IN LIEU OF
DIRECTORS’ MEETING
MONDAY, MAY 20, 2013

I. CITY CLERK

II. MAYOR
1. NEWS RELEASE. Mayor to present April Award of Excellence to Robyn Cruse-Miller of the
   Lincoln Water System.
2. NEWS RELEASE. Parks and Recreation staff address increase in dandelions.
3. NEWS ADVISORY. Mayor Beutler, Lincoln Water System officials, and the Mayor’s Water
   Conservation Task Force will hold a news conference Thursday, May 16th, 10:00 a.m., at 555 S.
   10th Street, room 303. The Mayor will discuss the status of the City’s water supply and water
   conservation. Will also recognize the winners of the Mayor’s Water Conservation Task Force’s
   annual poster contest.
4. NEWS RELEASE. Mayor not recommending watering restrictions.
5. NEWS RELEASE. Mayor announces winners of Annual Water Conservation Poster contest.

III. DIRECTORS CORRESPONDENCE

CITY OMBUDSMAN
1. Letter to Mr. Philip Johnson from Lin Quenzer, City Ombudsman, on his concerns about yard
   damage and the City of Lincoln’s responsibility.
2. Letter from Philip Johnson on his yard damage, including photos.
3. Photos of damage in order as submitted by Philip Johnson.

FINANCE/BUDGET
1. May sales tax reports reflecting March activity:
   a) Actual Compared to Projected Sales Tax Collections;
   b) Gross Sales Tax Collections (With Refunds Added Back In) 2008-2009 through 2012-2013;
   c) Sales Tax Refunds 2008-2009 through 2012-2013; and

HEALTH DEPARTMENT
1. Lincoln-Lancaster County Health Department minutes of Board of Health meeting on April 9,
   2013.

PLANNING COMMISSION
1. Action by the Planning Commission on May 15, 2013. (Corrected: Item 1.1)

PLANNING DEPARTMENT
1. Administrative Amendment No. 12031 to Special Permit No. 1302A was approved by the
   Planning Director on May 10, 2013.
2. Message on Zoning reFORMs for a New Chapter of City Building by Marvin Krout, Director,
   Planning Department.
PUBLIC WORKS & UTILITIES/ENGINEERING


IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

1. Correspondence from Jacque Stuefer on the Youtube video of Lincoln downtown taken on Saturday, May 11, 2013.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

FOR IMMEDIATE RELEASE: May 13, 2013
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

MAYOR TO PRESENT APRIL AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor’s Award of Excellence for April to Robyn Cruse-Miller of the Lincoln Water System, a division of the Public Works 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.

Cruse-Miller has worked for the City since 1988. Utilities Service Manager Dave Thurber nominated her in the category of loss prevention. Cruse-Miller supervises six Office Specialists who work either at the Service Center in Lincoln or at the Ashland Water Treatment Plant. Thurber said Cruse-Miller is always striving to make sure they have the resources they need to work in a safe and efficient environment.

An example of her work is the action Cruse-Miller took when she noticed that the noise level in the open work space at the Service Center was interfering with customer calls. She found that surplus modular furniture was available at the Municipal Service Center and thought it could be used to provide a cost-effective solution. After getting the support of management, she coordinated with other City staff and a local office furniture distributor on installation. Cruse-Miller assisted with the installation on a City holiday to reduce the impact on daily operations.

New furniture would have cost about $9,000. Thurber said Cruse-Miller’s vision benefitted the City through cost savings and by maintaining an efficient workplace.

The other categories in which employees can be nominated are valor, productivity, customer relations and safety. 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.

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 considered 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 $50 gift certificate, a day off with pay and a plaque. All monthly winners and nominees are eligible to receive the annual award, which comes with a $250 gift certificate, two days off with pay and a plaque.
PARKS AND RECREATION DEPARTMENT
2740 “A” Street, Lincoln, NE 68502, 441-402-7847

FOR IMMEDIATE RELEASE: May 15, 2013
FOR MORE INFORMATION: Jerry Shorney, Parks and Recreation, 402-441-8259
Lynn Johnson, Parks and Recreation, 402-441-7847

PARKS AND RECREATION STAFF ADDRESS INCREASE IN DANDELIONS

The City Parks and Recreation Department’s maintenance staff will continue to monitor and address park areas that have been infested with dandelions as a result of 2012 drought conditions.
Because of the dry conditions, grass has died or is sparse in some park areas, allowing weeds like dandelions to thrive.

Assistant Parks and Recreation Director Jerry Shorney said weed control herbicide is typically applied in the fall rather than spring to reduce the potential for damaging landscape growth and garden areas on neighboring properties. Herbicide applications were ineffective last fall due to dry conditions. Weeds must be actively growing to allow herbicide to be effective.

Shorney said staff will work to control dandelions either chemically or manually where possible. He said the best way to reestablish the turf areas is to over-seed grass on non-irrigated parkland in late summer and apply herbicides in the early fall if weather conditions are suitable.

“Parks and Recreation staff appreciate the patience and understanding of community residents as park areas recover over the next few years from the extreme drought conditions,” said Shorney.

More information on Lincoln Parks and Recreation can be found at parks.lincoln.ne.gov.

- 30 -
Mayor Chris Beutler will be joined by Lincoln Water System officials and members of the Mayor’s Water Conservation Task Force at a news conference at 10 a.m. Thursday, May 16 in room 303 at the County-City Building, 555 S. 10th St.

The Mayor will discuss the status of the City’s water supply and water conservation and recognize the winners of the Mayor’s Water Conservation Task Force’s annual poster contest for fifth graders.
MAYOR NOT RECOMMENDING WATERING RESTRICTIONS
Residents encouraged to follow good conservation practices

After record drought conditions last summer, Mayor Chris Beutler today announced that the City’s water supply is 96 percent full, and he will not ask residents to follow the voluntary designated-day watering schedule at this time. Lincoln’s water comes from well fields along the Platte River. Officials with the Lincoln Water System (LWS) say precipitation is near normal levels, the aquifer is almost full and flows in the Platte are just slightly below normal. LWS will review river flows and water usage the first week of June to determine if additional conservation measures are needed at that time.

“Last July and August were the driest since 1887, prompting the City to issue mandatory outdoor watering restrictions for the first time since 2002,” Mayor Beutler said. “We all learned from that experience and have taken action to improve our water management plan, reduce confusion and encourage conservation. We are in good shape now, but we all know how uncertain our summer weather can be. We will continue to monitor our supply and usage very carefully over the next few months, and we ask residents to stay informed and be prepared to follow restrictions if they become necessary.”

The City Council Monday approved the use of higher water rates during voluntary and mandatory water restrictions as well as the decriminalization of water violations. A revised water management plan also includes new designated watering days for apartment complexes and commercial properties and changes for those using private wells. A summary of the changes follows this release.

Mayor Beutler encouraged residents to begin using water conservation practices now. He suggested those with automatic sprinkler systems adjust them to the designated-day schedule before restrictions take effect. While customers have three designated days to water, lawn professionals say one or two days a week is adequate, and over watering can lead to shallow roots and lawn diseases. Other ways to decrease outdoor watering include the following:

- Do not water in windy conditions or during the heat of the day.
- Raise your mower height to 3.5 inches, and leave mulch on the lawn to retain moisture.
- Keep automatic sprinklers maintained, install a rain sensor and reduce watering times.
- Adjust sprinklers to water only the lawn, not the sidewalk, driveway or street.

More information is available by visiting water.lincoln.ne.gov or calling the Water Management Hotline at 402-441-1212.
The City Council approved the following changes Monday, May 13:

- **City water rates will increase when the Mayor declares voluntary or mandatory water restrictions.** City water is billed by the unit, equal to 100 cubic feet (748 gallons), and the residential structure has three price blocks:
  - The rate for block one (first eight units per month) will remain at $1.344 per unit for voluntary restrictions and increase to $1.559 per unit for mandatory restrictions.
  - The rate for block two (nine to 23 units) will increase from $1.911 to $2.624 per unit for voluntary restrictions and to $2.771 per unit for mandatory restrictions.
  - The rate for block three (all additional units) will increase from $2.961 to $4.587 per unit for voluntary restrictions and to $5.635 per unit for mandatory restrictions.

