**AGENDA**
**DIRECTORS' MEETING**
**MONDAY, FEBRUARY 1, 2010**
**COUNTY-CITY BUILDING, ROOM 113**
**2:00 P.M.**

## I. CITY CLERK

## II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

### MAYOR

1. NEWS RELEASE. Lincoln's friendship with Frederick Douglass featured in this year's birthday celebration.
2. NEWS ADVISORY. Mayor Beutler will announce pothole repair plans at a news conference on Tuesday, January 26th at the County-City Building, Room 113, at 12:30 p.m. (Advisory forwarded to Council Members on 01/26/10)
3. NEWS RELEASE. City launches major pothole repair program.
4. NEWS RELEASE. Tree mulch now available.
5. NEWS RELEASE. Media briefing on financing plan for proposed Lincoln Haymarket Arena, Thursday, January 28 at the County-City Building in the Mayor's Conference Room at 10:00 a.m. (Forwarded to Council Members on 01/27/10)
6. Washington Report, January 22, 2010.

### DIRECTORS

### PLANNING DEPARTMENT

1. Administrative Amendment No. 10001 to Special permit No. 14231, approved on January 20, 2010.

### PLANNING COMMISSION

1. Action by Planning Commission, January 27, 2010.

### URBAN DEVELOPMENT

1. Winter issue of The Urban Page available at their website.

## III. COUNCIL RFI'S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

### DOUG EMERY

1. Copy of letter sent to Rex Jordan from Assistant City Attorney Marcee Brownlee regarding request for maintenance records kept by the Lincoln Wastewater System for the particular line in question.

## IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

1. Email from Jan Catterson pointing out problems with Lincoln streets and potholes. (Forwarded to Greg MacLean, Public Works and Utilities Director on 01/25/10)
2. Email from Scott Svoboda asking the Art Ordinance be approved.
3. Email from Don and Diane Crouch. Make sure the Lincoln's infrastructure is good then consider other projects.
4. Email from Mary Reeves in support of the ordinance for painted art on local streets.
5. Email from D. Jones suggesting the public dancing law be eliminated.
6. Letter and site plan of proposed parking lot from Jerry Nelson, Coldwell Banker Commercial Thompson Realty Group, requesting review of parking lot plan at 52nd and N Streets.
7. Email from Joei Delozier stating opposition to the idea of painting or having artwork on city streets.

## V. ADJOURNMENT

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# NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

CITY OF LINCOLN
NEBRASKA

**OFFICE OF THE MAYOR**
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** January 26, 2010
**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

## LINCOLN'S FRIENDSHIP WITH FREDERICK DOUGLASS FEATURED IN THIS YEAR'S BIRTHDAY CELEBRATION

***Performance set for Friday, February 12 at new Lincoln High theater***

The City's tenth annual Abraham Lincoln Birthday Celebration is set for 7:30 p.m. Friday, February 12 at the newly renovated theater at Lincoln High School, 2229 "J" Street. The free celebration will feature Kentucky actor Michael E. Crutcher Sr. as abolitionist Frederick Douglass, and local actor Dave Shamblin as Lincoln in a show called "A Friendship Unique."

Doors will open at 6:30 p.m., and Lincoln musician Chris Sayre will perform at 7 p.m. All children and students attending will receive free souvenirs. The celebration is presented by the City of Lincoln with support from the Nebraska Humanities Council, Lincoln Benefit Life and the Lincoln Public Schools.

Crutcher has become one of the most prolific and highly regarded Douglass presenters in the world, and the *Washington Post* called his interpretation of Frederick Douglass "uncanny." The U.S. Army retiree and former college professor has appeared in commercials and worked in films. Crutcher said he was inspired to play Douglass when he discovered his great-great grandfather was a member of the 13th U.S. Colored Troops Heavy Artillery at Camp Nelson, Kentucky, where more than 10,000 blacks trained for the Union Army during the Civil War.

Crutcher is currently featured in a History Channel film showing at Ford's Theatre in Washington, D.C. He recently returned from England, where he was invited to portray Douglass in a week-long commemoration of the statesman's second visit to England in 1859.

Crutcher co-authored "A Friendship Unique" with Fritz Klein, a Lincoln portrayer from Springfield, Illinois who has appeared at the City's celebration several times. Klein said the script uses their actual words, although some are paraphrased to make their intended meaning more clear. The script traces the relationship from 1861 through 1865 and concludes with Douglass' praise for Lincoln in an April 1876 speech at the dedication of a monument to the 16th President. The audience will see two historic meetings of the two men, both in 1863.

"The intent of the drama is to show two men who overcame great racial and political obstacles and actually became trusted friends," Klein said.

**- more -**

Shamblin has portrayed Lincoln twice, the first time in the 2002 Lincoln Community Playhouse (LCP) production of "The Civil War." A year ago, he played Lincoln in "Civil War Voices" at the Lied Center. The new musical was part of the City's celebration of Lincoln's 200th birthday. Shamblin also has appeared in "Honus and Me," "The Odd Couple," "The Boxcar Children," and "The Diary of Anne Frank" at LCP.

Sayre has performed at all nine of the City's previous Lincoln celebrations. He is self taught on more than a dozen instruments and has performed and promoted traditional and contemporary folk music for nearly 30 years. He has performed nationally at more than 1,000 schools and is a longtime participant in the Artists in Schools/Communities Program, co-sponsored by the Nebraska Arts Council.

More information is available at lincoln.ne.gov and by calling 441-7831. Crutcher's Web site is www.spiritoffrederickdouglass.com

- 30 -

***Media note: If you would like to interview Crutcher, contact Diane Gonzolas at 441-7831.***

CITY OF LINCOLN
NEBRASKA

# NEWS ADVISORY

MAYOR CHRIS BEUTLER lincoln.ne.gov

**OFFICE OF THE MAYOR**
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** January 26, 2009
**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will announce plans to increase pothole repair at a news conference at **12:30 p.m. TODAY, Tuesday, January 26** in **Room 113, County-City Building, 555 S. 10th St.** The news conference will be carried live on 5 CITY-TV (Time Warner channel 5).

# NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

CITY OF LINCOLN
NEBRASKA

**OFFICE OF THE MAYOR**
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** January 26, 2010
**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

## CITY LAUNCHES MAJOR POTHOLE REPAIR PROGRAM

Mayor Chris Beutler announced that the City considers the unusually high number of potholes in Lincoln streets an emergency situation and is shifting resources to increase repair efforts. At his direction, the City will more than double the number of workers from 30 to 72 by tomorrow. The number of pothole crews will nearly triple from 10 to 25 or 30.

- Five workers from the Water and Wastewater Division and four from the Traffic Division have been diverted to pothole repair today.
- Parks and Recreation will have nine workers begin pothole repair tomorrow.
- For the first time, the City is hiring private contractors for pothole repair. The City hopes to have eight, three-person private crews working on potholes tomorrow.

