

**IN LIEU OF
DIRECTORS' MEETING
ADDENDUM**

Monday, October 26, 2020

II. CONSTITUENT CORRESPONDENCE

1. Transitional Living Facilities - Mo Neal
2. Ricketts guilty of defrauding the Citizens - Robert Borer
Response received by Joy Annette
3. Church in America - Wayne Smith
4. Suppression of Public Hearing - Samuel Lyon
Response provided by Councilman Meginnis

Angela M. Birkett

From: Mo Neal <moneal@unl.edu>
Sent: Thursday, October 22, 2020 8:10 PM
To: Council Packet
Cc: Mayor; Mo Neal
Subject: 10-22-2020 Hearing on Planning & Zoning Title 27 Proposed changes

[CAUTION] This email comes from a sender outside your organization.

October 22, 2020

To: Lincoln City Council Members and Mayor Baird

From: Mo Neal, 2701 S. 13th Street, Lincoln, 68502

RE: Draft Changes Proposed to Title 27- Transitional Living Facilities

You've heard from me before on the AIF which I live next door to as well as the new one across the street owned by Tina Arsiaga. Addresses are: 2711 & 2740 S. 13th Street.

By now you have received highly detailed letters from Colonial Hills Neighborhood Association and from Roy Helm a neighbor of mine in Irvingdale NA. Both reflect my own reactions to the P&Z proposed changes, so I do not intend to reiterate the same items.

Since the City Council mandated a moratorium on July 20 on any new permits, several of the attendees at that Council meeting got together to discuss this issue further. One person, Doug Koebernick, Legislative Inspector General for the Nebraska Correctional System, arranged for a group of us to have a Zoom meeting on Sept. 11th with staff from various state agencies. Members we met with were:

Ken Quinn, Asst Director of Field Services for Parolees

Hannah Glenn, Admin for Courts & Probation, oversees AIFs statewide for Transitional Living

Shane Stutzman, Admin for Courts & Probation, responsible for high risk sex offenders w/Hannah Glenn

Our members:

Doug Koebernick, NE Legislature

Kasey Moyer, Director of Group Homes in Lincoln (which DO have regulations and staff 24/7)

Mary Osborn, concerned citizen, retired from juvenile probation position

Carrie Ludwig, representing Colonial Hills Neighborhood Association

Mo Neal, retired, emeritus faculty from UNL Department of Art, Art History and Design

Planning and Zoning officials made it emphatically clear in July and August that they are insisting the permit be tied to the property for the simple reason that to unhitch it will be more work for them. They are assuming whoever may buy the property in future will only want it for the money cow of a transitional home. They just don't see any reason to look at the square footage & parking situation again. Hey! It is on file in their offices. This is plain laziness and a good part of the reason this whole situation is blowing up now.

The only part of this proposal I agree with is the change of name. Alternative to Imprisonment is a horrible name and puts a flashing neon sign on a probationer's head. Transitional Living does not.

During our zoom meeting on Sept 11, we learned several things.

1. There are no facility or oversight requirements for Transitional Living houses.
2. Three thousand plus inmates will become parolees & be assigned to Transitional Living facilities in Lincoln in the next year or so.

3. 40-50 will need housing between now and January 1, 2021.
4. Parole oversight lasts on average 1-2 years
5. When entering the NE penitentiary system, inmates are assessed by professionals & a plan is put in place for their eventual release. Recommendations are made to take specified programs. If an inmate refuses to take part in program, they will not be considered for Transitional Living post-imprisonment.
6. Caseload for probation officers is based on risk of reoffending. Higher risk individuals mean an officer will have up to 30 cases to track. Lower risk will mean up to 100 cases* per officer.
* I heard 100 but others heard & cited 500 cases. I don't know which is correct.
7. TL houses with only 3 parolees in residence have a probation officer assigned. These 3 person homes must be registered with Courts & Probation to provide service and receive payment from State.
8. In Lincoln there are 11 facilities for 3-16 persons in each. There are nine providers in Lincoln/Lancaster County.

Since I live next door to a 3-person home... I continue to see "incidents". Recently on September 9, the LPD had to be called when one person got into a fight inside the house when a 2nd person was suspected or found to have stolen #1's personal property.

Incident # CO-084056 on 9-9-20 at 1:30 pm records Theft/Larceny: items missing from room after returning home included iPad, phone & charger, backpack & speakers.

