

DIRECTORS' ORGANIZATIONAL MEETING
MONDAY, September 11, 2017
555 S. 10TH STREET
BILL LUXFORD STUDIO

I. MINUTES

1. No minutes for August 28, 2017 due to night meeting
2. No minutes for September 4, 2017 due to observance of Labor Day

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S CORRESPONDENCE

V. DIRECTORS CORRESPONDENCE

LINCOLN POLICE DEPARTMENT

1. Edward Byrne JAG Grant - Chief Bliemeister

PLANNING DEPARTMENT

1. Final Action Notification dated August 30, 2017
2. Action Agenda dated Wednesday, August 30, 2017

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

1. Downtown Lincoln Association (DLA) - Baird (08.22.17)
2. LPED - Camp, Eskridge, Christensen (08.22.17)
3. RTSD - Christensen, Lamm, Raybould (08.22.17)
4. WHJPA - Eskridge (08.24.17)
5. PAC - Lamm, Raybould, Shobe (08.24.17)
6. ILC - Christensen, Eskridge, Shobe (08.28.17)
7. PRT - Lamm (08.31.17)

VII. CONSTITUENT CORRESPONDENCE

1. Taxes - Dustan Daniel
2. Elm Trees on Pawnee Street - Kathleen James
3. 14th & Old Cheney & Warlick Blvd suggestion - Jim Frohman
Response from Erin Sokolik
Response from Jim Frohman
4. Southeast Lincoln drainage issues - Bob Selig
Response from Jon Camp
Response from Bob Selig
Response from Ben Higgins, Public Works & Utilities
5. Pioneers Park Horse Trail - Richard Boucher
6. Downtown Parking - Ryley Hubbard
7. Refuse Service - Sarah Martin

VIII. MISCELLANEOUS

IX. MEETINGS/INVITATIONS

See invitation list.

X. ADJOURNMENT

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Chris Beutler
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: August 30, 2017

RE: Notice of final action by Planning Commission: August 30, 2017

Please be advised that on August 30, 2017, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

Resolution No. PC-01568, approving **COMPREHENSIVE PLAN CONFORMANCE NO. 17013**, as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, the request for a conservation easement by the City of Lincoln Watershed Management to preserve the flood storage capacity and natural resources of the easement area, generally located at 1821 Yolande Avenue;

Resolution No. PC-01569, approving **SPECIAL PERMIT NO. 17029**, to allow for an exception to the maximum height permitted in the R-8 Residential District to allow for a church bell tower, on property generally located at 1213 H Street; and

Resolution No. PC-01571, approving **SPECIAL PERMIT NO. 17030**, to foster preservation of the former Saint Elizabeth Hospital Nurses Home (Trabert Hall) by permitting its utilization for offices or dwelling units, or for some mix thereof, under the provisions of Section 27.63.400 of the City of Lincoln Zoning Ordinances, on property generally located at 2202 South 11th Street.

The Planning Commission action on this application is final, 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.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the "Search Selection" screen and search by application number (i.e. CPC17013, SP17029, SP17030). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

F:\devreview\final action notices\cc\2017\083017

****ACTION BY PLANNING COMMISSION****

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, August 30, 2017, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. 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, AUGUST 30, 2017

[Commissioner Hove absent]

Approval of minutes of the regular meeting held August 16, 2017. ****APPROVED: 7-0; (Hove absent)****

1. CONSENT AGENDA
(Public Hearing and Administrative Action):

COMPREHENSIVE PLAN CONFORMANCE:

- Page 01
- 1.1 Comprehensive Plan Conformance No. 17013, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a proposed conservation easement to preserve the flood storage capacity and natural resources of the easement area, on property generally located at 1821 Yolande Avenue. ****FINAL ACTION****
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6370, athierolf@lincoln.ne.gov
Planning Commission recommendation: Conforms to the Comprehensive Plan: 7-0 (Hove absent). The City Law Department will introduce the associated Conservation Easement Agreement on a future City Council agenda.

Page 13 1.2 Comprehensive Plan Conformance No. 17014, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a proposed amendment to the 48th and O Street Redevelopment Plan, to create the "Skate Zone Redevelopment Project". The proposed project area consists of approximately 2.2 acres and involves the demolition of existing buildings and construction of a 4-story hotel with approximately 84 guest rooms, a 5,600 square foot retail building, surface parking, and associated intersection and right of way improvements, generally located at 300 North 48th Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: Conforms to the Comprehensive Plan: 7-0 (Hove absent). Public hearing before the City Council is tentatively scheduled for Monday, September 25, 2017, 5:30 p.m.