"We are taking strong, decisive action to deal with the pothole situation. We can not allow Lincoln's streets to remain in such a state of disrepair," Beutler said. "Yes, this will cost more. We believe this is an investment we must make. Consider that the average homeowner in Lincoln pays about $432 a year in property taxes to the City. We all know that one trip to the car repair shop can cost far more than that, and it obviously is a matter of personal safety." The Mayor urged the public to show their appreciation for the pothole repair efforts by driving very carefully in the vicinity of the crews.

The Mayor said the City acted immediately when potholes began appearing after the City's second major snowstorm. On Dec. 31, he directed all street maintenance crews not working on snow removal to work on potholes. Repair efforts have been hampered by the continuing moisture and last week's warmer temperatures, which created melting. Despite those challenges, crews have filled 6,663 potholes over the past three weeks, using nearly 143 tons of material.

Public Works officials say all the repairs now are temporary because crews are using a "cold mix." to fill the potholes. The "hot mix" we require for permanent repairs is not available. Crews are needing to repair some potholes numerous times. The City had exhausted the local supply of the repair mix and are currently trucking it in from Omaha. At the City's request, local contractors have agreed to make more of the cold mix.

**- more -**

Crews will begin work on the arterial streets that carry the most traffic before on to those on the list of complaints. Residents can report potholes and other non-emergency street problems in three ways:

- Call the Pothole Hotline at 441-7646. If that line is full, callers can use the Neighborhood Hotline at 441-6300.
- Call the Street Maintenance Division of Public Works and Utilities at 441-7701. Street problems requiring immediate action should be reported to this number.
- Use the online form available on the home page of the City Web site, lincoln.ne.gov, under the heading Citizen Action Center (selected "Street - Pothole"). This form also may also be used to report stormwater, snow and ice problems.

The Mayor also said the City has a great deal of arterial street rehabilitation coming up this construction season funded with federal stimulus dollars. The City will continue to make temporary pothole repairs on those streets. However, to maximize resources, permanent pothole repairs will not be made on those streets that are scheduled for major work later this year.

# NEWS RELEASE

CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER lincoln.ne.gov

**PUBLIC WORKS AND UTILITIES DEPARTMENT**
Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 441-7043

**FOR IMMEDIATE RELEASE:** January 27, 2010
**FOR MORE INFORMATION:** Gene Hanlon, Recycling Coordinator, 441-7043
Scott Hofeling, Hofeling Enterprises, 432-0806

## TREE MULCH NOW AVAILABLE

Tree mulch is now available free of charge to Lincoln residents at Hofeling Enterprises, 2200 South Folsom Court. This year, the City tree recycling program collected about 3,660 trees. Since the program began in 1987, the City has recycled more than 186,645 trees.

"I want to thank residents for recycling their trees again this year" said Gene Hanlon, City Recycling Coordinator. "The success of the tree recycling program depends on community cooperation and the support of several other organizations." This is the second year that Hofeling Enterprises has donated grinding services for the trees deposited at the seven collection sites in the City. Members of the Lincoln Solid Waste Management Association collected trees at the curb, and the City Parks and Recreation Department set up and monitored the collection sites.

Hofeling Enterprises will continue to distribute tree mulch during normal business hours (7:30 a.m. to 5 p.m.) at no cost on a first come, first served basis while the supply lasts.

Citizens who have questions about the City's tree recycling program can call the recycling hot-line at 441-8215, or visit the City Web site at lincoln.ne.gov (keyword: recycle).

- 30 -

CITY OF LINCOLN
NEBRASKA

# NEWS ADVISORY

MAYOR CHRIS BEUTLER lincoln.ne.gov

**OFFICE OF THE MAYOR**
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** January 27, 2010
**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Members of the media are invited to a briefing on the financing plan for the proposed Lincoln Haymarket Arena at **10 a.m. Thursday, January 28 in the Mayor's Conference Room, County-City Building, 555 S. 10th.** ***Those attending this briefing must agree to delay reporting the information until Sunday, January 31.***

**CITY OF LINCOLN Washington Office**

**Volume 16, Issue 1**
**January 22, 2010**

**INSIDE:**

CONGRESS.....1
TRANSPORTATION.....1
STIMULUS WATCH.....2
GRANTS AND NOTICES.....2

*Washington Report*

*Archived at:*
*www.capitaledge.com/archive.html*

*Carolyn C. Chaney*
*chaney@capitaledge.com*

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# CONGRESS RETURNS FROM HOLIDAY BREAK

## CONGRESS

Congress returns from short holiday break. The extended debate over comprehensive heath care reform forced Congress to stay in session late into December, and this week both chambers waded slowly back into what is now the Second Session of the 111th Congress.

The small amount of legislative activity (debate over increasing the debt limit in the Senate; water rights bills in the House) did not reflect the mood on Capitol Hill, as both parties continue to assess the stunning results of the special Senate election in Massachusetts in which Republican Scott Brown won the race to fill the seat that the late Senator Edward Kennedy (D-MA) held for 46 years. Supporters of campaign finance reform in Washington were also shaken by a Supreme Court ruling that ends limits on corporate or union campaign contributions on the basis that such curbs limited free speech.

As has been widely reported, once Brown is sworn in Democrats will hold a 59-41 advantage in the Senate, which seems formidable on paper, but in the arcane rules of the Senate, it is no better than a one-vote majority. This is because it takes just one Senator to place a "hold" on legislation – in essence the threat of a filibuster – and once that hold is placed, it takes 60 votes to force the Senate to proceed to a vote.

With Republicans currently united in their opposition to high profile measures such as health care and climate change, it appears that the White House and Congressional Democrats will have to go back to the drawing board in an attempt to secure Republican support for these and other initiatives. However, while this kind of bipartisan negotiation would be welcomed by the American public, many observers feel that Republicans are content to see inactivity in Washington in advance of pivotal elections this fall.

In addition to the uncertainty over health care and climate change, the loss of a filibuster-proof majority in the Senate may have an effect on legislation to address unemployment. The House approved a Jobs Bill in late December (with no Republican support) that includes spending for transportation and water infrastructure, police, fire, and teacher hiring, and access to small business loans and grants. Not included in the House bill were two effective local government programs, the Community Development Block Grant and Energy Efficiency and Conservation Block Grant.

The Senate is currently drafting its own version of a Jobs Bill, and many Democrats maintain that making a dent in the unemployment level is the key to their success in November. However, the need for help from Republicans is now a necessity.

Next week will be another short legislative week, as the President will address a joint session of Congress on the State of the Union on Wednesday, followed by the annual House Republican policy retreat on Thursday and Friday. Democrats held their retreat last week. Meanwhile, the Senate will attempt to approve legislation to increase the federal debt limit by $1.9 trillion.

## TRANSPORTATION

FTA changes ratings criteria for transit projects. Last week, Department of Transportation Secretary Ray LaHood announced that the Federal Transit Administration (FTA) is changing the criteria used to judge a transit project's eligibility for federal funding. This new decision reverses a policy implemented during the Bush

Administration that focused solely on travel time saved as a means of performing a cost-benefit analysis of a New Starts/Small Starts project.

