

**IN LIEU OF
DIRECTORS' MEETING
MONDAY, APRIL 28, 2014**

I. CITY CLERK

II. MAYOR

III. DIRECTORS CORRESPONDENCE

**CITIZENS INFORMATION CENTER/
TELECOMMUNICATIONS/CABLE TELEVISION**

1. Telecommunications/Cable Television Advisory Board meeting minutes of January 23, 2014.
2. Cable Advisory Board meeting minutes of October 24, 2014.

HEALTH DEPARTMENT

1. NEWS RELEASE. Prescription drug take-back event set for April 26, 2014.

PLANNING DEPARTMENT

1. Administrative approvals by the Planning Director from April 15, 2014 through April 21, 2014.
2. Lincoln-Lancaster County Planning Commission schedule for April/May, 2014.

PUBLIC WORKS & UTILITIES

1. Public Works and Utilities newsletter for April/May, 2014. Available online at <http://lincoln.ne.gov/city/pworks/docs/newsletter/2014-04-05.htm>.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

City of Lincoln
Telecommunications/Cable Television Advisory Board
Meeting Minutes – January 23, 2014

Members Present: Paul Barnett, Steve Eggland, Matt Hansen, Ed Hoffman, Linda Jewson, Jim Johnson, Laurie Thomas Lee, John Neal, Dara Troutman

City Staff: Diane Gonzolas, Steve Huggenberger, Jamie Wenz, David Young

Representatives of Time Warner Cable: Jarad Falk

Call to Order

Meeting was called to order at 4:00 p.m. by chair Ed Hoffman. Board members and guests introduced themselves.

Gonzolas introduced Jamie Wenz as the new director of the City PEG channels. Bill Luxford has had to retire for health reasons; he is still working with the City part-time but was unable to continue as director. Wenz was the top applicant and has been amazing. Many board members know Wenz from his previous job as Public Access Coordinator with Time-Warner Cable (TWC). Hoffman welcomed Wenz and asked for a brief bio. Wenz said that prior to moving to the City he had been at TWC for eight years as Public Access Coordinator, in addition to managing videoproduction dept for Lincoln and other jobs. He worked at channels 10/11 for several years before moving to TWC, and in North Platte before that. For the City, he is responsible for Channel 5, and 10Health. They also help coordinate the educational access channel, Channel 80. They coordinate meetings such as City Council, County Commission, and other meetings. They also partner up with other City boards.

Gonzolas introduced David Young from Public Works. Young is the Right of Way manager for Fiber Installation. Young said that in 2012 the City was putting in streets around the arena; at that time the City decided to put fiber into the streets while they were working on it. This saves money and makes community broadband available in the downtown area. We have signed a couple of leases for access to the system, and are looking at others. There is currently 250 miles of conduit. Gonzales will add David to the information sheet.

New Business

Expanded Board Duties

Hoffman said that City boards are like juries; we're not necessarily expected to be experts on the technology that comes before us; our job is to be committed to the City and to seeing things done on a reasonable basis. Huggenberger said that there are no specific duties; the ordinance leaves the description rather broad. Today he will talk about what we are doing in various areas.

Cable Television: We have one franchise through 2020; will probably start negotiations about 2017. We have had another company inquire about a franchise; no further information available at this time.

Cell Towers: If a tower is located on City property, the City is the owner of the tower. If someone comes to the City and requests a tower, the City decides. No requirement for stealth application. Primarily monopoles. When towers are built, they are three-company towers: the first company gets a rent abatement for the first three years, the other two have to pay. All the companies pay rental.

City conduit system: Young is the primary person managing that. Primarily four inch conduit, but not exclusively. There are some conditions: We lease as we have space. There are two current tenants: NebraskaLink and UNL. Huggenberger expects there will be other tenants before long. We want broadband to be more available to businesses and residents. This provides significant revenue, and provides relief from constant excavation. The Mayor would like to see the Universal Service Funds used for broadband expansion in an urban environment. We have talked to the Public Service Commission about changing the current usage, which currently focuses on smaller communities. Lee asked if that is a federal issue. Huggenberger said that states have quite a bit of discretion in how it's used. Huggenberger said that we would probably work together with a private company. There are statutory Limitations: political subdivisions are prohibited from providing broadband services except in very limited circumstances. We can lease dark fiber but not lighted fiber.

Telecommunication Occupation Taxes: Huggenberger said that there are people who claim that Lincoln has the highest telecommunication occupation taxes in the country; he said this is not true but he won't get into that. Any city can levy an occupation tax up to 6.25%; right now we're at 6%. We may look at some ways to increase this.

Audit: City is doing audits. We have five on the table now; 82 are left. This includes Windstream, Verizon, AT&T, Cricket, UFSingular, and a couple of others.

Hoffman asked what the conduit will be used for. Huggenberger had no guesses. Young said that inside the conduit, we have 90 miles of fiber. This is used to light up City and County buildings. Today we have 1 GB speed. We buy a 50 MB connection to the Internet. We're upgrading to 250 MB. We want to tie in more traffic signals to an intelligent transportation system. We would like to tie in water facilities too. Want to upgrade from a daisy chain to a hub and spoke ring. Five year plan for the conduit system, building one for the fiber.

