

**Railroad Transportation Safety District  
Public Hearing**

**3rd and "A" Street Grade Separation Project  
March 20, 2001**

**Public:** \_\_\_\_\_  
**Closed:** \_\_\_\_\_

Meeting Began at: 6:34 P.M. Meeting Ended at: 8:15 P.M.

Members Present: Coleen Seng, Bob Workman, Linda Steinman, Jonathan Cook

Members Absent: Jon Camp, Larry Hudkins

Others Present: Tom Leikam - Olsson Associates, Roger Figard, Clint Thomas, Tina Mackel, Connie Davison, Mary Baker, Danny Walker, Barbara Bower, Ron Zimmerman, Gary Irvin, Clay Smith, David Guilfoil, Roger Dorffler, Sue Brennan-Dorffler, Dave Connolly, Leroy Cosier, Luella Otterman, Jim Visger, Mary Zimmerman, Kathy Renk, Jake Von Busch, Onodeane Tolley, Michelle Chipalla - KLKN-TV 8, Tim Grossklaus - KOLN/KGIN 10/11

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**Coleen Seng:** Good evening. I would like to call this meeting to order, and I would like to welcome everyone that is here tonight for this public hearing for the 3rd and "A" Street Grade Separation Project. I am Coleen Seng, and I chair the Railroad Transportation Safety District. We are pleased that all of you could take the time to come tonight. I know you had a meeting last week and there will be another meeting when we have more public hearing, if you would all like to have that. I want to introduce who's here tonight. We have Jonathan Cook at the end, Linda Steinman, Bob Workman and Jon Camp, I believe will be here tonight. Larry Hudkins is the newest member on this board, and he has a Board of Health meeting tonight so will not be with us. Also present is Roger Figard, who will be here listening very carefully, and he is the Director of the Railroad Transportation Safety District. He will be listening to everyone as they are giving their input tonight. There's a recording that will be going on of this public hearing and a transcript will be prepared for the record. The time, I believe, is 6:34 P.M. on March 20, 2001 and we are assembled in the City Council Chambers here in Lincoln, Nebraska. I would also ask that all cell phones please be turned off. That's kind of a rule we have in this chambers.

So tonight information will be presented on the preliminary design concepts which have been developed for the overpass structure at 3rd and "A" Street. There are six preliminary concepts that have been developed and they've been presented, those of you that were in attendance last week saw those, the informational meetings which was held both in October and November of 1999. In addition to these earlier meetings, then that open house was held last Tuesday evening

on March 13, to provide area residents and businesses an opportunity to review the preliminary concepts and ask the study team questions concerning the project. Now I'm sure that you noticed out in the hallway are all of those designs have been on the walls there.

Following the presentation tonight, those in attendance will be given an opportunity to present statements and ask questions concerning the 3rd and "A" Street Grade Separation Project. For those of you who are not prepared to make a statement this evening or perhaps are not very comfortable about speaking in public, we've provided comment forms at the back of the room for your use in preparing a written statement concerning this project. The comments should be mailed or delivered to Olsson Associates at the address shown on the form. All comments which are received on or before March 30, 2001 will be included in the transcript of this public hearing. I ask when you come tonight to speak you be sure to give us your name and please spell that out if you think someone might have a hard time getting your last name.

A Draft Environmental Assessment Report has been prepared for this project and copies of the report are available at the back of the room for individuals to review. The Draft Environmental Assessment was circulated to regulatory agencies on February 13, 2001 for their review and is available to the public for comments until March 30, 2001. The comment forms which have been provided at the back of the room can also be used to provide written statements or comments on the Draft Environmental Assessment Report.

Following the close of the comment period for the Draft Environmental Assessment Report, the Railroad Transportation Safety District will hold a board meeting on Tuesday, April 24, 2001 at 6:30 P.M. right here in the City Council Chambers to select a preferred alternative for the 3rd and "A" Street Project, so it's really going to happen folks. We're going to select an alternative. The April meeting is open to the public and those in attendance will be given an opportunity to address the board members at that time concerning the project, if they so desire.

So at this time, I'm going to turn the microphone over to Tom Leikam, who is the project manager from Olsson Associates, for the presentation of the engineering statement for this project. Tom...

**Tom Leikam:** Thank you. Good evening. The following engineering statement provides an overview for Project RR-6970 (16) known as the 3rd and "A" Street Grade Separation. This project proposes to construct a grade separation structure on "A" Street across the Burlington Northern Santa Fe Railroad tracks which are located along the 3rd Street corridor. The railroad tracks along 3rd Street are a major north-south rail corridor which is used for transport of coal and freight. The need for a grade separation at this location has become evident in recent years with the addition of the second main line track in 1998 and the associated increase in rail traffic along 3rd Street. Currently, over 35 trains per day utilize this crossing with this number expected to increase to 70 trains per day over the next 10 to 20 years.

"A" Street is a major east-west roadway that serves to connect the West "A" area with downtown Lincoln as well as other portions of the City to the east. "A" Street also serves as the

arterial connection into the historic South Salt Creek Neighborhood. Existing traffic along “A” Street is 5,450 vehicles per day with traffic projected to increase to 8,000 vehicles per day over the next 20 years.

The grade crossing at 3rd and “A” Street is characterized by long delays for traffic, difficulty in gaining access to the adjacent neighborhood and industrial district and has the potential for dangerous interactions between trains and vehicles or pedestrians that use the crossing. The proposed improvements will enhance safety, reduce traffic delays, improve access to the adjacent neighborhood and industrial district and will meet increasing traffic demands in the project area.

A goal of this project has been to provide a grade separation structure which meets the needs of the traveling public while complimenting the efforts to revitalize the South Salt Creek Neighborhood. Therefore, a key component in the development of project alternatives has been incorporation of design concepts which will compliment revitalization in the area and help to reduce impacts to the historic nature of the neighborhood.

The project begins at the east end of the Salt Creek Bridge and runs easterly to 6th Street. The elevated portion of the new roadway and overpass begins at approximately 1st Street and will tie back in with existing “A” Street near 5th Street. The open span bridge structure will be located between approximately 2nd Street and 4th Street.

The existing railroad tracks along 5th Street will remain in place to perpetuate rail service to Gooch Mill. The at-grade crossing at 5th and “A” Street will be reconstructed as necessary for the proposed improvements. However, to accommodate construction of the grade separation at 3rd and “A”, the existing Union Pacific Railroad track in the 4th Street corridor will be removed between approximately “K” Street and Van Dorn Street. This will eliminate 10 at-grade railroad crossings along the 4th Street corridor.

During the preliminary design and development of the project, the study team evaluated the use of an underpass structure and an overpass structure for this location. Several disadvantages were identified with an underpass which limit the feasibility of this structure type for this particular location. These included: major utility impacts which would require relocation of an existing 42 inch and 18 inch sanitary sewer, potential need to construct temporary railroad tracks adjacent to the 3rd Street tracks to accommodate the heavy rail movements during construction, concerns with flooding at the underpass during heavy rain fall events and the presence of high ground water within the project area. The preferred structure type for the 3rd and “A” Street project is an overpass.

The overpass would provide a 36 foot wide roadway with a 10 foot wide pedestrian / bike path along the north side of the structure. The proposed overpass will include an open span bridge structure with the inclusion of architectural features to compliment the historic nature of the surrounding area. A conceptual view of the overpass has been developed and can be viewed along with the other project displays outside the Council Chambers in the main hallway.

The approach roadways at each end of the overpass structure will consist of a 36 foot wide clear roadway with concrete curb and gutter. This roadway section will provide two through lanes, one for eastbound and one for westbound traffic along with a center left turn lane. The left turn lane is proposed to enhance safety along “A” Street and improve access into the adjacent neighborhood and industrial district. A 10 foot wide bike path is proposed to be constructed from the west end of the overpass to connect with the existing trail along the Salt Creek levee. An enclosed storm sewer system will also be constructed as part of this project to convey storm drainage from the new roadway and overpass to the existing discharge point at Salt Creek.

As previously stated, six different alignment concepts were developed for this project. The various alignments differ by the degree of horizontal shift south of existing “A” Street. As the shift increases, the impacts to the businesses on the south side of “A” Street increase. This is countered by the impact to homes on the north side decreasing as the alignments shifts to the south.

The following overhead displays will outline the proposed construction features for each of the six alternatives. The yellow colored areas show proposed new frontage roads or local roadways which would be constructed or surfaced to provide access to “A” Street from the neighborhood or industrial district. Red indicates proposed roadway construction along “A” Street. Green indicates the approximate limits of the open span overpass structure, and orange indicates the 10 foot wide bike path and associated sidewalk construction.

