

**DIRECTORS' MEETING**  
**APRIL 16, 2012**  
**555 SOUTH 10<sup>TH</sup> STREET, ROOM 113**  
**2:00 P.M.**

**I. CITY CLERK**

**II. MAYOR**

**III. DIRECTORS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE. Board of Health award winners announced.

**PARKS AND RECREATION DEPARTMENT**

1. Memo from Lynn Johnson, Parks and Recreation Director, regarding issuance of a license for placement of a sculpture in Union Plaza.

**PUBLIC WORKS & UTILITIES/ENGINEERING**

1. Memo to be sent to affected property owners and residents regarding the 33rd/35th and Adams BNSF Grade Separation. Planned Informal Meeting on Tuesday, April 24, 2012 at 2:30 p.m., at the Cornhusker Social Hall, 2940 Cornhusker.

**IV. COUNCIL MEMBERS**

**V. MISCELLANEOUS**

**VI. CORRESPONDENCE FROM CITIZENS**

1. InterLinc correspondence from Deana Namuth-Covert opposing ordinance denying businesses the right to advertise on nearby street corners.
2. InterLinc correspondence from Robert Vinson commenting on signs not permanently affixed to include political signs.
3. InterLinc correspondence from Heather Pedersen. Enjoys the Saucy Cook on the corner. City needs to get their priorities straight. Worry about potholes, shootings and fires.
4. InterLinc correspondence from Mary Schmidt-Rodriguez in support of the Saucy Cook, and other businesses, holding up signs by the side of the road. Need to support them, not hinder them.
5. Email from Lackeyitha Willis regarding her claim against the City. (On agenda 04.16.12)
6. InterLinc correspondence from Tara Haar. The Saucy Cook should be able to advertise his business by waving to passerby's.
7. InterLinc correspondence from Angeline Roberts. Let the Saucy Cook continue to flip his whisk at 70<sup>th</sup> and Van Dorn. They deserve the chance to try and make it in business.
8. InterLinc correspondence from Jamie Granquist. A person should be able to flip his whisk and advertise for business without worry. Make laws that matter and make laws matter.

9. InterLinc correspondence from Heather Pedersen. City resources should go after people doing shootings, robbing pizza delivery folks, committing larceny on vehicles, assault on the streets, pervs stalking young girls and boys, and all the potholes causing damage. We need small business like The Saucy Cook and businesses using feather signs.
10. Email from Andy Misle. Let the Saucy Cook flip his sign and whisk. H is becoming a neighborhood icon.
11. Email from Hilary Kindschuh. Disagree with decision to stop The Saucy Cook from standing on 70<sup>th</sup> and Van Dorn and flipping his whisk. We need to allow small businesses to succeed.
12. Email from Teresa Ingram. Businesses such as The Saucy Cook cannot be considered a nuisance. Do not inhibit locally owned businesses.
13. Email from Judy Gilliard. Do not stop Martin from The Saucy Cook from promoting his small business by flipping his whisk on the corner.
14. Email from Douglas Wells. Why bother The Saucy Cook guy at the corner of 70<sup>th</sup> and Van Dorm. This is the portrait of America, small family business struggling to get by.
15. Email from Judy Hruby. Let the Saucy Cook wave his whisk. Hurting him hurts us all in the long run.
16. Email from Katie Navratil. Consider a change to the city ordinance on temporary and rotating signs. The consequences are more harmful than beneficial. We need to help them get business.
17. InterLinc correspondence from Gail Ogden. Against ordinance on advertising mascot on the sidewalk. Rather spend tax dollars on ticketing cell phone users.
18. Email from John Brandl. The enforcement of the wavy flag or person on the corner law causing a distraction is an equally unenforceable law. Many businesses rely on this advertising to gain customers.
19. Email from Jan Sasse. Let the guy flip his whisk. Homeless people still have signs, where do you draw the line?
20. Email from Janis Johnson. Feather flags in Lincoln are helpful and have an artistic appeal. Change ordinance to legalize such signs. Give more attention to major issues.
21. Email from Chris Renter,. Allow The Saucy Cook the ability to advertise on the street corner. This kind of advertising causes no harm.
22. Email from Dwight Stolte. Support the Whisk Flipper at 70<sup>th</sup> and Van Dorn. No different than large advertising signs. Good advertising.

## **VII. ADJOURNMENT**



# NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
3140 N Street, Lincoln NE 68510 • Phone: (402) 441-8000  
Fax: (402) 441-6229

[www.lincoln.ne.gov](http://www.lincoln.ne.gov)

**FOR IMMEDIATE RELEASE:** April 10, 2012  
**FOR MORE INFORMATION:** Elaine Severe, 402-441-8093

## **BOARD OF HEALTH AWARD WINNERS ANNOUNCED**

The Lincoln-Lancaster County Health Department today presented Board of Health Awards to a medical facility, a local restaurant, an advisory coalition and three individuals. The awards were presented at the Board of Health Annual Meeting and Awards Ceremony at the Lincoln Station Great Hall. The keynote speaker was author Michael Samuelson, a healthcare and disease prevention analyst.

The **Community Health Award** was presented to the **Lincoln Homeless Coalition** for its work to develop a community-wide commitment to improve the lives and safety of the homeless population.

The **Public Health Leadership Award** was presented to **Tony Messineo, Jr.**, a Board of Health member and local business owner, for his many contributions to improve public health. He was instrumental in supporting the smoke-free workplace ordinance, developing a strategic plan focusing on the public health priorities in the community and supporting comprehensive food handler training and education.

The **John J. Hanigan Award** was presented to **Robert Rauner, MD** for his leadership in the medical field, his advocacy for public health, and his work to teach and promote healthy lifestyles in the schools and the community.

Two awards were presented for **Food Sanitation Excellence**. **Texas Roadhouse** was recognized for its exceptional inspection scores, cleanliness and food handling practices. **BryanLGH Medical Center, Nutrition and Dining Services** was recognized in the institutional category for its excellent food handling practices.

The **Carole Douglas Public Health Achievement Award** was presented to **Shirley Terry** for her outstanding service to public health. Terry has worked for the Health Department for ten years and was recognized for her efforts in Community Health Services for assuring access to needed and appropriate health care.

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# Memorandum

April 10, 2012

TO: City Council Members  
FR: Lynn Johnson, Parks and Recreation Director  
RE: Issuance of a License for Placement of a Sculpture in Union Plaza  
Cc: Mayor Beutler

The purpose of this memo is to let you know that a license agreement is being issued pursuant to Chapter 14.50 of the Lincoln Municipal Code for installation of a sculpture titled "Discover" in the eastern portion of Union Plaza between 'P' and 'Q' Streets. The sculpture is by Nebraska artist Shannon Hansen, and is constructed of a steel framework with a brushed stainless steel skin. The sculpture is about 10 feet tall, five feet wide, and two feet thick. A rectangular opening in the upper portion of the sculpture frames a view of Nebraska State Capitol Building from a particular viewing position. The artwork is being funded by a generous donation from Tom and Sue Tallman. The sculpture has been reviewed by the Parks and Recreation Advisory Board and the Lincoln Partners for Public Art Development (LPPAD) and each group has recommended approval of acceptance of the donation and placement in Union Plaza. It is anticipated that the sculpture will be installed in August 2012 in advance of the formal dedication of Union Plaza. The following is a map depicting the location of the sculpture and a photo simulation of the artwork in place in Union Plaza.

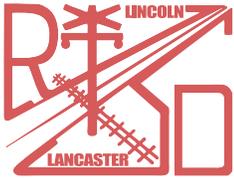
A copy of the license agreement is available for your review by contacting me by phone at 402-441-8265, or by email at [ljohnson@lincoln.ne.gov](mailto:ljohnson@lincoln.ne.gov).



Sculpture location: Union Plaza, west of No. 22<sup>nd</sup> Street between P and Q Streets



Photo simulation of "Discover" sculpture looking southwesterly toward the Nebraska State Capitol Building.



