DIRECTORS’ MEETING  
MONDAY, OCTOBER 31, 2011  
555 S. 10TH STREET, ROOM 113  
2:00 P.M.

I. CITY CLERK

II. MAYOR
1. NEWS ADVISORY. Mayor Beutler will hold a news conference on October 27th, 10:00 a.m. at 555 S. 10th Street, in the Mayor’s Conference Room to discuss the future of the Pershing Center.
2. NEWS RELEASE. Mayor announces Pershing redevelopment process.
3. NEWS RELEASE. Julie Righter appointed to National Accreditation Board.

III. DIRECTORS

COMMISSION ON HUMAN RIGHTS
1. Commission on Human Rights meeting agenda for Thursday, October 27, 2011, 4:00 p.m., at 555 S. 10th Street.

FINANCE/TREASURER

HEALTH DEPARTMENT
1. NEWS RELEASE. Halloween doesn’t need to be a dangerous night for children.
2. NEWS RELEASE. Last household hazardous waste collection for 2011.

LINCOLN LIBRARIES
1. NEWS RELEASE. Lincoln City Libraries offers parent-child book groups.

PARKS AND RECREATION
1. Letter to Mayor Beutler from Joe Tidball, Parks and Recreation Advisory Board Chair, applauding the inclusion of an additional $1 million of general revenue funds for deferred repair and replacement projects in the Parks and Recreation CIP Program.

PLANNING DEPARTMENT
1. Memorandum from Marvin Krout, Planning Director, regarding zoning for accessory buildings.

IV. COUNCIL MEMBERS

CARL ESKRIDGE
1. Correspondence from Edward Forde questioning the state of the street surfaces downtown.

V. MISCELLANEOUS
VI. CORRESPONDENCE FROM CITIZENS
1. Correspondence from Carl Sjulin, West Gate Bank President, writing in support of the R.I.P. application requesting a Change of Zone and Special Use Permit, giving reasons how it would boost the economy, serve the demand for apartments, and improve our community.

VII. ADJOURNMENT
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511, fax 402-441-7120

DATE: October 26, 2011
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Chris Beutler will discuss the future of Pershing Center at a news conference at 10 a.m. Thursday, October 27 in the Mayor’s Conference Room, third floor of the County-City Building, 555 S. 10th.
FOR IMMEDIATE RELEASE: October 27, 2011
FOR MORE INFORMATION: David Landis, Urban Development, 402-441-7126

MAYOR ANNOUNCES PERSHING REDEVELOPMENT PROCESS

Mayor Chris Beutler today said a unique process to decide the future of Pershing Center will encourage “creativity, partnership and strong financial support” and give the City more options for the facility. Beutler announced that an Invitation for Redevelopment Proposals (IFRP) will be issued July 2, 2012, with submissions due October 1, 2012. This allows 11 months for proposals to be developed, rather than the traditional 60 to 90 days.

“We envision a spirited competition for a plan that describes the highest and best use of the Pershing property, provides the greatest bang for the buck for Lincoln’s taxpayers and articulates a long-term vision for a key location along Centennial Mall,” Beutler said. “The long time frame allows potential developers to dream bigger dreams for Pershing’s future, thoroughly investigate financing options and explore potential partnership opportunities with other suitors.”

The IFRP and detailed information on Pershing Center are available on a new website – pershing.lincoln.ne.gov. The Pershing Adaptive Reuse and Site Study completed in 2009 also is available at that website. The IFRP will be released nationally and is open to public, private and nonprofit entities. A Mayoral committee will examine the submissions and choose one of the proposals. The project may be eligible for tax increment financing.

The City owns the Pershing Center block bounded by Centennial Mall, 16th, “M” and “N” streets. Pershing has served as the City’s main auditorium for more than 50 years and can no longer accommodate many events. In 2010, voters approved a new 16,500-seat arena in the West Haymarket area, and ground was broken for the project in September. The arena, which will be home to the UNL basketball program, is scheduled to open in fall 2013.

Beutler said the longer process also allows for a smooth transition for Pershing Center, which continues to host many events and generate revenues. The Mayor said Pershing will continue to honor existing commitments to event producers and local organizations.

The Mayor said the City will continue to have the option to sell Pershing to a private-sector buyer, putting it back on the tax rolls. “But simply offering Pershing for sale may sell the community short,” he said. “Having only one method in determining Pershing’s future denies us the opportunity to see all the possibilities that may be available. Some of those possibilities may be more lucrative to the community in the long run or represent a better use of a prime property.”

- 30 -
FOR IMMEDIATE RELEASE: October 27, 2011
FOR MORE INFORMATION: Julie Righter, Emergency Communications/911, 402-441-7252

RIGHTER APPOINTED TO NATIONAL ACCREDITATION BOARD

The Commission on Accreditation for Law Enforcement Agencies (CALEA) has appointed Julie Righter, Communications Coordinator for the Lincoln Emergency Communications/911 Center, to the position of CALEA Commissioner. Righter’s three-year term begins January 1, 2012.

“I’m personally honored and humbled to be named a CALEA Commissioner,” said Righter. “Even more so, I look at it as confirmation of the great service my staff provides on a daily basis to the citizens of Lincoln and Lancaster County. This appointment is high praise for all who are involved in our local emergency communications and response network.”

CALEA was established as an independent accrediting authority in 1979. The Commission develops standards and administers an accreditation process through which law enforcement and public safety communications agencies voluntarily demonstrate they meet professionally recognized criteria for excellence in management and service delivery. CALEA requires re-accreditation every three years.

Lincoln is one of only four cities in the U.S. to have all three emergency service providers nationally accredited:

- The Lincoln Emergency Communications/911 Center became the 14th center in the nation to be accredited by CALEA in 2002. The Center was re-accredited in 2005 and was named a Flagship Agency for its commitment to the CALEA accreditation process and its willingness to share its success with others. The Center also was re-accredited in 2008 with Flagship status and is seeking its fourth re-accreditation in Colorado Springs in November.
- The Lincoln Police Department was re-accredited by CALEA in April 2008. LPD has been nationally accredited since 1989, when LPD became the first law enforcement agency in Nebraska to achieve that status. LPD also has earned the enhanced Certificate of Meritorious Accreditation from CALEA.
- Lincoln Fire and Rescue (LFR) was last accredited by the Commission on Fire Accreditation International, Inc. (CFAI) in 2010. LFR was first accredited in 1997 and has been successfully reaccredited by the CFAI every five years since.

- more -
The Lincoln Emergency Communications/911 Center is staffed by a team of 41 highly-trained communications professionals. Emergency Service Dispatchers are trained to handle a variety of law enforcement, fire and medical emergencies. The dispatchers are responsible for receiving, prioritizing and sending appropriate assistance to residents of the City, County and surrounding area.