All of the alternatives developed would provide access to the neighborhood and industrial district in a similar manner. At the west end of the overpass, the project proposes to construct a four-way intersection at Southwest 1st Street and “A” Street. Southwest 1st Street then would be constructed one block north of “A” Street along with a one block segment of West “B” Street to provide access to the neighborhood. South of “A” Street, two blocks would be constructed on Southwest 1st Street along with one block on West Garfield Street to provide access to the industrial district.

At the east end of the overpass, access to “A” Street would be provided immediately east of the 5th Street tracks. This access point would connect to a new frontage road along the south side of the structure. The two-way frontage road would provide access to businesses on the south side of “A” Street between 3rd and 5th Streets and would cross under the overpass to connect with the north frontage road to provide access to the neighborhood.

On the north side of the overpass structure, the project will provide a frontage road at or near the current location of “A” Street. The exact location would depend upon the alignment alternative selected. The frontage road along the north side is wide enough to accommodate local traffic plus on-street parking, which is currently not available on “A” Street. This is one of the potential project benefits to the residents whose homes front on “A” Street.

The existing grade crossing at 3rd and “A” Street will be closed and the pavement removed. A turnaround will be constructed on existing “A” Street at the west side of the crossing and the intersection of existing “A” Street and 3rd Street will be reconstructed as necessary at the east side.

In addition, new pavement along 1st Street between “A” and “B” Streets will be included as part of this project. Paving along 4th Street between “A” and “B” Street may be included with this project contingent upon future uses identified for the 4th Street corridor.

At the south side of “A” Street, west of the 3rd Street tracks, a frontage road is proposed between 1st and 3rd Streets for alignments 3,4 and 5. For alignments 1,2 and 6, 1st Street and 2nd Street would terminate in cul-de-sacs at the south side of “A” Street. For all of the alternatives under consideration, 3rd Street, west of the tracks, would cross under the structure to provide a connection to existing “A” Street.

At the south side of “A” Street, east of the tracks, the new frontage road as previously discussed, would provide access to the businesses south of “A” Street and would cross under the structure to access the neighborhood to the north.

I will now provide a brief overview of the six alignment concepts which were developed for this project.

For alignment # 1, the centerline of the new overpass is shifted 30 feet south of the centerline of existing “A” Street. This alignment reflects the minimum shift required to allow construction of the north frontage road without having to acquire additional right-of-way along the north side. One business at 445 “A” Street and the four-plex apartment building at 505 “A” Street will be relocated to construct this alternative.

The advantages of alignment # 1 include: minimizes the impacts and right-of-way acquisition at the properties located along the south side and results in lower project costs due to reduced right-of-way acquisition.

The disadvantages of alignment # 1 include: provides the greatest visual impact to the properties located along the north side of “A” Street, requires construction of the north frontage road approximately 22 feet closer to the homes along the north side, requires the removal of over 20 mature trees along the north side of “A” Street, provides minimal space along the north side of the structure for potential landscaping features and would have the greatest impact on access along “A” Street during construction.

For alignment # 2, the new overpass is shifted 50 feet south of the centerline of existing “A” Street. This would align the proposed structure with existing “A” Street west of 1st Street. This alignment would require additional right-of-way acquisition, with the possible acquisition of the business at 245 “A” Street in addition to the acquisition and relocation of the business at 445 “A” Street and the four-plex apartment building at 505 “A” Street.

The advantages of alignment # 2 include: reduces the visual impacts of an overpass on the properties along the north side of “A” Street in comparison to alignment # 1, allows the north frontage road to approximately align with existing “A” Street thereby reducing impacts to residences and minimizes impacts to the mature trees along the north side of “A” Street.

The disadvantages of alignment # 2 include: increase right-of-way impacts to properties and businesses located along the south side of “A” Street. This would include damages associated with the removal of the parking area along the north side of the businesses located at 129 and 139 “A” Street. This alignment would also have limited space available along the north side of the structure for potential landscaping features and this alignment would have substantial impacts on access along “A” Street during the construction.

For alignment # 3, the new overpass is shifted 70 feet south of the centerline of existing “A” Street. This will allow existing “A” Street to serve as the frontage road along the north side. Right-of-way issues for this alignment include the acquisition and relocation of the businesses located at 129 “A” Street, 139 “A” Street, 245 “A” Street and 445 “A” Street, as well as the four-plex apartment building at 505 “A” Street.

The advantages of alignment 3 include: a reduction in the visual impacts of an overpass on the properties along the north side of “A” Street in comparison to alignments 1 or 2, allows the north frontage road to align with existing “A” Street thereby reducing impacts along the north side, minimizes impacts to the mature trees along the north side of “A” Street, provides additional space adjacent to the north side of the structure for incorporation of potential landscaping features and allows the majority of the construction work to occur outside the existing roadway to minimize impacts on access along “A” Street during the construction.

The disadvantages of alignment # 3 include: substantial right-of-way impacts to properties and businesses along the south side of “A” Street. This alignment will also result in higher project costs in comparison to alignments # 1 and 2 due to the additional right-of-way acquisition.

For alignment # 4, the new overpass is shifted 90 feet south of the centerline of existing “A” Street. This will allow existing “A” Street to serve as the frontage road along the north side. Right-of-way issues for this alignment are similar to alignment # 3 and will include the acquisition and relocation of the businesses located at 129 “A” Street, 139 “A” Street, 245 “A” Street and 445 “A” Street, as well as the four-plex apartment building at 505 “A” Street.

The advantages of alignment # 4 are similar to those previously outlined for alignment # 3 with this alternative providing slightly greater separation between the residents along the north side of “A” Street and the new structure. This alignment will provide a substantial reduction in the visual impacts of an overpass structure on the properties located along the north side of “A” Street in comparison to alignments # 1 and 2.

The disadvantages of alignment # 4 are also similar to alignment # 3 with the same number of properties being acquired and relocated.

Alternative # 5 has a curvilinear alignment which shifts “A” Street south on a gentle curve to provide the greatest separation between the overpass structure and the neighborhood at the 3rd Street crossing. For this alternative, the structure is shifted an average of 110 feet south of the centerline of existing “A” Street. Alignment # 5 has the greatest right-of-way impacts to the businesses along the south side of “A” Street. This alternative would require the acquisition and relocation of the businesses at 129 “A” Street, 139 “A” Street, 245 “A” Street, 445 “A” Street and 1408 South 3rd Street, as well as the four-plex apartment building at 505 “A” Street.

The advantages of alignment # 5 are similar to those previously outlined for alignments 3 and 4. This alignment will have the lowest visual impact on the residences located along the north side of existing “A” Street. This alternative will also provide the greatest opportunity to incorporate landscaping features along the north side of the structure to serve as a buffer between the historic South Salt Creek Neighborhood and the industrial district to the south.

The disadvantages of alignment # 5 are also similar to those previously outlined for alignments 3 and 4.

Alignment # 5 along with alignment # 4 have received the greatest public support based upon input provided at the previous public meetings.

Alignment # 6 was developed as a result of public comments to reduce overall costs of the project. At the west edge of the project, this alternative is similar to alignment # 1 to avoid the total acquisition of the businesses located at 129 “A” Street and 139 “A” Street. Near 2nd Street, this alignment shifts to the south and generally coincides with alignment # 4 to the east end of the project. Right-of-way issues for this alignment include the acquisition and relocation of the businesses at 245 “A” Street and 445 “A” Street, as well as the four-plex apartment building at 505 “A” Street.

Alignment # 6 reduces the total right-of-way costs associated with the project. However, this alternative will have an increased visual impact to houses located along the north side of “A” street between 1st and 2nd Streets, thereby reducing the benefits the project may have in revitalizing the South Salt Creek Neighborhood.

Probable project costs based upon current cost data are as follows: for alignment 1 - \$9,995,000, alignment 2 - \$10,261,000, alignment 3 - \$10,502,000, alignment 4 - \$10,581,000, alignment 5 - \$10,866,000 and alignment 6 - \$10,378,000. These costs include new bridge and roadway construction, right-of-way acquisition, utility relocations, landscaping adjacent to the structure and costs which are associated with the removal of the 4th Street railroad tracks between “K” Street and “Van Dorn Street.”

Construction of the project is tentatively set to start in the fall of 2002 with a completion date of November 2003. The construction time frame for the project is contingent upon completion of right-of-way acquisition and track removal work at the 4th Street corridor.