## RAILROAD TRANSPORTATION SAFETY DISTRICT

901 West Bond St, Suite 100, Lincoln, NE 68521

Telephone (402) 441-7711

April 10, 2012

# 33rd/35th and Adams BNSF Grade Separation Informational Meeting

Tuesday April 24<sup>th</sup> at 2:30 PM  
Cornhusker Social Hall, 2940 Cornhusker  
(Park in the back)

Stakeholders are invited to attend an informational meeting to learn about the proposed 33<sup>rd</sup>/35<sup>th</sup> and Adams BNSF Grade Separation. The informational meeting will be held on Tuesday April 24<sup>th</sup> at 2:30 PM in the Cornhusker Social Hall. There will be a short presentation with a question and answer session to follow.

The proposed project goals are: **to eliminate the conflicts with car, pedestrians and trains with the two BNSF crossings at 33<sup>rd</sup> Street and 35<sup>th</sup> & Adams.**

Possible project components include:

- Rerouting 33<sup>rd</sup> Street, Adams Street and Salt Creek Roadway to create one intersection with Cornhusker Highway at 31<sup>st</sup> Street.
- Build a viaduct over the BNSF rail corridor on the rerouted street.
- Create a double roundabout at the new intersection
- Elevate Cornhusker Highway over the roundabouts.

The estimated cost of this project is \$77 million. Due to the rail crossing safety issues, it is anticipated that half of the project costs will be paid by state, federal and railroad funds. The remainder of the costs will be funded by the Railroad Transportation Safety District (RTSD).

If proposed, the project could be complete in 2022, with six years slated for engineering and planning and four years for construction.

It is anticipated that a number of businesses will be affected if this project moves ahead. Those business and property owners will be given the opportunity to provide comments and suggestions.

If you are unable to attend the meeting and would like additional information please contact Roger Figard, City Engineer and Executive Director of the RTSD, at 402-441-7711 or [rfigard@lincoln.ne.gov](mailto:rfigard@lincoln.ne.gov).

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 4:30 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Andy Misle  
Address: 6720 Sumner St.  
City: Lincoln, NE 68506

Phone: 4024881359  
Fax:  
Email: [andy@misle.net](mailto:andy@misle.net)

**Comment or Question:**

Please let Martin of the Saucy Cook continue to flip his sign and whisk at the corner of 70th & Van Dorn. He's quickly becoming a neighborhood icon!

**Mary M. Meyer**

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 5:18 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Hilary Kindschuh  
**Address:** 6720 Sumner St.  
**City:** Lincoln, NE 68506

**Phone:**  
**Fax:**  
**Email:**

**Comment or Question:**

I disagree with the city's decision to stop The Saucy Cook from standing on 70th and Van Dorn and flipping his whisk to attract customers. We need to allow small businesses to succeed in this city.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 7:46 AM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Deana Namuth-Covert  
**Address:** 5813 Locust St  
**City:** Lincoln, NE, 68516

**Phone:** 402-483-1338  
**Fax:**  
**Email:** [sparkyagdr@yahoo.com](mailto:sparkyagdr@yahoo.com)

**Comment or Question:**

I just learned about the ordinance denying small businesses the right to advertise on their nearby street corners. I think this should be changed.

My hunch is most of you have very successful businesses and may have forgotten how difficult it is for those new start-ups, especially in this economy. What is the harm in allowing them to place feather signs or walk around in a chicken outfit to draw attention to their business?

Do these activities really distract motorists? Has a study been done to confirm that or is this just a matter of personal taste and a small select group of people don't like it? If we are trying to stop motorist distractions, then let's outlaw all signage (especially those annoying, neon rotating ones) and especially outlaw texting while driving.

Please repeal or at the very least, take a fresh look at this outdated law. Small businesses are key to the economy of our city and we need to do all we can to support them. Allowing them to do affordable advertising costs the city taxpayer (myself) absolutely nothing. They confirm it brings in customers, so it also generates revenue for the city. It's the least we can do...allow their freedom of speech.

Thank you.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 7:02 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** TERESA INGRAM  
**Address:** 1000 N 100 ST  
**City:** Lincoln, NE 68527

**Phone:** 402-440-8689

**Fax:**

**Email:** [TTING@WINDSTREAM.NET](mailto:TTING@WINDSTREAM.NET)

**Comment or Question:**

I'm disappointed with city laws that inhibit locally owned businesses, esp. smaller ones. The "feather" flags, street-side temporary signage and the ability to have people stand near their business to advertise, such as The Saucy Cook, surely cannot be considered a nuisance by the vast majority of our citizens. As an employee at a large corporation, I envy the ability for our small businesses to show their personalities and think our city needs to see the variety of public promotions these businesses can afford. Otherwise we're all doing the same thing - how boring! I expect more from our community, which has so much to offer to citizens and visitors.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 7:02 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Judy Gilliard  
**Address:** 7100 Holmes Park Rd 322  
**City:** Lincoln, NE 68506

**Phone:**  
**Fax:**  
**Email:** [judy@chefjudy.net](mailto:judy@chefjudy.net)

**Comment or Question:**

Please do not stop Flipper (Martin from the Saucy Cook) from promoting his small business by flipping his whisk on the corner of Van Doran and 70th, he truly puts a smile on so many faces and lightens up the day!

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 7:06 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Douglas Wells  
Address: 1317 Fort Myer Drive  
City: Arlington, VA 22209

Phone:  
Fax:  
Email: [spamcatcher@hotmail.com](mailto:spamcatcher@hotmail.com)

**Comment or Question:**

Why are you bothering the "whisk guy" at the Saucy Cook at the corner of 70th and Van Dorn?  
This is the portrait of America, small family business struggling to get by. Please leave  
them alone!!

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 7:21 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** JUDY HRUBY  
**Address:** 2518 SOUTH 33  
**City:** Lincoln, NE 68506

**Phone:** 402-483-9045  
**Fax:**  
**Email:**

**Comment or Question:**

Let the Saucy Cook wave his wisk. Here is a local small business trying to make a go of it and you want to penalize him. Let the home grown business thrive and maybe others would follow and attract consumers to Lincoln instead of traveling to Omaha, KC etc. Lets take care of the streets, I watch for potholes (Van Dorn), not some guy waving a wisk. Hurting him hurts us all in the long run, fewer business, less taxes paid. Doesn't sound like a winning solution to me.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 8:57 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Katie Navratil  
**Address:** 4736 Happy Hollow Lane  
**City:** Lincoln, NE 68516  
  
**Phone:** 402-416-1321  
**Fax:**  
**Email:** [katienavratil@gmail.com](mailto:katienavratil@gmail.com)

**Comment or Question:**

I would like to ask the City Council to consider a change to the city ordinance outlawing temporary and rotating signs. I am concerned, mainly, about the affect this ordinance has on the local business, The Saucy Cook, who's owner stands on the corner of 70th and Van Dorn dancing with his whisk to attract attention to his store. While the ordinance may have good intentions, I believe its consequences are more harmful than beneficial. We need to support our small, locally owned businesses and help them get the business they need to stay open. I know many people would not know of the store if it weren't for the owner's actions, and his actions are not harming anyone. Thank you.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Wednesday, April 11, 2012 8:46 AM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Gail Ogden  
**Address:** 921 S. 35th St  
**City:** Lincoln, NE 68510

**Phone:** 402-435-1254  
**Fax:**  
**Email:**

**Comment or Question:**

I've never had an accident from someone flipping a whisk while standing on a corner, or by a "tax mascot" waving on the side of the road.

I have, however, almost been hit several times by drivers using their cell phones while driving.