Page 25 1.3 Comprehensive Plan Conformance No. 17015, to review as to conformance with the 2040 Lincoln Lancaster County Comprehensive Plan, a request to declare City owned property as surplus for the eventual sale of said property, generally located adjacent to Leighton Avenue between 43rd to 45th Streets.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: Conforms to the Comprehensive Plan: 7-0 (Hove absent). Public hearing before the City Council is tentatively scheduled for Monday, September 18, 2017, 3:00 p.m.

CHANGE OF ZONE:

Page 31 1.4 Change of Zone No. 16036A, amending the Wilderness Hills Commercial Planned Unit Development to add motorized vehicle sales and repair/service, early childhood care facilities, academies, and private schools as allowed uses, with a waiver to side yard setbacks, on property generally located at the southeast corner of 27th Street and Yankee Hill Road.
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated August 22, 2017: 7-0 (Hove absent). Public hearing before the City Council is tentatively scheduled for Monday, September 18, 2017, 3:00 p.m.

SPECIAL PERMIT:

Page 49 1.5 Special Permit No. 17029, to allow for an exception to the maximum height permitted in the R 8 Residential District, to allow for a church bell tower, on property generally located at 1213 H Street. ****FINAL ACTION****
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission 'final action': APPROVAL, 7-0 (Hove absent). Resolution No. PC-01569.

MISCELLANEOUS:

Page 57 1.6 County Waiver No.17003, requesting to waive Section 4.08(d) of the Lancaster County Subdivision Regulations to allow a lot to exceed the maximum depth of three times the average lot width, on property generally located at 16600 South 82nd Street. ****FINAL ACTION****
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission ‘final action’: APPROVAL, 7-0 (Hove absent). Resolution No. PC-01570.

2. **REQUESTS FOR DEFERRAL: None.**

3. **ITEMS REMOVED FROM CONSENT AGENDA : None.**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

TEXT AMENDMENT:

Page 65 4.1 Text Amendment No. 17012, amending Chapter 27.72 of the Lincoln Municipal Code relating to the zoning ordinance height and lot regulations by amending Section 27.72.120 to provide that an accessory building attached to the main building by an unenclosed deck or walkway shall not be considered part of the main building and subject to the height and yard requirements of the main building; and repealing Section 27.72.120 of the Lincoln Municipal Code as hitherto existing.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 7-0 (Hove absent). Public hearing before the City Council is tentatively scheduled for Monday, September 18, 2017, 3:00 p.m.

CHANGE OF ZONE AND RELATED SPECIAL PERMIT:

Page 75 4.2a Change of Zone No. 17020, from P (Public District) to R-4 (Residential District) with landmark overlay, on property legally described as Lot 3, Saint Francis 1st Addition, generally located at 2202 South 11th Street.
Staff recommendation: Approval
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 7-0 (Hove absent). Public hearing before the City Council is tentatively scheduled for Monday, September 18, 2017, 3:00 p.m.

Page 103 4.2b Special Permit No. 17030, to foster preservation of the former Saint Elizabeth Hospital Nurses Home (Trabert Hall) by permitting its utilization for offices or dwelling units, or for some mix thereof, under the provisions of Section 27.63.400 of the City of Lincoln Zoning Ordinance, on property generally located at 2202 South 11th Street. ****FINAL ACTION**
Staff recommendation: Conditional Approval
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov
Planning Commission 'final action': APPROVAL, 7-0 (Hove absent).
Resolution No. PC-01571.

COUNTY SPECIAL PERMIT:

Page 115 4.3 County Special Permit No. 16021A, for an amendment of Site Specific Condition #5, regarding landscape screening requirements for an event center, on generally located at 12400 West Denton Road.
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated August 17, 2017: 7-0 (Hove absent). Public hearing before the County Board is scheduled for Tuesday, September 5, 2017, 9:00 a.m.

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

Adjournment: 2:34 p.m.

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, August 28, 2017 10:14 PM
To: Jon Camp
Subject: InterLinc - Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Council Office - Feedback

Date : 8/28/2017 10:14:28 PM

Full Name Dustan Daniel

Address 5323 South 75th Street

City Lincoln

Phone 6308621580

Email dustan_daniel@yahoo.com

Comments Thank you for your representation and for sticking to your pledge to not take advantage of a windfall at the expense of taxpayers.