Hoffman: What are the leased fibers used for? Young said that possibly cable TV could be provided over the fiber. We make it a lot easier for competing carriers to use. Young said that we use the fiber; will want to share with the State and the University.

Lee asked whether if (for example) Windstream wanted to use the conduit would they have to provide the fiber? Young said yes; the network propagates out. Huggenberger said that any audio, video service could run over it. Young said it could also handle phone service and VOIP.

TWC would normally have to build their own conduits; the fiber is only 2 dollars a foot.

Hoffman asked how many other communities have this; Huggenberger said not very many.

Young showed some cable sizes. He said the speed to market is fast.

Lee said that it's great that it covers the whole community. She thought it was just in the downtown area. Young said that when he came here it was just in the downtown area; now it's widespread.

Huggenberger said that we have a very agile group when we take on the conduit questions.

Huggenberger said that there are wireless projects; he wants Young to talk about that too.

Young said that there is spectrum that's available to the City, and a spectrum that's available to the public. We wanted to talk about wireless downtown. Wireless on P Street; extending the University wireless into downtown. Centennial Mall will have wireless. What is the value of that? We have 40,000 employees downtown; tying wireless to the mall between the Capitol and the University. We also want to tie in Civic Plaza. We would like to do that on P Street and Antelope Valley. Some people would like to see creation of a buffer area around the University. There are policy questions, including First Amendment issues. He will talk to the board about things that we're working on.

Hoffman said that his daughter is teaching English in South Korea on a Fulbright scholarship. He went to visit her, and found that they have wireless everywhere. Young said that in Scotland, Glasgow and Edinburgh have wireless that covers the whole area. It's new to communities to have a plan. Lee: There are communities that have done this, such as San Francisco. She asked what we have learned from them. Young said that if the City does it themselves it's quite expensive. We would have to build in-house if we don't have a corporate partner, so we will use a partnership. We have people in the traffic section who are learning to lay fiber. We have 3000 customers; we can get by with one engineer. We would not be able to scale that up to 180,000 customers. We want to make it cost-effective for Time Warner and other companies, so that they will not want to go anywhere. Young said that where failure has occurred it's often because the budget declines. Lee asked if access to the wireless would be free. Young said that in the parks it would probably be free. But on P Street, we would have a partner, so users would have to pay. As a community, how do we grapple with that? As a community we should make this infrastructure available. But he believes that we can find partners. How do we put wireless in the Haymarket? Troutman said that she and others have had trouble texting from Pinnacle Bank Arena; Young agreed that there had been a problem but he believes that it's fixed now and she should be able to text next time she's there.

Huggenberger said that he doesn't want this to just be the City bringing issues to the board, but board members need to bring issues to the City as well.

Lee thinks that businesses may complain if we give free wireless. Young said that if we limit users to a half hour a day or so he doesn't think that will happen. Huggenberger said that the service will be provider-neutral. Falk said that there are many communities, such as Kansas City, which were willing to give Google some concessions that others couldn't get. He appreciates that Lincoln is not playing favorites.

Hoffman asked if we limit the amount of conduit space that users can take up. Huggenberger said that we haven't had to talk about it yet.

Gonzolas said that page 4, section (b) of the Ordinance defines the duties of the board; Huggenberger reiterated that it's very broad.

Revision of Bylaws

References to the Cable Advisory Board will have to be updated to the new name. Gonzolas and Huggenberger will take a look at the bylaws and will come up with some recommendations. Huggenberger said that the Cable Advisory Board doesn't exist anymore so we can do whatever we want when writing the bylaws; they are independent of the previous bylaws.

Old Business

Resolution of Appreciation for Bill Luxford

The board voted unanimously to give Bill Luxford a resolution of appreciation for his service with the City.

Update on move of PEG channels to digital format

Falk said that there was an account number problem: there wasn't always a process to add in account numbers at the time that people signed up. If the problem is related to a digital adaptor, they are getting them. There are 4500 adaptors in Nebraska; there is not enough detail to determine how many of these are in Lincoln.

There was a question of how to get the word out. For instance, on the first day of the legislative session, NET2 wasn't where it was expected so people called NET and that caused a big spike in their phone support business.

Hoffman asked if Huggenberger has any comments for TWC. Huggenberger said that he had contacted Ann Teget to see if she could help get it figured out for his office. Falk said that people can contact either himself or Doug.

Hoffman asked if TWC can track down the account numbers. Falk said not always. Gonzolas said that the City was concerned about how many people had paid for installation, and how many people turned it back in because they thought it wouldn't work.

Young asked about the connection to the Municipal Service Center. The City and Experian both occupy that building; they need service. Who would he talk to? Falk said Brandon Schmidt; Falk will send Young the contact information.

Board Vacancies

One application has come in, a second person has expressed interest but not yet received an application. Hoffman commented that we might want to ask Art Ziegelbaum if he is interested now that the board has expanded duties.