So sidewalk mascots--REALLY?! I'd rather have my tax dollars spent on ticketing cell phone users. Really.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Wednesday, April 11, 2012 12:17 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** John Brandl  
**Address:** 335 East Roberts  
**City:** Seward, NE

**Phone:**  
**Fax:**  
**Email:**

**Comment or Question:**

The enforcement of the wavy flag flying or person on the corner law causing a distraction is an equally unenforceable law. I have been with LPD for 18year and have NEVER worked an accident where the driver said they crashed because they were distracted by the inflatable chicken at 27/0, or the jiffy lube guys holding up cheap oil change signs, or the funny waving advertisement flags. Many businesses rely on this form of advertisement to gain customers. Who will do the ticket writing to violators. Will ALL be cited? This has not been a problem in the past, why is it now? Thank you for your time and consideration.

**Mary M. Meyer**

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**From:** jsasse12@neb.rr.com  
**Sent:** Tuesday, April 10, 2012 5:09 PM  
**To:** Council Packet  
**Subject:** Re: Saucy Cook

Come on, let the guy flip his whisk. Those people with homeless signs are still out there, where do you draw the line? It takes my eyes off the road to read their signs. Jan Sasse

**Mary M. Meyer**

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**From:** LSJLJ@aol.com  
**Sent:** Wednesday, April 11, 2012 1:57 PM  
**To:** Council Packet  
**Subject:** feather flags

Council Members:

The feather flags in Lincoln are really quite helpful and have an artistic appeal. I do not see them as a distraction or an eyesore. I think, the ordinance should be changed to legalize such signs. There are so many other signs that are less attractive (ex. real estate signs) and distracting (ex. electronic signs). I would appreciate more attention given to major issues and not something so insignificant as enforcement of feather sign usage as per current ordinance. Are you sure someone didn't want this addressed because the feather signs were in competition with his/her own business whether or not the ordinance made it illegal?

Janis Johnson

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Wednesday, April 11, 2012 4:24 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Chris Renter  
**Address:** 1103 s 19th Apt 2-s  
**City:** Lincoln, NE 68502

**Phone:**  
**Fax:**  
**Email:** [ronzer646@gmail.com](mailto:ronzer646@gmail.com)

**Comment or Question:**

Please allow the employees/owners of The Saucy Cook the ability to advertise on street corners. I feel this kind of advertising causes no harm to anyone including neighboring businesses. Local businesses add character to our town and this fun way to expose themselves to new clients should be encouraged. Thank you for your time.

Chris Renter

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 9:06 AM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Robert Vinson  
**Address:** 1700 J Street  
**City:** Lincoln, NE 68508

**Phone:** 402-601-6571  
**Fax:**  
**Email:**

**Comment or Question:**

So since "The city says any sign that is not permanently affixed to the ground or a building is illegal" we will not be seeing any of the political signs this next election season right? I look forward to not seeing that garbage on the streets and sidewalks of lincoln. Since it is illegal you folks won't mind me pulling them all up and throwing the garbage in your front yards for you to deal with. There are still signs up from the last election cycle.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Wednesday, April 11, 2012 7:42 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Dwight Stolte  
Address: 4034 S. 83rd St.  
City: Lincoln, NE, 68506

Phone:  
Fax:  
Email: [dstolte@neb.rr.com](mailto:dstolte@neb.rr.com)

**Comment or Question:**

I would like to show my support of our Whisk Flipper that hangs out at 70th and Van Dorn on occasion. To me it is no different than the large advertising sign that the hardware store has on the same corner. I feel both of these are flashy advertisements to indicate a business. I would not have know anything about the Saucy Cook if it were not for the Whisk Flipper. Let us keep him there. Thank you.

--Dwight Stolte

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 11:04 AM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Heather Pedersen  
**Address:** 2130 South Canterbury Lane  
**City:** Lincoln, NE 68512

**Phone:** 402-484-7284  
**Fax:**  
**Email:** [thpedersen@windstream.net](mailto:thpedersen@windstream.net)

**Comment or Question:**

It is my right as a citizen to enjoy watching The Saucy Cook flip his whisk on the corner of 70th & Van Dorn. He is harming nobody and if oil change places can walk the sidewalks of 70th street trying to drum up business with their signs (which are more distracting to read their signs), then The Saucy Cook should have the same right. I think the city needs to worry more about the giant potholes on my street caused by the buses and all the shootings and fires lately, than to pick on an innocent man trying to increase sales, which by the way, will help line the pockets of the city in revenue. I think the officials of this great city need to get their priorities straight. Thank-you for your time.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 12:02 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Mary Schmidt-Rodriguez  
**Address:** 530 Rockhurst Drive  
**City:** Lincoln, NE 68510

**Phone:** 402-617-4101  
**Fax:**  
**Email:** [mmsr817@yahoo.com](mailto:mmsr817@yahoo.com)

**Comment or Question:**

Please let The Saucy Cook and other small business continue to advertise/market their businesses by holding up signs by the side of the road. We need to SUPPORT them NOT hinder them.

**Mary M. Meyer**

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**From:** lackeyitha willis [uhattiny@yahoo.com]  
**Sent:** Tuesday, April 10, 2012 10:56 AM  
**To:** Council Packet  
**Cc:** uhattiny@yahoo.com  
**Subject:** Claim against the city of lincoln

Dear Sir or Madam,

I am emailing you regarding a claim against the city about damages to a my vehicle. I file a claim on February 28, 2012 . I receive a letter saying that it can't be determined whether the city did not notice the pothole nor were they negligent in failing to timely repair the pothole, regardless, damages was done to my vehicle from the pothole. The damages were done to my vehicle on February 6, 2012 and on February 7, 2012 I called an reported it and February 8, 2012 the pothole was filled. I feel that the city is liable for paying for the damages because it was done before the pothole was filled. Thanks and look forward to solving this issue at hand.

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 1:54 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Tara Haar  
**Address:** 7611 Wren Court  
**City:** Lincoln, NE 68506

**Phone:** 402-327-9620  
**Fax:**  
**Email:** [thaar@neb.rr.com](mailto:thaar@neb.rr.com)

**Comment or Question:**

I think The Saucy Cook should be able to advertise his business by waving to passerby's! Jiffy Lube does it, tax preparers do it, other food places and businesses do it. He is not hurting anyone!!

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 1:56 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Angeline Roberts  
**Address:** 4721 Landsberry LN  
**City:** Lincoln, NE 68516

**Phone:**  
**Fax:**  
**Email:**

**Comment or Question:**

Please let the Saucy Cook continue to flip his whisk at 70th and Van Dorn. They are a cute little kitchen store that deserves the chance to try and make it; their store front isn't very visible from the street.

Thank you,  
Angie

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, April 10, 2012 2:03 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Jamie Granquist  
**Address:** 5457 Betty Lou Blvd  
**City:** Lincoln, Nebraska, 68516

**Phone:** 402-261-9409  
**Fax:**  
**Email:** [Nakedbabytoes@yahoo.com](mailto:Nakedbabytoes@yahoo.com)

### Comment or Question:

Laws & regs need to be either uniformly enforced or changed. Is stealing illegal only if somebody complains enough or is it always against the law? And if the law is stupid or outdated, then change it.

A guy should be able to flip his whisk & advertize for business without worry.

My kid should be able to ride his motorized electric scooter around with his brother, who has a motorized PowerWheels.

But apparently, it is all about who complains about stuff the most, because technically ALL are against the law, yet only some are targeted. And why???

Is it against the law or not? Can we just pick & choose if we think a law is "dumb" or not?

Why have a law that isn't enforced or pick & choose what laws we think are dumb but not change them so they aren't( and thus, routinely enforced)?

Come on Lincoln, get with it. Make laws that matter & make laws matter.