A decreased increase is still an increase, very valuable insight.

IP: 70.198.46.55

Form: <https://lincoln.ne.gov/city/council/feedback.htm>

User Agent: Mozilla/5.0 (Linux; Android 7.0; VS995 Build/NRD90M) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/61.0.3163.60 Mobile Safari/537.36



8712 West Dodge Road ▪ Suite 400 ▪
Omaha, Nebraska 68114-3431
402.392.0101 ▪ Fax 402.392.1011 ▪ www.smithslusky.com

Shaun Michelle James
Direct Line: 402-505-8104
sjames@lawsgs.com

August 29, 2017

Ms. Jane Raybould, Vice Chair
Lincoln City Council

Via Facsimile only: 402-441-6533

RE: Elm Trees on Pawnee Street
3320 and 3330 Pawnee

Dear Council Member Raybould:

I am contacting you on behalf of my daughter, Dr. Kathleen James, the owner of 3320 Pawnee Street, and her neighbor Ms. Karen Parde, the owner of 3330 Pawnee Street. I understand that Ms. Parde has been in contact with you previously regarding the dead elm tree in her front yard. My daughter has a similar tree, also dead, in her front yard.

I understand that these trees were planted by the City of Lincoln, and maintained by the City for over 50 years. I believe that both trees are within 25 feet of the center line of Pawnee Street and within the City of Lincoln right-of-way. While I understand and appreciate that the City does not want to set any legal precedent for removal of privately owned trees, I request that the City Council recognize that these trees are outside of that narrow definition. The trees were not planted by a developer or by private homeowners, and were purported "gifted" to the homeowners by the City when the City unilaterally decided to stop maintaining these trees.

I respectfully request that you present a motion to the Council to have these two trees removed by the City, as the property owners never accepted the "gift" and the trees present a present a danger to the homes and the public. I would welcome the opportunity to talk with you, and to present this request directly to the City Council at your next, or following, meeting. It is imperative that these trees be removed in the near future to avoid the risk of falling limbs on persons and property, and to eliminate these diseased trees from the area.

Please feel free to contact me at your convenience on my direct line. I would very much like to discuss this situation with you this week, or early next week. Thank you for your attention and assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Shaun M. James".

Shaun M. James

CC: Dr. Kathleen James
Ms. Karen Parde

Angela M. Birkett

From: Jim Frohman <jimfrohman@outlook.com>
Sent: Wednesday, August 30, 2017 1:03 PM
To: Erin E. Sokolik
Cc: Mayor; Roy A. Christensen; Jane Raybould; Jon Camp; Carl B. Eskridge; Leirion Gaylor Baird; Cyndi Lamm; Bennie R. Shobe
Subject: Re: 14th & Old Cheney & Warlick Blvd Suggestion

Follow Up Flag: Follow up
Flag Status: Completed

Thanks for the response.

Just a couple notes. I realize this is very late in the process and I didn't think it would change anything but I do believe my suggestion has advantages over the current plans.

If the small roundabout can handle future traffic then the large roundabout should also handle the traffic.

With a large roundabout there should be little if any backup that is inherent in the current design. And the intersection at 14th should probably be a roundabout.

Eliminating left turns at the T intersection will further reduce accidents, especially critical accidents. The T intersection will have some severe accidents.

Through traffic on 16th will not have to stop.

Maintenance should be easier and cheaper. Where does the snow go on a raised roundabout?

Trail access should be simpler in that you will not have to deal with signals or crossing vehicle traffic.

The larger green space could make for an interesting park.

Sometimes simpler is better. My proposal is simpler and offers significant advantages over the current design.

Jim Frohman
7335 Pioneers Blvd
Apt. 212
Lincoln, NE 68506
402.617.2484
jimfrohman@outlook.com

From: Erin E. Sokolik <esokolik@lincoln.ne.gov>

Sent: Wednesday, August 30, 2017 10:08 AM

To: 'Jim Frohman'

Cc: Mayor; Roy A. Christensen; Jane Raybould; Jon Camp; Carl B. Eskridge; Leirion Gaylor Baird; Cyndi Lamm; Bennie R. Shobe

Subject: RE: 14th & Old Cheney & Warlick Blvd Suggestion

Mr. Frohman,

Thank you for your email regarding the 14th and Old Cheney project. We appreciate your thoughts and ideas about the project. You are correct that a roundabout does not need to be a circle. There is a roundabout in Omaha known as the peanut that is oblong and intersects 8 streets.