Rates increase again if the water shortage is deemed to be “critical” or “catastrophic.” Bills are sent out bi-monthly and based on two months of water use. Bill amounts are determined by the amount of water used in each block. Rates for non-residential and industrial customers also will increase slightly under voluntary or mandatory watering restrictions. The rate increase is smaller because these customers provide jobs, and the water use for large customers is more stable throughout the year.

- **Violating the mandatory water restrictions will no longer be a misdemeanor criminal offense.** Egregious or multiple violations may be filed criminally by the City Attorney’s Office. The penalty is $50 for the first offense, $250 for the second offense and $350 for third and subsequent offenses. The Police Department will continue to enforce watering restrictions, but officers will not be required to present the citation to the tenant or property owner in person and could leave it on the door of the property.

The Mayor has approved the following revisions to the Water Management Plan:

- **If mandatory restrictions are implemented, apartment complexes, commercial properties and other similar properties will be required to limit outdoor watering to Sundays, Tuesdays and Fridays regardless of address.** The designated-day watering schedule will remain the same for single-family and duplex properties:
  - Properties with street addresses ending in even numbers, including zero, will be required to limit outdoor water use (watering lawns and washing vehicles) to Wednesdays, Fridays and Sundays.
  - Properties with addresses ending in odd numbers will be required to limit outdoor watering to Tuesdays, Thursdays and Saturdays.

- Owners of private wells are encouraged but not required to follow the designated day watering schedule and other restrictions. **If the Mayor implements mandatory water use restrictions, private well owners will be required to post a sign on each property served by the well.** The City will supply the signs at no charge. For homes and businesses, owners must post the signs in a window so they are visible from the street. For areas not directly associated with a structure, yard signs will be available to pick up at the LWS Operations Center, 2021 N. 27th Street, from 7:30 a.m. to 4 p.m. weekdays.
MAYOR ANNOUNCES WINNERS OF ANNUAL WATER CONSERVATION POSTER CONTEST

Mayor Chris Beutler today announced the winners of the annual water conservation poster contest. Lincoln fifth-graders participated in the art contest, sponsored by the Mayor’s Water Conservation Task Force. The top two entries were submitted by Evan Spring of Morley Elementary School, whose artwork will be displayed on a StarTran busboard, and Brooklynn Wiedmyer of Holmes Elementary School, whose artwork will be displayed on billboards at various Lincoln locations.

“I am proud of the way our community responded to last summer’s severe drought conditions and the outdoor watering restrictions that were necessary,” Mayor Beutler said. “I believe that positive response was due in part to the ongoing efforts of our Water Conservation Task Force, including this poster contest. We need to remind the public all year round that conserving this precious resource is important for future generations.”

The third-place winner was Shelby Valenta of Morley Elementary. Honorable mention awards were presented to Reyhanna Donaldson, Morley Elementary; Azzariah Perry, Kooser Elementary; Hannah Losee, Humann Elementary; Myah Buchholz, Saint Teresa Elementary; Eliza Bohart, Pyrtle Elementary; Emma Ruth Ryter, Pyrtle Elementary; and Catherine Shasserre, Saint Teresa Elementary.

- 30 -
Dear Mr. Johnson:

Thanks for writing to Mayor Beutler and City Council with your concerns about damage to your yard from residential construction adjacent to your property at 5720 Cavvy Road. As Ombudsman for the City of Lincoln here with Mayor Beutler’s office, it is my job to ensure City Departments respond appropriately to constituent concerns and to verify they are carrying out their mandated duties according to the laws.

Storm water runoff is of concern to the City on several counts, among them the need to keep our watershed clean and to assist developers to keep to approved grading plans and best management practices for erosion control. I appreciate the time you have taken to provide us with the letters and pictures that illustrate your concerns (I have attached the photos separately in the order you have them numbered). From my reading of your letter, your issues relative to the City’s responsibility are that; 1) City Building Inspectors did not inspect the silt fence along the border of your property resulting in damaging runoff, 2) the grade slope from the garage of the adjacent property is not proper, and 3) the City did not do a final grading inspection and allowed sod to be placed on an improper grade. I will respond to each of these in turn:

1) The silt fence on the property line was initially improperly installed as photo #1 shows, however, upon inspection by the City the fencing issue was corrected and the silt fence appropriately kept runoff from inundating your property as evidenced in your #5 photo. It is average for small clods of dirt and minor seepage as depicted in photos #2, #7, #8 and #9, so long as these are corrected by the time the work is finished as shown in photo #10.

2) I have found no evidence that there were defects found by City Inspectors on the grading along the garage as it was inspected not only by Building & Safety, but also by Public Works Storm Water Management at my request as part of my investigation of your concerns.

3) I have documentation from Building & Safety that final grading of the lot was inspected and approved by that department prior to sod being laid. Erosion and Sediment Control inspectors with Public Works Storm Water Management went out on the morning of 5-7-13 to double check that everything was done properly. The inspector’s report found the lot was mostly sodded with a small portion seeded in the public right of way. The sod is fairly new but cannot be picked up so it is starting to root. The inspector noticed no violations related to erosion and sediment control with the current set up.

While I do understand that it is a trial to endure the construction process, I cannot find that the City did not respond and require the builder, Crounse Homes, to comply with our building codes and storm water management practices whenever problems began to manifest themselves in this instance. Prior to the integration of the Development Services Center and the creation of the Storm Water Management division of Public Works, drainage and runoff issues were a more common problem and I can tell you that during those years I witnessed and worked with City departments to
get contractors and developers to correct serious erosion and runoff issues. It is my experience that those issues are now almost completely a thing of the past.

I should also like to point out that the remaining issues you have with Crounse Homes are of a civil nature and not something that the City of Lincoln is able to comment upon or assist you with. We have no regulations regarding the type of sod used, be it fescue or blue grass, at this time. The areas that have been seeded rather than sodded in the public right of way do not pose a runoff danger at this time and are acceptable to the City. Work on the lot appears to be normally progressing toward completion.

Please feel free to contact me should you have other questions or concerns about this or other matters pertaining to departments of Lincoln City government.

Sincerely,

Lin Quenzer
Ombudsman
Office of the Mayor
City of Lincoln, Nebraska 68508
402.441.7511
April 30, 2013

Phil Johnson
5720 Cavvy Rd
Lincoln NE

Dear: City Council

My name is Philip Johnson and I live at 5720 Cavvy Rd in Lincoln Nebraska. I have a situation where late last year Crouse Homes built a new house next to mine (5700 Cavvy Rd), in the process my yard was damaged. I’ve had numerous conversations with Brandon Crouse regarding the damage. Initially he assured me that he would return my yard to its original condition, however, after several phone calls and letters of which he responded to only one (see attached) the issues are still not resolved. I’ve taken pictures of the damage to my yard. I have supplied a copy to Brandon Crouse himself in December but no attempt has been made on his part to again resolve these issues.

I’ve been holding out contacting you in hopes of avoiding getting anyone else involved but I’m not getting anywhere with Brandon Crouse of Crouse Homes and it leaves me with no choice but to file a complaint. I have been contacted with the Better Business Bureau (BBB) to file a complaint but found out Crouse Homes is not a member. I can still file a complaint and plan to do so.

At this point I feel like Crouse Homes has done nothing to correct the problem and I am reaching out for some assistance in getting this matter resolved, since you are the voice of Lincoln NE/Lancaster County.

As a paying citizen, I am sending all this information to you, Attorney General, Mayor, City Council, and Building Department. Again, my goal is to have my yard returned to its original condition.

It would be sincerely appreciated if I can get a response letting me know who will be assisting in resolving this matter. I can be reached via mobile at 402.328.2327, my email is snowskinebraska@yahoo.com or a letter sent to: 5720 Cavvy Rd, Lincoln NE 68516.

Thank you for your time and I’m looking forward to hearing from you.

Philip Johnson
Dear: Brandon Crounse

I talked to my lawyer and he told me since you are asking for a letter to send you one. He also said since I live here and know what happened every day to send you some pictures that show what happened to my yard as a result of lack of maintenance of the silt fence you installed on my property along our property line. To make it easy for you the pictures are numbered in order on the back, in the upper right hand corner.

Picture one shows my yard sloping from my house to the property line. It also shows my yard in a straight line at the property line, except where your runoff has already began to encroach on my property. Which you can see from picture two.

Picture three shows the silt fence installed improperly, which I suggested you fix since it wouldn't do any good. So you took two-thirds of it down and left just one-thirds up still installed on my property, which you can see from picture four.