CALEA’s goals are to strengthen crime prevention and control capabilities, formalize essential management procedures, establish fair and nondiscriminatory personnel practices, improve service delivery, solidify interagency cooperation and coordination, and increase community and staff confidence in the agency.

For more information on CALEA, visit calea.org. Additional information on the Lincoln Emergency Communications/911 Center can be found on the City website at lincoln.ne.gov (keyword: 911).
AGENDA

I. Swear in new Commissioner Bennie Shobe

II. Roll Call

III. Approval of Minutes of September 29, 2011 Commission Meeting

IV. Approval of Agenda for October 27, 2011 Commission Meeting

V. Case Dispositions
   A. Reasonable Cause/No Reasonable Cause
      1. LCHR No.: 11-0120-004-E-R
      2. LCHR No.: 11-0302-012-E-R
      3. LCHR No.: 11-0504-019-E-R
   B. Pre-Determination Settlement
      4. LCHR No.: 11-0721-013-H (To be handed out)

VI. Administrative Closures/Withdrawal

   5. LCHR No.: 11-0307-007-H

VII. Old Business

   A. Director Position Update
   B. Commission Initiated Complaint Procedure

VIII. New Business

IX. Public Comment**

X. Adjournment

**Public comments are limited to 5 minutes per person. Members of the public may address any item of interest to the LCHR during this open session with the exception of LCHR cases. Also, no member of the public who wishes to address the commission will be allowed to examine any individual commissioner or staff member on any item/question before the commission unless invited to do so by the chairperson.
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

OCTOBER 26, 2011

TO: MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS

FROM: FINANCE DEPARTMENT / CITY TREASURER

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business September 30, 2011:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Forward</td>
<td>$309,926,011.05</td>
</tr>
<tr>
<td>Plus Total Debits September 1-30, 2011</td>
<td>$53,507,413.95</td>
</tr>
<tr>
<td>Less Total Credits September 1-30, 2011</td>
<td>($47,266,441.42)</td>
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<tr>
<td><strong>Cash Balance on September 30, 2011</strong></td>
<td><strong>$316,166,983.58</strong></td>
</tr>
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</table>

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount</th>
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<tbody>
<tr>
<td>U. S. Bank Nebraska, N.A.</td>
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<tr>
<td>Wells Fargo Bank</td>
<td>($156,607.74)</td>
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<td>Wells Fargo Bank Credit Card Account</td>
<td>$1,251.29</td>
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<tr>
<td>Bank of Prague</td>
<td>$3,626.00</td>
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<tr>
<td>Commercial State Bank - Cedar Bluffs</td>
<td>$4,828.71</td>
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<tr>
<td>Cornhusker Bank</td>
<td>$146,439.50</td>
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<tr>
<td>First National Bank - Wahoo</td>
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<tr>
<td>Heartland Community Bank - Bennet</td>
<td>$5,199.25</td>
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<tr>
<td>Pinnacle Bank</td>
<td>$179,287.75</td>
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<tr>
<td>Union Bank &amp; Trust Company</td>
<td>$116,787.94</td>
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<tr>
<td>West Gate Bank</td>
<td>$102,321.83</td>
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<tr>
<td>Idle Funds - Short-Term Pool</td>
<td>$154,788,496.94</td>
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<tr>
<td>Idle Funds - Medium-Term Pool</td>
<td>$139,277,269.25</td>
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<tr>
<td>Cash, Checks and Warrants</td>
<td>$35,281.96</td>
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<tr>
<td><strong>Total Cash on Hand September 30, 2011</strong></td>
<td><strong>$316,166,983.58</strong></td>
</tr>
</tbody>
</table>

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments’ notification to the City Treasurer’s office of these deposits; therefore, these deposits are not recorded in the City Treasurer’s bank account balances at month end.

I also hold as City Treasurer, securities in the amount of $175,305,408.37 representing authorized investments of the City’s funds.

ATTEST:

[Signature]

Melinda J. Jones, City Treasurer
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<tr>
<th>DESCRIPTION</th>
<th>CUSIP</th>
<th>MATURITY DATE</th>
<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
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<td>FHLB BONDS</td>
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<td>09/25/2019</td>
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<td>FHLB STEP-UP 2.25%</td>
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<td>08/26/2014</td>
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<td>$1,000,000.00</td>
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<tr>
<td>CORNHUSKER BANK</td>
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<td>$2,500,000.00</td>
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<td>FNMA POOL 874997</td>
<td>31409MDA8</td>
<td>11/01/2014</td>
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<td>$5,288,677.54</td>
<td>1.09</td>
<td>$5,718,106.27</td>
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<td>USBANK</td>
<td>TOTAL PLEDGED</td>
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<td>$5,288,677.54</td>
<td></td>
<td></td>
<td>$5,718,106.27</td>
</tr>
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</table>
Halloween Doesn’t Need to be a Dangerous Night for Children
Child Pedestrian Deaths Double on Halloween Night

Keep the fun in Halloween by being safe pedestrians and careful drivers. Safe Kids Lincoln-Lancaster County urges parents to prepare children to act safely when walking and drivers to take extra precautions to protect pedestrians.

“Kids need proper safety instruction before they go out trick-or-treating,” says Julie Anderson, Safe Kids Lincoln-Lancaster County. Many kids will be out trick-or-treating while it is dark and more difficult for drivers to see them. There are several easy and effective behaviors that parents can share with kids to help reduce their risk of injury. For example, children younger than age 12 should not be alone crossing streets on Halloween without an adult. If older kids are mature enough to go trick-or-treating without adult supervision, parents should make sure they go in a group and stick to a predetermined route with good lighting.

In preparation for Halloween, Safe Kids Lincoln-Lancaster County will team up with Walk This Way program sponsor, Fed Ex, to provide kids with reflective materials to promote visibility, including zipper tags that can be attached to costumes and trick-or-treat bags, as well as important safety information to children, parents, and drivers. Zipper pulls are available October 26-28 at the Lincoln-Lancaster County Health Department, 3140 ‘N’ Street 8:00 a.m. – 4:30 p.m. while supplies last.

Drivers need to be extra alert as there will be more children on the streets and sidewalks – and those kids may be focused on gathering candy and the excitement of the holiday rather than being careful while crossing streets. “Safe Kids and FedEx urge drivers to slow down on neighborhood roads to make Halloween more enjoyable for everyone, but also to help save lives,” added Julie Anderson.