The reversal of this policy, which LaHood announced during the keynote address before the Transportation Research Board's annual conference in Washington, DC, requires FTA to weigh environmental and economic development benefits in determining a proposed project's worth, which should make a wider array of projects eligible for federal funding. LaHood indicated that this policy change is part of the Obama Administration's broader livability initiative, which proposes to tie environmental, housing, and transportation policies together to improve quality of life.

The change was effective immediately, and does not require a formal rulemaking process, because it overturns FTA policy implemented in 2005. However, FTA will undertake a formal rulemaking process to include environmental and economic development benefits officially in the list of criteria for judging projects, and will seek input on how those benefits can best be defined and measured.

Following LaHood's speech, FTA Administrator Peter Rogoff indicated that streetcar and bus rapid transit projects are among those project types that would benefit from the new policy. Furthermore, despite the additional criteria for winning federal support, Rogoff said the new policy will speed up the approval process. Under the old policy, with travel time savings the only criterion to consider, FTA and transit agencies would haggle for years over project data and studies.

While the rule change was welcomed news in the transit community, there was also some trepidation that the increase in the number of projects that would qualify for federal funding without a significant boost in funding will result in an even more competitive New/Small Starts program.

## STIMULUS WATCH

**Housing and Urban Development**
HUD announced $2 billion in Recovery Act awards under the Neighborhood Stabilization Program-Round 2 (NSP2). There were a total of 56 awards made form 483 applicants, requesting over $15 billion: http://tinyurl.com/yjqk659

**National Telecommunications and Information Administration**
NTIA announced the availability of $2.6 billion for the second round of Recovery Act grants and loans through the Broadband Technologies and Opportunities Program (BTOP). NTIA has removed the requirement that infrastructure projects connecting community anchor institutions must be located in unserved or underserved areas, which the agency believes will allow more jurisdictions to be included as eligible applicants. However, unserved and underserved areas will still get high priority. Applications are due March 15, 2010:
http://www.broadbandusa.gov/.

NTIA plans to hold a series of workshops to review the application process and answer questions from prospective applicants:
http://tinyurl.com/yhmg8vv

NTIA launched "BroadbandMatch," a new online tool to facilitate partnerships among prospective applicants to the agency's broadband grant and loan programs: http://tinyurl.com/yfsfqgp

NTIA will continue to announce awards from the First Round application pool on a rolling basis into February 2010:
http://tinyurl.com/y9ve7dj

**Office of Management and Budget**
Recipients had an extra week to submit their January quarterly reports. The Recovery Accountability and Transparency Board will allow recipients to submit reports until midnight, PST, January 22, 2010. The original reporting deadline was January 15. The reports submitted this week will be classified as late. Data collected from this reporting cycle will be posted at www.recovery.gov on January 30, 2010.

## GRANTS & NOTICES

**Housing and Urban Development**
In order to increase eligible applications and further competition, HUD is extending the application deadline for HOPE VI Main Street Grants from January 20, 2010 to March 3, 2010:
http://tinyurl.com/ykjkgyh

**Department of Justice**
The Bureau of Justice Assistance is seeking applications for FY 2010 Second Chance Act Adult and Juvenile Offender Reentry Demonstration Projects. Grants up to $750,000 will be made to state and local governments to promote the safe and successful reintegration of individuals who have been incarcerated or detained. There is a 50 percent local match and applications are due March 4:
http://tinyurl.com/yez7ws6

The Office on Violence Against Women (OVW) is seeking applications for the FY 2010 Community-Defined Solutions to Violence Against Women Program. OVW expects to grant 90 awards for an estimated total of $50 million. Letters of intent to apply are requested by February 3, 2010 and applications are due February 17, 2010:
http://tinyurl.com/ybrb2g2

**Environmental Protection Agency**
EPA announced the availability of $2 million for the FY 2010 Community Action for a Renewed Environment (CARE) Program. The CARE program will provide funding and support to build a community's capacity to identify, understand, and reduce the risks from toxic pollutants and environmental concerns. Online seminars for potential applicants of this highly competitive program will be held during the month of February. Applications are due March 9, 2010: http://tinyurl.com/yhmbnh3

EPA is accepting comments on its proposal to strengthen air quality standards for ground-level ozone. The agency will hold public hearings on the proposal in Arlington, VA, Houston, TX and Sacramento, CA in early February and will issue the final standards by August 31, 2010. Comments are due by March 22, 2010:
http://tinyurl.com/yfcn542

# Memorandum

**Date:** ✦ January 26, 2010

**To:** ✦ City Clerk

**From:** ✦ Teresa McKinstry, Planning Dept.

**Re:** ✦ site plans and applications

**cc:** ✦ Jean Preister

This is a list of the Administrative Amendments that were approved by the Planning Director from January 19, 2010 thru January 25, 2010:

**Administrative Amendment No. 10001** to Special Permit No. 1423I, approved by the Planning Director on January 20, 2010, requested by Lewis Homes, to adjust the front setback from 20 feet to 5 feet for the front yard adjacent to the west lot line for Lot 10, Block 1, HiMark Estates 12th Addition. The adjustment only affects the northern portion of the lot where it is adjacent to the cul-de-sac bulb, since this is the only portion of the yard that was determined to be a front yard, though the intention was for it to be a side yard of 5 feet.

Q:\shared\wp\teresa\AA weekly approvals.wpd

**City/County Planning Department**
**555 S. 10th Street, Rm. 213**
**Lincoln NE 68508**
**(402) 441-7491**

# ** ACTION BY PLANNING COMMISSION **
# January 27, 2010

**NOTICE:** **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 27, 2010, at 1:00 p.m., in the City-Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.**

**The Lincoln/Lancaster County Planning Commission will meet on Wednesday, January 27, 2010, in Conference Room 113 of the County/City Building, 555 S. 10th St., Lincoln, Nebraska, from 11:45 a.m. - 12:45 p.m. for a briefing by staff on the Comprehensive Plan Update.**

**<u>** PLEASE NOTE:</u> The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.**

**The Planning Commission action on all other items is a recommendation to the City Council or County Board.**

## AGENDA

## WEDNESDAY, JANUARY 27, 2010

[**<u>Commissioner Cornelius absent</u>**]

Approval of minutes of the regular meeting held January 13, 2010. **<u>**APPROVED, 8-0 (Cornelius absent)**</u>**

**1. CONSENT AGENDA**
**(Public hearing and Administrative Action):**

**CHANGE OF ZONE WITH RELATED ITEMS:**

Page 01

1.1a Change of Zone No. 09030, from R-3 Residential District to R-5 Residential District, on property generally located at the northeast corner of S. 91st Street and Heritage Lakes Drive.
**Staff recommendation: Approval**
**Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov**
**Removed from Consent Agenda and had public hearing.**
**Planning Commission recommendation: APPROVAL, 8-0 (Cornelius absent).**
**Public Hearing before City Council tentatively scheduled for Monday, February 22, 2010, 5:30 p.m.**