Member Orientation

Hoffman said that we have had discussions about a member orientation, possibly at Time Warner. Gonzolas said that we will first try to fill up the board first, then will probably want to have an orientation after that. Will touch on Cable TV issues, but will probably want to concentrate on other issues.

Report from TWC

Public Access Report was distributed. Falk distributed but counted on Wenz's expertise to discuss the report. Wenz said that they have seen a decline in the programming as more people move to YouTube.

Lee asked who is doing the job that Wenz was doing; Wenz said that position is still vacant.

Report from The City

Wenz says that it's a little hard to determine things like live broadcast hours because meetings are variable length. He didn't realize that he should probably be tracking the length of the meetings until he started putting the report together. The educational channel

is going to start increasing new programming because the University is going to have students doing some shows. He invites us to come visit the studio.

Date for next meeting

Next meeting is scheduled for July 24, 2014, 4:00 p.m. in the City-County Building

Adjournment

Meeting was adjourned at 5:30 p.m.

Respectfully submitted,
Jim Johnson, secretary

**City of Lincoln
Telecommunications/Cable Television Advisory Board
Meeting Minutes – October 24, 2013**

Members Present: Steve Egglund, Matt Hansen, Ed Hoffman, Linda Jewson, Jim Johnson, John Neal, Dara Troutman

City Staff: Diane Gonzolas, Beau Wolf

Representatives of Time Warner Cable: Ann Teget

Call to Order

Minutes

Meeting was called to order at 4:00 p.m. by chair Ed Hoffman. Board members and guests introduced themselves.

Minutes

Minutes of the July meeting were read. The following corrections were made to the PEG channel lineup: Channel 13 is a Public Access Channel, Channel 21 is not a PEG channel. Minutes were approved as corrected.

Old Business

Expanding Board Duties

Huggenberger led a discussion of expanding the board's duties. Generally the thought would be to make the board a telecommunications board instead of a cable advisory board. He is talking to Jonathan Cook at the current time. The Cable Advisory Board would be dissolved, and the current board members would become the initial members of the telecommunications board. The Mayor can ask the board to take on other opportunities. Agenda would be related to local issues; there are a whole host of things going on. If this happens we have a lot of directions we could go. Hoffman said that it's almost like expanding our duties. Huggenberger said that we might find it necessary to go back to monthly meetings since there are so many things going on. Hoffman said that if additional meetings were needed, he wouldn't have a problem with that.

Gonzolas asked if the ordinance change would also necessitate a change in the bylaws; Huggenberger said yes. Current bylaws would no longer be in effect.

There may be people who might be interested in joining a board with expanded duties; there may also be others who might not want to join such a board. (Troutman and Barnett commented that they might think about stepping down; Hoffman said that Art Zygielbaum might think about joining.)

Hoffman said that the fiber-optic conduit that is being planned is a big deal. Neal said that it does seem like a natural progression.

John Neal moved that the board approving moving forward with expanding the CAB into a telecommunications board. Motion passed 7-0.

Member Orientation

Not going to happen now, pending discussion about the board's duties. Huggenberger said that it might be beneficial to the board for Huggenberger to discuss the issues involved with telecommunication. If people have ideas of who might be good fits for a telecommunication board, let Gonzolas know.

Review of Bylaws

We will start with existing bylaws and modify as needed.

Update on move of PEG access channels to digital format

Hoffman wanted to discuss the move of the PEG channels to digital format. He asked with regard to boxes, can they pick up at the office; Teget said yes. Hoffman asked if there is anything that is being done to track how many viewers the PEG channels have; Teget said no.

Troutman asked if for the record, we could document what happened as a result of the recommendation that was forwarded to the Mayor. Gonzolas said that Hoffman authored a letter to the Mayor. Chief of Staff Rick Hoppe worked with Ann Teget. Teget said that she and Hoppe had met two or three times. The letter was released to the public before TWC talked to Hoppe. She thinks that this was unfortunate because the news stories contained inaccuracies.

Teget and Hoppe met, Hoppe said here's the recommendations of the board, Teget took it back to TWC; whatever they did in Lincoln they would have had to do it at other locations. They assured the Mayor that they had some of the same concerns. Their technicians have the authority to waive the fees. Those customers who attempted to do an install had no fees.

Neal asked if all TWC policies are uniform nationwide. Teget said that most policies are. They were confident that they could work through those issues on a case by case basis with customers.

Teget says that she thinks that the particular customer who complained became frustrated with the process.

Troutman: What kind of volume have they looked at. Teget said about 1000 households. Teget says that we have a high penetration of digital users.

Beau Wolfe commented that the signal quality is much better.

Gonzolas said that their staff is concerned that people may just not have taken the time to do it. The City may send out a press release before the deadline for ordering the boxes.

Hoffman: Discussion of McAllen, Texas. Weren't they given some benefits? Teget said yes, but that was an early conversion and the digital adaptors weren't available. Hoffman said that he hears all the time that people don't like the idea of the 99 cent charge. Wants to know what it's for; thinks it doesn't seem like enough of a charge that it would make a difference to make it worthwhile to TWC. Teget said that discussion has already taken place. She thinks eighteen months' notice of the charge is plenty of notice.