Picture five shows the silt fence falling on my property and not being maintained, as you say you did in your letter. Picture six and seven show how the silt fence was never maintained, and continued to fall further and further onto my property. It even shows mud getting behind the silt fence even further yet onto my property. I also called the building inspectors and they said they did not do inspections of your silt fence as your letter states.

Picture eight shows how there was dirt in my yard from where you took down the silt fence early on. I had to remove this dirt just so I could mow. Also, every week I had to use my weed eater along your silt fence, because it was so far on my property I couldn't get a mower thru. This took me about fifteen to thirty minutes a week extra just to mow my yard.

Picture nine shows how much of my yard your failure of erosion control damaged. It also shows how the grade slopes from your garage to two feet onto my property.

Picture ten shows how you just sodded over everything without fixing anything.

Pictures eleven and twelve show how your sod was placed over ground that wasn't final graded like you say you did in your letter.

I was very patience with you all summer long. The few times we did talk you kept reassuring me that you would fix my yard exactly to how it was before you started building the house next door to me. As you can see from the pictures my yard does not look like it did before you built the house next to mine.

All I asked for from the very beginning was for my yard to be fixed back to where it was before you started building next to me. So here is what our yards should look like at our property line. Our yards should both slope and meet at the property line. The sod should be flush from yard to yard. My yard will have fescue and yours will have your type of grass. I also think you should be responsible for the replacement sod in my yard till it takes hold, which includes watering it.

Since I have had so much trouble with this situation I want to make sure it doesn't get worse in the process when you try to fix it. So when the guys do the work all they have to do is make sure they are on your property and the damaged areas of my property. This is real easy to do, just want to make sure they don't ruin more of my yard in the process as they fix it.

I wanted to let you know I also went to the Better Business Bureau and showed them my pictures and your letter, and they told me to go ahead and fill out a report. They and my lawyer also told me to contact the Attorney Generals office about the situation. Before I do this though my lawyer suggested to
send you a letter and give you a week to fix the situation. Since today is December 18 I will give you till December 31st to fix it, or I will have no choice but to follow through with the Better Business Bureau, Attorney General, and my lawyer.

Philip Johnson
5720 Cavvy Rd
To: Mr Phil Johnson  
Address: 5720 Cavvy Rd  
Subject: Property Line Issue  
Date: 11-20-12  

Mr Johnson,

I would like to have our communication in writing either by letter or by email. I had asked this of you on prior occasions when spoken to on the phone and I had given you my email address. Your threatening phone messages are not appreciated. Here is a recap of this issue and please feel free to respond with how you recall the events happening:

1) You turned us in for our silt fence being on your property. City did an inspection and we were on your property in some areas by a few inches along the 60-70’ fence. The city didn’t send us a letter or find that we were in the wrong since it was such a close call. We then moved the fence in the concerned areas more towards the west.

2) Our excavation company when digging the footings for the third stall garage piled the dirt up between the footing and the silt fence resulting in the silt fence being bowed towards your property. You called me and let me know your concerns and we hand dug some of that dirt off the silt fence so not to cause any problems if it rained. At this time note that no mud had ran onto your property.

3) After house is constructed and all that dirt for the most part removed except for final grading done, you call and leave me a message about getting that silt fence taken down or you would file complaints with the city and with a lawyer. So we take the silt fence down according to your request. Still at this time there is no mud on your property and the house had been rough graded.

4) We install gutters on the new house and we intentionally direct the water flow from the gutters away from your house; facing the downspouts to the north and south.

5) You talk with some guys working at the house threatening to sue me over grade and that I had better not sod the yard. You also leave these similar messages on my phone telling me not to sod or you will have it taken out.

6) Final Grading and Final Inspection is done and I have a direct conversation with Head Building Inspector Mel Goddard about your concerns and he does another inspection of our grade job and finds that we are not in the wrong and meet city codes.

7) I get yet another message about this issue yet this time its giving me deadlines to have the yard sodded or else legal actions will follow. As already scheduled we proceed with sodding the yard.

8) I get a message regarding legal action again about the grading and the sod being bluegrass and not fescue.
When we built that house we intentionally moved the house 2’ farther west from property line so to help with side yard grade slope. We also directed our gutter downspouts to not empty on the east side yard. The city requirements and the way they designed the streets on both Cavvy and GREYCLIFF are the direct reason that house is set at the elevation it is. Our driveway doesn’t even have enough slope to drain water to the street so we had to tear it out and try to achieve drainage both South and East. We have taken into consideration your property at every step of the construction. As for the silt fence it was tended to throughout the construction process and the city did multiple inspections making sure we were working within code. We also have tried to address all of your concerns along the way as well. Your sod was not installed in a straight line from property line to property line. You know this cause we strung a line from north to south property pins and prior to any final grading done there was a big section in the rear yard portion that was not sodded. When we laid the new sod we merely sodded up to the existing grass. We did not take out any of your yard. We are not forcing water onto your property and we did not take out any of your existing grass that your claiming we replaced with the wrong kind.

Please respect my request for any future communications to be in writing either in letter form or email.

Sincerely,

[Signature]

Brandon Crouse

Email: brandon@crownseconstruction.com
Here are the May sales tax reports reflecting March activity.

Jan Bolin
City of Lincoln Budget Office
402-441-8306
### Actual Compared to Projected Sales Tax Collections

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<th>2012-13 ACTUAL</th>
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Actual collections for the fiscal year to date are 2.125% under projections for the year.
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<th>July</th>
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2008-2009 THROUGH 2012-2013
WITH REFUNDS ADDED BACK IN
GROSS SALES TAX COLLECTIONS
CITY OF LINCOLN
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**TOTAL**

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**JANUARY**

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**2008-2009 THROUGH 2012-2013**

**SALES TAX REVENUES**

**CITY OF LINCOLN**
<table>
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<tr>
<td>%</td>
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<td>3.2%</td>
<td>5.32%</td>
<td>4.17%</td>
<td>3.41%</td>
<td>3.91%</td>
<td>4.35%</td>
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<td>2.33%</td>
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2008-2009 THROUGH 2012-2013
NET SALES TAX COLLECTIONS
CITY OF LINCOLN
I. ROLL CALL

The meeting of the Board of Health was called to order at 5:00 PM by Karla Lester at the Lincoln-Lancaster County Health Department. Members present: Roma Amundson, Alan Doster, Doug Emery, Jacquelyn Miller, Ed Schneider, Heidi Stark, Brittany Behrens (ex-officio), Tim Sieh (ex-officio) and Karla Lester.

Members Absent: Lisa Peterson, Marcia White and Trish Owen (ex-officio).

Staff Present: Charlotte Burke, Steve Frederick, Kathy Cook; Andrea Haberman, Steve Beal, Melissa Oerman, Raju Kakarlapudi, and Elaine Severe.

Others Present: Danielle Herbert and John Watson.

II. APPROVAL OF AGENDA

Dr. Lester asked if there were any additions or corrections to the Agenda.

Motion: Moved by Dr. Stark that the Agenda be approved as mailed. Second by Dr. Schneider. Motion carried by acclamation.

APPROVAL OF MINUTES

Dr. Lester asked if there were any additions or corrections to the Minutes.

Motion: Moved by Dr. Schneider that the March 12, 2013 Minutes be approved as mailed. Second by Dr. Stark. Motion carried by acclamation.

III. PUBLIC SESSION

DEPARTMENT REPORTS

A. Health Director Update

Ms. Burke announced the Department was awarded $250,000 in federal dollars through the Affordable Care Act through the State of Nebraska for 2012-2013 for the Maternal, Infant, Early Childhood Home Visitation Grant. The grant allowed the hire of two additional Community Outreach Specialists. The grant also helps pay for a part-time Assistant Epidemiologist to assist in reporting on the required federal benchmarks.

Dr. Schneider asked about the training sessions provided to Lincoln Fire and
Rescue. Ms. Burke responded key Health Department staff continue to meet with Lincoln Fire & Rescue on collaborative projects, i.e. diabetes program, tobacco program; hazardous response; and injury prevention program.

Dr. Schneider asked for the number of urgent dental care children the Dental Clinics sees. Ms. Meginnis will provide the information to Dr. Schneider.

IV. **CURRENT BUSINESS (Action Items)**

A. **Election of Officers**

Dr. Lester stated Dr. Peterson’s term on the Board of Health will expire. The Lancaster County Medical Society has nominated Dr. Nathan Haecker as the Medical Society’s representative to the Board of Health. Dr. Haecker is a physician at the UNL Student Health Center.