Page 01

1.1b Special Permit No. 09029, Heritage Lakes Drive Multi-Family Community Unit Plan, for approximately 270 dwelling units, with adjustments to parking and sign requirements, on property generally located at the northeast corner of S. 91st Street and Heritage Lakes Drive.
**Staff recommendation: Conditional Approval**
**Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov**
**Removed from Consent Agenda and had public hearing.**
**Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated January 13, 2010, with amendment to require that the dog park be located between Buildings 2 and 3, 8-0 (Cornelius absent).**
**Public Hearing before City Council tentatively scheduled for Monday, February 22, 2010, 5:30 p.m.**

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

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

*** * * * * * * * * ***

***PENDING LIST:***

*1a. Change of Zone No. 09027, from R-3 Residential District to B-2 Planned Neighborhood Business District, on property generally located at Lucile Drive and Pioneers Boulevard.*
***(1-13-10: Planning Commission voted 9-0 to continue public hearing on April 7, 2010, at the request of the applicant.)***

*1b. Use Permit No. 125A, an amendment to expand the use permit to allow a garden center in the B-2 Planned Neighborhood Business District, on property generally located at Pioneers Boulevard and Lucile Drive.* ****** FINAL ACTION ******
***(1-13-10: Planning Commission voted 9-0 to continue public hearing on April 7, 2010, at the request of the applicant.)***

**Planning Dept. staff contacts:**


Steve Henrichsen, Development Review Manager . . 441-6374 . . shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, Long Range Planning Manager 441-6363 . . ntooze@lincoln.ne.gov
Mike Brienzo, Transportation Planner . . . . . 441-6369 . . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner . . . . . 441-5662 . . tcajka@lincoln.ne.gov
David Cary, Long Range Planner . . . . . 441-6364 . . dcary@lincoln.ne.gov
Mike DeKalb, Planner . . . . . 441-6370 . . mdekalb@lincoln.ne.gov
Christy Eichorn, Planner . . . . . 441-7603 . . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner . . . . . 441-6373 . . bgarrett@lincoln.ne.gov
Rashi Jain, Planner . . . . . 441-6372 . . rjain@lincoln.ne.gov
Brian Will, Planner . . . . . 441-6362 . . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner . . . . . 441-6360 . . ezimmer@lincoln.ne.gov


* * * * *

**The Planning Commission meeting**
**which is broadcast live at 1:00 p.m. every other Wednesday**
**will be rebroadcast on Sundays at 1:00 p.m. on 5 City-TV, Cable Channel 5.**

* * * * *

**The Planning Commission agenda may be accessed on the Internet at**
**http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm**

## Mary M. Meyer

**From:** Opal G. Doerr
**Sent:** Wednesday, January 27, 2010 11:44 AM
**Subject:** Urban Page Qtrly Newsletter

Hello, government contacts:

The Winter issue of The Urban Page is available at: http://lincoln.ne.gov/city/urban/reports/urbanpg/v13i4w10.pdf

This issue of the Urban Development Department's quarterly newsletter has articles on:

- American Recovery and Reinvestment Act funds at work in Lincoln
- Urban Development Department's upcoming move to the DSC
- Downtown Redevelopment projects update
- New Three-Year Strategic Plan being developed
- More Dept. of Roads funds for West O Street
- Homeless Point in Time Count
- PRIDE 2010
- College View Streetscape update
- US HUD Continuum of Care grant winners

You are welcome to share this notice with whomever you'd like. If you would like to NOT receive this notice, please let me know. Thanks!

Opal G. Doerr
Planning Assistant
City of Lincoln / Urban Development Dept.
808 P Street, Suite 400, Lincoln, NE 68508
402-441-7852

CITY OF LINCOLN
NEBRASKA

Law Department
Rodney M. Confer, City Attorney
555 South 10th Street
Suite 300
Lincoln, Nebraska 68508

402-441-7281
Civil fax:
402-441-8812
Pros. fax:
402-441-8813

Ernest R. (Rick) Peo III, Chief Assistant John C. McQuinn II, Chief Prosecutor
Richard C. Anderson, Police Legal Advisor
Civil Division
Don W. Taute Steven J. Huggenberger
Margaret M. Blatchford Marcee A Brownlee
Tonya L. Peters Jocelyn W. Golden
Christopher J. Connolly
Prosecution Division
Patrick A. Campbell Christine A. Loseke
Connor L. Reuter Rob E. Caples
Jessica Kerkhofs

LINCOLN
The Community of Opportunity

MAYOR CHRIS BEUTLER

lincoln.ne.gov

January 26, 2010

Rex Jordan
5320 Garland
Lincoln, NE 68504

RECEIVED
JAN 27 2010
CITY COUNCIL
OFFICE

RE: Request for Records

Dear Mr. Jordan:

Enclosed with this letter are the records that you requested on January 20, 2010. These records consist of the maintenance records that have been kept by the Lincoln Wastewater System for the line in question. You will note that these records date from March of 1989. The sewer line was installed in 1936, and while the maintenance records before 1989 may be kept by the Wastewater Department, they are not in a format that can be quickly accessed. In the interest of getting this information to you in a timely manner, I am only forwarding to you the computerized data. Also included are the reports that were compiled during two television inspections of this line, one in March of 2008 and one on November 2, 2009, after the backup in this line. The enclosed DVD is the video footage that was captured during each of those television inspections.

Finally, you requested the records for all sewer stoppages in 2009 that resulted in property damage. I have enclosed a copy of the report that Lincoln Wastewater is required to submit to the State of Nebraska to report all sewer stoppages within the City of Lincoln. I believe that will provide you with the information that you are seeking. As I indicated by phone, if this is not sufficient, I will attempt to provide you with the additional information that you are requesting.

Sincerely,

Marcee A. Brownlee

Marcee A. Brownlee
Assistant City Attorney

MAB/skb
cc: Doug Emery ✓

## Mary M. Meyer

**From:** John Spatz
**Sent:** Thursday, January 28, 2010 8:28 AM
**To:** sm72622; tami@lincolnhighlands.com; 'Linda Hix'; 'Wishart, Anna'; Commish; mreist@journalstar.com; info@kolnkgin.com; jessica.kopejtka@mdsinc.com; verosobrevivr@live.com
**Subject:** RE: Schoo Middle School still without public or LPS transportation but Mayor orders StarTran to begin service in Technology Park effective 2/1/10

This morning at 9:45 I am going to make a presentation in front of our County Board. I am asking them to agree to enter into an interlocal agreement. If they agree, we will begin putting together the project to build a bridge over Highway 34. Please check with me later this afternoon.

John Spatz

---

**From:** sm72622 [sm72622@windstream.net]
**Sent:** Wednesday, January 27, 2010 9:02 PM
**To:** tami@lincolnhighlands.com; 'Linda Hix'; 'Wishart, Anna'; John Spatz; Commish; mreist@journalstar.com; info@kolnkgin.com; jessica.kopejtka@mdsinc.com; verosobrevivr@live.com
**Subject:** Schoo Middle School still without public or LPS transportation but Mayor orders StarTran to begin service in Technology Park effective 2/1/10

Hello to all. I am Shelly Manning, still a concerned parent of a Schoo middle schooler. Earlier this school year a lot of concerned parents raised the question as to how we can get service for our kids to get across the busy and dangerous HWY 34. We were told by numerous officials that this just could not be done. This press release indicates that the Technology Park in the Highlands will now be added to the #52 Gaslight Village StarTran route.
This is discouraging and dismays me to no end as we were forced to swallow the many reasons why this type of add-on for this particular route could not be done.