At this time, I will present the right-of-way and relocation statement for the project.

Right-of-way acquisitions and relocations will be necessary to construct the improvements for any of the alternatives under consideration for this project. As previously stated, the total number of businesses relocated will vary between one and five, dependent upon the alternative selected. In addition to the business relocations, the four-plex apartment building at 5th and "A" Street will also need to be acquired and relocated.

It will also be necessary to acquire new right-of-way for the construction of the new roadways at Southwest 1st Street, West "B" Street, West Garfield Street and frontage roads and/or cul-de-sacs along the south side of the structure. Temporary construction easements and permanent easements will also be necessary for various construction purposes. Land acquisition is expected to begin late this year and should be completed by fall of 2002 contingent upon final approval of the project.

Once the right-of-way requirements are identified, an appraisal will be made by a fee appraiser hired for that purpose. During the appraisal, each affected land owner will be given the opportunity to accompany the appraiser on their inspection of the property. After each appraisal is completed, it will be reviewed and an estimate made of just compensation. An offer based on that amount will then be made to the owner. If the Railroad Transportation Safety District is unable to acquire the necessary right-of-way or easements through negotiation, then the district will institute formal eminent domain proceedings.

No owner shall be required to surrender possession until the Railroad Transportation Safety District pays the agreed purchase price or deposits with the court the amount of award determined by the condemnation appraisers.

Relocation assistance will be available for all eligible residents and businesses, without discrimination, through the Nebraska Relocation Assistance Act as required by federal and state laws.

The Railroad Transportation Safety District will work with the City of Lincoln's Housing Rehab and Real Estate Division to acquire the right-of-way for this project. Relocation assistance will be provided consistent with the City of Lincoln's Relocation Assistance Program for those who are displaced by public improvement projects. This program is designed to provide advisory assistance to all displacees and under most circumstances, make payments to the extent possible to help offset some of the expenses and cost experienced by those who are displaced.

Brochures explaining the relocation assistance program in greater detail are available at the back of the Council Chambers. The brochure also includes a discussion of payment eligibility requirements and payment procedures. Those property owners and tenants whose property may



be identified for acquisition under any one of the alternatives under consideration are encouraged to pick up a brochure prior to leaving the meeting tonight.

No person shall be displaced from their residence unless a comparable replacement dwelling is available or provided for the displaced occupant. No person shall be displaced from their residence or business without a minimum of 90 days notice.

Appeal rights are available for those who are dissatisfied with a determination of ineligibility for payments or who are dissatisfied with the amount of their eligibility.

If individuals have questions concerning the relocation assistance program, they may contact Clint Thomas or Michelle Krupicka with the City of Lincoln's Housing Rehab and Real Estate Division. Their phone number is 441-7864.

This concludes the prepared engineering and right-of-way statements for Project RR-6970(16), known as the 3rd and "A" Street Grade Separation. Are there any questions at this time I can answer?

**Coleen Seng:** I guess I have a question. When I look on page 5.2, understanding the residences and businesses, no single family residence will be relocated as stated.

**Tom Leikam:** That's correct.

**Coleen Seng:** And then no structures within the historic district will be physically impacted.

**Tom Leikam:** That's correct.

**Coleen Seng:** And all of the alignments deal with that one apartment building, right?

**Tom Leikam:** Yes, the four-plex apartment which is located at 5th and "A" Street is being displaced as a result of the construction of the south frontage road. All of them would displace that and relocate that apartment complex. The boundary for the historic district, South Salt Creek historic area, is "A" Street. It's everything north of "A" Street so the four-plex apartment building is located on the south side, that is not located within the district.

**Coleen Seng:** And none of the residents.

**Tom Leikam:** And none of the residences along the north side would be displaced and there is no actual right-of-way acquisition that would be proposed immediately along "A" Street at any of those residences. Right-of-way north of "A" Street at Southwest 1st Street would need to be acquired and possibly some right-of-way along West "B" Street which would fall within that boundary of that historic district.

**Bob Workman:** Tom, it seems like I read in here somewhere where there was relocation assistance to a tenant of this apartment building up to an amount of \$5,200. Did I read that correctly or does that apply to the landlord of that building?

**Tom Leikam:** There is and I would ask Clint Thomas with Real Estate Division to come up. There are payments that tenants are eligible for and Clint can speak for that.

**Clint Thomas:** Clint Thomas with the City Real Estate Division. Tenants would be eligible for basically two payments. One of them is a moving expense payment to allow them to move their personal property from the displacement site to wherever they are relocated. The second is a rent supplement payment which has a maximum limit of \$5,250. That amount will actually be determined by a study of whatever is comparable and available on the market at the time we do the relocation.

**Bob Workman:** So it's not a set amount.

**Clint Thomas:** It's not a set amount. It's based on a relocation study which is used to determine the difference between the rent that they're paying and the rented comparable location.

**Bob Workman:** Over what length of time would that be?

**Clint Thomas:** That payment is extended over a 42 month period.

**Bob Workman:** Clint, is there a for the apartment owner, then this would not apply, this would be just compensation would just be in the form of compensation for the real estate itself.

**Clint Thomas:** That's correct assuming he does not live in one of the apartments.

**Bob Workman:** Thank you.

**Coleen Seng:** Jonathan, you wanted to ask Tom some questions?

**Jonathan Cook:** How much flexibility will there be in the alignment of the frontage roads and where the connections are made after approval is given, or do we have to make the determination of exactly where those will come down at the time we decide which alignment?

**Tom Leikam:** No, during the final design process those particular details can be revised as necessary to basically provide making sure that we meet all design standards. You're talking about a location of a frontage road in terms of where it connects to?

**Jonathan Cook:** I'm talking about, let's say for instance you were to take alignment #5 and the frontage road along the south side that connects between 1st and 3rd. What if the choice were made later to do cul-de-sacs say at 1st and 2nd instead of...

**Tom Leikam:** And that's something that could be done.

**Jonathan Cook:** That can be done even after approval of the alignment?

**Tom Leikam:** Yes.

**Jonathan Cook:** And regarding the connections to the new "A" Street, we have this connection at 5th Street which goes just south and we have the connection at Southwest 1st which goes both directions and could someday have a signal although no plans now, depend on future traffic.

**Tom Leikam:** It would depend upon the traffic volume. Once the traffic volumes warranted a signal, I'm sure the City would then look at putting in a signal at that location.

**Jonathan Cook:** It's a bit difficult to get to some of these access points from the north side if you're taking the old "A" Street down. You have to go three blocks. You're almost there. You're next to the new "A" Street. You can see it, but you have to go three blocks out of your way to get to the new intersection. Was there discussion of a more direct connection, perhaps even a one-way connection say that just merges into the new "A" Street but wouldn't allow say access from the other direction where it would be problematic?

**Tom Leikam:** On the east or west end, are you....

**Jonathan Cook:** On either end, quite frankly.

**Tom Leikam:** On the east end, we did look at it would basically be a exit lane for westbound traffic off of "A" Street that would connect directly into "A" Street there and that's something that could still be considered in the alternative. One of the comments that was raised on that one of the concerns Jonathan, was by providing that there are some safety issues with people that would be a one-way exit, people driving up the wrong way and using that to connect back on and creating a potential safety hazard at that location. Those type of things could be looked at. The location where we placed the west connection at Southwest 1st Street, by if you were to connect to the new "A" Street at 1st Street, you would be right at the bottom of the steep grade of the overpass and what we did from a safety standpoint was we wanted to move that off so that vehicles coming down steeper grade especially in the winter time. We've got slippery roads for wanting to turn left, that they're not going to be sliding through that intersection. So where we placed that intersection and also the intersection on the east there for the relocation, which requires a relocation of the four-plex apartments are basically down in the bottom portion of the saddle there. They were put at those particular spots from a safety standpoint so that we were not up on the 5% grade of the overpass.

**Jonathan Cook:** OK, and how about the 5th Street at-grade crossing. I assume that 5th Street track will cross both the new road...

**Tom Leikam:** And the frontage road. Right now, the 5th Street track, it basically serves Gooch's Mill and it has two trains a day, one down and one out of Gooch's Mill. My

understanding is the majority of that traffic occurs at night and so as part of this project, we looked at different alternatives for trying to provide rail service to Gooch's Mill. There was not a feasible alternative to being able to eliminate the crossing right here and still maintain adequate rail service into Gooch Mill without it constructing a considerable amount of additional track coming in from the south adding some additional crossings in that direction, Jonathan. So at this particular point in time, Gooch Mill, I know had some down sizing over the past several years and they've got light rail traffic. There wasn't a feasible alternative that we could come up with to meet their needs for rail service and be able to eliminate the 5th Street grade crossing.