Dr. Lester stated nominations for Board of Health officers for 2013-2014 are: President - Dr. Heidi Stark and Vice-President - Dr. Jacquelyn Miller. Dr. Lester asked if there were nominations from the floor. There were none.

**Motion:** Moved by Dr. Schneider that the Board of Health elect Dr. Heidi Stark as President and Dr. Jacquelyn Miller as Vice-President of the Board of Health for 2013-2014. Second by Mr. Doster. Motion carried by a 7-0 roll call vote.

V. **CURRENT BUSINESS (Information Items)**

A. **Legislation Update**

Ms. Burke provided an update on the status of the legislative bills that are of importance to the Department. They include bills on seatbelt usage, the Health Care Cash Fund, Public Health Aid, credentialing requirements, nurse visitation, in-home daycare requirements for smoke free facilities; an increase in the cigarette and tobacco tax, the elimination of the tax exemption on sugar sweetened beverages, and Medicaid expansion.

B. **Diabetes Strips for the Poor & Uninsured**

Ms. Haberman provided an update on the Diabetes Strip Program. She stated clients in the program received free diabetes strips through Abbott Laboratories. This service is no longer available. The Lancaster County Medical Society, Bryan Health, Saint Elizabeth Regional Medical Center, People’s Health Center, Wagey Drug and the Health Department met and began negotiations for diabetes strips. The group applied for and received a grant for $15,000 from the Community Health Endowment. To date, they have expended only $8,000 and have distributed over 1,000 vials of strips to those who are unable to afford the strips. The program is for adults only and has already saved the community approximately $52,000. The grant will continue for another year.
C. Behavioral Risk Factor Data/Website

Mr. Frederick reviewed the Behavioral Risk Factor data that is on the Department’s Website. The information is now available for mobile and tablet devices. He reviewed the indicators and stated staff continue to provide more data on the website. Dr. Schneider asked about the County Health Rankings. Mr. Frederick responded the Rankings have been released to the public. He noted Lancaster County will be ranked a little lower in some categories and a little higher in others. Overall, Lancaster County will be in the top one fourth of Nebraska counties. He reviewed the data and how Lancaster County will fare in the rankings. He will continue to provide updates to the Board of Health.

D. Community Breastfeeding Initiative

Ms. Oerman provided an update on the Lincoln Community Breastfeeding Initiative. The Initiative is funded through a Community Health Endowment grant provided to the Lancaster County Medical Society. An Advisory Committee was formed and project objectives were established. Small groups such as the out-patient care group and the hospital (in-patient) group meet on a regular basis to develop community standards to improve breastfeeding initiation and duration. A physician office survey was done to assess current breastfeeding practices prior to developing these standards. She reviewed the timelines and goals for the program. The Hospitals have created ten shared breastfeeding concepts. Health Department staff in the WIC, Dental and Community Health Services divisions are part of the Initiative. Dr. Lester complimented the group on their efforts.

VI. FUTURE BUSINESS

VII. ANNOUNCEMENTS

Next Meeting - May 14, 2013 - 5:00 PM

Board of Health Annual Luncheon & Awards Ceremony
May 2, 2013 - 11:30 AM - 1:30 PM - Bryan Health East Conference Center.

VIII. ADJOURNMENT

The meeting was adjourned at 6:01 PM.

Elaine Severe
Recording Secretary

Heidi Stark
Vice-President
HEALTH DIRECTOR’S OFFICE

- The Board of Health Luncheon was held on May 2, 2012. Approximately 150 individuals attended the luncheon. Ayman El-Mohandes, MD, Dean of the College of Public Health at the University of Nebraska Medical Center, was the keynote speaker.

Award winners include:

Community Health Awards 1) Capital Humane Society, and 2) Dental Community Volunteers, David Brown, Ph.D., Roger Fischer, DDS and Charles Genrich, DDS.

Public Health Leadership Award - Senator Kathy Campbell. Senator Campbell was unable to attend the luncheon due to legislative commitments. She will receive her award at a Department All Staff meeting at a later date.

John J. Hanigan, MD Award - Michelle Petersen, MD

Food Sanitation Excellence Awards: 1) The Knolls Restaurant, and 2) Waverly Public Schools

Carole Douglas Public Health Achievement Award - Gina Egenberger - Environmental Public Health Division.

- The Health Director attended the grand opening of the Educare Center in Lincoln. Educare Center is an early learning center and is a collaboration of community partners including the UNL Foundation, Lincoln Public Schools, Community Action Partnership of Lancaster and Saunders Counties and the Susan Buffett Early Childhood Fund.

- The Health Director serves on the Community Health Endowment Board of Trustees and Funding Committee. During the month, she served on the site visit review team, reviewed grant applications for the Funding Committee and attended the monthly Board of Trustees meeting.

- The Health Director and key staff attended the Rotary Luncheon meeting honoring Saint Elizabeth Regional Medical Center. The Health Director also attended the Mayor’s Interfaith Prayer Day Breakfast.

- Health Department professional staff hosted a potluck luncheon for the Department’s support staff for Administrative Professionals Day.

- April Employees of the Month - Dental Division Team
### ANIMAL CONTROL

#### Animal Control Stats

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<td>Wildlife Removal</td>
<td>181</td>
<td>192</td>
<td>187</td>
</tr>
<tr>
<td>Dead Animal Pickup</td>
<td>872</td>
<td>1203</td>
<td>944</td>
</tr>
<tr>
<td>Lost and Found Reports</td>
<td>1198</td>
<td>1284</td>
<td>1327</td>
</tr>
<tr>
<td>Phone Calls</td>
<td>24051</td>
<td>26202</td>
<td>27791</td>
</tr>
<tr>
<td>Average Response Time (in mins)</td>
<td>13</td>
<td>22</td>
<td>18</td>
</tr>
</tbody>
</table>

- 3171 license defects were corrected between September 18, 2012 and April 18, 2013. Each corrected defect costs $48.00. The goal is to keep pets licensed and vaccinated and not have the licenses go delinquent or late from the initial due date.

- Animal Control staff will be meeting with Citizen Information Staff on April 24th to go over a second draft of a pet licensing and responsible pet owner public relations and education campaign. The campaign will begin this spring and run through the summer. It will include a variety of PSAs, special events (low cost micro chipping, spay/neuter, etc.) that are designed to bring attention to the benefits of pet licensing and responsible pet ownership.

- The Animal Control Advisory Committee will be meeting on May 21st. Proposed ordinance changes will be reviewed. The Advisory Committee makes recommendations to
the Board of Health for review and discussion.

- The Division is seeing an increase in calls for a variety of animal issues, many of which are for barking dogs and sanitation issues.

- A comprehensive review of all cash handling procedures was completed with the cooperation and leadership of the Fiscal Management Division. The outcome has been a much more defined and accountable cash/revenue handling procedure with checks and balances where appropriate.

- There has been some discussion with NE Wildlife Rescue regarding how wildlife within the city limits is handled when there injured animal or problems. Current procedures were reviewed between the President of the Wildlife Rescue group and the Division Manager and the consensus was reached on how wildlife would be managed.

COMMUNITY HEALTH SERVICES

HEALTHY FAMILIES AMERICA: FEDERAL GRANT PROGRESS

- All new home visitors and supervisors completed two weeks of Healthy Families America training in North Platte this month. One week was devoted to the “core training” aspects of the model. The second week was devoted to the tool used to screen families for child maltreatment risk (Kempe Assessment). Intensive training is provided for all program staff who provide home visitation, administer the assessment tool, and who provide supervisory support. The “core training” included the following topics; communication skills, assessing, addressing and promoting positive parent-child relationships, creating a trusting alliance with families, goal setting, and strategies to enhance family functioning, address difficult situations, and assure healthy childhood development. The assessment training focused on building skills to engage parents in the assessment process, learning how to gather comprehensive information from parents in regard to their strengths and needs using a conversational style, and obtaining guided practice from a certified user to assure the tool is administered in a standardized and reliable manner.

- Also this month, modifications to our electronic medical record, EHS, were completed for reporting related to the new federal grant; Nebraska Maternal, Infant, Early Childhood Home Visitation (N-MIECHV). All home visitors working in the Healthy Families America program were trained to capture the federal benchmarks in new templates on April 29. Entry into the new templates began May 1. Special recognition goes to Betsy Resch, Ruth Shubert, Jodi Harcrow, Trudy Franssen, Tommy George, Kodi Bonesteel, and Petra Smith for their efforts!
- Tools used in the Healthy Families America program to measure risk for poor parenting and family health outcomes include the Kempe Assessment, UNCOPE, CES-D, HFPI, ASQ-3, ASQ-SE, and a Domestic Violence Screening.