## Mary M. Meyer

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**From:** Council Packet  
**Subject:** FW: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council

Name: Heather Pedersen  
Address: 2130 South Canterbury Lane  
City: Lincoln, NE 68512  
  
Phone: 402-484-7284  
Fax:  
Email: [thpedersen@windstream.net](mailto:thpedersen@windstream.net)

**Comment or Question:**

I sent an email to you folks earlier and I just wanted to share what I posted on Facebook:

I'm usually pretty upbeat and I try not to let too much bother me, but I must get this off my chest. In the local news lately, you have probably heard of the shootings, robberies of pizza delivery people, larceny on vehicles, assault on the streets, and pervs stalking young girls and boys. Well, the city believes it is their duty to keep The Saucy Cook off the streets and prevent him from flipping his whisk on the corner of 70th & Van Dorn. Honestly, my street is like a mine field with pot hole craters caused by the buses that I must weave around, and the city feels The Saucy Cook is a threat? They are also going after feather signs lately. They feel the signs and the cook are too distracting to drivers. Perhaps they need to remove every squirrel, rabbit, and dog from the city. And while they are at it, take every radio, phone and child out of the cars. Perhaps they are not doing enough to keep every distraction out of a person's life. I really feel for The Saucy Cook.

Now, I must share with you that my children go to school at Hill Elementary and I found out on the news last night that this pervert contacting teenage boys with lewd language was arrested. By the way, he is already registered as a sex offender. I am very disappointed with the city to go after feather signs and The Saucy Cook over something so stupid and harmless, yet they protect the rights of criminals and not the rights of innocent children.

I think your resources would be better spent on making a new law to NOT grandfather in past sex predators from living near a school. I think the law that needs work on is this and not distractions to drivers. I can't tell you how many folks I have seen smoking joints while driving, eating a bowl of cereal while driving, texting while driving, sitting low and bopping their heads while driving and so on. Leave the signs and the cook be. They are harmless. In fact, I never paid attention to the feather signs until I saw the report on them. Who cares that something is flapping in the wind.

Furthermore, we need small business like The Saucy Cook to keep our city with the small town feel. It is folks like him that keep that quaint feeling and make Lincoln unique and he is now creating another point of interest for out-of-town visitors.

What I would like to happen, is for the police to spend their time and energy catching the crooks holding up delivery people, catching the guy stalking young girls after school, catching the guy with the nasty yellow teeth who is raping women, catching the crooks vandalizing and breaking into cars, catching the crooks that are beating up people in a certain part of town. And most importantly to me, keeping my children safe from sex predators and filling the 20+ potholes on my street from the buses that is wreaking havoc on my vehicles. Thank-you.

Heather Pedersen

**DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, APRIL 16, 2012**

**I. CITY CLERK**

**II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS**

**MAYOR**

1. NEWS RELEASE. Mayor Beutler's public schedule for the week of April 14<sup>th</sup> through April 20, 2012.
2. NEWS RELEASE. Mayor Beutler responds to Governor's veto.

**WEST HAYMARKET JOINT PUBLIC AGENCY**

1. The West Haymarket Joint Public Agency will meet on Friday, April 20, 2012, 3:00 p.m., in City Council Chambers. Attachments posted on line.

**III. DIRECTORS**

**LINCOLN LIBRARIES**

1. Lincoln City Libraries to participate in State "Snapshot" project.

**PARKS AND RECREATION**

1. Issuance of a license for placement of a sculpture in Union Plaza.

**PLANNING DEPARTMENT**

1. The Historic Preservation Commission will hold a public meeting on Thursday, April 19, 2012. Meeting agenda.

**IV. COUNCIL MEMBERS**

**GENE CARROLL**

1. Correspondence from William Brundege regarding a claim filed against the City.
2. Correspondence from Charlotte Mulder on a claim against the City.
3. Letter from Patricia Johnson, Vice President, Super Target regarding certified training approval for off-sale license.

**V. CORRESPONDENCE FROM CITIZENS**

1. Interline correspondence from Elizabeth Erlandson. Reconsider stand on the Saucy Cook standing on the corner to advertise.
2. LES meeting agenda for Friday, April 20, 2012. Support materials posted on line.
3. Email from Kathy Siefken, Nebraska Grocery Industry Association, regarding the off-sale certified training program.
4. Email from Stanley Tryon on the 48<sup>th</sup> and Randolph intersection street condition.
5. Letter from the Downtown Lincoln Association (DLA) regarding the City of Lincoln 2:00 a.m. bar closing and a mandatory responsible beverage service training permit, including letter to Council on August 27, 2010.

Date: April 13, 2012

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

**Mayor Beutler's Public Schedule**  
**Week of April 14 through 20, 2012**  
*Schedule subject to change*

Sunday, April 15

- Volunteer Recognition event, remarks and proclamation - 1:30 p.m., County Extension Office, 444 Cherrycreek Rd.
- Donna Baddeley benefit concert for M.U.S.I.C. Endowment Fund - 2 p.m., St. Paul United Methodist Church, 12th and "M" streets

Monday, April 16

- Annual Mayor's Award of Excellence award - 3 p.m., Council Chambers, County-City Building, 555 S. 10th St. (Reception follows on second floor.)

Wednesday, April 18

- United States Bowling Congress Intercollegiate Team Championships, welcome remarks - 7 p.m., Holiday Inn Downtown, 121 N. 9th St.

Thursday, April 19

- United States Bowling Congress, ceremonial first ball - 8 a.m., Sun Valley Lanes, 321 Victory Lane
- News conference - 9:30 a.m., Child Abuse Prevention Month, Child Advocacy Center, 5025 Garland

Friday, April 20

- Mayor's Interfaith Prayer Breakfast, remarks - 7:30 a.m., Embassy Suites, 1040 "P" St.
- West Haymarket Joint Public Agency (JPA) public meeting - 3 p.m., Council Chambers
- Retirement reception for Rex Amack, Nebraska Game and Parks Commission - 5 p.m., Ferguson House, 700 S. 16th St.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** April 13, 2012

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 402-441-7831  
Rick Hoppe, Mayor's Office, 402-441-7511

**MAYOR BEUTLER RESPONDS TO GOVERNOR'S VETO**

Mayor Chris Beutler today issued the following statement in response to Governor Dave Heineman's veto of LB 956, a bill allowing voters to increase the city sales tax by up to one-half percent:

"We respectfully disagree with Governor Heineman's assessment. Investing in job-creating projects and public infrastructure – such as the South Beltway and an airport industrial area – does sow the seeds for prosperity.

"If we can provide real tax relief to hard-working Lincoln families along the way by shifting the burden of some infrastructure projects away from the property taxes, we can boost our home-building industry and help keep our senior citizens in their homes. Nothing in the bill prohibits this approach. Until recently in fact, it had been the State's policy to lessen local reliance on property tax dollars.

"The Governor calls this a shell game. We believe it is smart fiscal policy to reduce property taxes while increasing infrastructure investment to propel economic growth."

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** West Haymarket JPA Meeting April 20, 2012

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**Subject:** West Haymarket JPA Meeting April 20, 2012

The West Haymarket Joint Public Agency will meet on Friday April 20, 2012 at 3:00 P.M. in the City Council Chambers Room 112.

The agenda and attachments are now posted at: <http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm>

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** Lincoln City Libraries to Participate in State Snapshot Project

**LINCOLN CITY LIBRARIES**  
136 S. 14th Street, Lincoln, NE 68508, 402-441-8500

**FOR IMMEDIATE RELEASE:** April 13, 2012

**FOR MORE INFORMATION:** Pat Leach, Library Director  
402-441-8512  
[p.leach@lincolnlibraries.org](mailto:p.leach@lincolnlibraries.org)

**LINCOLN CITY LIBRARIES TO PARTICIPATE IN STATE “SNAPSHOT” PROJECT**

Lincoln City Libraries is joining libraries across the state in April by participating in the first “Snapshot: A Day in the Life of Nebraska Libraries,” a project of the Nebraska Library Association. The goal is to demonstrate the importance of public, academic, school and special libraries to the citizens of the state.

On Tuesday, April 17, Lincoln City Libraries will compile statistics, customer comments, photographs and other data chronicling a typical library day. The data collection will answer the following questions:

- How many times did the library help someone work on a resume or look for a job?
- How many times did the library help someone access online government services?
- How many students did the library help with an assignment or an online database?
- How many story hours or programs did the library offer and to how many attendees?
- How many people came through the library’s doors?

The results collected at Lincoln City Libraries will be added to those of other libraries across Nebraska to show how libraries provide valuable services every day.