**Jonathan Cook:** So we would basically have an understanding if Gooch's Mill no longer needed that track, we might remove it.

**Tom Leikam:** That's what I would pursue. I think at if some point in time, if Gooch's Mill were to basically, that business would be moved to another facility, one thing that would possibly open up to Jonathan is you do have, it's kinda hard on this thing, we've got some industrial uses right over here which would be south of Garfield Street. I believe Lincoln Plating has a facility down there. One thing that does provide you an opportunity, then if those tracks do come out at some point in the future, where you could utilize that right-of-way to make a connection directly down to "A" Street so that truck traffic doesn't have to backtrack through the neighborhood which I think it currently does today. It comes up through the neighborhood and either connects to 9th Street or goes over to "A" Street.

**Jonathan Cook:** Ok, last question related to that would be about grade. The grade on the west side of that what would be the at-grade crossing with the 5th Street track. What are we looking at there as far as when those small number of trains do go through, what are we looking at for traffic backing up say up the overpass? Will that be, do you see that as any problem?

**Tom Leikam:** I wouldn't see that as a real significant problem Jonathan because one, my understanding is that rail traffic occurs generally during the night time hours so you've got lower volume traffic along "A" Street. In addition, I think the number of rail cars that Gooch Mill generally moves in and out are on the order of I think around 15 to 20 cars, so they are short trains and so the crossing is going to be blocked for a minimal amount of time.

**Jonathan Cook:** Ok, thank you.

**Tom Leikam:** Are there any other questions?

**Bob Workman:** And Tom, the 5th Street track is then servicing only Gooch's Mill.

**Tom Leikam:** At this time, it services only Gooch's Mill. There is an existing siding to Central Lumber Company. Central Lumber does not currently use that, does not have any plans that would be a particular item that through the right-of-way negotiation process have to acquire their rights to that siting track so that could be removed.

**Bob Workman:** So they do have siting rights to that track.

**Tom Leikam:** Yes, they have their own siting track that connects off of that, that they're not using. And discussions with people at Central Lumber, there's not a need to use that in the foreseeable future. However, that is an asset to that property. I think that they would be willing to negotiate in moving that.

**Linda Steinman:** Tom, let's assume that Gooch's continues to use that track and other businesses locate in the area because there is potential for other businesses locating in this area. Maybe Central Lumber moves and/or decided to abandon their facility and another business buys them. What kind of guarantee would you have or could you put in place to make sure that the train track doesn't increase? Is there any....

**Tom Leikam:** I don't know if anything is....could you speak toward this Roger? I don't think there's any particular guarantees.

**Linda Steinman:** Probably the only thing you would probably be able to do is take an easement on the property if it's ever abandoned or if they ever try to sell it, that they wouldn't use that.

**Roger Figard:** I'm not sure that there are any absolute guarantees unless you take the efforts to go in and buy out the current rights that are there and work with the railroad so that they didn't, if they would have a right to serve businesses as long as they have the right for that railroad.

**Linda Steinman:** Now, we've done that before with other businesses when we did the 33rd Street project. Wasn't there discussion about doing that with Highland Lumber?

**Roger Figard:** In that case, Highland's chose to buy at another location with rail service and they voluntarily gave up that service at 33rd and "X" so we didn't actually expend dollars to buy out that right.

**Linda Steinman:** Well, I'm not necessarily thinking as far wise as spending dollars, it's just that I wondered what kind of guarantee there would be that we wouldn't then begin to use this track to a greater extent.

**Roger Figard:** I don't think there is one. I think that if we go through with the project and we put in an expenditure through planning and approval of businesses and zoning, we would want to do what we can to secure a reasonable effort to not encourage that kind of business to be able to come in and to start and to go. I think we want to preserve that corridor.

**Bob Workman:** Tom, again. I'm assuming the new Southwest 1st is on public land, city land, right?

**Tom Leikam :** We would have to acquire right-of-way for Southwest 1st Street.

**Bob Workman:** But then as you go south, that's probably City property or is it someone else's?

**Tom Leikam:** Where Southwest 1st Street is, that basically, all of the portion of Southwest 1st Street would need to be acquired from ownership. Right now, the City has West Garfield is platted. We may need to acquire some additional right-of-way there depending upon the final roadways section selected. There is a platted portion on West "B" Street. We may have to acquire an additional portion there in order to get "B" Street to line up with "B" Street to the east, because there's a jog in the right-of-way at that particular location. But there is not existing platted right-of-way on Southwest 1st between "B" Street and Garfield Street. It does go to the north of West "B" Street, Bob, but it does not come to the south. So where that location is set up right now as it lines up with the existing platted right-of-way on Southwest 1st Street going to the north of "B" Street.

**Bob Workman:** I see. I hope this question isn't premature but I assume you've talked to all these businesses that might be affected.

**Tom Leikam:** We've talked with all the business owners actually prior to the October 1999 meeting when we presented the first series of the alignments, Bob. We went out and actually showed those to all of the particular businesses that we were, would be impacted by acquisition and relocation.

**Bob Workman:** Did you run into anybody that seemed to be very concerned?

**Tom Leikam:** We have several of the business owners here tonight, I'm sure.....

**Bob Workman:** That's probably why my question is premature.

**Tom Leikam:** I think, I guess I've never, I think a lot of the businesses, one of the main concerns that was pointed out for the project, Bob, is with the grade separation here. Those businesses today have direct access to "A" Street which is an arterial roadway. Those businesses located between 1st and 5th Street no longer are going to have that direct connection to "A" Street and that has an impact on their business. So in terms of having to relocate, it may not be as, the businesses would probably not be as strongly opposed to the relocation, because the project, as it stands with putting a grade separation there, is going to have some impact on their access.

**Bob Workman:** So the businesses that are left are impacted also?

**Tom Leikam:** Yes. The businesses that are left basically would be the Capital Concrete and the Central Lumber Company. Central Lumber, they have attended all of the public open houses to date and they have had comment forms. The individual from Central Lumber, Jim

Geesler, I believe you can read his comment forms in the packet that we have put together and distributed to the board members back in January of 2000.

**Bob Workman:** Ok, thank you.

**Jonathan Cook:** I have the same concern for additional use in the future. Is there any way we could make an agreement with the businesses that are along that track, that we would in return for them committing that they would give up future use of that track, that if we were able to remove the track because Gooch's stopped using it, that we would pave that road as you discussed, but make a commitment to that so they know that it will happen.

**Tom Leikam:** Well, what we would have to do, Jonathan, is basically the only businesses I think that have access to that, if you look down here. This is Central Lumber right here between basically Washington Street down to Gooch Mill's property. So that's the one business we would be dealing with and we would have to through the right-of-way negotiation process to acquire that siting track and so that may be a way, I don't know if Roger or Clint can talk on this.

**Roger Figard:** I think since you've raised the concern, the nice thing about public hearing tonight is we're still a month away from decision making and part of the process is getting questions on the table so that we can try to answer them and Jonathan, I'd like to do a little bit of research on that issue. Also, check up and down that corridor to see if any other property owner has any inherent right or property right to access that we might not be aware of. Part of our intention also tonight, with all the comments and what not, is to package all the comments with answers back to the board members ahead of the board meeting a month from now so that you can cogitate on those answers and we can, if we needed a short meeting amongst ourselves ahead of that as well. What we try to provide all those answers in writing and with this being recorded, I'll just put that on the table as question to be resolved and what some of those costs might be, because that certainly would also then impact the project estimates as well. Good question and we'd be ashamed to build a great piece of infrastructure and then end up with a corridor with a lot of rail traffic on it.

**Coleen Seng:** Anything else?

**Tom Leikam:** There is, on the 5th Street rail corridor, I believe there is one other business that utilizes traffic. It's up on the north end. There's a recycling center but that doesn't operate. They wouldn't operate the trains down as far south as "A" Street, but that does have, I believe they utilize rail service and I think there may be some options to getting rail cars into that area without having the 5th Street tracks. Right now, they come down the 5th Street and back up, I think to "J" Street there so, but that's the only other business that currently utilizes, that's the only other business, that and Gooch Mill right now are currently the only rail users along 5th Street.