While pedestrian safety is a main concern on Halloween, parents and kids should also be careful when dealing with candy. “While kids never want to wait to dive into their candy, it is best to check sweets for signs of tampering before children are allowed to eat them,” says Julie Anderson. “Remind children to only eat treats in original and unopened wrappers.”

For more Halloween safety tips, please go to www.lincoln.ne.gov keyword safekids.
For Immediate Release: November 1, 2011
For More Information:
Dan King, 402-441-8084, dnking@lincoln.ne.gov or
Laurel Erickson, 402-441-8035, lerickson@lincoln.ne.gov

Last Household Hazardous Waste Collection for 2011

As you wrap up your fall home and garden projects, the Lincoln-Lancaster County Health Department encourages you to store hazardous household products safely: avoid temperatures extremes, and keep them in their original containers, tightly sealed, away from children or pets.

If you have unwanted products or outdated chemicals that you need to safely dispose of, you may bring them to the last 2011 Household Hazardous Waste Collection on Friday, November 18. This collection for Lancaster County households only (not businesses), runs from 9 am to 1 pm, and is an appointment-only collection. Call Dan King at 402-441-8084 for an appointment and location information.

Items accepted include excess or unwanted pesticides or lawn chemicals, burned out fluorescent bulbs (CFLs) and tubes, 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 or power steering fluids.

Do NOT bring latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics, or batteries—these items are NOT accepted at the HHW collection, since they can be recycled or safely disposed of locally. Residents who have excess usable latex paint may take that to a Saturday, November 12, Usable Latex Paint Exchange at EcoStores Nebraska at 530 West P St. Call EcoStores for more information on that exchange: 402-477-3066.

###
Lincoln City Libraries Offers Parent-Child Book Groups

The Bookworms, a group for third through fifth graders and their reading partners, meet at the Anderson Branch Library, 3635 Touzalin Avenue, on the first Tuesday of every month, November through May from 6:30-7:30 p.m. To sign up, please call Anderson Branch, 402-441-8540.

R.A.P Around the Year @ Gere meets on the second Monday of the month at Gere Branch Library from 6:30 to 7:15 p.m. The targeted age group is first through third-graders and a reading partner. Call Gere Branch Library at 402-441-8560 for more information or to pick up the current month's book selection. Drop-ins welcome. No pre-signup required.

###

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512
October 13, 2011

Mayor Chris Beutler  
City of Lincoln  
555 So. 10th Street, Suite 301  
Lincoln, NE  68508

RE: Recommendation regarding Capital Improvement Project Funding

Dear Mayor Beutler:

The Parks and Recreation Advisory Board applauds the inclusion of an additional $1.0 million of general revenue funds for deferred repair and replacement projects in the FY 2011-12 Parks and Recreation Department Capital Improvement Program (CIP). The Board recommends to the Mayor and to the City Council inclusion of $2.0 million in the upcoming biennial budget, in addition to revenue generated from communication tower leases on parkland, for the purpose of renewing and replacing parks and recreation facility infrastructure.

If this amount is appropriated, the following and similar projects can be undertaken:

**Building Repair/Replacement**
- Antelope Park restroom replacement $90,000
- Mahoney Park restroom /concession ADA renovation $30,000

**Playground Replacement**
- Peter Pan Park playground $40,000
- Williamsburg Park playground ADA surfacing $20,000
- Van Dorn Park playground $40,000
- Taylor Park playground $40,000
- Antelope Park South playground $25,000
- Antelope Park playground surfacing replacement $100,000

**Skatepark Renovations**
- Tierra skatepark equipment replacement $130,000

**Hard Surfacing**
- Zoo entrance plaza/bridge repair $30,000
- Pioneers Park Pathway Replacement $50,000
- Parking lot and roadway resurfacing $500,000

**Pools**
- Star City Shores slides and central play feature replacement $350,000
- Air Park Pool bathhouse and pool basin ADA renovation $85,000
- Eden Pool bathhouse and pool basin ADA renovation $250,000

**Park Amenities**
- Renovation of Cascade Fountain $250,000

**Street Tree Replacements**
- $80,000

**Park Landscape Replacements**
- $40,000
This investment of funds is needed. Parks and Recreation facilities will continue to deteriorate if an ongoing commitment of CIP funds is not made. In addition to commitment of public funds, we anticipate that the Lincoln Parks Foundation will raise an additional $5.5 million of private funds for major facility renewals and renovations, with their primary focus being on the renovation and endowment of Centennial Mall.

We feel that it is our duty to make this recommendation to you and to the City Council. We appreciate your efforts to maintain and improve our City.

Sincerely,

Joe Tidball
Chair, Parks and Recreation Advisory Board

Cc: Lincoln City Council
MEMORANDUM

TO: Lincoln City Council

FROM: Marvin Krout, Director of Planning

SUBJECT: Zoning for Accessory Buildings

DATE: October 27, 2011

cc: Mayor Beutler
Fred Hoke, DSC/Building & Safety
Miki Esposito, Public Works
Judy Halstead, Health

Councilmembers Camp and Emery inquired with the Planning Department about possible amendments to the zoning code that would place more restrictions on accessory buildings in residential districts. The Planning Department’s comments on this question are outlined below.

This question stemmed from complaints from neighbors about a large accessory building constructed at 6530 Deerwood Drive (see attached photo). There were other complaints about litter, weeds, and illegal salvage-type operations which were investigated by City staff. No violations of any City codes, including the zoning code, were discovered. There is another unresolved issue, regarding the fence in front of the accessory building along 66th Street, which I have addressed at the end of this response.

**Lincoln’s zoning rules for accessory buildings**

Accessory buildings in the residential zoning districts:

- cannot exceed 15 feet in height (measured to the midpoint of a pitched roof) if their placement encroaches into the side or rear yard areas for main dwellings that is established for each zoning district

- cannot take up more than 40 percent of the required rear yard area

- must be located behind the front yard setback line, and must be set back at least 60 feet from the front lot line if the accessory building encroaches into the side yard area

- may be built as little as 2 feet from the side and rear lot lines, if separated by 6 feet or more from the main dwelling
Accessory building rules in other communities

In contrast, some other communities have established one or more of the following additional controls on accessory buildings:

- A maximum floor area for any accessory building, or a maximum for all accessory buildings on the lot; typically 750-1000 square feet for an individual building, or for all accessory buildings, no larger than the floor area or building coverage of the main dwelling. The maximum size for an accessory building in Omaha is 750 square feet; the accessory building on the lot in question is 960 square feet. The floor area and the coverage of the main dwelling is more than the floor area and coverage of all the accessory buildings on the lot in question.

