DIRECTORS’ ORGANIZATIONAL MEETING
Monday, April 9, 2018
555 S. 10TH STREET
BILL LUXFORD STUDIO

I. MINUTES
1. Approval of Directors’ minutes from April 2, 2018

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR’S OFFICE

V. DIRECTORS CORRESPONDENCE

PLANNING DEPARTMENT
1. Administrative Approvals from March 27, 218 through April 2, 2018
2. Action dated Wednesday, April 4, 2018

VI. BOARDS/COMMITTEES/COMMISSION REPORTS
None

VII. CONSTITUENT CORRESPONDENCE
1. Bump Stocks - Gregg Lanik
   Staff response provided by Councilwoman Gaylor Baird
2. Cardboard Liter - Bob Reeves, Clinton Neighborhood Organization
   Staff response provided by Jon Carlson, Mayor’s office
4. Bump Stocks - Joseph Dorenbach
5. Proposed JPA, opposition - Jim Frohman
6. Proposed JPA, opposition - Jim Randall
7. Proposed JPA, opposition - Don Day
   Staff response provided by Councilman Camp
8. Proposed JPA, opposition - Thomas Taylor
9. Problem in District 1 - Dave Titterington
10. Proposed JPA, opposition - Thomas Taylor
    Staff response provided by Councilman Camp

VIII. MEETINGS/INVITATIONS
See invitation list.

IX. ADJOURNMENT
Memorandum

Date:  April 4, 2018
To:  City Clerk
From:  Amy Huffman, Planning Dept.
Re:  Administrative Approvals
cc:  Mayor Chris Beutler
     Planning Commission
     Geri Rorabaugh, Planning Dept.

This is a list of the administrative approvals by the Planning Director from March 27, 2018 through April 2, 2018:

Administrative Amendment No. 18013, to Final Plat #15107, Northbank Preserve 2nd Addition, approved by the Planning Director on March 27, 2018, accepting the Affidavit of Surveyor to correct errors on the final plat, generally located at N. 50th Street & Alvo Road.

Administrative Amendment No. 18014, to Final Plat #16100, Northbank Preserve 3rd Addition, approved by the Planning Director on March 27, 2018, accepting the Affidavit of Surveyor to correct errors on the final plat, generally located at N. 50th Street & Alvo Road.
NOTICE: The Lincoln/Lancaster County Planning Commission will hold a special public hearing on Wednesday, April 4, 2018, 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.

AGENDA

WEDNESDAY, APRIL 4, 2018

[Commissioners Scheer, Harris and Hove absent.]

SPECIAL PUBLIC HEARING AND ADMINISTRATIVE ACTION:

1. COMPREHENSIVE PLAN CONFORMANCE NO. 18010, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, the City of Lincoln’s 6-Year Capital Improvements Program (CIP) for FY 2018/2019 to 2023/2024.

   Staff recommendation: General Conformance with the Comprehensive Plan
   Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov
   Had public hearing.
   Planning Commission recommendation: A FINDING OF GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN, 5-0 (Scheer, Harris and Hove absent; Beckius declared a conflict of interest on Project Nos. 0935, 0048 and 0914 and therefore abstained).

2. MISCELLANEOUS NO. 18001 - Lincoln MPO Proposal: Review of the draft FY 2018/19 to FY2020/2022 Transportation Improvement Program (TIP) for compliance with the current Lincoln Metropolitan Planning Organization (MPO) Long Range Transportation Plan.

   Staff recommendation: In General Conformance with the 2040 Lincoln MPO Long Range Transportation Plan.
   Staff Planner: Michael Brienza, 402-441-6369, mbrienza@lincoln.ne.gov
   Had public hearing.
   Planning Commission recommendation: A FINDING OF GENERAL CONFORMANCE WITH THE LINCOLN METROPOLITAN ORGANIZATION LONG RANGE TRANSPORTATION PLAN, 5-0 (Scheer, Harris and Hove absent; Beckius declared a conflict of
interest on Project No. 0935 and therefore abstained). This proposal is scheduled before the MPO Technical Committee on Thursday, April 19, 2018, and then before the MPO Officials Committee on Friday, May 4, 2018.