“I hope our loyal patrons will stop by any of our eight locations or the bookmobile and be a part of this historic day,” said Pat Leach, Library Director. “Libraries are more important than ever to our communities, and library usage is at record levels.”

More information on Lincoln City Libraries is available at [lincolnlibraries.org](http://lincolnlibraries.org). More information on the Nebraska Library Association is available at [nebraskalibraries.org](http://nebraskalibraries.org).

Barbara Hansen  
Administrative Aide  
Lincoln City Libraries  
402-441-8512

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** Memo regarding issuance of a license for artwork

## Memorandum

April 16, 2012

TO: City Council Members  
FR: Lynn Johnson, Parks and Recreation Director  
RE: Issuance of a License for Placement of a Sculpture in Union Plaza  
Cc: Mayor Beutler

The purpose of this memo is to let you know that an agreement is being issued pursuant to Chapter 14.56 Lincoln Municipal Code for installation of a carved sculpture to be placed in the Children's Discovery Garden Plaza. The Children's Discovery Garden is located in a portion of Union Plaza north of 'Q' Street. The sculpture will be constructed of carved bricks to resemble a tree trunk with birdhouses, small animals, birds and insects carved into it. The brick color will consist of two tones: fire and light brown. The brick sculpture will be approximately four feet high and 12 inches in diameter, and will be mounted on concrete footing.

The artwork is being created by Nebraska artist Jay Images in Brick, 13301 West Spring Road, Denton, NE 68339. The purchase price of the artwork is \$5,200 from Winnett Trust Funds.



license of the brick in Union Plaza. The western artwork will be a trunk with birdhouses carved into it. The dark feet in to a

Tschetter of Nebraska funded by a

The concept sketch for the sculpture was developed by Amy Leidtke, Leidtke Design, who developed the master plan for the Children's Discovery Garden in Union Plaza.

A copy of the license agreement is available for your review by contacting me by phone at 402-441-8265, or by email at [ljohnson@lincoln.ne.gov](mailto:ljohnson@lincoln.ne.gov).

Lynn Johnson, Parks and Recreation Director  
Lincoln Parks and Recreation  
2740 A Street  
Lincoln, NE 68502  
(402)441-8265, [ljohnson@lincoln.ne.gov](mailto:ljohnson@lincoln.ne.gov)



# Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a public meeting on **Thursday, April 19, 2012**. The meeting will convene at **1:30 p.m. in Room 214, 2<sup>nd</sup> floor, County-City Building**, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

## April 19, 2012

1. Approval of HPC meeting record of March 15, 2012.
2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

### **PUBLIC HEARING AND ACTION**

3. Nomination to the National Register of Historic Places of "Brownbilt Historic District," generally located between A and D Streets, and S. 37<sup>th</sup> and S. 40<sup>th</sup> Streets, including Randolph Elementary School.
4. Application for a Special Permit for Historic Preservation under LMC 27.63.400 for the Lewis-Syford House, a designated Landmark at 700 N. 16<sup>th</sup> Street.
5. Application for a Certificate of Exception on ground of hardship or insufficient return for the demolition of a landmark originally known as Lone Oak, 7503 West O Street.
6. Application by Liz Kuhlman for a Certificate of Appropriateness for work at 301 N. 8<sup>th</sup> Street in the Haymarket Landmark District.

### **DISCUSSION**

7. Advisory review for redevelopment agreement: Innovation Campus–Industrial Arts Building and 4-H Building and associated new construction.
8. Staff Report

**The Historic Preservation Commission agenda may be accessed on the Internet at**  
**<http://www.lincoln.ne.gov/city/plan/bdscom/hpc/index.htm>**

**For further information on Historic Preservation in Lincoln, visit**  
**<http://www.lincoln.ne.gov/city/plan/hist/index.htm>**

## Mary M. Meyer

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**From:** wbrundeg@windstream.net  
**Sent:** Friday, April 13, 2012 6:12 PM  
**To:** Council Packet  
**Subject:** Claim Against the City of Lincoln

Mr. Carroll,

I'm forwarding the contents of a letter to Jon Camp to you not knowing if he will be in attendance at the Monday afternoon Council meeting.

Bill Brundege  
Lincoln

April 12, 2012

William R. Brundege  
7830 Upton Grey Ln.  
Lincoln, NE 68516

Councilman Jon Camp  
2220 South 66th Street  
Lincoln, NE 68506

Dear Councilman Camp,

I am writing to apprise you of a situation that will be presented at the City Council meeting this Monday. It is in regard to a claim filed against the city by my son that resulted from an incident that occurred on a section of 56th street in our council district. I ask that you consider my thoughts in regard to the council discussion of the matter.

Enclosed is a letter addressed to my son from the city attorney's office. While the letter is addressed to my son the greeting is intended for an unknown third party. It shouldn't be that difficult to prepare a form letter that summarily dismisses my son's claim. The letter is not indicative of a high degree of professionalism emanating from the city attorney's office.

The letter is indicative of a matter the city attorney's office should have researched a bit more. I could even agree with the contention presented by the attorney if the section of roadway in question was generally in good condition and not consistently in need of repair. I am not a lawyer but I am familiar with the manner in which liability is determined. You need not be smarter than a fifth grader, upon visual inspection, to know that the section of 56th street in question was in need of complete resurfacing a number of years ago. What we have today is a hodgepodge of different road materials, holes, ruts, crevasses and temporary patches.

The liability and negligence of the city in this situation is not unlike the liability I would incur if I had a hole in my yard that I had attempted to repair in the past. If a person were to injure themselves in a hole while traversing my yard I would be deemed negligent and thus liable for damages since I had prior knowledge of, or should have known of the defect on my property.

The city has known of integrity issues with this portion of roadway for many years as evidenced by all of the temporary repair attempts by the city. The pothole in question has

opened up and been temporarily repaired on numerous occasions. The city was and has been fully aware of the hazards presented by this stretch of roadway.

The city will be obligated to use taxpayer dollars to pay for damages incurred on this portion of roadway until said roadway is completely resurfaced. It would be prudent use of taxpayer dollars to settle this matter for the less than \$300 in actual damages requested rather than incur the increased costs of defending the city's culpable negligence in court.

## Mary M. Meyer

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**From:** Council Packet  
**Subject:** FW: 'claim'

Attention: Gene Carroll, Chair of the City Council

. . . Gene, I first want to thank you for taking the time to read the email I am sending and also for giving me the opportunity to respond to the letter which I received from Marcee A. Brownlee on April 5, 2012.

From the first notice I sent in on Febr. 22, 2012, I have nothing more to add other than the facts I have already shared. On Febr. 22, I spoke with Mr. Doug Hanson, Supervisor of the department responsible of the 'potholes', at that point he recommended I make contact with the City Attorney which I proceeded to do. These are the facts:

1. Date and time of the occurrence - Sunday, Febr. 19, 2012 - between 5:30 and 6:30 p.m.

2. Place - 5900 block of South 56th Street.

3. Service and repair of our vehicle - Tuesday, Febr. 21, 2012 at Performance Dodge where we purchased our Stratus. I enclosed copies of the receipts.

4. Wed., Febr. 22, 2012 - placed phone call - spoke with Doug Hanson - and was recommended to file claim, enclose receipts and share details within the letter, which was sent off on Febr. 22. During our conversation, at that point, Doug Hanson shared with me that the potholes were repaired on Monday, Febr. 20 in the a.m. Obviously several complaints were being reported.

. . . concerning the letter which was received from Marcee Brownlee - the most disheartening was the fact as I felt I was being accused of not telling the truth. As per the 3rd paragraph in this letter, it states, "A review of our records indicates that a pothole in the area you reference in your claim was first reported on Febr. 21, 2012, which appears to be after the date of your damage. I am not sure how that makes any sense as I surely could not have reported it before the damage. It then goes on to say, "In addition, the pothole in question was filled on that date." That is incorrect information, as when I placed a call and spoke with Mr. Hanson- he shared it had been filled the following day, Monday, Febr. 20, 2012.