- An overall maximum building coverage, including both the main dwelling and accessory buildings, ranging from 25-40 percent, with smaller lots allowed more coverage. The equivalent district in Omaha would limit total building coverage to 30 percent. The total building coverage on the lot in question is less than 30 percent of the total lot area.

- Less commonly, other codes may require that accessory buildings over a certain size must follow the setbacks for the main dwelling.

- I am aware of one code which limits accessory buildings to the height of the main dwelling.

- More rarely, communities have established some kind of aesthetic standards to try to achieve “compatibility” between the dwelling and accessory buildings on a lot, requiring either the same or “similar” (which invites debate on interpretation) materials and color.

Analysis

Examining the circumstances of the 6530 Deerwood Drive lot, it seems a somewhat unusual case. The lot is oversized at more than 15,000 square feet, and on a corner in a R-1 district, which has a minimum 10,000 square foot lot size. Smaller lots do not usually provide the opportunity to site a building of this size which meets the limitations and leaves any significant yard area. Typically the land needed to site a large accessory building is to the rear of the house and pretty much hidden from street view.

In regard to size: Lincoln’s code does not have a maximum size for an individual accessory building, nor a maximum area for all accessory buildings on a lot. If this building was smaller, say 18 x 40 feet instead of 24 x 40 feet, to comply with a 750 square foot restriction as in Omaha, but the building was in the same location with the same appearance, it probably would have generated the same complaints.
Lincoln’s code defines accessory uses as being “incidental” to the main use, which can raise questions of interpretation as to size. It is not uncommon to see accessory buildings of 750-1,000 square feet on city lots. We are told that years ago, the City used to use as a policy guide that anything over 1800 square feet of accessory buildings (including attached garages) on a lot went beyond the meaning of incidental, and property owners seeking more than that amount of area were directed to the Board of Zoning Appeals. That rule of thumb is no longer used, but if it was, then the total area of accessory buildings on this lot would be below that threshold.

In regard to **setbacks**: In this case, if Lincoln had a rule that did not allow accessory buildings of this size to encroach into setback areas, it probably would not have made much difference. The code provides for construction on corner lots to respect front yard setbacks along both street frontages, with a side yard and a rear yard along the interior lot lines. In this case, the owner could have chosen to designate the yard along the north lot line as a side or a rear yard.

The side yard requirement in the R-1 district is 10 feet. The accessory building was constructed at 6 feet from the north lot line, due to a 5 foot easement along that line. This is less than the encroachment to 2 feet that is otherwise permissible for accessory buildings. But if the code did not allow a building of this size to encroach into the side yard, it still could have been constructed 10 feet from the north lot line. I should point out here that if the main dwelling had been constructed closer than 27 feet to the west lot line, along Deerwood Drive, then the yard along that line would need to be called the side yard, and the north lot line would have been designated as the rear yard. If that was the case, the rear yard area on this lot would have been 26 feet along the north lot line, and an accessory building of this size would not have fit in the remaining envelope.

In regard to **height**: The eave height of the accessory building looks to be 2 feet above a 10 foot tall overhead door, taller than the average eave height of the main dwelling, and so the overall height of the accessory building is a little taller than the main dwelling. This probably accounts for some of the concern with appearance. However, this kind of accessory structure is not uncommon in Lincoln; there are examples of attached and detached garages of this type.

In regard to **appearance**: Adopting new rules to try to achieve more compatibility of materials, roof pitch, color, etc. would create a significant new administrative burden, and result in frequent difficulties in interpretation. In many cases it could dictate custom construction as opposed to the installation of pre-fabricated buildings, and upgrade in roof and/or wall materials, which could significantly increase the cost of these buildings for property owners.

Like most communities, Lincoln does not have architectural standards for its residential neighborhoods, with limited exceptions. Construction and alteration of structures in locally designated historic landmark districts are reviewed by the Historic Preservation Commission, if the proposed work is visible from the street. The Neighborhood Design Standards for pre-1950
neighborhoods set some criteria for the design of new dwellings, but not for additions or accessory buildings.

Lincoln, like most cities, recognizes that some homeowners vary in how much regulation they desire, and recognizes that homeowners looking for more regulation than the City has in place can find neighborhoods with strong private covenants that provide those additional controls. Private covenants sometimes deal with size and placement and design of accessory buildings. Colonial Hills may have private covenants in place that homeowners in that addition could use to privately control the placement and design of accessory buildings.

Conclusions

We have received very few complaints in the past on this topic. From our viewpoint it does not appear to be a significant issue of citywide concern that deserves immediate attention. However, this is a question of community values, different communities have different standards, and we would be glad to bring the discussion to the Planning Commission, Neighborhood Roundtable, and/or Problem Resolution Team, if the Council wants to solicit additional views.

Staff could look at a rule that would require greater setbacks for larger accessory buildings, or further limit the height of accessory buildings that encroach into required yard areas. But I am concerned that this could have a significant effect in limiting the size and placement of accessory buildings on lots that have been traditionally approved and constructed in the past on many residential lots in many neighborhoods and with little controversy.

Finally, the Council should recognize that this or any other code change for accessory buildings would not affect the situation for 6530 Deerwood Drive or any other legally permitted accessory building; they all would be treated as legal nonconforming structures, and could continue to remain indefinitely.

Reviewing letters from neighbors, we also noted their complaints regarding the fence that was constructed along the sidewalk on 66th Street, and the absence of a driveway for vehicles that have been accessing the accessory building. We noted that the fence was built right along the edge of the sidewalk, and appears to be in street right-of-way. In addition, City design standards call for areas near private driveways to have a protected sight triangle in which fences and landscaping may not block visibility for drivers leaving the site for the street.

We contacted Public Works staff, and learned that they have been in contact with the owner and are working with him on relocating and rebuilding the fence, as well as constructing a driveway on 66th Street to the accessory building and repairing any damaged curb or sidewalk.
Dear Carl,

I hope you and Janet are doing well.
Sorry to contact you with an issue, but I have raised it before with my previous councilman.

The street surfaces downtown have not been repaved forever, despite the huge volume of vehicles driving on 9th, 10th, K, and the Haymarket; and we all pay wheel taxes that are then used to pave Sheridan and south and east Lincoln. Now we have the Arena and three hotels in construction, and the worst downtown streets of any city in the state. It is dangerous and an embarrassment.

Specifically, the intersections of K and 11th and 12th are deeply grooved, so much so as to affect steering. The surface of 8th Street and S is worse than an alley in Tijuana, and is visited by all attendees to university sports events. 11th St. is the main bus roadway, and also serves a school for blind adults, and the road is a patchwork of crevices and potholes.

Why have I paid wheel taxes for years with zero funding going to street repaving downtown?

Thanks.