**Coleen Seng:** Anymore questions from this group? Ok then, I think then it's time that we open up to the public. I guess I'll ask board members, is five minutes the rule we should go

with? Five minutes, is that ok, Bob? I don't know if we have a timer here, do we? Watch on your watch, will you? You're going to be first.

**Connie Davison:** My name is Connie Davison and I live at 234 "A" Street, which is right next to the tracks. When the trains go through, they will sit there for probably like 15 to 30 minutes. The reason we want this overpass in is because we're tired of having people drive through my yard to turn around. They don't use my driveway. There's been times that they've gone clear up into up by my front porch. It would be a lot safer, would be a lot better for the people, that they wouldn't have to sit there. And, I do want the overpass. I want # 5.

**Coleen Seng:** Thank you.

**Connie Davison:** It's just a real hassle, right now, because we've been there almost six years and we can't do any remodeling to the yard. We've had our fence broke. We have no control over this so as soon as that overpass is in, we'll be real happy.

**Coleen Seng:** Connie, did you give her your address?

**Connie Davison:** Yes, 234 "A".

**Coleen Seng:** Thank you very much. Anyone, else?

**Mary Baker:** My name is Mary Baker and I'm the owner of the property at 120 "A" Street and I've been there for 2 ½ years. I am the sole owner on that block. There's another owner over on the other side, but from 1st to "A" there are three duplexes, my home and another home and they are all rentals and so I'd like to specifically address a few things in alignment # 6 when I get there. I'm really pleased to see the bike path, because I live there and I watch our young adults and young people and families use the bike paths. I'm really pleased to see that it was included in the design. I'm also very excited about the landscaped areas and the open structure of the overpass. It is necessary for our community and I'm also pleased with a lot of the design in design 5, as access is provided for those of us who live along 1st and "A" and along "A" Street to get out of our area. I also think this will help the litter problem I have in my front yard, by the fact we'll have an overpass, people won't be throwing everything out of their car while they wait 15 to 20 minutes to get through that area. I also, in agreement with Ms. Davison, I like alignment # 5. It does provide the least impact to my home. I am not crazy at all and really dislike alignment 6. This option was not addressed by the community as much as the first five as Tom pointed out, it was developed after community meetings. It seems to be an option, but it really does affect that 1st through 2nd corridor and it moves it back into our front yards. It doesn't really seem to me, in my opinion, to help the businesses on the south side of the 1st and "A" area. They're still going to be impacted by access to their businesses as well as their parking. It's limited now, even with using option # 6, their parking will still be greatly affected. Thank you for your time.

**Coleen Seng:** So, you prefer # 5.



**Mary Baker:** I prefer # 5.

**Coleen Seng:** Thank you.

**Danny Walker:** Good evening. Danny Walker, 427 “E” Street. I would like to highlight a couple items that’s within the contents of the book, the pages unfortunately are not numbered. One statement reads, they’re referring to alignment # 6. This alignment change will require the frontage road be shifted north of existing “A” Street in this area with possible impact on five homes. Moving on to a letter from the State Historical Society, at this time our office has determined the proposed alternative will marginally have no affect on historic properties. Proposed alignment # 5 is preferred since it has the furthest setback from “A” Street. We also request to have design and review approval for the 4th Street Boulevard. You have to keep one thing in mind, no matter how much you dress this overpass up, properties of residential properties close to it are going to be affected. I don’t think there would be a huge detriment but there will be some negative property evaluation. I think everything you can do to benefit those property owners and home owners on that north side, I think it’s to everyone’s benefit. If you go with alignment # 6, what you do, you leave several properties, homes that is, residential properties, high and dry as far as any improvements at all, because of the simple fact there won’t be any room to make any improvements which there’s a down side of that, right there. I have mentioned it before to several of you. I hope that we get air and ground rights in this area. We don’t want a mess like we’ve got on 1st and “K” Street which is more of a glorified junkyard than anything under those overpasses. That is very, very important. There’s homes on 1st and “K” and they’ve allowed businesses and property owners to take over that area down there and make it nothing more than a glorified junkyard. Another item I noticed within the book, someone has put in a bike path on the 4th Street corridor after the tracks are removed. Keep this in mind. Cars run up and down that 4th Street on both sides anywhere from 25 to 55 to 60 miles an hour racing trains. This is still going to be a high risk even with the “A” Street overpass in this, not going to be that relevant. It is very important that we stay away from stuff like this on the 4th Street corridor because you’re asking for major long range problems. It’s just not a good idea. Additionally, I might add my neighborhood has not been given the opportunity yet to put any input into what does happen to that 4th Street corridor. I seriously feel that we should have the first option of what goes in there, but like I say that’s not a place we want a bike trail, believe me. Last, but not least, as far as construction of the overpass, I think you should have a wrap screen on top of that overpass, somewhat like you have on the 10th Street overpass. For the pedestrian side, there’s a screen that goes up and then goes over because of what you’re going to run into, beer bottles being chucked off the overpass out of cars. Keep in mind I have 32- ½ years of experience with the railroad and what you’re going to find, you have to protect those locomotives. There’s huge cooling fans on top of a locomotive and pass history, when you get into these overpasses, if there’s not some kind of a screening, they get up there and throw stuff into those locomotives. That’s very dangerous. Like I say, I don’t believe, I see somewhat of a screen on the plans but it doesn’t look to me like it has the wrap and I think you should have a ½ moon wrap or somebody is going to have to put forth a major effort if they want to throw anything off that overpass. Keep in mind, you’ve got residential properties right under

there which is also, that's more of a hazard than damage to the locomotives as far as I'm concerned, because you're talking about major bodily injury. Like I say, I'd appreciate it if you consider alignment # 5. I realize there's a few more dollars involved but let's keep one thing in mind, I think there's no doubt about it, that's no big plus factor for my neighborhood and I think over the past three or four years, my neighborhood has taken enough beating and I think for a change, maybe we should come out on the plus side. Like I say, it's very important to get those air and ground rights so we don't run into the major problems like we have on 1st and "K". Lastly, during one of the public hearings held at Park Middle School, some businesses located in the area south of "A" Street recommended some screening. I think this might not be too bad of an idea. I don't know if Olsson Associates or the City or the Railroad Transportation Safety District has done any research in that direction but I think some kind of an ornamental screening or whatever to separate the neighborhood from that business area on the south side. I think that would be beneficial, trees or whatever. Are there any questions?

**Bob Workman:** On the wrap screen, were you thinking just where the train goes or the whole thing?

**Danny Walker:** No, I think, Mr. Workman, due to the fact you're looking at residential properties and see I don't know, I believe the pedestrian walkway is just going to be on one side, is that right Tom?

**Tom Leikam:** Yes.

**Danny Walker:** See, there I don't know how you would handle that problem because simply due to the fact that there's only a pedestrian walkway on one side doesn't mean that somebody that's really, well, out of it, is not going to go around the other side and chuck stuff into that neighborhood. Maybe, it would be the choice of the developers and design engineers to decide, well which side do we want this screening on, do we want it on the residential side or do we want it on the south side. If I had my brothers, it would be over on that residential side, if that's where they're going to put the pedestrian walkway, I would seriously suggest that it be on that side over there, so they don't get into property damage or damage to individuals. I would say all the way.

**Coleen Seng:** Thank you, Danny.

**Roger Figard:** My intention wouldn't be to come up and answer every question, but there were a couple points Mr. Walker brought up that for those who might be listening, I think are important to address. This project provides, if moving ahead the opportunity for the 4th Street corridor to be used for other things. This project in and of itself does not propose to build or put in a bike path. That would need to be done as part of another process or another project and involve the City, the trails organizations, Urban Development and Parks Department. Again, this project provides that opportunity but wouldn't put it in. Second thing, as far as the fencing and screening for people throwing over, there is a requirement with the railroads. They will require us to do a certain amount of fencing right in the area where the track themselves are

adjacent to the pedestrian overpass where the pedestrian walkway is and we'd need to work with them and meet their minimum requirements in how we'd protect that area.

**Coleen Seng:** Thank you. Someone else?

**Barbara Bower:** Good evening, my name is Barbara Bower. I live at 2118 Lake Street. You know, I really don't know whether this neighborhood wants the overpass or not. I do know that when I was on the South Salt Creek Board, the neighborhood did not want it. I also know....