I am pleading with everyone to unite and let your friends, neighbors and our community know that this is going on and to stand up again for what is only the right thing for either LPS or Mayor Beutler to do.

## Tammy J. Grammer

**From:** Jan Catterson [cattsun1@hotmail.com]
**Sent:** Saturday, January 23, 2010 3:59 PM
**To:** Tammy J. Grammer
**Subject:** Lincoln Streets & Potholes

**I am not sure who to contact with the City of Lincoln, but there are some serious problems with very big potholes on 27th St as your enter your city from the north.**
**Hopefully as the weather gets in the 30's someone could get out & fill them with some hot tar..it's really serious & will cause a bad accident if not corrected.**
**It is not a good reflection on the city as 27th is one of the main entrances to your city.**
**Please get on the street crew.**
**Janice**

---

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## Tammy J. Grammer

**From:** sboda@aol.com
**Sent:** Monday, January 25, 2010 3:37 PM
**To:** Tammy J. Grammer
**Subject:** Intersection Art Ordinance

Thirty years ago, as a member of the NE State Dept of Ed Shared Arts Team and as a beneficiary of a multi-year stint in the NE Arts Council's Artist-in-residency program, I learned first-hand what art can do for communities.

The proposed intersection art ordinance is well-written and has many upsides with little effort. As it reads to me, this will only encourage neighiborhoods and groups to work together toward worthy projects. The only downside is the needed effort to maintain the artwork or change designs as need be. Again, another opportunity to work together.

Please pass this proposed ordinance tonite to allow small communities to start projects this spring.

Scott Svoboda
1427 S 21st St
Lincoln, NE 68502

C: 402-639-6440

## Tammy J. Grammer

**From:** Don & Diane Crouch [dcrouch1@neb.rr.com]
**Sent:** Monday, January 25, 2010 7:08 PM
**To:** Tammy J. Grammer
**Subject:** priorities

I rarely contact you but today I've really lost it. You are spending time talking about art for the intersections. Unbelievable!

Forget the art in the intersections. Stop the city surveys to promote what the mayor is interested in. I don't think you really understand how upset the public is. Fix the streets (not just the pot holes). What does the infrastructure that we can't see look like? Find a way to first make sure the infrastructure is good! Then you can consider other projects. Every day, every minute should be devoted to fixing the horrible streets.

## Tammy J. Grammer

**From:** Reeves, Mary [Mary-Reeves@cdolinc.net]
**Sent:** Monday, January 25, 2010 8:43 AM
**To:** Tammy J. Grammer
**Subject:** Painted Art on Local streets

Council Members,
I am writing to tell you of my support for this ordinance. Thank you for your attention to my request.

Mary Reeve
3236 Dudley St.
Lincoln 68503

## Tammy J. Grammer

**From:** D Jones [thejonzgang@aol.com]
**Sent:** Sunday, January 24, 2010 5:33 PM
**To:** Tammy J. Grammer
**Subject:** Public Dancing Law

It would be of great advantage to wipe this law from the books. Im a mom with 3 teenagers who all love to dance. However there is nothing in this town for teenagers to do besides movies,skating, school sports. Omaha offers a handful of teen clubs (we used to go to Jonnys teen club out by pioneers park kinda back in the early 1980's and dance till we dropped, it was a blast, Omaha also offers funplex, pizza machine, girls and boys clubs, Quest with great concerts, a drag strip (that would be a really cool hobby for a young man), and has so much more to offer their teen than we do. We need to start thinking about them more than the 21 year olds and the endless bars downtown (its really disgusting). What an image we are projecting to these youths with all the bars and thats about it. So many teens are getting law violations because they have no choices for entertainment. The police, the state, and the courts are in too many families business these days because its not like the good old days where they brought u home to let your parents deal with you, no, its fines, courts appearances, probation appts, evaluations, treatment programs,incarcerations, alienation from families, all for some teen misbehavings from boredom. Please City Council - lets let our hair down - and live a good, variety filled life. And invest in the our teens and their families. Thank You

COLDWELL BANKER COMMERCIAL
THOMPSON REALTY GROUP
5617 THOMPSON CREEK BLVD., SUITE 7
LINCOLN, NE 68516
PO BOX 6896
LINCOLN, NE 68506
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FAX (402) 421-7713
WWW.CBCTHOMPSON.COM

RECEIVED
JAN 26 2010
CITY COUNCIL OFFICE

January 25, 2010

To: 'N' Street neighbors between 50th & 52nd Street

RE: Proposed parking lot at 52nd & 'N' Street

Due to continued and increasing parking concerns in the block between 50th & 52nd street, between 'O' & 'N' streets, we have been looking into options that reduce these concerns along with providing minimal impact on the surrounding neighborhood.

Enclosed you will find a site plan showing a proposed parking lot at the corner of 52nd and 'N' streets.

We will provide access to this lot from the existing lot and driveway located on 52nd street. We will also provide landscape between the lot and the residential areas reducing noise and creating a pleasant view from the neighborhood.

This expansion of parking will leave a positive impact on the neighborhood by reducing overflow traffic and parking on 'N' street.

Please take a moment to review the enclosed site plan and if you have any questions, concerns, or comments please do not hesitate to contact me at 402-421-7700.