Ed Forde
October 25, 2011

Members of the Lincoln City Council:

I am writing in support of the application by R.I.P., Inc. requesting a Change of Zone (CZ 11035) and Special Use Permit (SP 11023) that will be heard by the Council on November 7. The project site is 6.5 acres located on North 24th Street just south of Superior. The proposal is for the construction of a 96 unit apartment complex. The current zoning/special use permit on the property is unique and would allow for a 128 unit complex but only if the occupants are "elderly."

The proposed change will delete this 11 year old "elderly" restriction that has prevented the property from being developed (it is currently a vacant lot). The project is an "in-fill" site that is perfect for multi-family development and is consistent with the attributes the 2040 Comprehensive Plan desires to foster including the following:

1. No new streets or utilities required;
2. Increase population density along a major arterial street; and
3. Make a good transition of land uses from the commercial development to the north to the townhomes located to the south.

During the meetings with neighbors I have attended, they have requested that the City install a traffic signal at the "T" intersection of North 24th and Superior Street. I agree and would encourage the City to install such a signal to help traffic in this area which is already high. This will minimize any impact on the adjacent neighborhood.

This request received approval from the Planning Commission, and former City Council member John Spatz is also supportive. Indeed, John used to live just a couple blocks from the site, and during a meeting with a neighborhood representative, indicated that a traffic signal was already needed and that the City should install the light.

The good news is that the impact fees paid by the developer for this project will more than pay for the traffic signal. This is precisely what impact fees are designed to do. The sales and property tax growth, job creation, affordable housing and other benefits will be gravy.

Finally, we have worked with the developer (R.I.P.) for many years, and the company is an excellent apartment builder, owner and manager. R.I.P. will do a great job with this project.

This application is a "no brainer" that can take a vacant piece of land that has already been designated as "elderly" multi-family and foster $8 million in new investment that will help boost our economy, serve strong demand for apartments in the area, and improve our community. I encourage you to support this project. Thanks.

Carl J. Sjulin, President
West Gate Bank
6003 Old Cheney Road
P.O. Box 82603
Lincoln, NE 68501-2603
(402) 434-3456
(402) 434-3450 (direct)
Fax (402) 323-8999
csjulin@westgatebank.com

Integrity. Strength. Trust. West Gate Bank is committed to providing a strong foundation to build relationships that empower our customers and employees to achieve their dreams.
AGENDA
SPECIAL LES ADMINISTRATIVE BOARD
Thursday, November 3, 2011 – 7:00 p.m.
LES Board Room
1040 “O” Street

7:00 P.M.

1. Call to Order

2. Comments from Customers

3. Consideration and Approval of 2012 LES Operating and Capital Budget – LES Resolution 2011-16

4. Approval of 2012 Rate Adjustment – LES Resolution 2011-17

5. Adjournment

Next Administrative Board meeting Friday, November 18, 2011.
I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

MAYOR
1. NEWS RELEASE. Residents can use Iphone APP to report issues to City.
2. NEWS RELEASE. Mayor Beutler’s public schedule for the week of October 29, 2011 through November 4, 2011.
3. NEWS RELEASE. Wastewater maintenance workers stop overflow caused by sewer line stoppage.

III. DIRECTORS

CITY ATTORNEY
1. Response from Rodney Confer, City Attorney, to Council Members, et al, regarding Councilman Camp’s suggestion that prefatory language be included in the Comprehensive Plan.
   a) Councilman Doug Emery’s comments on prefatory language to the L2040 Plan.
   b) Councilman Gene Carroll’s comments on prefatory language to the Comp Plan.

PLANNING DEPARTMENT
2. Board of Zoning Appeals meeting canceled for November, 2011.

IV. COUNCIL MEMBERS

CARL ESKRIDGE
1. Response from Thomas Shafer, Design/Construction Section Manager, to Ed Forde’s correspondence to Councilman Eskridge regarding concerns of the downtown street conditions.
   (Listed on Director’s Meeting agenda, October 31, 2011)

V. CORRESPONDENCE FROM CITIZENS TO COUNCIL

VI. INVITATIONS
See invitation list.
RESIDENTS CAN USE IPHONE APP TO REPORT ISSUES TO CITY

At today’s Nebraska Digital Summit, the City of Lincoln unveiled a new iPhone application that allows residents to contact the City’s ACTION Center with their mobile phones. The free app is now available in the iTunes store.

The ACTION (Acting with Citizens to Improve our Neighborhoods) system was created by the City in partnership with neighborhoods in 2005. It allows residents to request non-emergency services or express concerns online through the City’s home page at lincoln.ne.gov. Requests are automatically routed to the departments or divisions in charge of the issues, and each inquiry is assigned a number that the resident can use to track the requests.

When residents send photos to the City’s ACTION center using their mobile phones, the message will automatically include GPS (global positioning system) information. A similar app for Android phones has been available in the Android Market (search for Lincoln Action Center) since April. The Information Services Division of the City Finance Department developed the applications in partnership with Information Analytics, Inc., a local firm specializing in information technology and software as well as Web design and hosting.

City Ombudsman Lin Quenzer said the mobile phone applications provide a convenient way for residents to report graffiti, high weeds, potholes or other problems. She said ACTION processed about 5,000 service requests and concerns in 2010.

City officials caution the new application should never be used while driving, and residents should never put themselves in danger to take a photo for the ACTION center. ACTION should only be used for non-emergency inquiries. Those reporting emergency situations should always use 911.
Date: October 28, 2011
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of October 29 through November 4, 2011
Schedule subject to change

Sunday, October 30
• Memorial service for Lela Shanks - 3 p.m., St. Paul United Methodist Church, 1144 “M” St.

Wednesday, November 2
• Present Mayor’s Medallion to Fang Wong, National Commander for the American Legion - 6:30 p.m., shelter near Veterans Memorial Garden, Antelope Park

Thursday, November 3
• KFOR - 7:45 a.m.
• Mayor’s Environmental Task Force meeting - noon, Mayor’s Conference Room, County-City Building, 555 S. 10th St.
• Dream 62 Foundation reception - 6 p.m., Grand Manse Jasmine Room, 129 N. 10th St.

Friday, November 4
• Dedication of Lincoln Airport Authority’s Compressed Natural Gas Fueling Station, remarks - 2 p.m., 3520 N.W. 36th St.
WASTEWATER MAINTENANCE WORKERS STOP OVERFLOW CAUSED BY SEWER LINE STOPPAGE

The Wastewater Division of the City Public Works and Utilities Department today removed a stoppage in a sewer line that led to an overflow and release of wastewater from a manhole near South 66th Street and Artisan Way. Officials said an accumulation of greasy deposits and tree roots in the collection system line caused the stoppage and overflow.