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

Adjournment: 1:52 p.m.
Hello, Greg -

Thank you for writing me regarding our proposed prohibition on bump stock type devices. Last week at City Council, we unanimously voted to approve this legislation that will make it illegal to own or sell these devices in Lincoln effective May 1st.

I want to make it clear that this new law does not take away anyone's guns. The goal of this legislation is to make it so that legal firearms cannot effectively be turned into machine guns, which have been highly regulated and largely outlawed for decades. This is an issue of closing a loophole, and last night's vote further demonstrates that both sides of the partisan divide agree that this loophole should be closed.

Some have said this effort is largely symbolic and only a small step. To that, I would agree that this new law is a step in the right direction that has both symbolic and practical value. Symbolically, we are joining other cities and states in sending a message that we want the federal government to act to protect our communities. Practically, we are doing our part to make it just a little more difficult to obtain these devices which, when used to do harm, have a destructive force capable of causing mass casualties. Even making it slightly harder to use one of these devices is preferable to doing nothing at all. We are hopeful that a solution to this problem can be found at the national level, but we as a community are not going to wait for that to happen.

Beyond this ordinance, we have initiated and scheduled a Super Commons meeting to be held just over two weeks from now. Super Commons meetings are gatherings of the Lincoln City Council, Lancaster County Board, and LPS Board of Education. School superintendents from rural Lancaster County have also been invited to attend. The purpose of the meeting is to inform other elected officials about what each of our jurisdictions are doing to promote safety and security, and to prevent
and protect against gun violence in particular. This is a vital step in ensuring we are maximizing the efficiency of the resources we have available to keep our school children and neighbors safe.

Thank you again for taking the time to reach out.

All my best,

Leirion

leirion gaylor baird // city council // lgaylorbaird@lincoln.ne.gov

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**From:** Angela M. Birkett  
**Sent:** Monday, March 26, 2018 11:03 AM  
**To:** 'joncamp@lincolnhaymarket.com'; 'royforlincoln@gmail.com'; Cyndi Lamm; Leirion Gaylor Baird; Jane Raybould; Carl B. Eskridge; Bennie R. Shobe; 'bennie.shobe@gmail.com'  
**Subject:** FW: Objection to Bump Stock ban

For the Addendum.

Angie Birkett  
Office Coordinator  
Lincoln City Council  
555 South 10th St., Ste 111  
Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
abirkett@lincoln.ne.gov

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**From:** Gregg Lanik [mailto:eotwup@aol.com]  
**Sent:** Monday, March 26, 2018 10:11 AM  
**To:** Council Packet  
**Subject:** Objection to Bump Stock ban
Council Members,

Cell phone use by people while driving is a greater danger to citizens of Lincoln and banning them would save more lives than banning bump stocks. Why is that not a priority for those promoting this ban? Do they have a personal bias against firearms they do not have against cell phones?

One rationalization promoted to justify this ban is that bump stocks are "only" accessories to firearms. Legally, only the Receiver is technically the "firearm" and everything else is an accessory. With the fore mentioned line of reasoning the City Council claims the power to not just regulate, but outright ban any firearm part they feel is to be dangerous. This is a slippery slope and another example of gun control "by a thousand cuts."

This ban is promoted for public safety yet there are no recorded incidences of bump stocks being used for criminal purposes within the city of Lincoln. There are existing laws that already make the use of bump stocks within city limits illegal, discharging a firearm within city limits, use of a firearm to commit a felony etc. This ban puts unnecessary restrictions on the civil rights of citizens and those passing through Lincoln, turning current law abiding people into criminals.

Please vote no on this ban.

Thank you,
Gregg Lanik
Hi Bob,

Thanks for the update on cardboard in Clinton neighborhood. As you know the ban took effect a few days ago on 4/1/18. We are watching closely this week and next to see how the transition goes – so your feedback is very timely.

Here’s a few things we are seeing three days in: The compliance rate with customers appears to be very good. Cardboard in trucks at the landfill appears to be very minimal. City staff and haulers are working together if it shows up to remove it and place in recycling roll-offs. Haulers are reporting that customers seem to have gotten the information and are separating the cardboard. They are picking out some material here and there and leaving pre-printed reminder notes. Other than your note, we haven’t received word about an increase in cardboard litter.