Incident # CO-083989 on 9-9-20 at 9:41 am records Minor Superficial Assault when struck in face with metal chair.

This facility is run by absentee owners and there is ZERO on sight supervision on a 24-hour basis. The owners rely on their own external video surveillance cameras and police reports after the fact. There are no spacing requirements in place or there would not be 3 homes within two blocks of each other- two on 2700 block of S. 13th and one on 2800 block of S.14th Streets.

Kasey Moyer runs highly successful homes, the one on S. 14th Street is the pride of Indian Village Neighborhood Association. She knows what she is doing. Her facilities are staffed 24/7 and they have required regulations in place to protect the probationers and the neighbors. She also believes in the value of community input through public hearings, as do I.

My recommendations:

1. Planning and Zoning abandon their proposal and start over including more regulations on spacing, oversight, etc.
2. It is my hope the City Council will act in October to deny these proposed changes from Planning and Zoning the only exception being the name change.
3. Continue the moratorium on current and future permit applications until the Interim Study may be completed that is taking place in the NE Legislature; and recommendations from it may be taken up by the City Council.
4. In future that the City Council remain the final voice in decisions on AIFs or Transitional Living housing with full notice given for public hearings.
5. Form citizens advisory boards in each neighborhood association which will act as conduits to and from Transitional Living homes to resident and homeowners.

What is very apparent after looking at this issue from all sides is that the State of Nebraska's Correctional and judicial system is a decrepit oozing scab that is flowing over into cities and towns who are unprepared for handling it. Not financially, not morally and certainly not pragmatically. If people who commit minor offenses are being sentenced for years this system will grow and expand. It is a self-perpetuating cancer. Too many POC and very young people are spending years of their youth locked up only to get out and take menial jobs if they are lucky enough to get one. These probationers are in danger of being a loss to their generation. Which means more decades of tax burden on the public.

Please take positive constructive action and fix this.

Sincerely, Mo Neal

Angela M. Birkett

From: Joy Annette <hhjj1966@gmail.com>
Sent: Friday, October 23, 2020 10:30 AM
To: Robert Borer
Cc: Allie French; Andy Stebbing; Balm, Erika; Ben Madsen; Bleichster1@gmail.com; Bonni Bogard; Brenda Bickford; Brian & Jeni Fuchs; Carol Blood; Cherrie Fuering; Christopher Fidico; Cori Lamm; Cyndi Lamm; Dan Hughes; Dan Wiles; Dustin Jorgensen; Dworak, Tony; Ellie Sampson; Harry Watson; Jasmine.tollette@gmail.com; Jeremy Hoefs; John Lowe; Jon Herms; Julie Carter; Karen Christensen; Kate Bolz; Krisa Wiles; Leslie Sims; Lori Howard; Lucas Jung; Lynn Beca; Mark Adamson; Mayor; Mike Groene; Mike Wittman; Miller, Jackie; Nathan Heard; Nelson Peterson; Ozaki, Andrew; Rick W. Tast; Samuel Lyon; Sara Howard; Shane McNeese; Stephanie Jarrett; Stephanie Spearman; Steve Erdman; Steve Nolan; Steve Oss; Steve and Kathy Huneke; Sue Crawford; Suzanne Geist; Thi Tran; Todd Watson; Tom Roth; Wendy Collicott-Wittoff; Adelle L. Burk; alagrone@leg.ne.gov; bostelman@leg.ne.gov; bhansen@leg.ne.gov; bill.schammert@1011now.com; blindstrom@leg.ne.gov; Bennie R. Shobe; careyc@jsberrylaw.com; cfriesen@leg.ne.gov; charleneedmunson321@gmail.com; Commish; Council Packet; Christa G. Yoakum; dmurman@leg.ne.gov; dquick@leg.ne.gov; Deb E. Schorr; echambers@leg.ne.gov; fanchon blythe; jalbrecht@leg.ne.gov; jamesmichaelbowers@gmail.com; jarch@leg.ne.gov; Jeffrey Bliemeister; James M. Bowers; jdloy@unl.edu; Jenifer T. Holloway; jmccollister@leg.ne.gov; Jane Raybould; jrgrant1@gmail.com; jscheer@leg.ne.gov; jslama@leg.ne.gov; jstinner@leg.ne.gov; jwayne@leg.ne.gov; kgarcia@lpden.com; leg.senators@leg.ne.gov; leg.senatorsstaff@leg.ne.gov; llinehan@leg.ne.gov; loan.eby@gmail.com; lwalz@leg.ne.gov; mcavanaugh@leg.ne.gov; mdorn@leg.ne.gov; mhansen@leg.ne.gov; mhilgers@leg.ne.gov; mhunt@leg.ne.gov; mkolterman@leg.ne.gov; mmcdonnell@leg.ne.gov; mmoser@leg.ne.gov; mshanehunter@gmail.com; mwilliams@leg.ne.gov; pete.ricketts@nebraska.gov; Pat D. Lopez; ppansingbrooks@leg.ne.gov; pricketts@ne.gov; Roma B. Amundson; Roy A. Christensen; rclements@leg.ne.gov; rhilkemann@leg.ne.gov; rkolowski@leg.ne.gov; Richard W. Meginnis; Rick W. Vest; Sean H. Flowerday; shalloran@leg.ne.gov; slathrop@leg.ne.gov; Sandra J. Washington; tbrandt@leg.ne.gov; tbrewer@leg.ne.gov; tbriese@leg.ne.gov; Tammy J. Ward; tom@gncclincoln.org; tvargas@leg.ne.gov; Terry T. Wagner; wdeboer@leg.ne.gov; woodyjeff@hotmail.com
Subject: Re: Ricketts guilty of defrauding the citizens