Lincoln's continued growth requires the improvement and expansion of our roads network to ensure quick, efficient, and safe travel. The intersection of 14th, Old Cheney, and Warlick is a major transportation crossroads and corridor for Lincoln. It provides critical access to schools, jobs, homes, shopping, and a wide-range of important community elements. It is one of the busiest intersections in town handling nearly 38,000 cars per day, but the existing design will not be adequate to handle future traffic volume. By 2040, the intersection will see 59,000 cars per day, a 55% increase in projected traffic volume.

City staff and engineers held a design competition to capture the best ideas from engineering experts. The elevated roundabout was the clear choice to satisfy the needs of a growing City. Since our last public open house, the project team has been working on making adjustments to the design that will improve operations.

The design provides safe and convenient travel across this growing area of our community. One of the key elements of this project is pedestrian connectivity/trail connectivity. The current design accommodates pedestrians. There are two under crossings and the traffic signal provides a signalized crossing for users as they move through the area.

The design solves traffic congestion now and well into the future. The advantage of having the circular, more compact roundabout with the current design is the distance it will be from the 16th Street intersection. With the traffic signal at 16th, there will be a time period when the signal is red for east/west traffic. During this time, due to the amount of traffic traveling east and west along Old Cheney, cars will begin to line up and fill in the area west of the signal. The current design accommodates this stacking so that traffic will not back up into the intersection at 14th Street.

The design accommodates the needs the existing businesses, homes, and churches, as well as those of future development. This design has the capacity to serve us for the next 40 plus years. Its impact on the surrounding businesses, churches, and homes is limited. It greatly diminishes the potential for injury accidents. It was universally praised by the project area businesses and other stakeholders.

We are anticipating having our next public open house in March or April 2018. We hope to see you there.

Thank you,
Erin Sokolik

From: Jim Frohman [mailto:jimfrohman@outlook.com]

Sent: Thursday, August 24, 2017 9:45 AM

To: Erin E. Sokolik <esokolik@lincoln.ne.gov>

Cc: Mayor <mayor@lincoln.ne.gov>; Roy A. Christensen <RChristensen@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Jon Camp <jcamp@lincoln.ne.gov>; Carl B. Eskridge <CEskridge@lincoln.ne.gov>; Leirion

Gaylor Baird <LGaylorBaird@lincoln.ne.gov>; Cyndi Lamm <CLamm@lincoln.ne.gov>; Bennie R. Shobe <BShobe@lincoln.ne.gov>

Subject: 14th & Old Cheney & Warlick Blvd Suggestion

I understand that this is extremely late in the process but I believe that this suggestion will significantly simplify and reduce the cost of reworking this intersection. Please forgive the very rough illustration.

Simply there is no reason that a roundabout must be a circle. Put a large oblong roundabout on the ground to handle all turns and have Warlick Blvd go over the roundabout. This eliminates all of the inevitable confusion with the current design and just leaves the normal roundabout issues. It eliminates all left turns and stop lights. I believe that it would be much easier to maintain. And finally, I would guess that it will be significantly less expensive.

Thank you for considering my suggestion.

Jim Frohman
7335 Pioneers Blvd
Apt. 212
Lincoln, NE 68506
402.617.2484
jimfrohman@outlook.com

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Angela M. Birkett

From: rfselig <rfselig@gmail.com>
Sent: Wednesday, August 30, 2017 3:50 PM
To: Jon Camp
Cc: royforlincoln@gmail.com; Angela M. Birkett; aimig@neb.rr.com; Woodlandstoa@gmail.com; Ben J. Higgins; Ron and Linda Gerner
Subject: Re: Southeast Lincoln Drainage Concerns

Follow Up Flag: Follow up
Flag Status: Completed

Thanks for your response Jon. I will share your response with the rest of the Association Board.

Good luck with your surgery.

Bob Selig
7901 Hacienda Drive
Lincoln, NE. 68516
Home: 402-904-6078
Cell Phone: 517-282-3506

On Aug 30, 2017, at 3:44 PM, Jon Camp <joncamp@lincolnhaymarket.com> wrote:

Bob

Thanks for your email. In responding, I was unable to determine email addresses for Woodlands Toa and Linda Gerner, so I will appreciate your sharing my response.