- The **Kempe Assessment** (or Family Stress Checklist, Schmitt & Carroll, 1976) is completed in a conversational style with the mother and the father of the child. Ten areas are measured:

  1. Childhood history of maltreatment
  2. History of crime, substance abuse, mental illness
  3. Child Protective Services (CPS) history
  4. Low self-esteem, social isolation, depression
  5. Multiple stresses
  6. Potential for violence
  7. Unrealistic expectations of the child
  8. Harsh punishment
  9. Negative perception of the child
  10. Child unwanted, poor bonding

- The **UNCOPE** (Hoffmann, 1999) is a tool used to assess parental abuse and dependence on alcohol and other drugs.  
  U (Used) “Have you spent more time drinking or using than you intended to?”
  N (Neglected) “Have you ever neglected some of your usual responsibilities because of using alcohol or drugs?”
  C (Cut Down) “Have you felt you wanted or needed to cut down on your drinking or drug use in the last year?”
  O (Objected) “Has your family, a friend, or anyone else ever told you they objected to your alcohol or drug use?”
  P (Preoccupied) “Have you found yourself thinking a lot about drinking or using?”
  E (Emotional Discomfort) “Have you ever used alcohol or drugs to relieve emotional discomfort, such as sadness, anger, or boredom?”

- The **CES-D** (Center for Epidemiologic Studies Depression Scale, Radloff, 1977), is a tool used to measure maternal postpartum depression.

- The **HFPI** is the Healthy Families Parenting Inventory (LeCroy & Milligan Associates, 2006). It measures nine (9) domains; social support, problem-solving, depression, personal care, mobilizing resources, role satisfaction, parent/child interaction, home environment and parenting efficacy. The tool is administered prenatally and compared after the birth of the child to measure progress in the domains.

- The **ASQ-3** is the Ages and Stages Questionnaire (Squires & Bricker, 2009). The **ASQ-SE** is the Ages and Stages Questionnaire – Social Emotional (Squires et al., 2002). The
ASQ tools systematically screen infants and young children for developmental and social-emotional delays in the crucial early years of life (from one month to 5 ½ years). The ASQ looks at strengths and trouble spots, educates parents about developmental milestones, and incorporates parents’ expert knowledge about their children.

The screening for **domestic violence** includes the following questions:
1) Have you ever been hit, kicked, punched, or forced to have sex with or otherwise hurt?
2) Have you even been screamed at, insulted, cursed at, or put down by someone within the last year?
3) Do you feel safe in your current relationship?
4) Is there someone from a previous relationship who is making you feel unsafe now?

**IMMUNIZATION CONFERENCE**

- The Lincoln Immunization Vaccination Effort (LIVE Coalition) presented the “2013 Immunization Update” on April 10, 2013 at the Lancaster County Extension Education Center. Dr. Archana Chatterjee (MD, PhD, Division Chief of Pediatric Infectious Disease, Creighton University) discussed newly licensed and recommended vaccines for 2013, reviewed current recommendations for healthcare worker vaccination in the United States, and described vaccines currently in development. Dr. Stacie Bleicher, (MD, FAAP, Capital City Pediatrics) described reasons for vaccine hesitancy among parents, the personal and public health concerns, and approaches to promote vaccination. Lori Howell (RN, BSN, Vaccines for Children Coordinator, NE DHHS) discussed updates for proper storage and handling of vaccine. Fourteen (14) CHS staff attended including nurses in our Vaccination Clinic.

**DENTAL HEALTH & NUTRITION SERVICE**

**WIC**

**Caseload (Participation):** (301 report)

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Total</strong></td>
<td>3646</td>
</tr>
<tr>
<td><strong>Main</strong></td>
<td>2776</td>
</tr>
<tr>
<td><strong>LMEP</strong></td>
<td>283</td>
</tr>
<tr>
<td><strong>Cornhusker Clinic</strong></td>
<td>587</td>
</tr>
</tbody>
</table>

**Food: For November 2012**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Food Monthly Obligations</strong></td>
<td>$235,488.07</td>
</tr>
<tr>
<td><strong>Food Pkg Avg.</strong></td>
<td>$ 64.11</td>
</tr>
<tr>
<td><strong>Women</strong></td>
<td>$ 41.13</td>
</tr>
<tr>
<td><strong>Infants</strong></td>
<td>$ 138.90</td>
</tr>
</tbody>
</table>
Children | $ 43.99

**Mentoring:**

<table>
<thead>
<tr>
<th>(Number and school)</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Students</td>
<td>1- UNL</td>
</tr>
<tr>
<td>Interns</td>
<td>2-UNL RD</td>
</tr>
<tr>
<td>Volunteers</td>
<td>1-SCC grad</td>
</tr>
</tbody>
</table>

**Dental**

- During the month of March, the dental staff provided 729 patients with 918 patient visits. Of the clients served: over 48% were of racial and ethnic minorities; 31% identified a language other than English as their primary language; 51% were Medicaid enrolled; 5% were General Assistance enrolled; 32% fell at or below 100% of poverty, receiving services at a minimum fee for service; and 12% fell in the range of 101%-200% of poverty, receiving services on a sliding fee scale. Fifty (50) patients were served during the extended clinic hours with 83 patient visits. Of the patients served through extended hours, 48% were of racial and ethnic minorities.

- The dental clinic provided 19 children (identified with urgent dental care needs through the school based dental screening program) with transportation and treatment services. Children were from Everett and Holmes Elementary schools. Of the children served, 15 children were Medicaid enrolled, 4 children were non-Medicaid, receiving services free of charge.

**ENVIRONMENTAL PUBLIC HEALTH**

**Water Quality**

**Public Swimming Pools and Spas & Certified Pool Operator Training**

**Water Quality Goals (Purpose)**

- Protect human health by preventing waterborne illness.

**Water Quality Indicator**

- 80% of swimming pools and spas meet health and safety regulations at time of inspection (do not have significant health and safety violations).

**Strategies/Methods (What we do)**

- train Swimming Pool Operators
- issue permits
- review newly proposed or modified pools/spas
- conduct pre-opening inspections for all seasonal pools
- conduct inspections throughout the year
- take enforcement actions, including closing pools that do not meet public health standards

**Funding/Source**  The program is 100% fee funded.

**Comparison**

**Percent of Pools Meeting Health and Safety Standards at time of inspection(2)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Met PH Standards</th>
<th>Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY07</td>
<td>67%</td>
<td></td>
</tr>
<tr>
<td>FY08</td>
<td>63%</td>
<td></td>
</tr>
<tr>
<td>FY09</td>
<td>76%</td>
<td></td>
</tr>
<tr>
<td>FY10</td>
<td>84%</td>
<td></td>
</tr>
<tr>
<td>FY11</td>
<td>86%</td>
<td></td>
</tr>
<tr>
<td>FY12</td>
<td>85%</td>
<td></td>
</tr>
</tbody>
</table>

Note: When pools are found to have significant health and safety violations (do not meet Health and Safety Standards), they are closed until they come into compliance.

**Description**

- Lincoln ordinance requires all public swimming pools to be: built to regulations; permitted; inspected; and operated by a trained Pool Operator. In FY12, 221 pools/spas were permitted, 502 inspections were performed, and 492 people were trained to be Pool Operators. Fees are charge for pool permits ($345) and Pool Operator training ($60).

- Direct field staff costs for conducting inspections and training were 100% user fee funded. Seasonal public swimming pools and spas are inspected prior to opening and at least twice each year. Year round pools are inspected at least twice per year. In FY12, 85% of pools met health and safety regulations at the time of inspection, thus 15% of regular inspections found
violations which resulted in the pool being temporarily closed due to significant health and safety violations. Pools which may present a higher risk of recreational waterborne outbreaks of disease are inspected more frequently. All public swimming pools must have a trained pool operator and the Health Department provides this training. Regular inspections serve as an opportunity to interact with the pool operator, and help assure that chemical levels are at optimal levels to reduce the threat of recreational water illnesses (RWIs). Based on CDC data, as the swimming season progresses, the risk of RWIs, such as Cryptosporidium and Giardia, increases. Large outbreaks of swimming pool related Cryptosporidiosis occurred across the U.S. the last several years. Fortunately, Lincoln did not have any major outbreaks of pool related diseases.

