for taking the time to read this Jay Crawford
Because of lack of improvements along NW 48 for the last 30+ years even when NW 48 has been on the 6-year plan for improvements, the following:

NW 48 must be treated as a single unit for improvements from "O" street to Highway 34. Any improvements made before the full length of NW 48 is one complete project must be consistent with the current design standard along all of NW 48th. Meaning using the current shoulder and median, dig down 12 inches, fill with black top and hope for the best.

This property has paid no property taxes to the city of Lincoln before annexation and should no be able to take precedence over property that has been on the tax rolls when construction of streets are involved.

View NW 48 as one complete street improvement project.

Jeanette Fangmeyer
InterLinc: City Council Feedback for General Council

Name: Megan Spain
Address: 227 S. 17th St
City: Lincoln, NE, 68508

Comment or Question:
How can you stop Heoya from parking downtown? They are a great addition to the downtown area and culture. It is a unique food experience that helps downtown thrive. If Heoya is stopped from parking downtown you will be depriving everyone. It is a mistake to stop them.
Mary M. Meyer

From: Larry J. Wagner [lnjwagner@windstream.net]
Sent: Monday, September 26, 2011 9:54 AM
To: Mary M. Meyer
Subject: Diana R. Schimek

Importance: High

We do not need political stars on the City Council! We need people who care about Lincoln and its future! Not people with political agendas!

Diana R. Schimek represented me when she was Senator. I had talked to her about laws pertaining to wrongful death. The response I received was it is not our fault it is the fault of those who pass sentence. My response to that was if laws were written so they could be interpreted only one way and more severe so they would deter crime. Key word when it comes to law is **Interpret**. The next important thing is the **next follow-up question** never asked! Every year, on the anniversary of my deceased wife’s death, I write and hand carry a letter to every Senator’s Office. Rarely would I get a reply from Senator Schimek! I could count on replies from Senators who did not represent me and some would reply every year they were in office. The anniversary month is February and I would check to see what bills were to be presented and ask that they be supported or rejected. Senator Schimek would wait until April or later to respond if at all, and if the bill did not make it thru the process to be voted on I would get a letter telling me what I already knew. The letter was written as if I was not knowledgeable and asking for her support for a bill that did not make it through the system! It was already in the system when I asked!

Senator Beutler never responded until it came to term limits when I received a letter thanking me for my letter last session (received a Xerox copy); thanking me for my very informative letter and he appreciated it when citizens take the time to educate senators on issues before the Legislature and he apologized for his delay in responding. So I sent an e-mail to Mayor Beutler and went thru your process for e-mail and I never received a response!! Next time I sent some information, I received a response from the Ombudsman. I thanked them for responding but their response had nothing to do with what I had sent. When I receive information that I think the Mayor should have I send it or forward it on to him response or no response! I guess you can tell who is going to get my vote! I vote for the person who can do the best job and communicate!

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P.S. council@ci.lincoln.ne.us in the paper failed!