Your situation is timely considering another area in northeast Lincoln with similar elevation changes as homes are built. This email includes Ben Higgins, who handles many similar situations. Ben may have already reviewed some of your concerns but for now, I will assume there is a "clean slate" and the current status of built and un-built lots as well as expanded development needs to be updated.

I have also included Roy Christensen and Angie Birkett, our Council Office Coordinator.

At this point, I am asking Ben to coordinate evaluating your concerns. To the extent possible, I will stay involved. I do have a knee replacement next Wednesday and my mobility will be limited following the surgery.

Best regards,

Jon

JON A. CAMP
Lincoln City Council
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

From: rfselig@gmail.com [<mailto:rfselig@gmail.com>]
Sent: Wednesday, August 30, 2017 1:39 PM
To: Jon Camp; Roy A. Christensen
Cc: Woodlands Toa; Linda Gerner; aimig@neb.rr.com
Subject: Southeast Lincoln Drainage Concerns

Gentlemen,

I am writing to you as President of the Woodland's 12th Homeowners Association (TOA) and representing the concerns of a number of our Association members. The affected members want to express concerns similar to those presented in the recent August 28th article in the Lincoln Journal entitled "Tired of the Excuses".

The Woodland's 12th TOA represents the current and future homeowners of the Woodland's 12th, 20th and 22nd additions. The Association is geographically centered upon Hacienda Drive, Baybrook Circle and South 80th street, in Southeast Lincoln. The construction of new homes on either side of Hacienda Drive residences, like those mentioned in the article, have have seen lot elevations raised significantly creating unresolved drainage issues. On the south side of Hacienda Drive, the construction of Baybrook Circle required the raising of lot elevations approximately 12 feet. This has resulted in flooding of unconstructed building sites along South 80th St. during large rains, sometimes encroaching upon existing home sites on the east end of Hacienda Drive. On the north side of Hacienda Drive, new homes being constructed along Yankee Woods Drive, which back up to home on Hacienda Drive, have been raised to a level that has created unresolved storm water drainage issues with existing home owners along Hacienda Drive.

Association members, especially those on the north side of Hacienda Drive, report that they have individually and collectively expressed their concerns about the storm water drainage issues to the home building contractor, the land developer, and to City of Lincoln building inspection officials without resolution. Your attention to assisting our membership in helping to resolve present and future drainage concerns would be greatly appreciated. If you would like me to arrange a meeting with the concerned homeowners I would be happy to do so.

Respectfully Submitted,

Bob Selig

Robert F. Selig, President
Woodland's 12th Homeowners Association
7901 Hacienda Drive
Lincoln, NE 68516
402-904-6078
Woodlandstoa@gmail.com

Angela M. Birkett

From: Ben J. Higgins
Sent: Friday, September 01, 2017 10:11 AM
To: 'Jon Camp'; rfselig@gmail.com
Cc: royforlincoln@gmail.com; Angela M. Birkett; aimig@neb.rr.com; Woodlandstoa@gmail.com
Subject: RE: Southeast Lincoln Drainage Concerns

Follow Up Flag: Follow up
Flag Status: Completed

Councilman Camp

We're working on getting some of the background information on this area. We'll plan on visiting the site, discuss with other involved parties, and then get back to all with what we find out.

Past history on our part on this concern has been some correspondence between Mr. and Ms. Gillfillan at 7932 Hacienda Drive with one of my staff about drainage concerns (as well as a site visit from one of our erosion and sediment control inspectors). I've also talked a bit with Mr. Imig and supplied him with the overall grading plan for the area.

Thanks
Ben
Public works
402-441-7589

From: Jon Camp [mailto:joncamp@lincolnhaymarket.com]
Sent: Wednesday, August 30, 2017 3:44 PM
To: rfselig@gmail.com
Cc: royforlincoln@gmail.com; Angela M. Birkett <ABirkett@lincoln.ne.gov>; aimig@neb.rr.com; Woodlandstoa@gmail.com; Ben J. Higgins <watershed@lincoln.ne.gov>
Subject: RE: Southeast Lincoln Drainage Concerns
Importance: High

Bob

Thanks for your email. In responding, I was unable to determine email addresses for Woodlands Toa and Linda Gerner, so I will appreciate your sharing my response.