**Partnerships & Efficiencies**

- The Nebraska Dept. of Health and Human Services (DHHS) has delegated regulation of public swimming pools and PO training to LLCHD, assuring efficient use government resources.

- The current City Public Swimming Pool ordinance was last updated in 1990. Health staff has been working with the City Attorney’s Office to update the ordinance and operational standards for public swimming pools. One of the proposed changes is to provide a certification program for any person that is responsible for testing pool water quality and disinfection levels prior to opening and when patrons are using the pool. In 2012, 57.4% of the 110 pool closures were a result of a lack of a disinfectant or acceptable pH levels.
- The Department will sponsor several meetings with the pool owners, operators and other key stakeholders to review the proposed changes. After receiving feedback, staff will bring to the Board of Health the proposed Swimming Pool Code and Operational Standards for their review and input.

HEALTH DATA & EVALUATION

- The HDE web pages ([http://lincoln.ne.gov/city/health/data/index.htm](http://lincoln.ne.gov/city/health/data/index.htm)) have been updated in several respects. In addition to the BRFSS dashboard, other reports (vitals and communicable disease) have been updated to reflect the latest available data. For Vital Statistics, the HDE web page includes the 2011 report, which has both birth and death data. While 2012 birth files have been received by the department we do not have the death files yet. In the meantime, the internal dashboard has been updated for the 2012 birth data and work is being done to include a Vital Statistics module on the public website. The 2003 to 2012 summary table for communicable disease has also been posted on the HDE’s InterLinc page (enter “data” in the search field to get to the page quickly). In the coming months, HDE should be receiving the 2012 BRFSS and 2013 YRBS data as well as the 2012 death files so look forward to more changes in the dashboard and webpages.

- While the H7N9 avian flu outbreak being experienced in China is not yet a flu that easily is transmitted from human to human, it is a reminder to dust off the pandemic flu plan to be ready in case the virus mutates to a strain that does become the next pandemic virus. The CDC and World Health Organization (WHO) have staff in China monitoring the situation. With luck, this flu strain will be another potential threat that doesn’t pose a major threat to the general populace. Still, the H7N9 virus bears watching as the cases keep increasing and the fatality rate is high.

- As a follow-up to the discussion at the March Board of Health meeting we have compiled data from this year’s County Health Rankings (CHR) and Lancaster County’s peer counties (both from the Community Health Status Indicator list and an alternate list). The data are going to be presented at the May Board meeting and will also be included in the update to the Community Health Profile.

- Also, as a follow-up to MAPP and CHIP process and the IRS requirement for non-profit hospitals to conduct a community health needs assessment (CHNA), in May both Bryan Health and St. Elizabeth’s Regional Medical Center will be posting their CHNA and addressing how they will address the recommendations in the CHIP. Look for those soon.

HEALTH PROMOTION & OUTREACH
Media Opportunities

- Staff worked with City TV staff to create a half hour segment on the Living Well Chronic Disease Management program. The program features staff from HPO and from Aging Partners discussing the topic of effectively managing chronic diseases and how to get involved with community sessions. In addition, a short PSA on the topic was created and is being aired.

- Staff provided input and direction for a City-TV 10 Health program featuring colon cancer awareness with interviews by Dr. Megan DeKam, East Lincoln Internal Medicine and Dr. Michael Eppel, Consultants in Gastroenterology, P.C. Ruth Van Gerpen, a clinical nurse specialist in oncology at Bryan Health, speaks with both doctors about the importance of early detection, types of screening tests, and answers to frequently asked questions. [http://lincoln.ne.gov/city/mayor/cic/5citytv/guides/guide-10.htm](http://lincoln.ne.gov/city/mayor/cic/5citytv/guides/guide-10.htm)

- Staff appeared on Channel 8 Midday Forum to discuss bike education and awareness including the City 10 Health bike videos.

- Staff assisted with the coordination of a Mayor’s Press Conference to announce Lincoln as one of only 5 communities in Nebraska that has joined First Lady Michelle Obama’s Let’s Move! campaign to become a Let’s Move City. This campaign is dedicated to solving the problem of obesity in a generation with the emphasis on reducing childhood obesity. Mayor Beutler also introduced Anna Wishart as his representative for Let’s Move Cities. Ms. Wishart is an elected official with the Airport Authority Board. Featured also in the press conference were the 54321GO project and its new coordinator; Dr. Karla Lester and the work of Teach a Kid to Fish; and the announcement of the Partnership for a Healthy Lincoln’s third Streets Alive event to be held on September 29.

- Staff submitted an article on smoke-free housing and the smoke-free housing registry for the Lincoln Housing Authority monthly landlord newsletter. This newsletter reaches an audience of 4,000.

- Staff along with Parks and Recreation staff discussed the tobacco-free parks policy on KZUM radio ‘Our Streets’ program. The Tobacco-free Parks Task Force has provided newsletters, logos, and other tobacco-free parks promotional/informational materials to dozens of contacts. Park policy information will be put on the child care Facebook page, sent to child care directors, provided at the conference for home day cares and centers, included with monthly pet license renewal letters, provided to City Libraries, community and cultural centers, independent living sites for seniors, neighborhood associations, community learning centers, and more. Banners with the ‘Play Tobacco Free’ slogan are prominently displayed at public events in the parks.
INFORMATION & FISCAL MANAGEMENT

- The IFM Division Manager will be providing consultation to the Aging Program regarding their assessment of HIPAA requirements for their programs.

- Fiscal Office Supervisor and IFM Division Manager have begun the Six Month Fiscal Review with management teams from each division.

- Public Works, Parks and Planning senior staff came to the Health Department for a demonstration of the different options for utilizing the Logi dashboard tools. The demo was provided by IFM and HDE managers and the Department’s Epidemiologist.
Corrected (Item 1.1)

*** ACTION BY PLANNING COMMISSION ***

May 15, 2013

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 15, 2013, at 1:00 p.m., in Hearing Room 112 on the first floor of the 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, MAY 15, 2013

[Commissioner Sunderman absent]

Approval of minutes of the regular meeting held May 1, 2013. **APPROVED, 7-0 (Sunderman absent)**

Election of Vice-Chair: Jeanelle Lust elected Vice-Chair for unexpired term of Wendy Francis until August 21, 2013.
1. CONSENT AGENDA
(Public Hearing and Administrative Action):

COMPREHENSIVE PLAN:
1.1 Comprehensive Plan Conformance No. 12017, to review a proposed conservation easement from the City of Lincoln to the Lower Platte South Natural Resources District as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, for the purpose of floodplain storage over a portion of Oak Lake Park, generally located north of Charleston Street and Sun Valley Blvd. and west of Interstate 180.

*** FINAL ACTION ***
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Planning Commission ‘final action’: A FINDING OF CONFORMITY WITH THE COMPREHENSIVE PLAN, 7-0 (Sunderman absent).
Resolution No. PC-01331.
The associated Conservation Easement Agreement will be scheduled on a future City Council agenda.

PERMITS:
1.2 County Special Permit No. 198A, an amendment to the Wyndam Place Community Unit Plan, to add 20.53 acres to the area of the CUP and increase the density from 15 to 17 single family acreage lots and 4 outlots, on property generally located at N. 176th Street and Holdrege Street.

*** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 3, 2013, 7-0 (Sunderman absent).
Resolution No. PC-01332.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.
4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

**COMPREHENSIVE PLAN:**

4.1 Comprehensive Plan Conformance No. 13002, to review the draft FY2014-2017 Transportation Improvement Program (TIP) for the Lincoln Metropolitan Planning Organization (MPO), as to conformance with the MPO Long Range Transportation Plan. ***FINAL ACTION***

Staff recommendation: Conformance with the 2040 Lincoln MPO Long Range Transportation Plan.

Staff Planner: Michael Brienzo, 402-441-6369, mbrienzo@lincoln.ne.gov

Had public hearing.

Planning Commission ‘final action’: A FINDING OF GENERAL CONFORMANCE WITH THE LINCOLN MPO LONG RANGE TRANSPORTATION PLAN, 7-0 (Sunderman absent).

Resolution No. PC-01333.