My first letter was sent to your office on Febr. 22 - I had not heard any response so I followed up with another letter on March 31, 2012 - which then I received a response from Marcee Brownlee , dated April 4, 2012.

In closing, Marcee Brownlee then shared that my claim will be referred to the City Council with a recommendation that they deny the same.

This is my first experience with filing such a claim - I felt this to be a very legitimate claim as I was unable to swerve to miss that pothole. I would appreciate you reconsidering. I am a secretary with Norris Public Schools and unable to attend the hearing on Monday, April 16 at 3:00 p.m. I would appreciate hearing back from you following the hearing.

Thank you so much for your time and giving me the opportunity to share my concerns.

Charlotte Mulder

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Charlotte Mulder  
Norris Elementary Secretary  
402-791-0030

# STL OF NEBRASKA

April 13, 2012

**VIA U.S. MAIL**

City of Lincoln, Nebraska  
City Council  
Attn: Eugene Carroll, Chair  
555 South 10<sup>th</sup> Street, Room 111  
Lincoln, NE 68508

**RE: SuperTarget Liquor of Nebraska  
Request for Certified Training Approval for Off-Sale Liquor License**

Dear Mr. Carroll:

I am writing on behalf of liquor license holder SuperTarget Liquor of Nebraska (STL) in regards to the potential alcohol training ordinance in Lincoln, Nebraska which would require retailers like Target to complete State-certified alcohol training for all Target team members who sell alcohol at the cash register. Since 2006, liquor has been sold to Target guests in Lincoln, Nebraska. Throughout those six years, no violations have occurred at Lincoln Target stores. Target's consistent training program can be attributed to this success.

STL utilizes Target's general and state-based alcohol sales training program for the Target cashiers in Lincoln. The training focuses on cashier responsibilities for preventing underage sales, methods for verifying identification and false identification, handling intoxicated guests and cashier liability.

If a cashier believes that a guest is intoxicated, the cashier uses the register to call a supervisor for assistance. Further, Target's registers utilize software (POS) which is programmed with prompts and blocks to assist cashiers when processing alcohol transactions.

- POS will not allow for the sale of alcohol outside of the legal selling hours.
- POS verifies the cashier's date of birth to ensure the cashier is old enough to sell the alcohol. If the cashier does not meet the minimum age for selling, the sale cannot proceed. When the alcohol is scanned, a prompt instructs the cashier to electronically call a supervisor who will assist and complete the sale. Target staffing always ensures a supervisor in the store over the age of 21 to complete the sale of alcohol. If the cashier is 21 years of age or older, the sale continues.
- POS prompts the cashier to request identification for all sales of alcohol products. A cashier is trained to scan or swipe and review an ID, as prompted by POS, regardless of

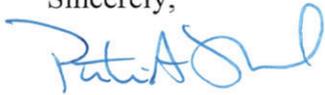
the age of the guest. If the cashier needs to key in the birth date of the guest, an alert is sent to the supervisor and the supervisor comes to the register to complete the sale.

In addition to the training, an extensive 16-question Alcohol Sales Quiz requires cashiers to achieve a minimum 90 percent pass rate before they can work at the registers. For any questions answered incorrectly, the system prompts the cashier to review specific areas, such as legal age, carding guests, cashier liability, and intoxicated guests before retaking the quiz. These results are tracked and completion is verified.

STL wishes to partner with the City in order to obtain its approval of the training program.

Please feel free to contact Heather Vincent, Manager of Business Licensing at 612-761-5954 to respond to this partnership request and if you have questions.

Sincerely,



Patricia Johnson  
Vice President, Tax  
SuperTarget Liquor of Nebraska

## Mary M. Meyer

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**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Thursday, April 12, 2012 2:31 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Elizabeth Erlandson  
**Address:** 8017 Lowell Avenue  
**City:** Lincoln, NE 68506

**Phone:** 402.770.0405  
**Fax:**  
**Email:** [erlandsone@gmail.com](mailto:erlandsone@gmail.com)

**Comment or Question:**

Please reconsider your stand on the Saucy Cook owner standing on the corner at 70th and Pioneers to advertise the family-owned shop. Why would you have and enforce a law that makes no sense, especially one that is not uniformly enforced. Please, please reconsider for the sake of our community.



1040 O Street, P.O. Box 80869  
Lincoln, NE 68501-0869

**AGENDA**  
**LES ADMINISTRATIVE BOARD**  
Friday, April 20, 2012 – 9:30 A.M.  
LES Board Room  
1040 “O” Street

**9:30 A.M.**

- 1. Call to Order**
- 2. Approval of Minutes of the March 16, 2012 Regular Meeting of the LES Administrative Board**
- 3. Comments from Customers**
- 4. Introduction and Recognition of Staff**
  - A. Mike Guillatt, Project Inspector, Energy Delivery
  - B. Military Service Recognition: J.R. Brown, Vern Cochran, Pat Marik
- 5. Committee Reports**
  - A. Operations & Power Supply Committee
  - B. Finance & Audit Committee
    - \*1. Draft 2011 Annual External Audit
  - C. District Energy Corporation Update
- 6. Executive Session – Administrator and CEO Performance Review**
  - \*A. Approval of Administrator and CEO’s Salary Adjustment – LES Resolution 2012-7
- 7. Administrator & CEO Reports**
  - A. State and Federal Legislative Report
  - B. 1<sup>st</sup> Quarter 2012 Financial Review
  - C. 2011 Gross Revenue Tax Payments (PILOT)
  - \*D. Approval of NMPP Energy Designated Representative – LES Resolution 2012-8
- 8. Chief Operating Officer’s Reports**
  - A. 1<sup>st</sup> Quarter 2012 Strategic Plan Indicators
  - B. 1<sup>st</sup> Quarter 2012 Power Supply Report
  - C. Renewable Energy Projects Update (landfill gas & wind)
  - D. Transmission Projects Update: Central Lincoln Reliability Project (CLRP) and Leighton Area Reliability Project (LARP)
- 9. Other Business**
  - A. Monthly Financial and Power Supply Reports
  - B. Miscellaneous Information
- 10. Adjournment**

\* Denotes Action Items

**Next Administrative Board meeting Friday, May 18, 2012.**

## Mary M. Meyer

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**From:** Kathy Siefken [ksiefken@nebgrocery.com]  
**Sent:** Friday, April 13, 2012 3:56 PM  
**To:** Council Packet; Rick D. Hoppe  
**Cc:** 'Larry Baus'; Fred Witecy; Richard Cosaert; Bill Huenemann; 'Pat Raybould'; 'Mark Hutson'; Pat Hensley  
**Subject:** Lincoln Mandatory Training Ordinance

Dear Members of the City Council:

It has been called to my attention that there is a misconception and I feel the need to correct it. I would like to clarify to all City Council members that I do not personally benefit from the Off-Sale Certified Training Program that is available through the Nebraska Grocery Industry Association. NGIA established a committee that negotiated the economical rate of \$10 per person for taking the test. The program is owned by Professional Server Certification Corporation. I do not receive anything, other than my normal wage, for implementing programs that our members request. My standards dictate that to do so, would be unethical.

Thank you for your time.

Sincerely,

Kathy Siefken, CAE  
Nebraska Grocery Industry Association  
5935 S. 56 Street, Ste. B  
Lincoln, NE 68516  
Phone: 402-423-5533  
Fax: 402-423-8686  
e-mail: [ksiefken@nebgrocery.com](mailto:ksiefken@nebgrocery.com)

**Mary M. Meyer**

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**From:** Stanley tryon [stantryon@hotmail.com]  
**Sent:** Thursday, April 12, 2012 1:19 PM  
**To:** Council Packet  
**Subject:** Re: Street Repair or fix

What is the problem of not repairing the expansion joint on the street of 48th and Randolph intersection about three hundred feet to the South on 48th. That expansion joint is buckled up and has been that way for almost two years and getting bad. Not only just North of Randolph on 48th is rough and buckle marks due to big trucks using brakes to stop is very bad. Where are the general repair personel for patching these holes. Just about every street in Lincoln, needs small repair work, besides some streets need complete replaced. There is streets in Lincoln, that are only couple of years old need work. You city hall increase this tax and added tax increase on gasoline, where is the money going???