Your situation is timely considering another area in northeast Lincoln with similar elevation changes as homes are built. This email includes Ben Higgins, who handles many similar situations. Ben may have already reviewed some of your concerns but for now, I will assume there is a "clean slate" and the current status of built and un-built lots as well as expanded development needs to be updated.

I have also included Roy Christensen and Angie Birkett, our Council Office Coordinator.

At this point, I am asking Ben to coordinate evaluating your concerns. To the extent possible, I will stay involved. I do have a knee replacement next Wednesday and my mobility will be limited following the surgery.

Best regards,

Jon

JON A. CAMP
Lincoln City Council
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

From: rfselig@gmail.com [<mailto:rfselig@gmail.com>]
Sent: Wednesday, August 30, 2017 1:39 PM
To: Jon Camp; Roy A. Christensen
Cc: Woodlands Toa; Linda Gerner; aimig@neb.rr.com
Subject: Southeast Lincoln Drainage Concerns

Gentlemen,

I am writing to you as President of the Woodland's 12th Homeowners Association (TOA) and representing the concerns of a number of our Association members. The affected members want to express concerns similar to those presented in the recent August 28th article in the Lincoln Journal entitled "Tired of the Excuses".

The Woodland's 12th TOA represents the current and future homeowners of the Woodland's 12th, 20th and 22nd additions. The Association is geographically centered upon Hacienda Drive, Baybrook Circle and South 80th street, in Southeast Lincoln. The construction of new homes on either side of Hacienda Drive residences, like those mentioned in the article, have have seen lot elevations raised significantly creating unresolved drainage issues. On the south side of Hacienda Drive, the construction of Baybrook Circle required the raising of lot elevations approximately 12 feet. This has resulted in flooding of unconstructed building sites along South 80th St. during large rains, sometimes encroaching upon existing home sites on the east end of Hacienda Drive. On the north side of Hacienda Drive, new homes being constructed along Yankee Woods Drive, which back up to home on Hacienda Drive, have been raised to a level that has created unresolved storm water drainage issues with existing home owners along Hacienda Drive.

Association members, especially those on the north side of Hacienda Drive, report that they have individually and collectively expressed their concerns about the storm water drainage issues to the home building contractor, the land developer, and to City of Lincoln building inspection officials without resolution. Your attention to assisting our membership in helping to resolve present and future drainage concerns would be greatly appreciated. If you would like me to arrange a meeting with the concerned homeowners I would be happy to do so.

Respectfully Submitted,

Bob Selig

Robert F. Selig, President
Woodland's 12th Homeowners Association
7901 Hacienda Drive
Lincoln, NE 68516
402-904-6078
Woodlandstoa@gmail.com

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Angela M. Birkett

From: Richard Boucher <rboucher@boucherlawfirm.com>
Sent: Wednesday, August 30, 2017 12:00 PM
To: Angela M. Birkett
Subject: Pioneers Park Horse Trail
Attachments: 20170830103344.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good morning. Annexed is a three (3) page letter reply from the City Parks and City Attorney on park inquiries. Select answers are so interesting I have taken the liberty of highlighting them for the convenience of the Council. Please distribute the highlighted letter to Council members along with this explanatory note.

Thanks very much. All the best. Enjoy the remainder of your day.

Respectfully,

Rick

Richard Boucher

BOUCHER LAW FIRM

WEST GATE BANK BUILDING, Suite A
5555 South 27th Street
Lincoln NE 68512
(402) 475-3865
Fax (402) 475-2326

Confidentiality Notice: If you received this email in error, use or disclosure is prohibited. Please notify us of the error by email and delete this email.



LAW DEPARTMENT

555 South 10th Street Suite 300 Lincoln, NE 68508
402-441-7281 lincoln.ne.gov

Jeffery R. Kirkpatrick, City Attorney Ernest R. (Rick) Peo III, Chief Assistant
Jessica A. Kerkhofs, Chief Prosecutor Tonya L. Peters, Police Legal Advisor

CIVIL DIVISION
Don W. Taute
Steven J. Huggenberger
Margaret W. Blatchford
Jocelyn W. Golden
Christopher J. Connolly
Timothy S. Sieh
Elizabeth D. Elliott
Abigail F. Littrell

PROSECUTION DIVISION
Patrick A. Campbell
Christine A. Loseke
Connor L. Reuter
Rob E. Caples
Marcoe A. Brownlee