**Coleen Seng:** Could you speak up a little bit for us?

**Barbara Bower:** I also know that the choice given the neighborhood was which of these overpasses do you want, not do you want an overpass. This is not only Lincoln's first neighborhood, with most of the homes listed on the National Register for Historic Places. It's also located in the flood plain. This means there's a real chance that at some time this area might need to be evacuated with the Salt Creek flooding. You've already eliminated one evacuation route by closing all the at-grade crossings along 3rd Street. Now you're going to further limit an escape route by closing 2nd and routing all the traffic into one access road to the overpass in the direction of the rising flood waters. Ok. If you must go ahead with this overpass, I would ask that you keep the grade at 3rd and "A" open as an emergency route on a frontage road type thing so the neighborhood has a way of getting out besides the one access on the overpass. I would also request that if you go ahead with this overpass, that you include some type of guarantee in writing and one which cannot later be overturned by City Council, by attorneys or anybody else, that guarantees that you will keep "D" Street open for this neighborhood. You have closed off every way in that neighborhood now except "D" Street and this last overpass. We've already heard rumors that they're working on a plan to close "D" Street even though everybody denies it. I mean how many more streets are you going to close in this neighborhood? I want to show some things. This is what, I don't know if you can see it, this is what our neighborhood used to look like. Here's the railroad, here's South Street, here's "A" Street. Then, we had all these improvements come along. Here we have the Van Dorn bypass and "K" and "A" and this little area was impacted. We lost houses here, we lost houses here. Then we added the "F" Street closing. We closed these and we turned these into cul-de-sacs and all these houses were impacted for traffic in and out of the neighborhood. They have to go on different streets. Then, we added the 3rd Street closings. Closed off all these. You have effectively divided the neighborhood. We have this section of the neighborhood now and we have this section of the neighborhood. Then, you have this section which is completely isolated when there's a train on this track and a track on this track. Now, you want to put an overpass right through the heart of the neighborhood and you're going to close off these streets again. These people are going to have to go in this direction to get out when it floods. I don't know if that's real smart. This neighborhood is still isolated. They still have no way of getting out if there's a train on that track and on that track at the same time. Where am I? You're isolating and dividing this neighborhood to death, is what you're doing. We keep hearing about how all these bypasses and overpasses are going to revitalize our neighborhood and improve our neighborhood. I would submit to you, I don't have the figures on it, but I bet you could get it from Urban Development, that since you've put in those bypasses we've had more of those

homes in those isolated areas turn into rentals than were owned by homeowners at the time those things were put in. I'm really not buying into the fact that this is another big improvement for our neighborhood. I'd like to know how many of you would really want to buy a house in one of those isolated areas. If safety is a major concern, Danny's been hammering at you people for years on this. I would submit that you would better spend your money putting some sort of access road for these people. There's about 80 houses here that have no way in and out when the trains are on the tracks. This bypass will help mostly the people in the West "A" neighborhood. I think more than the people in our neighborhood. The railroad is a real big problem. The point of the fact is the railroad should never ever be allowed to put 70 trains a day through the heart of a residential neighborhood. We shouldn't be building overpasses and closing streets. You people should be working on moving those railroad tracks out of that neighborhood. You've done it in other parts of the City. The railroad used to come through the heart of other sections, right down 27th Street. They don't come there anymore. Railroad tracks can be moved. I am just real concerned that the people on the other side of 3rd Street are so terribly isolated by all this that they will be moving out. Those homes will be turning into rentals and the entire neighborhood is just, that entire section of the neighborhood 10 years down the road is going to be abandoned. Nobody's going to want to live there. I think you really need to look into that before you decide on what you're going to do, enclosing all these streets. Thank you.

**Bob Workman:** Ms. Bower, I was trying to decipher that last map you showed there with the yellow on it. The houses in the yellow you were referring to an area west of 3rd Street, north of "A" Street.

**Barbara Bower:** You want this one?..... (not on a microphone...)

**Coleen Seng:** Barbara, we need to have you speak there.

**Barbara Bower:** Sorry. It is a little further and you're not giving them any access with this bypass. They're still not going to have any access.

**Coleen Seng:** Any other questions about it?

**Jonathan Cook:** I just wanted to make a comment. I appreciate you bringing up the issue of what choices that people have been given here and that I don't want to bias this decision making in favor of construction of an alternative if people are actually opposed to the project completely. Along with saying that if people have a preferred alignment, I'd like them to say that alignment. I'd also like anyone to say that they'd prefer the no build alternative if that's really their preference.

**Barbara Bower:** See and I don't know that Jonathan because I'm not on the board. All I know is that when I was on the board, most of the neighborhood did not want an overpass and I'm saying that if they do, if it has to go in, 5 is it for the neighborhood.

**Coleen Seng:** Thank you, Barbara. Anyone else?

**Ron Zimmerman:** Ron Zimmerman. I live at 2333 West Washington. Considerably away from this area, but as Jonathan Cook knows and many of the other people, we're trying to build up that area. We've got a grocery store coming in, many improvements that we can see. We tired of all the southwest Lincoln and northeast Lincoln getting everything and we want our share. The lady that was just here is right. West "A" Street wants this overpass. We have our West "A" community meetings monthly and there isn't a time where a police officer is at that meeting that doesn't tell us go down there and get that overpass. They sit there and wait for trains and can't get back and forth through there. For the safety, for the protection we need from the police department, we want it. My preference would be 5. Thank you.

**Coleen Seng:** Thank you for coming.

**Gary Irvin:** Hi there. Gary Irvin. I live at 645 "D". I have a concern with 5. Everybody is going with 5. I have a concern with it in that it has that curve in it. As this winter has been, we've had a lot of ice in it. I would like to see a combination of 4 and 6, not 6 in that it's a straighter straight away on it, but I would like to see 4, most of 4 in there. The thing I have concern about too is those access roads that are down below it. I would like to see a little more of those cul-de-sacs and stuff. I've got a concern as to what Jonathan was saying about the traffic light down at 1st Street or Southwest 1st or whatever you're going to call it. I think that should be something that maybe should be right in on the plans. I think you're going to have a big problem with that as far as people coming off of that, not being able to stop, especially if it's slick or something. If we had the light there to start with, then we don't have a problem. I don't know how many of you remember our "D" Street episode up at 9th and 10th trying to get stop lights in there. How many people got killed on those two intersections before we finally got lights in there? So, I think we need to, before we start killing people, we need to get a light in there. Another thing I have a concern about is with the Southwest 1st, those two access roads in through there. As a community we've been fighting trying to keep people from building in there because that is in the flood plain. What assurances do we have that once we put the roads in there, people are going to say, oh that's got a street in there, let's go build in there. I'd like to have some assurances that there won't be any houses built along there, let's make it a green space so that we don't have to worry about getting those amount of houses flooded and stuff. I guess the other thing that has been talked about, I've heard rumors that they were going to replace the bridge at the creek also. What has been talked about, you're going to have to have a grade adjustment there because that road bridge is going to have to be raised. All the new bridges going across all of there have to have all their girders and stuff above the dikes and levees. So, you're going to have to raise all of that in order to put in that bridge. What have we done for grade adjustments to go with that as far as maybe even putting in that bridge at the same time. If we're going to close "A" Street, let's do it at one time. Coordinate this to the point that we can do all of it at one time and still be one year or whatever as far as we're going to close "A" Street and be done with it, then we don't have to go back another 1 ½ years later and close "A" Street again for another year, just some thoughts. But as I said, I'd like to see the straighter one of 4, but I'd to see some of the cul-de-sacs of 6 on it. Thank you.

**Coleen Seng:** Nomination of 4 and 6, that's what you said?

**Gary Irvin:** Yeh.

**Coleen Seng:** Roger?

**Roger Figard:** Just a quick comment in regard to the rumor about Salt Creek bridge. I have asked City staff to investigate the condition of the existing "A" Street and Salt Creek bridge. If we're in there working, we'll see what the status was. The Railroad Transportation Safety District would not be in a position to spend funds for building a bridge over Salt Creek. However, I think it would be appropriate to coordinate with a consultant and see if that bridge should be replaced, how does it coordinate, how does it tie in with vertical alignment and perhaps have the district's consultant do that work on behalf of the City and then decisions could be made as to whether or not, if we wanted to recommend the new bridge work through the City to do that. That is being looked at, no decisions have been made at all. Earlier, a comment was made about closing "D" Street. I think I am intimately aware of all discussions that would be going on and there have been no discussions at our level trying to promote that. I'm sure the railroads would love it, but they have not approached me at the City level or at the district level to do that.