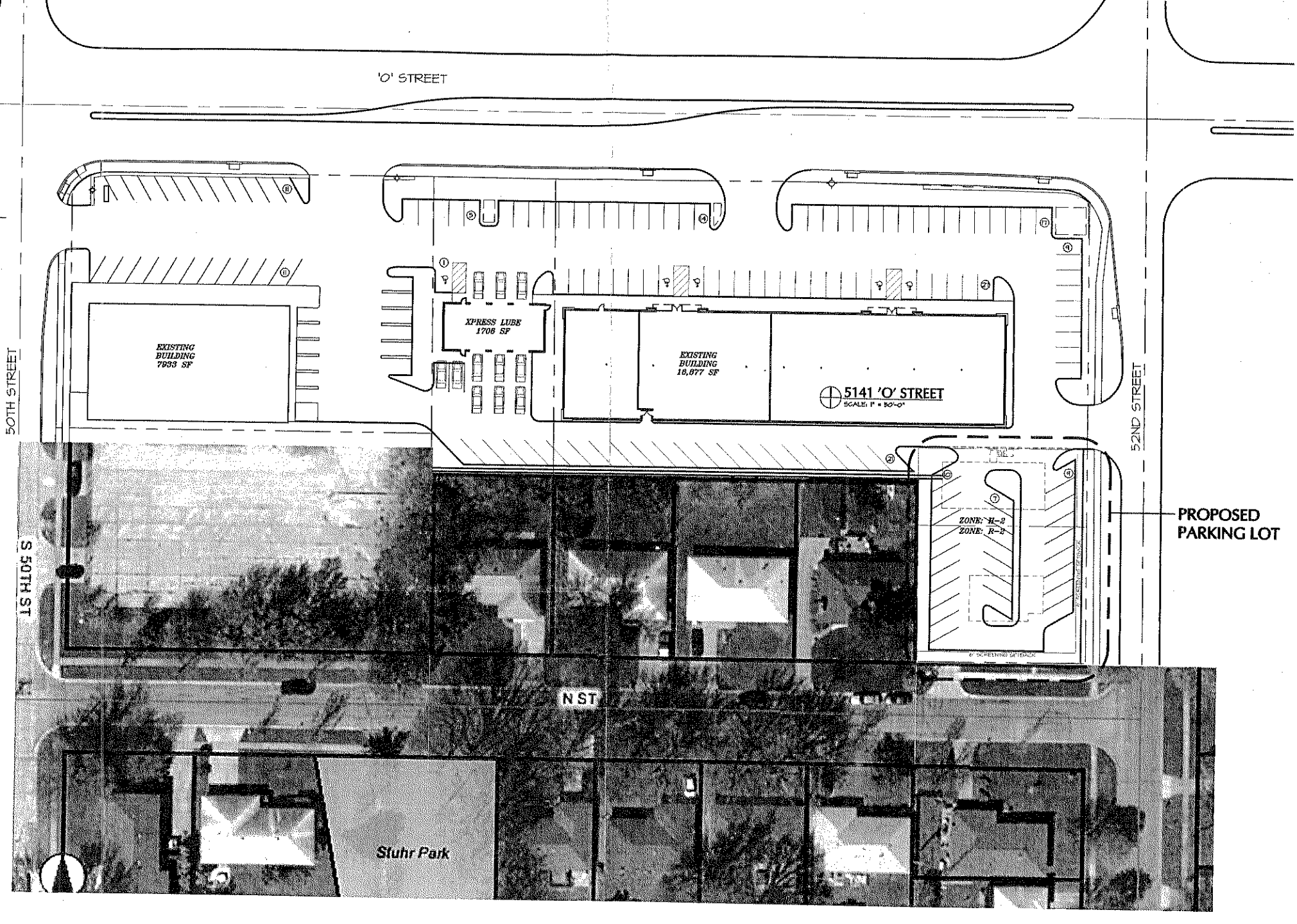
Thank you,

Jerry Nelson
Coldwell Banker Commercial Thompson Realty Group
Managers for The 3 Amigos Properties, L.L.C.

Enclosures: Site plan of proposed parking lot

Cc: Mayor Chris Beutler
All neighbors along both sides of 'N' street between 50th & 52nd streets
All City Council members

Each Office Is Independently Owned And Operated.


'O' STREET
50TH STREET
52ND STREET
S 50TH ST
N ST
EXISTING BUILDING 7933 SF
XPRESS LUBE 1706 SF
EXISTING BUILDING 18,877 SF
5141 'O' STREET
SCALE: 1" = 50'-0"
ZONE: H-2
ZONE: R-2
PROPOSED PARKING LOT
Stuhr Park

## Tammy J. Grammer

**From:** Tadd Delozier [tdelozier@pol.net]
**Sent:** Wednesday, January 27, 2010 8:53 AM
**To:** Tammy J. Grammer
**Subject:** street painting

Council Members,

I am opposed to the idea of allowing painting or artwork on city streets. I think it would not only be a distraction for drivers, but more paperwork and time for city employees. The question I am asking is why is this even necessary? I am sure there are much better ways to spend city time and money. Let's put more important items on the city council agenda.
Thank-you.

Jodi Delozier
SW Lincoln constituent

# ADDENDUM
# TO
# DIRECTORS' AGENDA
## MONDAY, FEBRUARY 1, 2010

**I. CITY CLERK -** None

**II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL -**

**MAYOR -**

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule for Week of January 30 through February 5, 2010 - Schedule subject to change - (Forward to Council on 01/29/10.)

**DIRECTORS -** None

**III. COUNCIL RFI'S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS -** None

**IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL -**

1. Letter from Gwendell Hohensee - RE: South Street BID hearing 02/01/10 at 3:00 p.m.

2. E-Mail & Attachments from Rex Jordan - RE: Denied Sewage Claim.

daadd020110/tjg

CITY OF LINCOLN
NEBRASKA

# NEWS ADVISORY

MAYOR CHRIS BEUTLER lincoln.ne.gov

Date: January 29, 2010
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

## Mayor Beutler's Public Schedule
## Week of January 30 - February 5, 2010
***Schedule subject to change***

Saturday, January 30

- Lincoln Neighborhood Alliance "Meet Your Elected Officials" meeting, present Neighborhood Hero Awards - 3 p.m. (meeting is 2 to 4 p.m.), Calvert Recreation Center, 4500 Stockwell Street
- "Help Haiti" event, remarks - 4:30 p.m., College View Seventh-Day Adventist Church, 4015 S. 49th

Thursday, February 4

- KFOR Morning Show - 7:45 a.m.

Friday, February 5

- Nebraska Sustainable Agriculture Society, Rural Advantage Conference - remarks, Holiday Inn Downtown, 141 N. 9th St.

**GWENDELL HOHENSEE**

♦♦♦

3601 Calvert St. ♦ Suite 2 ♦ Lincoln NE 68506
Phone 402-489-1988 ♦ Fax 402-489-1988 ♦ Email ghohensee@inebraska.com

RECEIVED
FEB 01 2010
CITY COUNCIL
OFFICE

February 1, 2010

1. Allocation of the costs equally per front foot is unfair. At least six properties appear to extend back from South Street by 50 feet or less. Some properties appear to extend back by 200 feet or more. The property size, the earning base, and the presumed benefit, are in no way equal.

2. I count 62 properties in this proposed district. I am concerned with the fact that there 16 properties that have no legal liability to contribute.

3. I have had two different interpretations about replacing dead plants. Ernie Costillo said that the City would review the plantings each fall and make a list of dead plants. A successful bidder for the next would be responsible for replacing them. Last Friday, after I left a message with Ernie, another person called for him. In my conversation with that City representative he told me the bidder was responsible for any plants that died on his watch. The bidder would have to bid high because there would be no way to know how many plants were already sick the year before, how many would be killed by street salt, careless drivers, irrigation failure etc. The work required by a potential bidder needs clarification.

4. The sidewalk maintenance provision is also unreasonable because it includes the sidewalks of 16 properties that are tax exempt. Some are properties owned by the School District or County. Whether they contribute to the BID or not, it still is double taxation for the rest of us.

5. The snow removal provision is very broad. It could include all snow removal including the snow removal from the street. There also is a conflict between paragraph 3. g. and paragraph 4 and the City's interpretation of those paragraphs. The City has told me that one bid will cover all but the snow removal. The snow removal will be bid separate and added on. If the total exceeds $18,000, we would be liable for all. So much for the $18,000 maximum.