August 3, 2017

Richard Boucher
VIA EMAIL: rboucher@boucherlawfirm.com

RE: **Public Records Request – Pioneers Park Horse Trail**

Mr. Boucher:

As you are aware, Neb. Rev. Stat. § 84-712(3)(c) allows the City to charge for the existing salary or pay obligation of public employees searching for, identifying, physically redacting or copying public records responsive to a public records request in excess of four cumulative hours. Neb. Rev. Stat. § 84-712(3)(b) further allows the City to invoice for the costs associated with collecting electronic data. The purpose of this correspondence is to provide you an estimate of the time City staff has and will devote to fulfilling your public records requests dated July 29 and July 31, 2017.

- Meeting with staff to coordinate request.** In attendance: Lynn Johnson, Jerry Shorney, Chris Meyers, and Matt Mittelstadt. 45 minutes. Total (45x4) = 3 hours (No fee as hours are within first four “free” hours contemplated by statute).
- Information Services email query:** In order to determine whether the City is in possession of emails responsive to requests 1, 3, 4, and 10, Information Services (IS) will need to perform a search of all City email from 2015 to present. Parks and Legal staff have developed the following search query to collect emails responsive to requests 1, 3, 4, and 10: (“bridle path”, “equestrian trail”, “XC”, “cross country”, “Dave Harris”, “PPHT”, “temporary grass parking”). IS estimates the total staff time required to complete this search is 12 hours. The City will not charge for the first hour of IS work as there is one hour remaining in the four “free” hours contemplated by the statute. Information Services bills its time (staff, equipment, overhead) at \$80.00 per hour for a total estimate of **\$880.00**. This estimate includes staff time to perform the search, de-duplicate and detach. With respect to requests 3 and 4 regarding cross country “contracts,” the Parks Department works primarily with an individual at UNL, Dave Harris. To perform a search of City emails 2015 to present to or from the email address dharris@huskers.com, IS estimates this second search will take 5 hours for a cost of **\$400.00**. **Total IS Cost: \$1,280.00**.
- Request 1:** The City is aware of no total or partial closings of the PPHT during the last two years. Parks staff indicates that, at times, the trail has been detoured due to down trees and limbs. The email search referenced in 2 above may produce dates and specific information about rerouting and detours due to trail obstruction.
- Request 2:** The Parks Department maintains no records regarding maintenance costs of the PPHT itself. Records of maintenance costs for Pioneers Park as a whole are available and can be produced with one hour staff time at **\$35.77**.

5. **Request 3 and 4:** The City does not enter into formal written contracts with Lincoln Public Schools, or any other school district, for use of Pioneers Park by scholastic cross country teams. Use of the park is negotiated and organized by Dave Harris, UNL, and emails detailing the negotiations can be produced in the search described in 2 above. The City contracts with a private vendor for mowing and striping services and invoices local cross country teams for those accrued costs based on each team's use of the park. Said invoices and the private vendor contract can be produced by staff in ½ hour at a cost of \$55.13 per hour (\$27.56).
6. **Request 5:** There are no employees specifically assigned to maintenance of the bridle path. It is a shared responsibility of the Southwest Park District and staff time dedicated to the bridle path is not recorded. The City is able to provide reports regarding staff hours involved in mowing Pioneers Park for the past three fiscal years with one hour staff time at \$35.77.
7. **Request 6:** There are no immediate plans to transform the sled run/horse meadows into a paved parking area. In 2013 a plan was created to develop additional paved roadways providing access to grass parking areas for use during large events in Pioneers Park, including events in Pinewood Bowl. A planned roadway identified as Segment 1 extended through the valley west of the sled run, "the meadows". A grant proposal for construction of Roadway Segments 1 and 2 was submitted to the Visitor Promotion Committee and the Lancaster County Board. Grant funding was approved for Segment 1, and this roadway segment has been constructed. A copy of the roadway and auxiliary parking plan and related cost estimate can be provided with 15 minutes of staff time at \$50.93 per hour (\$12.73). Emails regarding any further discussion of paving through the sled run/horse meadows area may be produced in the email query discussed in 2 above.
8. **Request 7:** There is not a comprehensive plan for the bridle path in Pioneers Park. Parks does have a drawing from 1952 that depicts the location of the bridle path, and modifications that were under consideration at that time. There is also a 41 page booklet developed for Pioneers Park between 1987 and 1989 titled "restoration & management plan." These historical documents may be inspected at the Parks office in person by appointment.
9. **Request 8:** No grant applications associated with the Bridle Path have been made in 2015, 2016, or 2017.
10. **Request 9:** Parks is consulting with its Public Information Specialist regarding the most recent reference, if such a reference ever existed, on the Parks website.
11. **Request 10:** Parks staff who regularly work at Pioneers Park are reviewing their records for documentation of any complaints made regarding horses in the park. If any records are discovered, they will be produced. Lin Quenzer, Ombudsman, has searched her records and has discovered no documented complaints about horses at Pioneers Park. The City maintains an online complaint portal, the Citizen Action Center (CAC), to field complaints on any City matter. Information Services estimates it will take 15 minutes to search the CAC for horse related complaints, resulting in a fee of \$20.00. The query referenced in 2 above may produce emails responsive to this request.