Thank you,

Stanley G. Tryon  
402-489-8547

P.S. You pass this message on to the Mayor...



206 S. 13th Street, Suite 101  
Lincoln, NE 68508  
phone: 402.434.6900  
fax: 402.434.6907  
info@downtownlincoln.org

April 16, 2012

Eugene Carroll, Chair  
Adam Hornung, Vice-Chair  
Jon Camp  
Jonathan Cook  
Doug Emery  
Carl Eskridge  
DiAnna Schimek  
Lincoln City Council  
555 S. 10 St.  
Lincoln, NE 68508

RE: City of Lincoln Ordinance Proposal  
2:00 a.m. Bar Closing

Dear City Council Members:

The Downtown Lincoln Association (DLA) would like to reiterate its position regarding the proposed ordinance extending the closing hour of establishments serving alcohol. The letter stating DLA support for the ordinance dated August 27, 2010 is enclosed.

In regard to the amendment calling for a mandatory service training permit, please reference paragraph 4 of the earlier letter as stated:

“We believe the amendment to the proposed ordinance calling for a mandatory responsible beverage service training permit and training course for all persons who sell or serve alcohol at retail establishments is one step in promoting responsible alcohol consumption and provides both retail establishments serving liquor and local law enforcement an additional tool to combat abuse.”

DLA continues to support the amendment as a step in promoting responsible alcohol consumption.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Terry Uland, President  
Downtown Lincoln Association

Bill Schmeckle  
Chairman

August 27, 2010

Mr. John Spatz, Chair  
Mr. Jon Camp  
Mr. Eugene Carroll  
Mr. Jonathan Cook  
Mr. Doug Emery  
Mr. Adam Hornung  
Ms. Jayne Snyder  
Lincoln City Council  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: City of Lincoln Ordinance Proposal  
2:00 a.m. Bar Closing

Dear City Council Members:

The Downtown Lincoln Association (“DLA”) has historically taken a very active role in supporting efforts to encourage economic development and vitality in downtown Lincoln. In partnership with the City of Lincoln, the downtown business community and the University of Nebraska, these efforts have contributed to creating a vibrant, enterprising environment with an additional \$1.8 billion of new capital investment planned for future development. Leading this future commitment is the West Haymarket Development project which will solidify downtown Lincoln’s position as the city’s primary entertainment district.

Creating and promoting such an entertainment district requires a diverse blend of retail establishments and restaurants, a variety of venues offering a wide scope of entertainment options, easy access and sufficient parking, periodic and well managed special events and festivals and a sense of energy and vitality that attracts guests to visit the area and spend money.

Upon review of this proposal, DLA has elected to support this change. DLA believes the proposed ordinance to extend the closing hour from 1:00 a.m. to 2:00 a.m. for establishments serving alcohol is consistent with the objective of nurturing a vibrant entertainment district; however, taking such a step must also be accompanied with enhanced efforts designed to promote responsible alcohol consumption. Downtown Lincoln’s growing residential population and its close proximity to the University of Nebraska presents a unique set of circumstances that demand heightened accountability.

We believe the amendment to the proposed ordinance calling for a mandatory responsible beverage service training permit and training course for all persons who sell or serve alcohol at retail establishments is one step in promoting responsible alcohol consumption and provides both retail establishments serving liquor and local law enforcement an additional tool to combat abuse. We also support the enhanced collection and analysis of

data to review the on-going impact of this ordinance change and would strongly support elevated restrictions and enforcement if conditions would warrant.

Thank you for your thoughtful consideration of this proposed ordinance change and for your continued support of downtown Lincoln.

Sincerely,

  
Terry Uland  
President

  
Ed Swotek  
Chairman

**MINUTES  
DIRECTORS' MEETING  
APRIL 16, 2012**

**Present:** Gene Carroll, Chair; Adam Hornung, Vice Chair; Jon Camp; Jonathan Cook; Doug Emery; Carl Eskridge; and DiAnna Schimek

**Others:** John Ross, City Clerk; Rick Hoppe, Chief of Staff; Rod Confer, City Attorney; Marvin Krout, Planning Director; Fred Hoke, Building and Safety Director; Bill Moody, Chief Fire Inspector; Miki Esposito, Public Works & Utilities Director; and Thomas Shafer, Design/Construction Manager

Chair Carroll opened the meeting at 2:00 p.m. and announced the location of the Open Meetings Act.

**I. CITY CLERK**

Ross stated Items 6 through 13 are liquor license applications by the Bryan McFarland family, and he is asking to be manager of the four locations. Item 14 is the application of Leon's who also wants to have the Ideal Grocery Class C liquor license. She stated Items 15 and 16 will be called together, as well as Items 23, 24 and 25, purchasing contract quotes, and will call together. Items 26 and 27 are agreements with the Department of Roads, relating to bridges, and will call together. Item 29 has a Motion to Amend, No. 1.

Krout distributed Attachment A, stating they left out the aerial photograph of the site plan, which was in the Planning Commission packet. This is a request of the general offices uses at 16<sup>th</sup> and Old Cheney and the amended is intended to formalize the verbal presentation made by the applicant that he will relocate or replace the three trees that would be lost by the five additional parking spaces which are required to satisfy the requirement for medical general offices.

Cook asked if the amendment regarding the trees has anything to do with Design Data, or items they've requested, or just a formalization? Krout stated formalizing the applicant presentation, stating he would do it. Cook asked if it's part of a deal worked out with Design Data? Krout replied they haven't heard from them, but imagine they're opposed to this request. Cook stated on the agenda, Item 19, the agreement for parking. It wasn't on line and it would be helpful to have a copy of the map before the meeting.

Ross stated set on Item 20. Camp asked if known how many people are coming to testify? Have a special sign-in sheet? Carroll replied a process is set up and ready to go. If they want to talk to an issue, especially Item 20, can sign up as proponent, opponent, or mutual. The staff and pro are leading, then alternate.

**II. MAYOR - No comments.**

**III. DIRECTORS**

**BUILDING AND SAFETY**

**Fred Hoke, Director; Bill Moody, Bureau of Fire Prevention/Chief Fire Inspector**

Moody stated they have new equipment for the bomb quad, funded by Homeland Security. This robotic came in a few months ago and is now in service, with training still in progress. The robotic has a weapons arm, 6 on board infra red cameras to operate virtually in darkness, or with headlights. Moody stated the robot can separate explosives from electronics with a disarmament tool. The machine has a range of kilometer, on line of sight. Could be in the north parking lot and run the robot anywhere on the City County complex remotely.

It can go upstairs, downstairs, to an elevator, call an elevator, get on and get off at the right floor. Virtually the limitations are with operator skill. Moody stated secondly, we will participate in a Technical Support Working program, an arm of the Homeland Security who are researching development to support bomb squads across the country. There is a contract with Black Eye Robotics, Boston, to build 4 prototype robots, and 4 bomb squads in the country chosen to use the robots in their cities/communities to test the value. Lincoln was chosen as a test site. The other three are the Boarder Patrol, down south; Logan International, Boston; and Prince George County which is Washington, D. C. County. We expect to receive within the next 2 weeks. The size of a smart car, very large, over 800 pounds with a huge strong arm which could pull a car.

Moody stated bomb squads wait in the wings. When someone needs us the call comes and we have the ability and equipment to respond. Most of our major equipment is funded through grants, Homeland Security, and the FBI. Bomb squads across the country are accredited by the FBI and trained by the military. We do the same training whether in New York City or Lincoln, Nebraska. All trained at the same facility. The skill set is the same across the entire country.

Camp asked how did Lincoln get this piece of machinery? Moody replied lobbying by Lincoln's two fire inspectors. Moody added at the bottom line there is no cost to the City of Lincoln.