I will forward your note to Health and Solid Waste so they are in the loop about what you are seeing in Clinton. Could you please let me know next week and the next what you are seeing? It really helps.

Thanks,

Jon

Jon Carlson
Aide to Mayor Beutler
(402) 441-7224
I'm writing this to all the members of the Lincoln City Council and to Mayor Beutler. Today I took a walk in my neighborhood and saw many pieces of corrugated cardboard--large and small, some in the form of boxes, others in the form of sheets or pieces of cardboard--lying or piled up on the ground, in alleys, and on the streets. Now that we have a ban on corrugated cardboard in the landfill, what incentives are there to get people to recycle their cardboard properly? I'm especially concerned about neighborhoods such as ours (Clinton) that have a high level of rentals. Is there any ordinance that would require landlords to provide recycling services for cardboard? I see a potential litter problem that could perhaps be averted with some additional legislation, but I'm not sure what form it should take. Please take some time to consider this issue and determine what action the city should take to help keep our city clean and beautiful and not cluttered up with discarded cardboard.

Bob Reeves
Clinton Neighborhood Organization
402-464-1803

P.S. I'm all in favor of the ban on corrugated cardboard in the landfill, but I'm also strongly in favor of a litter-free community.
Greetings;
The Journal Star headline writer seems to think property taxes are new. Their headline today, April 3, is "New way to fund school safety" made me think they found a money tree or something else like it. Please do not add to the property tax to fund an attempt to contain a school shooting incident. We need lower property taxes, not higher.
Here is something that, to my knowledge that is actually new: Put a excise or some special form of tax on ammunition and guns that would be used to fund measures and personnel that are needed to protect students, teachers and staff from a shooter. I don't think that would violate the Second Amendment. If the city needs a change in state law in order to enact such a tax, get your lobbyist busy on it right away.

-- Duane Polzien
5000 South 67th St.
Lincoln, 68516
402-540-5025
I would like to express thanks to the City Council members for your recent votes to ban bump stocks. While largely a symbolic gesture in the very important gun control debate it is a step in the right direction. I am hopeful that the discussion will lead to an eventual ban on the possession and sale of military style assault weapons.

Thank you for all you do for our city. It is greatly appreciated!
Who will hire the police officers and other individuals? Who will be responsible for their supervision, benefits, representation, etc.?

If the city and LPS hire these individuals but the JPA funds them would that effective make the JPA just a shell taxing authority? Its primary purpose being to transfer funds to other taxing authorities so that they can bypass state limits and transparency? This can't be legal!

If the JPA is going to hire these individuals I have a bunch of questions.

Can a JPA legally hire police officers?
If it can, what authority does a JPA police officer have, the halls of the JPA office?
Can a JPA hire police officers and then through JPA organizational agreements loan them to the city for training and regular duty? Would this constitute an illegal transfer of funds and authority?
Would the police officers be fully supervised by the city?
What benefits would the officers have, city or JPA?
What representation would the officers have, city or JPA?
If any or all of these are answered with city, is this an illegal transfer of funds and authority?

For the individuals working directly with students in LPS, who controls their functions, LPS or the JPA?
If LPS controls these individuals would that constitute an illegal transfer of funds and authority?
What benefits will these individual have?
Who will represent these individuals?
If LPS is the answer, is this an illegal transfer of funds and authority?

How will the Legislature feel about the city and LPS forming a JPA whose legality is in question and purpose seems to be to bypass State taxing limits.

The proposed JPA is a bad idea. It has the appearance of illegal tax fund manipulation. It adds a completely unnecessary layer of bureaucracy and confusion when none is needed. Please reconsider forming a JPA. Interlocal agreements have worked for decades, and they can achieve all stated goals going forward.

Thank you for your attention.
Jim Frohman  
7335 Pioneers Blvd  
Apt. 212  
Lincoln, NE 68506  
402.617.2484  
jimfrohman@outlook.com
Mr. Camp,

I do not like the idea of the City and School Board creating another JPA unit with taxing authority to raise money for school safety.

The Mayor’s office said that they “expected” this new tax revenue to be neutral. That is what bothers me “expect.” May I suggest that instead of creating a new JPA with taxing authority that instead the city and the school board set aside the required amount from .005 cents per $100 from each of their budget from property taxes? This would be revenue neutral.