**CHANGE OF ZONE:**

4.2 Change of Zone No. 13009, Campbell's Nursery Planned Unit Development, from R-2 Residential District to O-3 Office Park PUD, on property generally located east of the intersection of S. 40th Street and Lake Street; for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and Design Standards to allow a mixed-use development consisting of residential, office, and retail uses on the underlying O-3 zoned area.

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated May 1, 2012, with amendment to Condition #1.8, as requested by the applicant, 7-0 (Sunderman absent).

Public Hearing before City Council tentatively scheduled for Monday, June 10, 2013, 3:00 p.m.

**PERMITS:**

4.3 Use Permit No. 04005B, an amendment to allow a mixed use building of 6 dwelling units and 5,000 sq. ft. of office space, on property generally located at NW 1st Street and Barons Road. ***FINAL ACTION***

Staff recommendation: Conditional Approval

Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

Had public hearing.

Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated April 30, 2013, 6-0 (Hove and Sunderman absent).

Resolution No. PC-01334.
TEXT AMENDMENTS:

4.4a Text Amendment No. 12031, amending and reorganizing Chapter 27.75 of the Lincoln Municipal Code relating to the Board of Zoning Appeals to simplify and clarify the process for filing variances by renumbering existing Section 27.75.020 as Section 27.75.040 and amending it to grant explicit authority to cancel regularly scheduled meetings of the Board of Zoning Appeals; amending Section 27.75.030 to revise the procedure for appeals and to establish a procedure to obtain Board of Zoning Appeals review of petitions for variances and exceptions; renumbering existing Section 27.75.040 as 27.75.020 and amending it to distinguish between the Board of Zoning Appeals' appellate jurisdiction and original jurisdiction; amending Section 27.75.050 to further define the jurisdiction of the Board of Zoning Appeals; amending Section 27.75.060 to provide that any decision approving a petition for a variance or an exception shall be by resolution of the Board of Zoning Appeals; and repealing Sections 27.75.020, 27.75.030, 27.75.040, 27.75.050 and 27.75.060 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 6-0 (Hove and Sunderman absent).
Public Hearing before City Council tentatively scheduled for Monday, June 10, 2013, 3:00 p.m.

4.4b Text Amendment No. 12034, amending and reorganizing Article 19 of the Lancaster County Zoning Resolution relating to the Board of Zoning Appeals to simplify and clarify the process for filing variances by renumbering existing Section 19.003 as Section 19.007; amending Section 19.005 to revise the procedure for appeals and to establish a procedure to obtain Board of Zoning Appeals review of petitions for variances and exceptions; renumbering existing Section 19.007 as 19.003 and amending it to distinguish between the Board of Zoning Appeals’ appellate jurisdiction and original jurisdiction; amending Section 19.009 to provide that any decision approving a petition for a variance or an exception shall be by resolution of the Board of Zoning Appeals, and repealing Sections 19.003, 19.005 19.007 and 19.009 of the Lancaster County Zoning Resolution as hitherto existing.

Staff recommendation: Approval
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 6-0 (Hove and Sunderman absent).
Scheduling of public hearing before the Lancaster County Board of Commissioners is being requested.
Presentation by Planning Department: “Removing Barriers and Making Places”

Pending List:

1. County Change of Zone No. 12038, from AG Agricultural District to AGR Agricultural Residential District, on property generally located at NW 126th Street and W. Bluff Road.  
   (4/17/2013: Planning Commission voted 8-0 to continue public hearing on May 29, 2013.)

Planning Dept. staff contacts:

Stephen Henrichsen, Development Review Manager . 402-441-6374 . shenrichsen@lincoln.ne.gov
David Cary, Long Range Planning Manager . 402-441-6364 . dcary@lincoln.ne.gov
Paul Barnes, Planner . 402-441-6372 . pbarnes@lincoln.ne.gov
Michael Brienzo, Transportation Planner . 402-441-6369 . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner . 402-441-5662 . tcajka@lincoln.ne.gov
Christy Eichorn, Planner . 402-441-7603 . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner . 402-441-6373 . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, Planner . 402-441-6361 . slhageman@lincoln.ne.gov
Sara Hartzell, Planner . 402-441-6371 . shartzell@lincoln.ne.gov
David Pesnichak, Transportation Planner . 402-441-6363 . dpesnichak@lincoln.ne.gov
Brian Will, Planner . 402-441-6362 . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner . 402-441-6360 . ezimmer@lincoln.ne.gov

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
Memorandum

Date: May 14, 2013

To: City Clerk

From: Teresa McKinstry, Planning Dept.

Re: Administrative Approvals

cc: Jean Preister

This is a list of the administrative approvals by the Planning Director from May 7, 2013 through May 13, 2013:

Administrative Amendment No. 12031 to Special Permit No. 1302A, The Ridge Community Unit Plan, approved by the Planning Director on May 10, 2013, requested by WHACO Corporation, to relocate the required sidewalk on Lone Tree Drive and Lone Tree Circle, on property generally located at S. 27th St. and Ridge Blvd.
(Message from Marvin Krout, Director of Planning)

Yesterday, the Planning Department briefed the Planning Commission on a broad set of potential reforms to the City’s zoning code and design standards. These proposals are intended to further two important and related recommendations in the 2040 Comprehensive Plan: removing barriers that discourage infill and redevelopment in the city’s older and established areas, and encouraging new commercial projects throughout the city that are more pedestrian-oriented and complementary to nearby neighborhoods.

The presentation to the Planning Commission was videotaped as part of their regular meeting of May 15, and you can view it on the City’s webpage, under “video on demand”, at http://lincoln.ne.gov/city/mayor/cic/5citytv/vod/vod-current.htm#plan. A written report describing these proposals in more detail, titled “Zoning reFORMs for a New Chapter of City Building”, is posted on the Planning Department’s web page, at http://lincoln.ne.gov/city/plan/long/reform/reform.htm. You are invited to email your comments on the report through this link, and all the comments we receive will be posted on this page for public review.

We are scheduling presentations to other City advisory boards over the next two-three months, and would be happy to come out and discuss these ideas with your interested neighborhood, development, business or professional group -- please contact us at plan@lincoln.ne.gov to schedule a presentation. Later this year, we are expecting to organize a task force including Planning Commission members and others to consider the staff proposals and all the public comments in greater detail.

If you have any questions, please contact David Cary in the Planning Department at 402-441-6364 or dcary@lincoln.ne.gov.

--Marvin S. Krout, Director  
Lincoln-Lancaster County Planning Department  
555 South 10th Street, Suite 213  
Lincoln, Nebraska 68508  
402-441-6366
May 15, 2013

Citywide Arterial Street Rehabilitation
Rosa Parks Way - Westbound Closure and Detour
State Project No. LCLC-5228(4) Control No. 13138
City Project No. 540022

Beginning at 5:30 a.m. on Thursday, May 16, 2013, the westbound lanes of Rosa Parks Way will be closed from 9th Street to South Folsom Street. This closure will take place for less than one day and is expected to re-open in time for the afternoon peak traffic. This is necessary to facilitate the placement of concrete pavement as part of the repair and rehabilitation work that is currently being performed.

During the closure, westbound traffic for Rosa Parks Way will be routed using the following detours:

- L Street traffic will detour north on 10th Street to O Street, west on O Street to Highway 77, south on Highway 77 to Rosa Parks Way.
- 9th Street traffic will detour south on 9th Street to Van Dorn Street, west on Van Dorn Street to Highway 77, north on Highway 77 to Rosa Parks Way.

Information on the Lincoln Citywide Street Rehabilitation Project is available on the City’s website at www.lincoln.ne.gov (keyword: projects). If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Mike Tidball, Project Manager
Pavers Inc.
(402) 875-1469
I don't know if any of you on the council have seen the Youtube video that was taken on Saturday May 11, 2013. An altercation happened downtown after the bars closed. Many police where there and in the video it shows quite a few of these officer standing around doing nothing.

Downtown Lincoln is an embarrassment to all of Lincoln. You focus on the new Arena and Haymarket area. While hundreds of our young people go to bars downtown and are faced with dangerous activity and risk being hurt or worse. When will you wake up. Does someone have to be shot in order for action to be taken.

Speaking of the Haymarket are you going to follow vagrancy laws there or ignore them like you do downtown? Shame on you and the city for allowing this to continue.

If you have not seen the video I urge you to go to Meanwhile In Lincoln Nebraska on Youtube. And that have a conversation the Chief of Police and Tom Cassidy and the owners of the establishments downtown.