**Coleen Seng:** Thank you. Anyone else?

**Clay Smith:** Good evening. My name is Clay Smith. I live at 1201 "O" Street. I am general partner of D & J Partnership. My family and I own three properties that are going to be affected by this overpass and road realignment. We own the property at 445 "A" Street. We own the complex at 119, 129, 139 "A" Street and we also own the building at 1510 South 1st. As you will see from my discussion, I am personally conflicted in my thoughts about this project. I am a huge supporter of the bridge. I've been the past president of the Southwest Business Association and this bridge is needed in our community. My family and I have lived and worked in this neighborhood for over 26 years. West Lincoln has long been neglected by the City of Lincoln in infrastructure development. We need to resolve that. This is a good first step. Poor access has been really the culprit in the lack of development west. With the "K" and "L" and the Van Dorn bypass, that was improved. With the west bypass, that was improved. Now with this, we'll actually have better access to and from those west neighborhoods. This will be good for my neighbors, both commercial and residential neighbors.

In talking specifically about the impact of living next to a railroad line, I lived next to the Burlington line for a number of years. I lived next to that line when the Van Dorn overpass went in and I can tell you, you get used to the sounds of the trains rolling by, you never get used to the sound of the horn. I was there before the bridge. I was there after the bridge and the improvement of quality of life in that environment for eliminating a grade crossing was significant, so I encourage you to move forward with this bridge idea and I support your sensitivity to the neighborhood. This neighborhood needs to be supported. It appears that in some of the scenarios, several of these scenarios were created as potentially an appeasement to

the business community in this neighborhood. I actually agree with Ms. Baker who spoke earlier. In a couple of these properties, we have good access now, without access it will greatly impact the value of those businesses and the tenants that stay in those businesses. We may not like what we end up with as a result of that. I've invested significantly in this area and I hope to continue to invest in this area. I prefer to keep my property, however that is not likely given the scenarios. My property at 445 "A" Street will be eliminated in all scenarios. It doesn't just any access to the remainder of the property that I may have received but I'm sure that's a detail that can be worked out with City staff. Scenarios 3,4 and 5 take my building at 129 and 139 "A" Street. For my neighbors who have been long time residents in this community, they know what that property looked like in 1986 and 1987 prior to us buying that property. That was a Hood Lumber building. It had been abandoned. It was taken over by a bank and when we acquired the property you couldn't see it from the street, because of the weeds and debris had piled around it in such a horrible condition. We've made significant improvements to that property and the environment with the improvements of the buildings there. However, those will be taken by 3,4 and 5. Scenarios 1 and 6 leave that property, but eliminate all access and two of those scenarios eliminate all of my parking. I've talked to my tenants and their desire to remain tenants after the loss of access and the loss of parking is close to zero. So, those scenarios while they look to be an appeasement to the business community, keep the buildings, I actually think will have a negative impact. Danny was right. You need to think about what happens next to these overpasses. I have property below the "K" and "L" connector. That has not been good for my property values of my commercial property. It is not seen because it's under the overpass and I think that we need to be sensitive to what that environments going to be once the project is done. I'm not sure I want another business under an overpass without any access, without any parking, because I won't be able to attract good tenants and the tenants that I attract won't be paying fair market rates. My biggest concern in thinking through all this is I want to remain an active participant in this part in our neighborhood. However, the land values have been going up in this neighborhood and the thought of replacing my tenants into another building in this neighborhood, it's really an economic one. There is land available over on South Street to build and replace those businesses. That's a positive thing. However, the cost of doing that is I think, unfortunately, going to be great and far greater than the cost when I built these buildings that I built in the early 1990's and 1980's. So, in conclusion I do support the bridge. I think being sensitive to the neighborhood is important. The proposals that are supposed to be sensitive to business, I think are actually red herrings, they aren't. I think you should consider that as you go through your proposal.

**Bob Workman:** So, Mr. Smith, you're saying even though # 6 saves the businesses, it leaves them rather precarious situation, you're sitting under a bridge.

**Clay Smith:** Well, you're under a bridge, it takes three blocks to drive to your property and there's no parking left in front of your property. I'm not quite sure that retail businesses there can be replaced with another retail business. I'm going to end up with something that's a storage unit.

**Bob Workman:** So you're saying replacement costs is more than what these properties would be valued on the market.

**Clay Smith:** Well, I'm not sure. If I knew that answer I would be very specific about which one I support. I'm hoping that through the City process, that they are cognizant of the replacement costs of these properties, because my tenants want to stay in these neighborhoods and they would like to move into buildings that I can build for their tenancy. I just need to make sure that I can afford to do that through this process if indeed the community believes that those scenarios are the proper ones for the best goodwill of the community.

**Bob Workman:** I understand. Thank you.

**Linda Steinman:** Just to reiterate what Mr. Workman said, Clay if the alignment # 6 is the one that's chosen, even though it might avoid the businesses, it would still be negatively impacted. Was there any discussion with any of the people involved in the configurations about whether there would be compensation for those businesses in any case even for alignment 6?

**Clay Smith:** I have not had any conversation about.....

**Linda Steinman:** So the idea of 6 is that it would save money for....

**Clay Smith:** It looks like it would save money, but it takes all my parking away from my business and I'm not sure I can run my business or attract tenants to my business without parking.

**Linda Steinman:** Ok, so you don't see that as an acceptable alternative even though it might...

**Clay Smith:** It potentially could be but in the way it's drafted, it's not. If parking could be provided on 1st or 2nd Street, but again that's not at the front door and I think our experience in most parking within the community, people like to park where they're going, rather than parking ½ block away from where they're going and walking through what used to be a street.

**Linda Steinman:** You don't want to make a commitment as to which alignment you think would be the....

**Clay Smith:** No, I just thought I'd share my observations as a long standing community member.

**Linda Steinman:** Is there any alignment other than 6 that you would absolutely not be in agreement with?

**Clay Smith:** I think the scenarios that are sensitive to the neighborhood are probably the ones that really do the most good for the community as a whole. The businesses, I believe with



proper economics, can be relocated elsewhere. That's not necessarily the truth or the historic nature of the neighborhood.

**Coleen Seng:** When you said all that, which alignment do you think is best for the neighborhood then?

**Clay Smith:** I think 3, 4 and 5 are probably the best for the neighborhood. It seems 5 moves it farthest away from the neighborhood so you can create a more positive environment between the bridge and the houses that are there on 1st Street. I think Danny is exactly right though, that we need to make sure that the environment that's left is well maintained, properly screened, because the businesses in this part of our community, have long been neighborly to our residential neighbors. We've been forced through RK zoning to be very close to each other, but it actually hasn't been a detriment to either group, because I think we work together well.

**Coleen Seng:** Thank you for coming.

**David Guilfoil:** My name is David Guilfoil. I'm at 615 West "B". Originally there were 5 alignments, 6 came about after, it was an after fact. In the alignments that are there, 1 through 4 appear to have four different horizontal alignment shifts in each one of them. 6, I believe has five. Alignment 5 has only got three alignment shifts. Those are made in long curves. The 1 through 4, you will note are short, choppy curves. In that respect, I would support the 5 over any of the others, because it is a smoother path.

**Coleen Seng:** Any questions? Thank you for coming.

**Roger Dorffler:** Roger Dorffler, 137 "E" Street. My personal preference would be 5. Also, my main objective is to get rid of these two to five trains that we wait for. They literally follow one right after another one so you have to wait for these coal cars and if you've ever sat there for anywhere from two to five trains without a break, you should experience that. That's why I vote for the overpass mainly for that and I feel that our property value will actually go up because people can into it. Yes, there is a lot of people renting down there, but that's mainly because the ones that own them don't want to have to wait for the trains. If you allow those trains to give a five minute break between cross arms maybe you wouldn't need an overpass, but I vote for 5.

**Coleen Seng:** Thank you.

**Bob Workman:** Roger, did you say, are you on "B" Street? Did you say "B" Street?

**Roger Dorffler:** 137 "E".

**Bob Workman:** Ok, thank you.

**Coleen Seng:** Anyone else? No one else cares to share their thoughts with us?

**Danny Walker:** I have already spoken however I would like to thank you, Coleen, for requesting the meeting to be held in the evening hours. I'm only sorry that there wasn't more people in attendance from the neighborhood but I think you can understand how that goes, but like I say, I do appreciate the fact that you are here this evening and I also appreciate the fact that the program was televised. Thank you very much.