Egglund asked how much does the boxes cost. Teget said she is not sure, but she thinks that the fees will not be anywhere near the cost.

Hoffman: Wants to know how many complaints there have been. Teget said that number is unavailable; if people call in with an issue they fix the issue, then close the work order. Neal asked if it is possible to track those issues, within the text of the contact. Teget asked what that information would be used for. Neal said that when we receive questions about this, we tell them to call TWC. It would help us know that we might have to reconfigure our communication band. Teget is guessing that the information is not tracked but she will check.

Regarding the release of the letter, Huggenberger said that City policy is that if a reporter asks for a copy of a letter, they get it right away. Troutman understands that, but wonders if there was a concerted effort to let the press know. Teget thinks that if the goal is to negotiate a resolution it's better to do it with the Mayor, with the board as a go-between. Teget said that this went to the highest levels of TWC, not just her talking lightly to her boss.

TWC Report

Teget distributed Jamie Wenz's Public Access Coordinator report. Teget reported that we've been fortunate to have an agreement with LPS to do their high school football games. That has been a great addition to their local programming. This has helped Channel 13. Neal said they can be rebroadcast up to 6 months. Neal said that there has been great feedback. Neal said that there had been a couple of years where they were unable to come to an agreement on who would be liable if a camera dropped on someone or something. Hoffman thinks this could be something we could put on the website. Gonzolas said that Luxford had initially had problems from people who thought there might be lower attendance at games. Neal said that this isn't a problem. Huggenberger asked Neal and Teget about the contract between LPS and Community Access. Huggenberger thinks that the schools aren't supposed to be putting things on Educational Access (Channel 80).

Teget mentioned that they're going to be launching their intelligent home home security next month.

Report from the City

Gonzolas said that Bill Luxford is very ill, resigning his position soon. The City is working on hiring a replacement. There have been some great applicants. Hoffman asked how long Bill has been here; Gonzolas thought it was since 1986.

Johnson moved that we prepare a recognition thanking Bill Luxford for everything he has done. Egglund seconded.

Date for next meeting

Next meeting is scheduled for January 24, 2014, 4:00 p.m. in the City-County Building

Adjournment

Meeting was adjourned at 5:30 p.m.

Respectfully submitted,
Jim Johnson, secretary



NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" St., Lincoln, NE 68510, 402-441-8000

FOR IMMEDIATE RELEASE: April 23, 2014

FOR MORE INFORMATION: Willa Tharnish, Health Department, 402-480-1956

PRESCRIPTION DRUG TAKE-BACK EVENT SET FOR APRIL 26

The public is invited to drop off leftover or unwanted medications from 10 a.m. to 2 p.m. Saturday, April 26. The service is free and anonymous with no questions asked. There are 11 locations in Lincoln and Lancaster County where citizens can safely dispose of expired, unused and unwanted prescription drugs:

- Russ's Market, 1550 S. Coddington Ave.
- Walgreens stores at 1404 Superior St., 2502 N. 48th St., 8300 Northern Lights Dr., 1701 South St., 2600 S. 48th St. and 4000 S. 70th St.
- Lincoln Neighborhood Pharmacy, 6811 "O" St.
- Hy-Vee grocery store, 5010 "O" St.
- Shopko, 6845 S. 27th St.
- Four Star Drug, 13851 Guildford St., in Waverly

Traditional methods for disposing unused medications like the toilet or trash pose threats to drinking water supplies. Leftover medications also are highly susceptible to diversion, misuse and abuse. Studies show that a majority of abused prescription drugs are obtained from family and friends, including from the home medicine cabinet.

The drug take-back event is a combined effort of the Drug Enforcement Administration, Lincoln Police Department, Lancaster County Sheriff's Office, School Community Intervention and Prevention volunteers and the Lincoln-Lancaster County Health Department (LLCHD).

If you are unable to attend this event and would like to learn more about what you can do to protect your

family and the environment from leftover medications, please contact LLCHD at 402-480-1956 or info@nebraskameds.org.

The event is partially funded for a second consecutive year by a grant to LLCHD through the Nebraska Environmental Trust for the “Nebraska MEDS Disposal Program – Protecting Nebraska’s Water & People” project. The project focuses on creating strategies for the public to easily, safely and legally dispose of their leftover medications.



Memorandum

Date: ♦ April 22, 2014
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 April 15, 2014 through April 21, 2014:

Administrative Amendment No. 14022 to Pre-Existing Use Permit No. 13D, Briarhurst Plaza, approved by the Planning Director on April 17, 2014, requested by Prime Sites, LLC, to remove the building footprint from the site plan and allow buildings anywhere outside of the setbacks, on property generally located at S. 48th St. and Briarpark Dr.

Administrative Amendment No. 14011 to Special Permit No. 1813A, The Preserve on Antelope Creek Community Unit Plan, approved by the Planning Director on April 18, 2014, requested by Design Associates of Lincoln, Inc., to adjust the rear setback for Lot 12, Block 4 (4701 Hawthorne Drive) from 25 feet to 21 feet.