#### **HEALTH DEPARTMENT**

1. NEWS RELEASE. Board of Health award winners announced.  
No comments.

#### **PARKS AND RECREATION DEPARTMENT**

1. Memo from Lynn Johnson, Parks and Recreation Director, regarding issuance of a license for placement of a sculpture in Union Plaza.  
No comments.

#### **PARKS AND RECREATION DEPARTMENT – Lynn Johnson, Director**

Johnson passed around photos taken this weekend. He stated this was probably the largest storm event since the Antelope Valley Project was finished. These photos were taken at approximately 5:45 p.m. Saturday evening. At that point the culvert was full and we were experiencing a four to five year storm. There was about 5 feet of water running down the center of Antelope Valley and Union Plaza, for which it was designed. Johnson stated on Sunday went through Antelope Valley and Union Plaza at noon and except for a little silt on the trail, under a couple of bridges, you would not have known of the storm. If not for this project we would have had significant damage to a number of public and private properties.

Schimek asked if photos were shared with the news media? Johnson stated we are planning on giving to Hicks and then perhaps there will be an opportunity for inclusion in an article.

#### **PUBLIC WORKS & UTILITIES/ENGINEERING**

1. Memo to be sent to affected property owners and residents regarding the 33rd/35th and Adams BNSF Grade Separation. Planned Informal Meeting on Tuesday, April 24, 2012 at 2:30 p.m., at the Cornhusker Social Hall, 2940 Cornhusker.  
No comments.

#### **PUBLIC WORKS & UTILITIES – Miki Esposito, Director and Thomas Shafer, Design/Construction Manager**

Esposito stated this is to inform everyone of work being done. Shafer will explain what we call Miki's Maze, It maybe somewhat inconvenient for citizens but we ask them to be patient as it will be worth it in the end.

Shafer stated parts of O Street closed this morning. We did go to see how traffic was moving and observed a couple of alterations where folks tried to turn even with signs posted. Shafer stated as with everything it usually takes about a week to settle. This street will be closed for about 3 months. It does carry a penalty of \$2400 a day, so the contractor is under a good incentive to keep the work moving.

Shafer stated other work is going well downtown. Had a few handicap parking issues but now have a program in place. We're working to designate alternative parking stalls for those inconvenienced by lane closures. Also have a sign detour route for pedestrians when we impact sidewalks. Shafer stated Easter went well, as we tried not to take out parking ramps around downtown churches during the holiday. Construction of the curb ramps at K and L Streets completed and now moving to M Street, then will keep moving north.

Shafer stated in the early May you'll see the milling machines move in and shortly after the asphalt. Will probably step up awareness of the work going on downtown, being in the street as opposed to being off to the side doing curb ramps.

It's been 34 years since we last did major overlay work downtown. Will be inconvenient but a great addition to our city. Did write down the 12 infrastructure projects going on downtown currently to give a sense of what's going on. There are 12 different public infrastructure projects on top of all private projects.

Shafer stated we started today for those projects not downtown. Now working on 1<sup>st</sup> Street between Cornhusker and Superior Streets. There have been questions on other projects, such as 14<sup>th</sup> and Superior, with Humphrey done. We're cautiously optimistic we're doing well even though this weekend set us back a little. At 27<sup>th</sup> and Bradford hoped to be done Wednesday, but now looking at Friday because of the weekend's wind and rain. Pioneers Boulevard started this last week, from 84<sup>th</sup> to 54<sup>th</sup>. At the end of May, early June, the micro surfacing contractor will be here. They only anticipate being in town for approximately 10 to 14 days and will be done. Then we'll have 6 miles of roadway with a new surface. But want to remind everyone it is a different scope of work. They're working on a surface, don't work underground, or do a lot of tearing up.

Esposito stated if staff receives a lot of constituent calls, or emails, do send our way. We're happy to shoulder those questions and give quick responses and turnaround. Do not feel as if you have to do yourselves.

Eschridge asked when North 1st Street will start? Shafer responded it started today. The electrical work started. You'll also notice they're taking siding off the old white house on the corner of 1<sup>st</sup> and Adams.

#### **IV. COUNCIL MEMBERS**

##### **GENE CARROLL**

Carroll stated in looking over the long list of emails, have had a lot of responses on the flags and the Saucy Cook. Cook asked what does he do on the corner with the reply being the Saucy Cook juggles, waves. Hoppe stated he would pass on the concerns. Carroll added there is an entertainment feature to the Saucy Cook.

#### **V. MISCELLANEOUS - None.**

#### **VI. CORRESPONDENCE FROM CITIZENS**

1. InterLinc correspondence from Deana Namuth-Covert opposing ordinance denying businesses the right to advertise on nearby street corners.
2. InterLinc correspondence from Robert Vinson commenting on signs not permanently affixed to

include political signs.

3. InterLinc correspondence from Heather Pedersen. Enjoys the Saucy Cook on the corner. City needs to get their priorities straight. Worry about potholes, shootings and fires.
4. InterLinc correspondence from Mary Schmidt-Rodriguez in support of the Saucy Cook, and other businesses, holding up signs by the side of the road. Need to support them, not hinder them.
5. Email from Lackeyitha Willis regarding her claim against the City. (On agenda 04.16.12)
6. InterLinc correspondence from Tara Haar. The Saucy Cook should be able to advertise his business by waving to passerby's.
7. InterLinc correspondence from Angeline Roberts. Let the Saucy Cook continue to flip his whisk at 70<sup>th</sup> and Van Dorn. They deserve the chance to try and make it in business.
8. InterLinc correspondence from Jamie Granquist. A person should be able to flip his whisk and advertise for business without worry. Make laws that matter and make laws matter.
9. InterLinc correspondence from Heather Pedersen. City resources should go after people doing shootings, robbing pizza delivery folks, committing larceny on vehicles, assault on the streets, pervs stalking young girls and boys, and all the potholes causing damage. We need small business like The Saucy Cook and businesses using feather signs.
10. Email from Andy Misle. Let the Saucy Cook flip his sign and whisk. H is becoming a neighborhood icon.
11. Email from Hilary Kindschuh. Disagree with decision to stop The Saucy Cook from standing on 70<sup>th</sup> and Van Dorn and flipping his whisk. We need to allow small businesses to succeed.
12. Email from Teresa Ingram. Businesses such as The Saucy Cook cannot be considered a nuisance. Do not inhibit locally owned businesses.
13. Email from Judy Gilliard. Do not stop Martin from The Saucy Cook from promoting his small business by flipping his whisk on the corner.
14. Email from Douglas Wells. Why bother The Saucy Cook guy at the corner of 70<sup>th</sup> and Van Dorm. This is the portrait of America, small family business struggling to get by.
15. Email from Judy Hruby. Let the Saucy Cook wave his whisk. Hurting him hurts us all in the long run.
16. Email from Katie Navratil. Consider a change to the city ordinance on temporary and rotating signs. The consequences are more harmful than beneficial. We need to help them get business.
17. InterLinc correspondence from Gail Ogden. Against ordinance on advertising mascot on the sidewalk. Rather spend tax dollars on ticketing cell phone users.
18. Email from John Brandl. The enforcement of the wavy flag or person on the corner law causing a distraction is an equally unenforceable law. Many businesses rely on this advertising to gain customers.
19. Email from Jan Sasse. Let the guy flip his whisk. Homeless people still have signs, where do you draw the line?
20. Email from Janis Johnson. Feather flags in Lincoln are helpful and have an artistic appeal. Change ordinance to legalize such signs. Give more attention to major issues.
21. Email from Chris Renter,. Allow The Saucy Cook the ability to advertise on the street corner. This kind of advertising causes no harm.
22. Email from Dwight Stolte. Support the Whisk Flipper at 70<sup>th</sup> and Van Dorn. No different than large advertising signs. Good advertising.

No comments.

## VII. ADJOURNMENT

Chair Carroll adjourned the meeting at 2:18 p.m.