6. I have been told that the bid for snow removal will be a flat rate for the year. If a bidder contracts for a year on those terms it will be necessary to bid for the worst possible. A bid based on average or expected snowfall could be devastating and a risk no one could afford. This would result in very high bids.

7. With the proposal of one bidder for all items listed in the first five sub-paragraphs of Paragraph 3 the Bidder would have to include at least six very different activities. It is unlikely we would receive any really competitive bids.

8. The Ornamental Lights are replaceable with matching lights only so long as the ones in place are being manufactured. Even then they would have to be

purchased from the manufacturer and then someone else would be required to install. Again, the owners were not told before construction began that the City planned on passing the cost of maintenance on to the property owners.

I believe this application for a BID by the City should be denied because: A--the landowners were not timely notified that the City intended to form a BID, B--the District includes many properties that are not liable for the cost of this BID. Those liable will have to assume the cost of all of the Paragraph 3 provisions, (C)--We will be subject to double taxation because of property that is not taxable, D--the allocation of cost liability is unfair, (E)—Paragraphs 3 and 4 need clarification, and (F)—If the City decided to add things to the paving project that they did not want to care for, they should have made that known to the affected property owners and obtained their approval before the City did the work.

I did not receive any notice prior to the time the paving work was done. My first awareness of the intent to create a BID was dated December 31, 2009. Others report the same thing. I had no reason to even assume the City might plan a BID before that date. People east of 17th were involved with a 17th to 27th Paving project two or three years before the 9th to 17th project. There was no BID established after that project. They had no reason to be concerned about this project. I know of no one legally liable for the cost of a BID that had cause to be concerned that one would be coming and the time they would have to defend against it would be so limited.

The so-called "BID Board" was formed from volunteers from the South Street Business and Civic Association. I believe the affected property owners should have been notified before the work was done, given a chance to consider the merits of the Project, and if desired, the owners should have chosen the BID Board.

I believe the Resolution should be dismissed for any one of the points I have mentioned. Taken together they show clearly how onerous and unreasonable the application is as written.

If the Resolution is not dismissed, I ask that a final decision on this be delayed. We have had only a very brief time to locate and check with other property owners. Most all of the owners I talked to expressed opposition to this proposed plan. A person who did go to one of the early planning meetings before the paving was done said the only item discussed at that meeting was the plantings and irrigation. And there was no indication, at that time, that a BID was planned or that the City expected someone else to pay for the care of what the City chose to do on their right of way. I have only talked to one person that supports the plan as written and one other that favored the plantings and irrigation on the side and corners of the street.

Because we have been given very little time to determine how individual landowners feel, because it is very difficult, often impossible, to find phone

numbers to reach the landowners, and because of the heavy snow, blizzard conditions and extreme cold that made the little time we did have marginally useable, and because it will require letters to many landowners that cannot otherwise be reached, I ask that, if this application for a BID is not here denied, that we be given more time to reach the landowners for whom we have only an address, to determine their wishes.

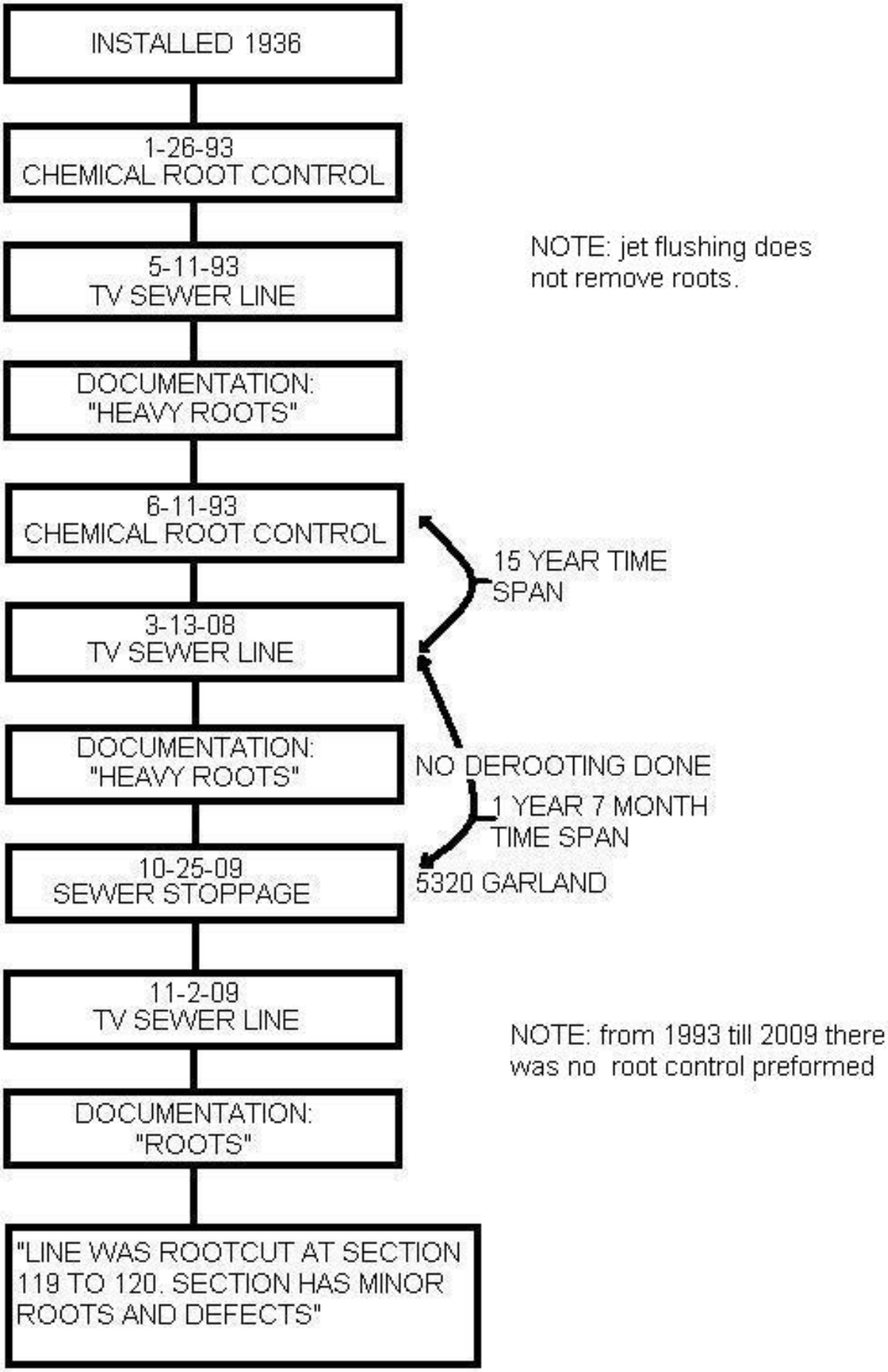
I have statements of opposition signed by 19 landowners with frontage of South Street. I don't know how much the total front footage that amounts to or how much frontage I have to have over 50% of. It may take a legal opinion to determine if property with no legal obligation to contribute is included in the total.