Jean Preister

From: Michele M. Abendroth
Sent: Wednesday, April 23, 2014 3:07 PM
Subject: Lincoln-Lancaster County Planning Commission schedule for April/May, 2014

To: Lincoln-Lancaster County Planning Commission members

cc: Planning Department Distribution List

On **Wednesday, April 30th, from 11:30 a.m. to 12:45 p.m.**, in advance of your regular 1:00 p.m. meeting is a staff briefing on 1) an [Amendment to the Long Range Transportation Plan](#), to show South Beltway officially as a state-funded project along with the City's financial commitment to provide the required 20% matching funds; 2) the draft 6-year [Capital Improvement Program \(CIP\)](#) for the City of Lincoln; and 3) the draft 4-year [Transportation Improvement Program \(TIP\)](#) for the Lincoln metropolitan area as required by federal regulations. The Planning Commission will hold a **special public hearing** on the following **Wednesday, May 7th, at 1:00 p.m.**, to take public comments on these three items and then vote on the Long Range Transportation Plan amendment, and vote on whether the proposed projects in the CIP and TIP are consistent with the adopted [City-County Comprehensive Plan \(LPlan 2040\)](#) and [Long Range Transportation Plan \(LRTP\)](#).

Prior to the special **May 7th** public hearing on the CIP/TIP and proposed LRTP amendments, **from 12:00 p.m. to 12:45 p.m.**, we have scheduled a briefing on the annual review of the Comprehensive Plan. This will include a [summary review](#) of areas where progress has been made in achieving key goals in the Plan, and a briefing on the [Community Indicators](#) report. Community Indicators reports have been published almost every year at this time since 2004. The reports provide measurable data on how the community is doing on goals stated in the Comprehensive Plan for population growth, economic activity, environmental quality, affordability and accessibility.

If you have any questions about this schedule of briefings and public hearings, please contact Jean Preister in the Planning Department at 402-441-6365 or plan@lincoln.ne.gov.

--Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Room 213
Lincoln, NE 68508
402-441-6366
mkrou@lincoln.ne.gov

Mary M. Meyer

From: Meagan Pratt
Sent: Wednesday, April 23, 2014 3:04 PM
To: PW_Uall
Cc: Miki Esposito; Council Packet; Mayors Staff; Doug J. McDaniel
Subject: PWU Newsletter for April/May 2014

To: All PW/U Employees, Mayor Beutler, & City Council Members;

The Public Works & Utilities April/May 2014 Newsletter is now available for viewing.

<http://lincoln.ne.gov/city/pworks/docs/newsletter/2014-04-05.htm>

The newsletter features the following articles:

- Spring is in the Air!
- A Day In the Life of...
- Strong Lincs
- A Farewell Note
- Congratulations Caleb Whisenhunt
- February Mayor's Award of Excellence
- Technology Bits and Bytes
- New Stormwater Quality Standards
- LWS Part of Earth Wellness Festival
- Golden Shovel and Platinum Pen Awards

We hope that you enjoy reading the PWU newsletter and look forward to your comments and any suggestions you may have. Also, please forward to anyone you think would benefit from reading the newsletter.

Sincerely,
The PW/U Marketing Team

DIRECTORS' AGENDA
ADDENDUM
MONDAY, APRIL 28, 2014

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS ADVISORY. Mayor Beutler, Amtrak officials and other dignitaries will hold a news conference on Friday, April 25, 2:30 p.m. at the Amtrak Haymarket Station, 277 Pinnacle Arena Drive inviting the public to tour the Amtrak Exhibit Train over the weekend and to discuss regional passenger rail developments.
2. NEWS RELEASE. Public invited to tour Amtrak Exhibit Train.
3. NEWS ADVISORY. Mayor Beutler's Public Schedule for the week of April 26, 2014 through May 2, 2014.

III. DIRECTORS

HEALTH DEPARTMENT

1. NEWS RELEASE. Board of Health Award Winners announced.
2. NEWS RELEASE. Lincoln-Lancaster County Health Department. Nominations sought for Environmental Leadership Awards.

IV. COUNCIL MEMBERS

JON CAMP

1. Don M. Wright writing regarding South 56th, Old Cheney, and London Road potholes and ruts, even after the pot hole crews had worked on a section of 56th Street

V. CORRESPONDENCE FROM CITIZENS

1. Correspondence from Paul Larsen regarding concealed carry on City parks.
 - a) Councilman Jon Camp requesting advice from the Law Department and the Director of City Parks and Recreation.
 - b) City Attorney Rod Confer replying to message from Councilman Camp on Larsen correspondence.
 - c) Correspondence from Paul Larsen accepting Attorney Confer's summation, and answer from Councilman Camp to Mr. Larsen.

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 402-441-7511

DATE: April 24, 2014

FOR MORE INFORMATION: David Norris, Citizen Information Center, 402-441-7547

Mayor Chris Beutler, Amtrak officials and other dignitaries will hold a news conference at **2:30 p.m. Friday, April 25** at the **Amtrak Haymarket Station, 277 Pinnacle Arena Drive** (the intersection of Pinnacle Arena Drive and “Q” Street).

The Mayor will invite the public to tour the Amtrak Exhibit Train this weekend and also discuss passenger rail developments in the region. Media tours will be given following the news conference from 3 to 4 p.m.