This way both units are responsible and accountable to the citizens. The JPA is an appointed board as I understand it.

I hope this is not a done deal! The paper made it seem as the JPA was already created.

Thanks for letting me put my two cents in.

Jim Randall
6140 South 94th Street
Lincoln, NE 68526
402-484-8576
Don

Thank you for your email expressing concerns regarding the creation of a new JPA, as proposed by Mayor Beutler and LPS leaders.

You and I are in agreement regarding the need for school safety vigilance.

At this stage, I share your concerns regarding establishing yet another bureaucratic entity possessing taxing powers.

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
I am writing all of you to voice my concern regarding Mayor Beutler and Superintendent Joel’s proposal to create a Joint Public Agency (JPA) for the propose of levying taxes to pay for school resource officers.

First and foremost, I absolutely agree on the need for better school security – which should include hardening the security as well as providing personnel (school resource officers). Our children’s security at school should be the number one priority and has to be taken seriously. This is in fact one of the base expectations I have for my school district. I also prioritize public safety as a base expectation for city government. With that being said, our school district and our city should be expected to provide these base expectations within the budgets they already have. This means that leaders need to make fiscally responsible and sometimes tough decisions and re-prioritize other budget items as necessary.

I don’t see a logical reason for another agency to be introduced, except for the sole purpose of having the ability to levy taxes. The information released through the Lincoln Journal Star does state that both the city and district will reduce their taxes by the same amount, as an offset for the new JPA tax levy. I won’t presume to know the full intent behind the JPA concept but I will voice my concerns of what can happen in this scenario. I can foresee a point in time where the city or district decide that they will forego their tax levy reduction, because they need funding for a new priority. Mayor Beutler has done this in the past when eliminating funding for school resource officers. It is also something that can happen when administrations and council members change. So it is not outside of the realm of possibilities that this commitment by the city and district is very temporary. It will be easy for both to take back a levy reduction once there is a JPA in place that is already taxing citizens. At that point we will be left with an overall tax increase.

I am fully against the creation of another entity that has taxing authority and I am asking that our elected officials require the leaders of our city and school district to manage within the budgets they already have available to them. I would appreciate feedback from you all as to your stance on this topic. You can reach out to me by replying to this email.

Thank you for your leadership and consideration,

Don Day

2310 Wilderness Ridge Drive
Lincoln, NE 68512

City Council Representatives

Jon Camp
jcamp@lincoln.ne.gov

Ben Shobe
bshobe@lincoln.ne.gov

Leirion Gaylor Baird
lgaylorbaird@lincoln.ne.gov

Roy Chrisensen
rchristensen@lincoln.ne.gov

School Board Representative

Lanny Boswell
lanny.boswell@lps.org

City Council & School Board – Alternate Proposal

Matt Schulte
ENOUGH IS ENOUGH!!

LPS has fleeced the taxpayer more often than any other institution. LPS got a HUGE windfall with the new property valuations. I suggest they dip into their funds to pay for the new security measures.

I also am VERY upset about the back room deals that LPS and the Mayor are conducting. This is just plain sneaky politics that could be expected in Chicago NOT LINCOLN.

It’s time to say NO and get serious about how some of the frivolous activities of this administration affect the taxpayer.

Thomas Taylor

Sent from my iPad
I’d am raising an issue I have raised with Building & Safety and the Health Department about an auto salvage operation that started 6 months ago at 4820 Orchard Street one block from Riley Elementary School on the edge of a neighborhood. The reports made are as follows:

1) These are wreck vehicles and vehicles from the Texas floods tagged “bio hazard”. There are fluids leaking onto concrete, an impervious surface where rains will wash these fluids into the storm water drains ending up in Deadmans Run.

2) These wrecked vehicles are an eye-sore in an area that is developing with new buildings such as at 48th & Holdrege. Businesses such as TO Hass and Jim’s Home Health have updated there buildings. Other businesses keep their properties in good repair. This salvage operation is also near UNL East Campus. It will undoubtedly lower property values as well as make future retail businesses and tenants think twice about locating in this area.