The Wastewater Division received a call from the Lincoln-Lancaster County Health Department (LLCHD) about a possible overflow at about 11:30 a.m. today. City crews responded immediately and began work to contain and stop the overflow and remove the obstruction in the line. Cleanup and removal of the overflow will be completed by 6 p.m. today. The volume of overflow was estimated at about 2,000 gallons.

City crews inspected nearby Beal Slough downstream of the overflow and did not observe any detrimental effects. They also reported the results of their inspections to LLCHD and the Nebraska Department of Environmental Quality.

Mike Mandery, Assistant Superintendent of Wastewater Collection, said most stoppages in Lincoln's wastewater system occur from oil and grease deposits from restaurants, commercial businesses and private residences.

For more information on this notification or the Lincoln Wastewater operations, contact Mandery or Brian Kramer, Superintendent of Wastewater Collection, at 402-441-7961.

- 30 -
Mary M. Meyer

From: Rodney M. Confer
Sent: Friday, October 28, 2011 9:40 AM
To: Marvin S. Krout; 'Jon Camp'
Cc: Eugene W. Carroll; 'Adam Hornung'; 'jcookcc@aol.com' (jcookcc@aol.com); Doug Emery (Dougemerypm@aol.com) (Dougemerypm@aol.com); Carl B. Eskridge; DiAnna R. Schimek; Mary M. Meyer; Mayor; Commish; Rick R. Peo; Kerry P. Eagan; Brittany L. Behrens; Rick D. Hoppe; Nicole Fleck-Tooze
Subject: RE: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

Dear Council Members, et al.:
This is in response to Jon Camp's suggestion that prefatory language be included in the Comprehensive Plan. Rick Peo and I have spent some time reviewing this matter and have the following recommendations.

1. As a preliminary matter, Council should realize that any statement it makes concerning the effect of the plan has no legal weight or authority. In other words, the effect that the plan will have is a question of law that depends on the applicable statutes and court decisions that interpret those statutes. A court would not be influenced by any prefatory statement the Council might make or not make concerning the plan's effect.

2. If this sort of new language is to be included in the plan, the County Attorney has taken the position it will need to first be reviewed by the Planning Commission. That has also been the opinion of the City Attorney's office in the past, and we would agree with the County Attorney in this instance that if there is going to be new language modifying the plan, the Planning Commission should consider that language before it is voted on by the Council under Neb. Rev. Stat. 15-1103 ("The Commission shall review such plans and modifications, and those which the city council may suggest . . .".)
If, after the Commission reviewed any prefatory language, it would not endorse the prefatory language, five votes of the Council would be required to adopt that language contrary to the Commission recommendation.

3. Since the suggested prefatory language doesn't address the substance of the plan, but describes its effect, an alternative to making it part of the plan would be to make this type of provision part of the adopting resolution. That would make it unnecessary to send the Plan back to the Planning Commission because the language wouldn't be part of the plan.

4. As far as the language itself, I am concerned that the reference to "black letter law" would be confusing. That term is probably not in general use by non-lawyers, and in fact may not have consistent usage in the legal profession. My own understanding of the term is that it refers to legal precedent that is so well-established it is not open to question. I don't believe that was what Mr. Camp intended by the term, although I could be wrong. I think it would be preferable to describe the effect of the plan in other terms instead of saying it is not "black letter law."

5. Unfortunately, the legal effect of the comprehensive plan is not entirely clear. Neb. Rev. Stat. 15-902 (1) says that zoning regulations "shall be made . . . with a view to conserving property values and encouraging the most appropriate use of land throughout the area zoned, in accordance with a comprehensive plan." Sections 15-1102 describes the content of the plan and 15-1103 describes how it will be adopted. Section 15-1103 requires the Planning Commission to review any zoning action and determine whether it is in accordance with the Comprehensive Plan, and to report to Council the degree of conformity or non-conformity.

Although these statutes clearly impose duties upon the Planning Director, Commission and the Council with regard to complying with the plan, the Supreme Court decisions have not made it very clear what the effect of not complying with the comprehensive plan might be. A number of cases have held that Lincoln's and other cities' comprehensive plans are mere guidelines, which do not control over zoning ordinances in determining the rights of property owners. In Holmgren v. City of Lincoln, however, the Court expanded on this language by finding that, although the zoning action in question did not comply exactly with the comprehensive plan, it did comply in a general way, so the ordinance was
upheld. From this, as well as the statutes, it appears that while the Council is not required to adhere slavishly to the plan, it is not free to entirely ignore it either. If Council were to take action that was directly contrary to the plan in some major way, it may be that the action would be overturned as being arbitrary and capricious.

Based on these factors, I would recommend that if there is going to be an attempt to describe the legal effect of the plan, the Council should simply indicate that: "While the plan sets forth general guidelines and policies for improvement and development of the City, failure to adhere to the plan is permissible in specific instances in which circumstances justify deviating from its terms and provisions."

Rodney M. Confer
City Attorney

From: Marvin S. Krout
Sent: Monday, October 24, 2011 9:51 AM
To: 'Jon Camp'
Cc: Eugene W. Carroll; 'Adam Hornung'; 'jcookcc@aol.com' (jcookcc@aol.com); Doug Emery (Dougemerypm@aol.com) (Dougemerypm@aol.com); Carl B. Eskridge; DiAnna R. Schimek; Mary M. Meyer; Mayor; Commish; Rodney M. Confer; Rick R. Peo; Kerry P. Eagan; Brittany L. Behrens; Rick D. Hoppe; Nicole Fleck-Tooze
Subject: RE: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

Councilmember Camp, thanks for your suggestion on introductory language.

As I indicated at the public hearing, the proposed plan does have language sprinkled throughout that refers to its being a “guide” to decision-making. Reviewing that language again, I believe it is adequate and an introductory statement is unnecessary. I am concerned that this language introduces terms that raise more questions for the public rather than clarifies the purpose of the plan. I also am concerned that it will be viewed as condescending and downgrading the value of the hundreds of people who participated in developing this vision for the community, e.g. suggesting that the plan should be weighed against “reality.”

I would suggest that Councilmembers or Commissioners who are interested in some introductory language should ask your attorneys for their opinions about this proposal, both in terms of the language and in terms of process. I think the attorneys may have concern with this “suggestion” not having been reviewed first by the Planning Commission.