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 402-441-7511

FOR IMMEDIATE RELEASE: April 25, 2014

FOR MORE INFORMATION: Milo Mumgaard, Mayor's Office, 402-441-7376

PUBLIC INVITED TO TOUR AMTRAK EXHIBIT TRAIN

National Amtrak promotion in Lincoln Saturday and Sunday

Mayor Chris Beutler today invited the public to tour the Amtrak Exhibit Train from 10 a.m. to 4 p.m. Saturday and Sunday at the Haymarket Amtrak Station, 277 Pinnacle Arena Drive.

The Exhibit Train showcases the past, present and future of railroad in the U.S., featuring workable signals and horns, virtual sleeping accommodation tours and trivia, and the locomotive control stand. Also included are vintage photos, uniforms, advertising and memorabilia from Amtrak's beginning in 1971 to today's modern sleeping cars and high-speed rail service. Railcars are decorated with historic Amtrak paint schemes. Young train fans will be able to view model trains from the Lincoln Railway Historical Society and enjoy Chuggington Depot, a dedicated children's play and activities area.

Mayor Beutler said the Exhibit Train was not just a celebration of passenger rail, but also brings a focus on the opportunities rail travel provides in the future. "Here in Lincoln, we see passenger rail not as a vestige of the past, but as a key part of our transportation future. People in Lincoln – especially younger generations – want to see faster, more convenient and efficient passenger rail options. We are part of the efforts in our region to do that, and this weekend's event highlights these exciting times."

Also participating in the weekend event will be StarTran; Operation Lifesaver, a rail industry sponsored group educating the public about safety; ProRail Nebraska, an advocacy group favoring improved and increased passenger train service; and the Department of Veterans Affairs with its mobile service unit.

The Exhibit Train locomotive commemorates the 50th anniversary of the Vietnam War and honors those who have served. Amtrak painted the locomotive red, white and blue with a specially designed "America's Railroad Salutes Our Veterans" logo. It is a symbol of an Amtrak commitment that by 2015, one-fourth of new hires will be veterans. Local veterans will be invited to be first to board the Exhibit Train on both days.

More information on Amtrak is available at amtrak.com.

Date: April 25, 2014

Contact: Dave Norris, Citizen Information Center, 402-441-7547

Mayor Beutler's Public Schedule
Week of April 26 through May 2, 2014
Schedule subject to change

Saturday, April 26

- UNL Public Policy Center Symposium and workshop, panel discussion - 4 p.m., UNL City Campus Union, 1400 "R" St. (Regency Room)

Monday, April 28

- National League of Postmasters state convention, remarks - 8:15 a.m., Holiday Inn Downtown, 141 N. 9th St.

Wednesday, April 30

- KFOR - 7:45 a.m.

Thursday, May 1

- Mayor's Prayer Breakfast, remarks - 7:30 a.m., Cornhusker Marriott Hotel, 333 S. 13th St.

Friday, May 2

- Groundbreaking ceremony for new Lincoln Public Schools/Southeast Community College (SCC) High School Career Center, remarks - 11 a.m., SCC Campus, 8800 "O" St.



NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 "N" Street, Lincoln, NE 68508, 402-441-8000

FOR IMMEDIATE RELEASE: April 24, 2014

FOR MORE INFORMATION: Elaine Severe, 402-441-8093

BOARD OF HEALTH AWARD WINNERS ANNOUNCED

The Lincoln-Lancaster County Health Department recognized a local physician, two local restaurants, the Lancaster County Medical Society's Health 360 Program and five individuals with Board of Health Awards. The Awards were presented at the Board of Health Annual Luncheon and Awards Ceremony today at the Bryan Health Conference Center.

Community Health Awards were presented to:

- 1) Health 360 Program. The Health 360 Program of the Lancaster County Medical Society was recognized for their efforts to connect uninsured individuals to a medical home or specialty care and to provide them with free or discounted medications.
- 2) Joe Skare. Mr. Skare is the Morning Show Co-Host on B107.3 radio station. He received the award for his work with Safe Kids Lincoln-Lancaster County in providing life-saving injury prevention information to families in the community.
- 3) Damon Hershey. Mr. Hershey is the President of BicycLincoln, a community group that supports and promotes safe bicycling in Lincoln. He received the award for his work with the City of Lincoln, the Community Health Endowment, Channel 10 Health and other bike enthusiasts.

Public Health Leadership Award to Lori Seibel. Ms. Seibel, President and CEO of the Community Health Endowment, was recognized for her knowledge of public health, her advocacy skills, leadership ability and dedication to making Lincoln the "Healthiest Community in the Nation".

John J. Hanigan Award to Kay Anderson, MD, FAAP, IBCLC, for her leadership in the medical field and for advocating for public health and teaching and promoting breastfeeding for new mothers.

Food Sanitation Excellence Awards to 1) Ming's House and 2) The Oven for their exceptional inspection scores, cleanliness of their businesses and excellent food handling practices.