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So true! Crimes against humanity!!!

On Fri, Oct 23, 2020 at 9:06 AM Robert Borer <robert.borer@doane.edu> wrote:
Nebraska all cause mortality, week 40:

2014 - 12142
2015 - 13100
2016 - 12327
2017 - 13050
2018 - 13193
2019 - 13072

2020 - 13631

There is no health state of emergency in Nebraska. Ricketts, Baird and their respective legislative bodies are guilty of perpetrating a crime by defrauding the citizens of their liberties for no legitimate reason.

Angela M. Birkett

From: swaynes1@windstream.net
Sent: Sunday, October 25, 2020 2:01 PM
To: swaynes1@windstream.net
Subject: Church in America, Wake Up! | Jeremiah 6:16-19 | Gary Hamrick

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Worth the time to hear... Enjoy!

<https://youtu.be/10HRwSKTUiU>

Wayne Smith

Angela M. Birkett

From: Samuel Lyon <thefixitguy01@gmail.com>
Sent: Monday, October 26, 2020 1:02 AM
To: Council Packet
Subject: Suppression of public hearing

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Members of the Council,

On Monday Oct. 19th at the City Council meeting after waiting for nearly 3 hours to address the Council I choose to speak about Mr. Podany.

I was told that I had been offered an opportunity to speak about Mr. Podany's plight before Mr. Podany told the council about his plight. A silly suggestion on it's face. I explained that the chair had never offered a chance for public hearing input after questions from the council to the chief of police, the city attorney and Mr. Podany.

Councilperson Raybould and Councilperson Ward each misremembered the chair offering an opportunity for public comments after Mr. Podany spoke and questions from the council were asked of the city attorney and the chief of police. I expressed this fact to the council but was ruled out of order by the chair and was forced to speak on another topic. I would like the record to reflect that after further review of the recording. I was in fact right about not being offered a chance to speak about Mr. Podany and his \$115.32 bill after he had brought it before the council. This can be viewed at time stamp 1:48:30.

I understand that people make mistakes and I don't hold them against anyone in particular, but the chairpersons mistake combined with the mistakes of councilpersons Raybould and Ward silenced a Lincoln citizen on that topic that day.

Samuel Lyon

Angela M. Birkett

From: Richard W. Meginnis
Sent: Monday, October 26, 2020 11:42 AM
To: thefixitguy01@gmail.com
Cc: Angela M. Birkett
Subject: Meeting mistake

Mr. Lyon,

I must apologize for my mistake. I went back and reviewed the meeting on Sunday just to see what was said. And you were right. We did not do a good job of letting you come and speak on the Podany issue. I feel badly because it was not handled very well. Please accept my apology and let me know if I can do something to help correct it. I will let the full Council know this and I hope I can learn from this and be more careful in the future.

Thanks

Richard Meginnis