Should the boards decide that you would like this or some other language appended to the 2040 Plan, we could bring that proposed language to the Planning Commission for their review, hearing, and recommendation. As you all know, we are planning to bring three plan amendments being proposed by the County Board to the Planning Commission for their review in December, and we could potentially add this to the package.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, Nebraska 68508
402-441-6366

From: Jon Camp
Sent: Friday, October 21, 2011 2:59 PM
To: Marvin S. Krout (mkrou1@lincoln.ne.gov)
Cc: ecarroll@lincoln.ne.gov; 'Adam Hornung'; 'jcookcc@aol.com' (jcookcc@aol.com); Doug Emery (Dougemerypm@aol.com) (Dougemerypm@aol.com); ceskridge@lincoln.ne.gov; 'dschimek@lincoln.ne.gov'; Jon Camp; 'Mary M. Meyer'; mayor@lincoln.ne.gov; Commish
Subject: Prefatory Language for LPlan 2040
Importance: High
Director Krout, Members of the Lincoln City Council and Commissioners of the Lancaster County Board:

Please see the attachment for introductory language I would like to have amended into and appended to the LPlan 2040.

My purpose is to reinforce the intent of the Comprehensive Plan, namely that as was confirmed at our public hearing earlier this week, the Comp Plan is a set of suggestions, recommendations and ideas to assist in guiding future development of Lincoln, but not “black letter law”.

Thank you for reviewing these few sentences and concurring in your agreement to add this language.

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE  68501-2307

Office:  402.474.1838
Fax:  402.474.1838
Cell:  402.560.1001

Email:  joncamp@lincolnhaymarket.com
From: Mary M. Meyer  
Subject: FW: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

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From: Dougemerypm@aol.com [mailto:Dougemerypm@aol.com]  
Sent: Friday, October 28, 2011 12:28 PM  
To: Rodney M. Confer; Marvin S. Krout; JonCamp@lincolnhaymarket.com  
Cc: Eugene W. Carroll; ahornung@scudderlaw.com; jcookcc@aol.com; Carl B. Eskridge; DiAnna R. Schimek; Mary M. Meyer; Mayor; Commish; Rick R. Peo; Kerry P. Eagan; Brittany L. Behrens; Rick D. Hoppe; Nicole Fleck-Tooze  
Subject: Re: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

To all,

I have asked Marvin, as has the county, to work on prefatory language. We have already agreed at a council meeting that this is a Plan. I believe Planning can construct prefatory language that will satisfy enough of the council to allow it to be added to the L2040 Plan. I believe this will largely reduce the concerns of the mainstream public. Since, according to Marvin Kroat, “this language is already in the Plan several time.” I cannot see how this is a terribly difficult task. However I would hope that Law and Planning could work together to make sure whatever Planning recommends is LEGAL. It only seems logical that since Planning worked to accomplish this task AND they will be the primary administrators of the Plan that they write the Prefatory statement.

Doug Emery
To: cconuclipacket.
Subject: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

From: Eugene W. Carroll
Sent: Friday, October 28, 2011 12:59 PM
To: Dougemerypm@aol.com; Rodney M. Confer; Marvin S. Krout; JonCamp@lincolnhaymarket.com
Cc: ahornung@scudderlaw.com; jcookcc@aol.com; Carl B. Eskridge; DiAnna R. Schimek; Mary M. Meyer; Mayor; Commish; Rick R. Peo; Kerry P. Eagan; Brittany L. Behrens; Rick D. Hoppe; Nicole Fleck-Tooze
Subject: RE: Prefatory Language for LPlan 2040--NOW ATTACHED!!!

To all,

If the Council wants to add prefatory language to the Comp Plan, then the language should first go thru the Planning Commission for their review. The Planning Commission deals more directly with the Comp Plan, so it is important for that body to review new language that will effect the plan.

This process of adding new language should not delay or effect the voting to approve the Comp Plan. The County Board voted to approve the plan, with the idea to make changes, using the Planning Commission review process. So, I would expect the Council to move forward on Monday and approve the Comp Plan. Thank you,

Gene

Eugene Carroll - Chair
Council Member - At Large
Lincoln City Council
555 South 10th Street
Lincoln, NE 68508
402-441-7573 Off.
402-441-6533 Fax
ecarroll@lincoln.ne.gov
The Nebraska Capitol Environs Commission will hold a scheduled public meeting on Thursday, November 3, 2011. The meeting will convene at 9:00 a.m. in Legislative Hearing Room 1113, ground floor, Nebraska State Capitol, 15 & K Streets, Lincoln, Nebraska, to consider the following agenda. For more information, please contact the Lincoln/Lancaster County Planning Department at 441-7491.

Agenda of November 3, 2011

1. Approval of meeting notes of September 22, 2011

   Discussion

2. Update on Centennial Mall design process
3. Capitol Vista from West Haymarket Arena
4. Review of draft annual report
5. Miscellaneous

Note: At 10:00 a.m. the Commission will reconvene in the Capitol in joint session with the Capitol Commission for the two groups' annual joint meeting.
The Board of Zoning Appeals meeting scheduled for November, 2011 is canceled due to lack of agenda items.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

Teresa McKinstry  
Lincoln-Lancaster County Planning Dept.  
555 S. 10th St. #213  
Lincoln NE  68508  
402-441-6162

Please consider the environment before printing this email.
Mary M. Meyer

From: Council Packet
Subject: Problems Downtown

From: Lin Quenzer
Sent: Thursday, October 27, 2011 4:10 PM
Subject: RE: Problems Downtown
"Thomas S. Shafer" <tshafer@lincoln.ne.gov> wrote:

Mr. Forde,

I am writing in response to your recent concerns about the Downtown Street Conditions. As a user of the Downtown streets, I certainly appreciate their condition. We currently have out for bids by contractors a Downtown Street Resurfacing Project which would mill and resurface “Q” Street, “P” Street, “N” Street, “M” Street, “L” Street and “K” Street from 10th to 17th in the east-west directions and 11th & 12th from “K” to “Q”; 13th & 14th from “K” to “R”; and Centennial Mall from “M” to “P”. There is worked planned for the intersections of K and 11th & 12th that you mentioned as well as 11th Street. Because Federal Funds are being used to help pay for this work, the roads selected must be classified as collectors or arterials. The intersection of 8th and “S” does not meet those criteria and can’t be included in the larger downtown resurfacing project, but discussions are on-going with the work both public and private going on in the area as to how it can best be addressed if possible. If you have any further questions please contact me.

Thomas Shafer
Design/Construction Section Manager

From: Edward Forde [mailto:eforde2@unlnotes.unl.edu]
Sent: Thursday, October 27, 2011 8:37 AM
To: Carl B. Eskridge; Council Packet
Subject: Problems Downtown

Dear Carl,

I hope you and Janet are doing well. Sorry to contact you with an issue, but I have raised it before with my previous councilman.