I was told be Ernie Castillo that probably the only way I could stop the formation of this District is to show that over 50% of the property owners opposed it. Once, when establishing a paving district, I was told that it was necessary to first show that over 50% <u>favored</u> it. Why is the <u>opposite</u> true in this for the City?

## Tammy J. Grammer

**From:** Rexjord An [teltekk2@yahoo.com]
**Sent:** Sunday, January 31, 2010 2:22 PM
**To:** Tammy J. Grammer
**Subject:** city sewer line stoppage claim
**Attachments:** FLOW CHART.JPG; sewage claim.doc

City council members,
I'm emailing you a written response from my dad about a denied claim from a plugged city sanitary sewer line. That flooded my fathers home at 5320 Garland on 10-25-2009. I've been in contact with Doug Emery on this already. So for details on this issue you could get in touch with him.
Attached is a word document detailing my dad's input on this claim as well as a flow chart I made to cover the maintenance of the city sewer line.
I hopefully plan on speaking at the Monday meeting in person to explain this as well.
thank you for taking the time to read this
Rex Jordan


INSTALLED 1936
1-26-93
CHEMICAL ROOT CONTROL
5-11-93
TV SEWER LINE
NOTE: jet flushing does not remove roots.
DOCUMENTATION:
"HEAVY ROOTS"
6-11-93
CHEMICAL ROOT CONTROL
15 YEAR TIME SPAN
3-13-08
TV SEWER LINE
DOCUMENTATION:
"HEAVY ROOTS"
NO DEROOTING DONE
1 YEAR 7 MONTH TIME SPAN
10-25-09
SEWER STOPPAGE
5320 GARLAND
11-2-09
TV SEWER LINE
NOTE: from 1993 till 2009 there was no root control preformed
DOCUMENTATION:
"ROOTS"
"LINE WAS ROOTCUT AT SECTION 119 TO 120. SECTION HAS MINOR ROOTS AND DEFECTS"

## Introduction

My name is Rex Jordan I live at 1931 north 77th street. I'm writing this on behalf of my Father who lives at 5320 Garland.
He thought it would be a good idea if I tried to explain / describe his issues with this claim. As I was involved in the flooding, clean up, demo and the remodeling. As well as I may have a better understanding of the sewer system and the maintenance required. Being that I'm employed for the city wastewater system.

First of all writing this puts me in a difficult position. In one hand I'm a city employee at the wastewater treatment plant at Theresa Street. I've been there for almost 25 years. I love my work and I take pride in what I do there. I personally know many people within the section. I have to say that I know most all of them are hard working people who strive to deliver quality service to the city of Lincoln. But no matter how good I feel about the work we do in our section. Here I am trying to find at least to some degree, as the city attorney puts it "negligence" in their work. On the other hand I have my 79 year old Father who's had a couple tough years with medical issues and major surgeries. Who had his basement flooded with raw sewage because of a city sewer line that plugged up. And the possibly he was exposed to many infectious illnesses. And who feels it is the city's responsibility to provide compensation.

My dad feels these few points need to be raised. One: There are several pages of documentation on the maintenance on the sewer line. So to simplify this I have attached a flow chart covering only the points my dad wants to make. Yes the line was jet flushed on a regular basis. But this process only removes grit, sand and dirt that will not flow down the line. It does not remove roots. The line was installed in 1936! On 1-26-1993 the line was chemically de-rooted, (poison poured down the line). But just 4 months later a T.V. inspection showed heavy roots still in the line. So a month later on 6-11-1993 it was chemically treated again. The TV inspection on 3-13-2008 of the line documented "Heavy Roots" again. That's 15 years for roots to grow! But the city was negligent due to the fact no de-rooting was preformed till the stoppage.
Next comes my dad's stoppage on 10-25-2009. More than a year and a half after the last T.V. inspection and the "Heavy root" comment. The result was raw sewage backed up into his basement. After the on-call crew arrived and jet flushed the line it quickly started to drain. I will say I know the two people that did the flushing. They were quick to respond, presented themselves professionally and answered all the questions my dad had. A week later the line was T.V. inspected and the documentation showed Roots again! It also mentioned minor cracks and defects. The city attorney quoted "the roots grew back quicker then expected". My dad asked the question, who decides how fast roots should grow? The city knew that roots are a known problem in this line back in 1993. But to even consider that 15 years is not long enough for roots to grow is just naïve.
I called John Henrys plumbing who is a unit price contractor for the city. I was told the best way to get rid of roots is to cut them out, and then chemically treat them. The city has devices with root cutting capabilities. But they decided only to pour the chemicals down the line. That is till after the stoppage at my dad's house. The records show they root cut the line that time. But the damage was already done.

Next point is that this line is budgeted to be replaced this year sometime. Going from a 6" up to an 8" line. One reason may be is that the line is too small for the flows in that area since UNI place has grown since 1936. Another is that the line is broken, cracked, loose joints, settling. All of which would explain the root issue.
Now I've been involved in the budget planning for Theresa Street for several years. And the last few years when we meet to get that year's budget done we are told that we need to get to 98% from last year. And we all know some things get cut, some things get put off for a year, or two, or three years so other items can go forward. If this line was by chance bumped a year or two. That roll of the dice came back to bite them.

As far as the dollar amount being –I quote—"a fairly large amount" my dad wanted to know where on the scale does "fairly large amount" land? I quote the city attorney again "this was denied because it was a fairly large amount". Does that mean if the damage was less and dollar amount was say $500.00 the claim would have been paid? But then doesn't paying it show that the city was responsible for the damage? The dollar amount should have no bearing on whether or not the claim should be paid! If my dad was not willing to stand in there and try to stay ahead of the flooding that night the damage could have double what it was. I asked for a list of all sewer line stoppages that resulted in flooding damages for 2009. The list I got was only for the first half of 2009. It showed

around 15 stoppages. I looked them up and tracked some owners down. I was able to get in contact with 4 or 5 people. The dollar amounts I was told ranged from: $1,000, $2,500, $4,000, $9,400 to $10,000. All were paid up front. So the phase “fairly large amount” really is a little misleading. It is more of an average amount. My dad asked the question, was the city really negligent everywhere else but on his one sewer line? I have some pictures, the city attorney has pictures. I have detailed invoices; the city has these as well. But it should be known that all the claim covers is structural damage. My dad claimed no personal items, for example a 52” screen TV or furniture and such. He could have claimed some items but he choose not to.

The thing that bothers my dad is the on-call crew that night told him to get pictures, list all the repairs and submit them to the city for payment. Service master who did almost all of the other claim repairs told him the same thing. In fact they explained which style of carpet he had (that got damaged) so that the new carpet would be the same so that the city would fully cover it. Even other city employees I talked to at wastewater were surprised that he was denied.

In closing I feel my dad and I have showed (as the city attorney puts it again) enough negligence to the point the attorney should have allowed this claim to be paid. But again I feel the need to go on record vouching for the entire wastewater section. By saying they---we are dedicated, hard working employees who do at times do a dirty, messy job to make sure the city’s raw sewage is collected and treated to the best of our abilities and work with what we have to work with.

Thank you.