Carole Douglas Public Health Achievement Award to Brenda Christie for her outstanding service to public health. Ms. Christie is a 40 year Health Department employee. She was recognized for her efforts as a public health nurse and the Health Department's Communicable Disease Nurse and for her dedication, caring, quiet leadership, knowledge and skills and her long term commitment to public health.

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LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" Street, Lincoln, NE 68508, 402-441-8000

FOR IMMEDIATE RELEASE: April 28, 2014

FOR MORE INFORMATION: Renae Rief, Health Department, 402-441-4602
Gene Hanlon, Recycling Coordinator, 402-441-7043

NOMINATIONS SOUGHT FOR ENVIRONMENTAL LEADERSHIP AWARDS

The City of Lincoln and Lancaster County are seeking nominations for the 2014 Environmental Leadership Awards. These prestigious awards recognize outstanding businesses, organizations and individuals who have demonstrated environmental stewardship and dedication to sustaining and improving our environment and public health. The awards program is intended to recognize accomplishments, increase awareness of environmental issues and encourage others to take action to better our environment.

Awards are given in the categories of Business and Industry, Community or Nonprofit Organization, Government, Agriculture (urban and rural), Education (educating the public or providing education in schools/colleges) and Individual Citizen.

To be eligible for an award, nominees must have been instrumental in identifying, reducing or solving an environmental problem and/or promoting public awareness and active concern for the enhancement and protection of the environment. Nominees must demonstrate one or more environmental practices in the areas of pollution prevention/risk reduction, waste reduction and recycling, water conservation, soil conservation, energy conservation, cleanup and beautification, residential and commercial development or other environmental practices.

Nominations may be submitted online at lincoln.ne.gov (keyword: awards). The deadline for nominations coincides with World Environment Day on Thursday, June 5. Submitting the nomination online is preferred, but hard copies of the nomination form also are available by calling 402-441-4602 or 402-441-7043.

Mary M. Meyer

From: wrightdonald1@gmail.com on behalf of Donald Wright [dm-wright@windstream.net]
Sent: Monday, April 28, 2014 11:23 AM
To: Jon Camp
Subject: S. 56th, Old Cheney and London Rd potholes, ruts

Esteemed Councilperson Camp,

Here we go again. It took an out-of-town driver (Roca) to complain to the Journal-Star about the condition of 56th street.

A lot of good that did. Pot hole crews were right out there the next morning....and LEFT THE SECTION AT LONDON ROAD AND 56TH WORSE THAN BEFORE!!!! We already have a biker nearly killed at the same spot 2 years ago. Are we going for 2?

Do you drive this street? If you did at legal speed limit you might lose control of your vehicle or damage right side struts.

If you drove at the same speed on the south-bound lane at Old Cheney for about 100 yds south you might be thrown into oncoming traffic. That whole section is breaking up.

What does it take to get the street department to do a competent job?

Respectfully, Don M Wright, 5715 Shadow Pines Ct, 68516
402-423-2530

Mary M. Meyer

From: P Larsen [plarsen@gmail.com]
Sent: Friday, April 25, 2014 2:44 PM
To: Doug Emery; Leirion Gaylor Baird; Roy A. Christensen; Trenton J. Fellers; Mary M. Meyer; Jon Camp; Jonathan A. Cook; Carl B. Eskridge
Subject: NE CCW in Lincoln City Parks concern

Dear Lincoln Council members,

This article brought up a point I was not aware of, and I am a NE Concealed Carry permit instructor.

http://journalstar.com/news/local/govt-and-politics/hicks-you-can-t-tear-up-parks-looking-for-loot/article_731b5bc5-a999-5c9f-9b45-01d32c05fc40.html

The main point being you can't dig up Lincoln Parks when metal detecting but it mentioned "**No Guns in Lincoln Parks**" even with a permit. **Now you have me interested.**

You can read the Lincoln code concerning the Lincoln City Park gun ban here:

<http://www.lincoln.ne.gov/city/attorn/lmc/ti12/ch1208.pdf>

This was news to me so I contacted the Lincoln City Attorney, and I quoted NE 18-1703, cities shall not have the power to regulate concealed firearms, etc., etc. He replied with NE 69-2441 (1)(a) a permitholder may not carry a concealed weapon in any "place or premises where the person, persons, entity, or entities in control of the property . . . has prohibited permitholders from carrying concealed handguns into or onto the place or premises . . ."

The City of Lincoln claims they control the property of Lincoln City Parks, so they can restrict guns on said property, including concealed carry.

You don't have to read much further into NE 69-2441 to find the problem with this.

(2)... a permitholder does not violate this section unless the person, persons, entity, or entities in control of the property or employer in control of the property has posted conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises....

So my question is how do you propose to "**conspicuously**" post a 10 acre park?

Per NE State Patrol Rules and Regulations concerning Concealed carry:

"Posted conspicuous notice" shall mean a clearly visible sign posted **at each public entrance** to a place or premises open to the public which shall clearly state that concealed handguns are not allowed in the place or on the premises.

Any and all sides of a 10 acre park are a "public entrance" is it not? Public entrance "implies" public building making posting a City Park null and void using common logic.