The street surfaces downtown have not been repaved forever, despite the huge volume of vehicles driving on 9th, 10th, K, and the Haymarket; and we all pay wheel taxes that are then used to pave Sheridan and south and east Lincoln. Now we have the Arena and three hotels in construction, and the worst downtown streets of any city in the state. It is dangerous and an embarrassment.

Specifically, the intersections of K and 11th and 12th are deeply grooved, so much so as to affect steering. The surface of 8th Street and S is worse that an alley in Tijuana, and is visited by all attendees to university sports events. 11th St. is the main bus roadway, and also serves a school for blind adults, and the road is a patchwork of crevices and potholes.

Why have I paid wheel taxes for years with zero funding going to street repaving downtown? Thanks.
Ed Forde

Lin Quenzer, Ombudsman
Office of the Mayor, City of Lincoln, Nebraska
555 South 10th Street, Suite 208, Lincoln, NE 68508 lquenzer@lincoln.ne.gov, 402.441.7511
Present: Gene Carroll, Chair; Adam Hornung, Vice Chair; Jonathan Cook, DiAnna Schimek; Carl Eskridge; and Doug Emery

Absent: Jon Camp

Others: Joan Ross, City Clerk; Rick Hoppe, Chief of Staff; Tom Casady, Safety Director; Rod Confer, City Attorney; Marvin Krout, Planning Director; and Steve Hubka, Finance Director

Chair Carroll opened the meeting at 2:00 p.m. and announced the location of the Open Meetings Act.

I. CITY CLERK

Ross stated on today’s agenda, Public Hearing Resolutions, Items 13 & 14 relate to the pedestrian signal heads and could be called together. Carroll asked if Items 11 & 12 could be called together. Ross agreed, stating #11 is the StarTran’s Special Transportation Programs bid and #12 is pest control. Mejer would speak on #11 & #12 at one time, and #13 & #14 at one time. Hoppe added some department Directors may also speak on #11 & #12. Ross stated another item is the Comp Plan Resolution and the Motion(s) to Amend which Council may have on #20.

Cook commented the Motions to Amend for Item 20 have been previously discussed by Director Krout. He requested additional hard copy. Ross added there were a total of four.

II. MAYOR

1. NEWS ADVISORY. Mayor Beutler will hold a news conference on October 27th, 10:00 a.m. at 555 S. 10th Street, in the Mayor’s Conference Room to discuss the future of the Pershing Center.
2. NEWS RELEASE. Mayor announces Pershing redevelopment process.
3. NEWS RELEASE. Julie Righter appointed to National Accreditation Board.

No comments

III. DIRECTORS

COMMISSION ON HUMAN RIGHTS

1. Commission on Human Rights meeting agenda for Thursday, October 27, 2011, 4:00 p.m., at 555 S. 10th Street.

No comments

FINANCE Steve Hubka, Finance Director

Hoppe introduced Hubka, speaking on the City’s Triple A bond rating. Hubka stated in the last two to three weeks we had a rating call with Moody’s. On October 21st they reaffirmed our Triple A rating with a very important stable outlook. They mentioned numerous good items about Lincoln. Under Challenges one item is a below average demographic profile, which means our average income is 97% or 98% of the national average. They didn’t mention our cost of living, probably less as well. Hubka stated when Lincoln can emerge from the worst economic situation since the Great Depression with a Triple AAA rating and a stable outlook it is about as good as a city can do.

He stated he included an article about Harrisburg, Pennsylvania and all things not to do. Harrisburg did the
things listed and now are in bankruptcy and being taken over by the State of Pennsylvania.

FINANCE/TREASURER
No comments

HEALTH DEPARTMENT
1. NEWS RELEASE. Halloween doesn’t need to be a dangerous night for children.
2. NEWS RELEASE. Last household hazardous waste collection for 2011.
No comments

LINCOLN LIBRARIES
1. NEWS RELEASE. Lincoln City Libraries offers parent-child book groups.
No comments

PARKS AND RECREATION
1. Letter to Mayor Beutler from Joe Tidball, Parks and Recreation Advisory Board Chair, applauding the inclusion of an additional $1 million of general revenue funds for deferred repair and replacement projects in the Parks and Recreation CIP Program.
No comments

PLANNING DEPARTMENT
1. Memorandum from Marvin Krout, Planning Director, regarding zoning for accessory buildings.
No comments

PUBLIC SAFETY    Tom Casady, Director
Casady stated the Fire Department was dispatched to 3140 N Street shortly after he left that building today for a basement fire, which now appears to be extinguished. Do not know the extent of the damage.

Casady stated a new software application has been invented by the City and the UNL Computer, Science, and Engineering Department. He stated two years ago while using his smart phone he realized there possibly could be a phone application for thefts, or warrants, etc. He met with the UNL and together applied for a National Institute of Justice grant, which we were awarded with the code investigators to research in September last year. We designed and developed an application which was distributed to an experimental group, 75 police officers. The application is called P3I, Protective Police Patrol Information, and runs on smart phones, Android or ISO, tablet computers, and also is a web application for any GPS equipped laptop. The 75 officers are using five different devices. Casady demonstrated using a PowerPoint presentation. Some items shown include the addresses of people with arrest warrants, suspects in crimes, and location of recent crimes. This is a GPS application so the map moves with the person traveling throughout the city. With the PowerPoint presentation he showed the applicable icons plus the information behind the icons, and the ability to follow into the actual police case file. He anticipates the application will have positive results with the flow of information. Casady stated they have collected data since July and had over a thousand contacts which would not have occurred without this technology.

Casady added they have brought two additional police departments onto P3I for the coming year. The
departments are Deluth, Minnesota and Philadelphia, the fourth largest police department in the states.

Schimek asked if there is a monetary advantage for us allowing other police departments to use? Casady replied there is not, adding all universities have a business unit which exists for the purpose of commercializing research done by faculty. UNL has a business model and is known as NU Tech, and believe their intent is to commercialize the application. Schimek commented that UNL will make money but the city will not, with Casady agreeing.

IV. COUNCIL MEMBERS

CARL ESKRIDGE
1. Correspondence from Edward Forde questioning the state of the street surfaces downtown.
   No comments

V. MISCELLANEOUS
No comments

VI. CORRESPONDENCE FROM CITIZENS
1. Correspondence from Carl Sjulin, West Gate Bank President, writing in support of the R.I.P. application requesting a Change of Zone and Special Use Permit, giving reasons how it would boost the economy, serve the demand for apartments, and improve our community.
   No comments

VII. ADJOURNMENT
Chair Carroll adjourned the meeting at 2:14 p.m.