Sincerely,

Jacque Stuefer
I. CITY CLERK

II. MAYOR & DIRECTORS’ CORRESPONDENCE

MAYOR
1. NEWS RELEASE. City golfers encouraged to complete survey. Survey part of study by the National Golf Foundation.
2. NEWS ADVISORY. Mayor Beutler’s public schedule for the week of May 18, 2013 through May 24, 2013.
3. Message from Rick Hoppe, Chief of Staff, providing updated information on Cathy Beecham, for the proposed appointment to the Planning Commission.

III. DIRECTORS

PLANNING COMMISSION

PLANNING DEPARTMENT
1. Nebraska Capitol Environs Commission meeting agenda for May 23, 2013.

PUBLIC WORKS & UTILITIES ADVISORY
1. Citywide Arterial Street Rehabilitation. South 17th Street; South Street - A Street. State Project No. LCLC-5228(4), Control No. 13138, and City Project No. 540022.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS
FOR IMMEDIATE RELEASE: May 17, 2013
FOR MORE INFORMATION: Lynn Johnson, Parks and Recreation, 402-441-7847
Dale Hardy, Golf Administrator, 402-441-3860

CITY GOLFERS ENCOURAGED TO COMPLETE SURVEY
Survey part of study by National Golf Foundation

Golfers who have played on City courses are encouraged to complete a survey as part of a study by the National Golf Foundation (NGF). The survey is available at City golf courses or online at lincoln.ne.gov (keyword: golf survey). The City has contracted with the NGF to conduct a sustainability study for Lincoln’s municipal golf program. Golfers are encouraged to complete a survey for each golf course they played during the past year.

The NGF is looking at operations of the City’s four 18-hole golf courses (Highlands, Holmes, Mahoney and Pioneers) and the 9-hole Ager Junior Golf Course. Study areas include fee structure, marketing, maintenance, clubhouse operations and capital improvement needs. NGF staff were in Lincoln during the week of May 6 for an initial review of the golf courses. The NGF also met with staff and contracted golf professionals as well as representatives of local golf organizations and the Lincoln Municipal Golf Committee, a subcommittee of the Parks and Recreation Advisory Board.

“During their visit, NGF staff told us Lincoln’s program is facing the same pressures as golf programs across the country – the number of rounds played is stable or declining while operating costs continue to increase,” said Parks and Recreation Director Lynn Johnson. “NGF’s initial impression is that Lincoln has quality municipal golf courses that are well utilized by the community. But we face challenges, including expense improvements such as replacing aging irrigation systems.”

NGF is scheduled to issue draft recommendations in early August, and NGF staff will return to Lincoln to make a public presentation. Details will be announced at a later date.

More information on the Parks and Recreation Department and the municipal golf program is available at parks.lincoln.ne.gov.
Date: May 17, 2013
Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler’s Public Schedule
Week of May 18 through 24, 2013
Schedule subject to change

Saturday, May 18
• Fifth annual Joshua Collingsworth Memorial benefit, remarks and proclamation - 5:30 p.m., Sesostris Shrine Center, 1050 Saltillo Road

Monday, May 20
• City Council meeting - presentations to those leaving the Council, preside over election of Chair - 5:30 p.m., Council Chambers, County-City Building, 555 S. 10th St.

Tuesday, May 21
• Lincoln Partnership for Economic Development annual breakfast, remarks - 7:30 a.m., Cornhusker Marriott Hotel, 333 S. 13th St.
• Lincoln Housing Authority open house to celebrate construction of house by Lincoln Northeast High School students, remarks - 5 p.m., 2948 Starr St.

Wednesday, May 22
• American Cancer Society 100th birthday celebration and luncheon, remarks and proclamation - 11:30 a.m., Southeast Cancer Center, 201 S. 68th Place, Suite 200

Thursday, May 23
• News conference, topic and location to be announced - 10 a.m.

Friday, May 24
• Five Nines Technology Group, remarks - 8:30 a.m., Five Nines, 5000 Centerpark Dr. #101 (east side of Office Depot)
I provided information to you on Cathy Beecham, our proposed appointment to the Planning Commission, that needs to be updated. Unfortunately, we were working from an old Board & Commissions application form from Cathy's previous appointments.

Cathy was a stay-at-home Mom but now is the project manager for Fuse Networking, a company started by Cathy and her husband Andy. Fuse provides shared collaborative workspace to help entrepreneurs grow their businesses. The new venture is not Cathy's first entrepreneurial endeavor. Prior to staying home with her children, Cathy was a business analyst for People Soft, a human resources software company. The business is also owned by Cathy and her husband. Cathy now serves as a business administrator for People Soft in addition to her work for Fuse.

I hope this information is helpful in your review of Cathy's qualifications for the Planning Commission.

Thanks.

Rick Hoppe
Chief of Staff
Mayor Chris Beutler
rickhoppe@lincoln.ne.gov
402-441-7511 (business)
402-430-2505 (mobile)
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : May 16, 2013

RE : Notice of final action by Planning Commission: May 15, 2013

Please be advised that on May 15, 2013, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

**Resolution No. PC-01334**, approving Use Permit No. 04005B, with conditions, requested by C Street, LLC, to add six dwelling units to a mixed use building, on property located at N.W. 1st Street and Barons Road.

This is final action unless appealed to the City Council by filing a notice of appeal with the City Clerk within 14 days of the action by the Planning Commission.

**Resolution No. PC-01331** (Comprehensive Plan Conformance No. 12017), finding the acquisition of a conservation easement by the Lower Platte South NRD to preserve and protect floodplain storage over 49.10 acres of property owned by the City of Lincoln generally located at North 1st Street and Charleston Street from Oak Creek on the north to Sun Valley Boulevard on the south and Interstate 180 on the east.

This is final action as to a finding of conformity. The associated Conservation Easement Agreement will be approved by the Mayor on behalf of the City by Executive Order.

**Resolution No. PC-01333** (Comprehensive Plan Conformance No. 13002), finding the FY 2014-2017 Transportation Improvement Program (TIP) to be in conformance with the Lincoln MPO Long Range Transportation Plan.

This is final action as to a finding of conformity. The TIP and the Planning Commission finding of conformity will be submitted to the MPO Technical Committee and the MPO Officials Committee.

The Planning Commission Resolutions+ 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. UP04005B, CPC12017, CPC13002). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.
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Nebraska Capitol Environs Commission

The Nebraska Capitol Environs Commission will hold a public meeting on Thursday, May 23, 2013. The meeting will convene at 8:00 a.m. in Room 214, second floor, County/City Building, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, please contact the Lincoln/Lancaster County Planning Department at 441-7491.

Agenda of May 23, 2013

1. Approval of meeting records of March 28 and April 1, 2013.

Hearing and Action

2. Certificate of Appropriateness for demolition of 1236 H Street in the Capitol Environs District.

Discussion

3. Centennial Mall Update

4. “Focus group” discussion with Sara Hartzall (Planning staff), part of Planning Department’s self-evaluation of processes and effectiveness

5. Miscellaneous
May 17, 2013

Citywide Arterial Street Rehabilitation
South 17th Street; South Street - A Street
State Project No. LCLC-5228(4) Control No. 13138
City Project No. 540022

The City of Lincoln proposes to rehabilitate South 17th Street from South Street to A Street beginning on May 21, 2013, weather permitting. The existing asphalt pavement will be milled off, and the concrete base will be removed in the outside lanes. The existing stone curb will be removed and salvaged while some of the curb will be integrated back into the rehabilitated roadway. New concrete base will be poured in the outside lanes along with new curb and gutter. The roadway will be overlaid with new asphalt and pavement markings. Pedestrian curb ramps along 17th Street will be reconstructed to meet ADA standards. Construction is expected to take eight weeks.

Pavers Inc. will be the contractor. They will perform the work under a total street closure with the road closed to through traffic. The detour for 17th Street will be west on South Street to South 13th Street, north on South 13th Street to A Street, and east on A Street to 17th Street. During the construction operations, access to side streets and to driveways will be restricted at times. The City will work with local businesses and residences regarding access during construction.

If a business or residence has a sprinkler system along the project route, either in close proximity to the curb ramps, driveways, and alley returns, or along the curb line of 17th Street, they are asked to flag the sprinkler heads to aid the contractor in minimizing damage.

Information on the Lincoln Citywide Street Rehabilitation Project is available on the City’s website at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (keyword: projects). If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

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