3) The once vacant parking lot that is now full of wrecked vehicles was a safe area for neighborhood kids to ride bikes and skateboards. In the 25 years we have had a business at this location the parking lot and adjacent vacant lot has been a place for children to play.

I, along with numerous people, have complained about this auto salvage operation. A concern was raised by a former patron of North Town Auto where this auto salvage operation now operates, that inside the garages there may possibly be fluids entering the sanitary sewer system through the floor drains.

Today April 4th, after complaints filed on March 17, 2018 and today April 4, 2018, Building and Safety did visit the site at 4820 Orchard Street. What, if any, action they will take is unknown at this time.

Complaints were made to the Health Department on March 17th, 2018 and April 4th, 2018, but the response received was startling and more a lecture on parenting and not child safety:

CLOSED hide Health Department

Keep calm.

1: Looks like this property has been inspected (since this similar issue was previously closed in a different report) and if any violations were found, they have been or are being addressed. If no violations were found, then the same - they are still in operation.

2: The area is zoned for such uses, from my best recollection.
3: Parenting helps. Kids and people in general should not to trespass. It's not the fault of the business if someone is loitering on an a property - one that they (the kids) should not be on. This applies to any property.

If no violations were found previously, then repeated reporting in a very short time span won't help. Keep calm - carry on.

I responded to this person at the Health Department that this auto salvage operation should be fenced in to protect the kids from any safety issues. I received a rather nasty response again from this person:

*Hey, my kid goes to that school ;) ... but I don't think you could force all property owners to "fence in", since it’s private property ;o ~ (this character seems to be sticking a tongue out at me)*

So this suggests if a property owner has a swimming pool they can take down the protective fences, and if a child wonders onto their property, falls in and drowns, we can charge the dead child with trespassing. As such if a child is playing near these wrecked vehicles, is critically cut from the jagged metal of these wrecked cars and bleeds out, the child again can be charged with trespassing.

Further the Health Department must not consider motor oil, antifreeze, transmission and brake fluid along with other automobile fluids to be a threat to our surface and ground water if washed into the storm sewer system. And if a car is considered a “bio-hazard “ in Texas, it becomes safe in Lincoln, Nebraska.

This is not an appropriate location for an auto salvage operation. If the city wants to allow it, then a fence needs to be installed to block the unsightly appearance of the property and provide a safety barrier to keep children out. This operation should also be required to contain any toxic fluids to prevent them from entering storm sewers when we receive heavy rains which will happen if left unchecked.

Sincerely

Dave Titterington

Wild Bird Habitat Store

4840 Orchard Street
Tom:

Your email made several very good observations on the concept of a JPA for the proposed enhanced school safety and related programs.

Best regards,

Jon

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**JON A. CAMP**

Lincoln City Council  
200 Haymarket Square  
808 P Street  
P.O. Box 82307  
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Fax: 402.474.1838  
Cell: 402.560.1001  

Email: joncamp@lincolnhaymarket.com

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**From:** WebForm  
**Sent:** Thursday, April 05, 2018 6:33 AM  
**To:** Cyndi Lamm; Jon Camp; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe  
**Subject:** InterLinc - Contact

City Council - Contact

Date : 4/5/2018 6:33:17 AM

- name  
- address  
- city  
- state  
- zip  
- email
Regarding the safety of our children. As I look at this proposed program it is not about safety. If it were it would include all of our schools not just LPS. Why should LPS students be safer than Lincoln Christian, or Pius? After all, were told this is about “safety of our children.” At least those institutions should be invited to participate in the JPA.

Having school board members sitting on the JPA is like having the fox guard the hen house. I have NEVER seen a school board member that was fiscally prudent in my 48 years living in Lincoln.

Don’t forget... tying this to property taxes automatically gives the JPA more money every time property values skyrocket like the last valuations. Every time a new home is built, they get more money. Also remember, this is NEVER ENDING like the PBA JPA. There needs to be some sort of adjustment if situations like that happen. LPS is flush with cash after the last money grab they had with the windfall from valuations. This program should be from their budget that is already dictated by property valuations.

I am not opposed to safety in our schools, but a JPA is the wrong vehicle. The proposed JPA is about BIGGER GOVERNMENT. MORE SALARIES, PENSIONS, AND BENEFITS to pay for.

Thomas Taylor