TOTAL ESTIMATED FEES: \$1,411.83

The estimate above does not include time spent by Parks staff reviewing the emails produced in the query defined in 2 above. I will also perform a review of all documents, including emails, to screen for privilege. My time devoted to this project is not included in any calculation of fees.

Information Services advises they can produce the emails defined in 2 above by next Friday, August 11. Accounting for Parks staff and legal review, I anticipate the City can provide a final response to your request by Friday, August 18, 2017.

Please review the information and estimates provided herein and let me know if you would like to amend your request or move forward with the request as presented.

Regards,

A handwritten signature in black ink, appearing to read "Abigail F. Littrell". The signature is written in a cursive, flowing style.

Abigail F. Littrell
Assistant City Attorney

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, September 04, 2017 2:01 PM
To: Council Packet
Subject: InterLinc - Feedback

Follow Up Flag: Follow up
Flag Status: Completed

Council Office - Feedback

Date : 9/4/2017 2:01:10 PM

Full Name Ryley Hubbard
Address 9535 Forest Glen Drive
City Lincoln, NE, 68526
Phone -
Email ryjahubb@gmail.com

Comments Dear Council Members,

Thank you for taking the time to read this message. As someone who works downtown in the service industry (and someone who contributes to raising tax revenue for the city of Lincoln) I am left to wonder why parking spaces downtown, whose paving and maintenance is already subsidized by the citizens of Lincoln and their tax dollars, are subject to an additional premium when Lincolnites technically own them. On top of that, the premiums are charged by a private entity who has absolutely no right or entitlement to charge me or any taxpayer additional money to park on the streets we've already paid for. Is it really ethical to privatize spaces on a public street? Does any of the revenue go back to the taxpayers? I'm sure you receive messages like this frequently and you're thinking, "what's this person's problem? Just pay the fee and be done with it". But it's not the fee so much as it is the principal. I would like to not have to pay extra money to access things that I collectively own. Since that is unfortunately the case, I would like to know where the revenue goes and if/how the privatization of public spaces actually helps Lincoln. Also, I would like to know if there are currently any proposals to subsidize parking for those of us who work in, and contribute to, the infrastructure and tax revenue from businesses in downtown Lincoln. Frankly I am tired of making money for the city only to have my income streamlined from my pocket by a meter maid moments later. Regardless of your political stance, I implore you to write policies and legislation with the working class in mind.

Thank you for your time,

Ryley Hubbard

IP: 72.46.61.153

Form: <http://www.lincoln.ne.gov/city/council/feedback.htm>

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/60.0.3112.113 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, September 04, 2017 2:47 PM
To: Council Packet
Subject: InterLinc - Feedback

Follow Up Flag: Follow up
Flag Status: Completed

Council Office - Feedback

Date : 9/4/2017 2:46:50 PM

Full Name Sarah Martin
Address 817 S 31st ST
City Lincoln, NE 68510-3221
Phone 402-477-1223
Email lopsidedly@aol.com

Comments I counted twenty-nine refuse trucks pass my house today. Another eight in the alley behind my house. There are not eight people who use the alley for trash collection. My street is falling apart. I believe in free enterprise except when I have to pay for it. It is also an awful waste of gasoline.

IP: 97.98.205.151

Form: <https://lincoln.ne.gov/city/council/feedback.htm>

User Agent: Mozilla/5.0 (Windows NT 6.0; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/49.0.2623.112 Safari/537.36