**Coleen Seng:** Yes, thank you. Tom...yes, would you like to close this up here?

**Tom Leikam:** Ok, first off I'd like to thank all the people that came tonight to provide input on the project.

**Jonathan Cook:** I just wondered if I should ask questions I have before you make a closing statement.

**Tom Leikam:** Ok.

**Coleen Seng:** Maybe so. Excuse me.

**Jonathan Cook:** Well, I thought that Danny Walker had a good point about the air and ground rights issue. How exactly do we think we'll be maintaining the areas that will be underneath this overpass?

**Roger Figard:** Roger Figard. I don't know that we'd had in depth discussions but my sense would be we would recommend buying the right-of-way so that the structure sets so we would own the below and above, not a situation where we'd buy out an air right to go over someone. Then, Jonathan, the City and this structure does become a City piece of infrastructure owned, maintained and operated by the City. We'll be faced with some of those same issues that we've got other places in town and right now. Public Works, Urban Development, Parks are trying to work on a process between businesses and neighborhoods on how to keep that space underneath looking good, taken care of and being utilized in a meaningful way. I don't think we've got there yet. The bottom line is it's City property. Folks aren't supposed to use it or have unauthorized use, so then we would have the right to tell people to move out, to not use it, to not store stuff under it. Think the key with this project is the intention just to provide aesthetics, landscaping and environment in there that kinda precludes somebody coming in and using it and storing material in it. And then it becomes an amenity the neighborhood that we all want to take care of. Overall maintenance and landscaping of that is really part of a long term issue that the City's dealing with as we look at entry way and a number of other things.

**Jonathan Cook:** But, I guess I want to make sure that's thoroughly discussed because I would really like to have some kind of plan in place so that when this is completed, we know what kind of program we'll have for a long term maintenance and who's responsible for that. So, that we don't say, ok we're going to mow it for the first couple of years and then we bat it from department to department or something and we end up with something that has weeds.

**Roger Figard:** We'll put that on the table as an issue to be resolved and discuss. We'll need to come back to the City if you remember, Mr. Workman has asked that the district not be involved in ongoing perpetual maintenance of the infrastructure we've built and that's where we're headed with 3rd and "F", but those issues can be addressed and we will address them with Public Works, Parks and Urban Development.

**Jonathan Cook:** Ok.

**Coleen Seng:** Roger, any issue that came up tonight, you will be discussing in great detail, right?

**Roger Figard:** Yes.

**Jonathan Cook:** Well, I agree with Barbara Bower regarding the "D" Street crossing. I would hate to see that closed and I understand there are competing interests between neighborhood access and safety. There's also the issue, of course, of the horn blowing. There might be some residents who would find the horn more objectionable than the loss of access, I'm sure as well. But, I'm not sure there's any way to say exactly what will happen in the future there. We can't probably make any guarantees but could you address the other issue maybe when you look at the comments that have been made tonight regarding emergency access through the area, that the more streets we do close off, the harder it is to get out if people are really, you know, if there is a flood situation perhaps. I don't what the odds are of there being a problem where going back toward Salt Creek in order to get on the road to go away from it will be a problem, but I guess I'd like to know more about that. Is it likely to be a problem, can we handle that, is there any way of handling an emergency situation where perhaps those accesses could be opened in that circumstance. Locked barricade that can be opened, something like that.

**Roger Figard:** Sure, we'll evaluate those and provide you some written information with those answers.

**Jonathan Cook:** I think you've kind of answered a lot of things as we've gone along, so I guess that's all I have. Thank you.

**Bob Workman:** I do appreciate all of you coming to testify. There's some excellent thoughts here that I would not have even entered my mind and I like Danny Walker's comments about air and ground rights. Mary Baker's opposition in # 6, I understand that traffic wipes out half of your front yard. She's probably the most affected by # 6. Gary Irvin, excellent comments on that light at Southwest 1st and "A" Street. I mean even though that, I don't know if this would be covered under Railroad Transportation but you know, I envision traffic on this road. I also envision people stacked up there trying to get out of the neighborhood but if there's a light put there now, maybe it could be flashing. You also mentioned the Salt Creek problem on that bridge, maybe elevation. I really think that should be looked into before everything is confirmed. The no build also Southwest 1st Street is something I had not thought about that is flood plain, something maybe we should address in this study. And then, my last comment is

really a question for Clint and that's the replacement costs versus market costs on the commercial property and how does that work, Clint when you go through that?

**Clint Thomas:** Well, we're very aware of what the replacement costs are for properties like that, but we're obligated under the regulations and eminent domain laws to pay fair market value. In some instances, those two do not coincide. It's not uncommon for replacement value to exceed fair market value. I think you'd find that in your insurance situations all the time.

**Bob Workman:** So, the most under your regulations, you can go as fair market value.

**Clint Thomas:** We're required by law to pay the fair market value of a property, yes.

**Linda Steinman:** Clint, if it's not acquired by eminent domain, is there more leeway on the price that you can compensate someone?

**Clint Thomas:** There's leeway to negotiate but I'm not sure that I would want to get into a situation like some of your counterparts have experienced, where we've exceeded the appraised value of property to a point where there's backlash also.

**Linda Steinman:** Very often the appraised value of a property takes into more account....no you're right, ok, I understand.

**Coleen Seng:** Tom, I'm sorry I got ya up here before we started questions.

**Tom Leikam:** That's ok. I'd like to thank everybody for showing up this evening. I think this process has probably taken a lot longer time than anybody ever anticipated when we started out back in the fall of 1999. But things seem to be coming together here where this project's going to be able to move forward. We're working very close with the railroads working out an agreement to get 4th Street tracks out and I would just like to basically reiterate that the Railroad Transportation Safety District Board has a meeting set for April 24th, that's a Tuesday evening. It will be at 6:30 p.m. in the Council Chambers here. At that meeting, they will select a preferred alternative for this project. At that point in time, we will finalize the environmental assessment document and we will transmit that to the Federal Highway Administration for their final approval and hopefully a finding of no significant impact. With that approval, than the project will be able to move forward and hopefully begin construction maybe as early as fall of 2002.

**Coleen Seng:** Can I have a motion here for adjournment?

**Jonathan Cook:** So moved.

**Linda Steinman:** Second.

**Coleen Seng:** Would you like to call, can you call for that?

**Tina Mackel:** Seng.  
**Coleen Seng:** Yes.  
**Tina Mackel:** Workman.  
**Bob Workman:** Yes.  
**Tina Mackel:** Cook.  
**Jonathan Cook:** Yes.  
**Tina Mackel:** Steinman.  
**Linda Steinman:** Yes.  
**Coleen Seng:** We are adjourned.

### **WRITTEN COMMENTS**

**Mary Baker,** 120 “A” Street, (402) 438-9157 : I was not aware from any of our public meetings that our traffic would increase from 35 to 70. I agree with Barbara Bower that rail traffic should not increase to this level. Supports option #5.

**Kathy Renk,** 102 “G” Street, (402) 476-7175: I am for alignment 5. I realize one business doesn’t want it to happen (corner of 1st and “A”). He owns plenty of land and has a big pull in this city. But if that corner was my home, I wouldn’t have a choice. Most people want 5. Do what is good for the people, not for a rich business man.

**Susan Brennan-Dorffler,** 137 “E” Street, (402) 477-5856: I would like #5. While I have lived in the neighborhood for 20 years, the train traffic has increased and tripled. We need help to not be trapped in the neighborhood.

**Roger Dorffler,** 137 “E” Street, (402) 477-5856: I wish to know what you are going to do with the waiting of two to five trains at a time until this overpass is done or are you going to put it up as fast as the ball diamond. Ha. Ha.

**Wynn Clemmer,** 319 “C” Street, (402) 438-5010: After reviewing the entire Draft Environmental Assessment, I am quite pleased with its overall contents. As a ten year resident of the South Bottoms at 3rd and “C” Streets, I have witnessed daily the 3rd and “A” Street traffic/railroad problems. Personally, I support alternative #5 since it is the most friendly to the South Bottoms area. This area of Lincoln is most definitely “blighted” and needs all the help that it can get. Moreover, the residents of this area voted in favor of alternative #5. There was NO VOTE on alternative #6. Just as our forefathers (and foremothers) decided to build a fancy and up-graded capitol building instead of just a utilitarian building that would work, they opted to build a unique and special capitol building for all of us citizens. Consequently, I implore Olsson and Associates, the Lincoln City Council and the Railroad Transportation Safety District to choose alternative #5 even though it costs about \$500,000 more than #6. Alternative #5 is the option that most the residents desire. The South Bottoms needs an overpass we can be proud of. Please help rehabilitate and renew the South Bottoms with alternative #5. Thank you.

**Updated 4-2-01**