But the NE Statute states "property" not "building" so I have to give you that argument. So all the city of Lincoln needs to do is post signs every 6 or 8 feet around every Lincoln Park perimeter or get rid of the ordinance. Another option would be add park carry for valid CCW permit holders only, if you must have a "No gun policy in parks" for the bad guys on the books. (Who will ignore the law anyway)

Thank you for your time

Paul Larsen

CCW Instructor - NE, KS, UT

Mary M. Meyer

Subject: Follow Up NE CCW in Lincoln Parks

From: Jon Camp [<mailto:joncamp@lincolnhaymarket.com>]
To: Lynn Johnson
Subject: RE: Follow Up NE CCW in Lincoln Parks

Lynn:
We need advice from you and the Law Department.
Jon

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

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032>

From: P Larsen [<mailto:plarsen@gmail.com>] **Subject:** Follow Up NE CCW in Lincoln Parks

Per the NE AG Opinion:
http://www.ago.ne.gov/ag_opinion_view?oid=4133

"While not able to prohibit permitholders from carrying concealed handguns anywhere in the city, a city or village could still, under the next-to-last exception in § 69-2441(1)(a) of the act, prohibit permitholders from carrying concealed handguns in specific places or premises that it directly controls. For example, **a city or village could ban concealed handguns in city-owned parks**, buildings, recreation facilities, arenas, etc. **The city or village would have to comply with the procedures outlined in § 69-2441(2) regarding the posting of notice.** "

And as an illustration, I see no "**conspicuously posted**" notice at this park "**Public Entrance**". See Attached. Now you see the inherent problem with the City Park ban?

If your going to use the law (69-2441)(1) or the AG opinion to ban concealed carry point 1. You must follow the law (69-2441)(2) and the AG's opinion point 2 by posting the signs conspicuously so that anyone approaching the park on foot from from any direction can see sign.

Regards,
Paul Larsen

Mary M. Meyer

Subject: Follow Up NE CCW in Lincoln Parks
StiPmID: 112a51b0-cefb-11e3-a5cf-e8393547d7a0

From: Rodney M. Confer
Sent: Monday, April 28, 2014 12:32 PM
To: Jon Camp; Lynn Johnson
Subject: RE: Follow Up NE CCW in Lincoln Parks

Jon:

I've already corresponded with Mr. Larsen on this issue last Friday. He originally questioned whether the City ordinance that prohibits firearms in parks (LMC 12.08.200) was valid, and I explained that Neb. Rev. Stat. § 69-2441 allowed the ordinance. He responded that the statute does not allow prosecution of a permit holder bringing a concealed weapon onto property where it is prohibited unless the prohibition is conspicuously posted. That is correct, except that under that section a representative of the City could also simply make a request that the person who had the weapon remove it from the property, and a failure to do so would be a violation.

The City ordinance is valid under state law, but to successfully prosecute someone who has a concealed carry permit for violating the ordinance it would be necessary to establish either that there was conspicuous posting of the prohibition on possession of firearms at the location where the violation occurred, or that a representative of the City informed the permit holder of the prohibition and asked that the weapon be removed from the property, which request was refused.

I informed Lynn Johnson of my correspondence with Mr. Larsen last week in case the Parks department felt it would be advisable to increase its posting of the prohibition in City parks.

Sincerely yours,
Rodney M. Confer
City Attorney



Mary M. Meyer

Subject: Follow Up NE CCW in Lincoln Parks

From: Jon Camp [<mailto:joncamp@lincolnhaymarket.com>]
Sent: Monday, April 28, 2014 2:01 PM
To: P Larsen
Subject: RE: Follow Up NE CCW in Lincoln Parks

Paul:
Thank you for your emails and thoughts on this ordinance. I am sure Lynn Johnson and the Parks & Rec Department will re-evaluate signage.
Best regards,
Jon

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

Office: 402.474.1838/402.474.1812

Fax: 402.474.1838

Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com

Website: www.lincolnhaymarket.com

Check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032>

From: P Larsen [<mailto:plarsen@gmail.com>]
Sent: Monday, April 28, 2014 1:59 PM
To: Rodney M. Confer
Cc: Jon Camp; Lynn Johnson; Mary M. Meyer; Jocelyn W. Golden
Subject: Re: Follow Up NE CCW in Lincoln Parks

The summation below is acceptable to me.
I would only add that if the City of Lincoln knows the parks are not sufficiently posted for a successful prosecution then why have the ordinance? Nobody wants to be the test case to press the issue either.
I have learned a great deal and will make sure my students are aware of the ordinance, so they are fully informed of the legal risk involved. We prefer state-wide preemption so these issues can be avoided.

Regards,
Paul Larsen

"to successfully prosecute someone who has a concealed carry permit for violating the ordinance it would be necessary to establish either that there was conspicuous posting of the prohibition on possession of firearms at the location where the violation occurred, or that a representative of the City informed the permit holder of the prohibition and asked that the weapon be removed from the property, which request was refused. "

On Mon, Apr 28, 2014 at 12:32 PM, Rodney M. Confer <rconfer@lincoln.ne.gov> wrote:

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Sincerely yours,

Rodney M. Confer

City Attorney

