

**DIRECTORS' MEETING
MONDAY, FEBRUARY 5, 2007
CITY-COUNTY BUILDING
11:00 A.M. - ROOM 113**

I. MAYOR

1. NEWS RELEASE. Mayor Suspends Process to Select New Fire Chief.
2. Amending Chapter 24.12.160 to Require a "Rain" or "Soil" Moisture Sensor in Order to Receive a Permit for the Installation of any New Underground Irrigation System from mayor's Water Conservation Task Force.
3. City of Lincoln Snow/Traffic Conditions Report. January 31, 2007.
4. NEWS ADVISORY. Mayor Seng's Press Conference, Thursday, February 1, 2007 Regarding: Abraham Lincoln's Birthday Celebration and Funding from Lincoln Cares Voluntary Donation Program for Parks and Recreation Projects.
5. NEWS RELEASE. Abraham Lincoln's Celebration Moves to Southwest High School.
6. NEWS RELEASE. New Projects Announced for "Lincoln Cares".
7. Washington Report, January 26, 2007.

II. DIRECTORS

PARKS AND RECREATION DEPARTMENT

1. Response Letter to Charles Brown Regarding Proposed Municipal Code Amendments Regulating Alcoholic Beverages in Park Facilities.

PLANNING DEPARTMENT

1. Response to Benjamin Bretz from Marvin Krout, Planning Director, Regarding Parking on Hill Street by Solid Rock Gymnastics and Bison Youth Sports Complex.
2. Information from Marvin Krout, Planning Director, Regarding Design Objectives for Community Unit Plans, and Soil Mining. Bill #06R-231, City Special permit No. 06062, Soil Mining Request.
3. Memorandum from Marvin Krout, Planning Director, Regarding Council Resolution on Naming and Re-naming Streets in Lincoln. (Bill #07R-32, Scheduled for Public Hearing on February 5, 2007)
4. Action by Planning Commission on Wednesday, January 31, 2007.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN

1. Request to Karl Fredrickson, Public Works & Utilities Director - RE: Retirement Buyout Information (EschlimanRFI#6 - 02/01/07)

ANNETTE McROY/PATTE NEWMAN

- *1. Request to ~~Scott Holmes & Bruce Dart, Health Department~~ /Dale Stertz & Mike Merwick, Building & Safety Department/Tonya Skinner & Dana Roper, City Law Department - RE: Bar owners, outdoor smoking areas (McRoyRFI#175 & NewmanRFI#41 - 12/18/06). — **1.) SEE RESPONSE FROM SCOTT HOLMES, HEALTH DEPARTMENT RECEIVED ON McRoyRFI#175 & NewmanRFI#41 - 01/11/07.**
- *2. Request to Darl Naumann, Mayor's Office/Karl Fredrickson, Public Works & Utilities Director/Nicole Fleck-Tooze, Public Works-Watershed Management - RE: 50th Street corridor costs (NewmanRFI#42 & McRoyRFI#177 - 01/10/07)

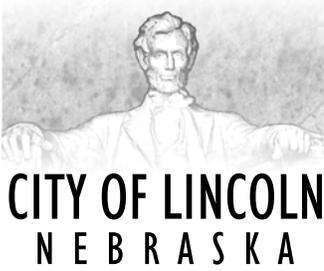
PATTE NEWMAN

1. Letter from James Hewitt on Renaming 15th Street to Goodhue Boulevard.
2. Letter, and LPS Meeting Minutes, to Chair Newman from Lincoln Public Schools, Donald R. Mayhew, Lincoln Board of Education, re: Board of Education's Position - Against Tax Increment Financing (TIF) of New Residential Developments at North 56th and I-80.
3. Letter from Leroy Stokes, President, Lincoln Branch NAACP, re: Passing Rosa Parks Way Ordinance.
4. Letter from Mary Earley re: Location and Condition of Home's Main Drain.

V. MISCELLANEOUS

1. Email from Jim Johnson re: Placing Jail issue on April City Election Ballot.
2. Email from Cindy Dempsey re: Consideration of city ordinance protecting breast-feeding in Lincoln.
3. Email from Becky Martin re: Opposed to cell tower placement in Cooper Park. (Distributed to Council Members before 01/29/07 Formal Meeting)
4. Email from Lance Krejdl re: Opposed to land mining permit north of Waverly Road and east of 56th Street.
5. Email from Shannon McGovern re: Article from the Lincoln Journal Star on the Motorsports Task Force.
6. Email from Bruce Bohrer, Lincoln Chamber of Commerce, re: Fundamental Income Tax Reform.

VI. ADJOURNMENT



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 30, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR SUSPENDS PROCESS TO SELECT NEW FIRE CHIEF

Mayor Coleen J. Seng announced today that she is suspending any further action on the process to identify and interview candidates for the Fire Chief position.

Candidates for the position – Fire Chief Thomas Solberg of Lee’s Summit, Missouri and Assistant Fire Chief Mark Rohlfing of Omaha – had been invited for interviews with Seng and the advisory group she had assembled. The interviews were arranged for Friday, February 2 in Lincoln. Monday, Solberg informed the City-County Personnel Department that he is withdrawing.

“I started this process last fall in a nonpolitical manner,” Seng said. “Now it has been politicized to the point that it cannot proceed any further. Therefore, the only reasonable course at this time is to suspend this search.” Seng said the applicant screening information compiled by the Personnel Department and Talent Plus will be available for the next Mayor.

Seng said she has instructed the Personnel Director to notify the remaining candidate that the interview scheduled for Friday will not be held and the advisory group will be disbanded.

To: City Council
From: Mayor's Water Conservation Task Force
Re: Amending Chapter 24.12.160 to require a 'rain' or 'soil' moisture sensor in order to receive a permit for the installation of any new underground irrigation system.
Date: January 31, 2007

Though water conservation needs to be a year-round effort, the wise use of water in the summer is essential. Rising summer temperatures push Lincoln's water delivery and treatment systems to their capacity. By using water wisely, we can keep water use within the system's capacity, thereby contributing to the health and safety of our community.

More than half the water used in Lincoln in the summer goes to outside use for gardens, shrubs and lawns. By using water wisely outdoors, Lincoln residents can conserve natural resources and reduce their summertime water bills.

In keeping with the City's commitment to water conservation, the Public Works & Utilities Department proposes amending the Lincoln Municipal Code to require a moisture sensor for new underground irrigation systems within the City of Lincoln.

The sensor measures rainfall and/or soil moisture and automatically shuts off sprinkler systems when enough moisture is present to sustain the landscaping.

The average cost of a typical residential sprinkler system is about \$2,400. Requiring a rain sensor would add about \$100. The device would reduce the average sprinkler system's water use by about 5 to 10 percent each year. It would pay for itself in several years.

Lincoln residents installed 1,565 new residential sprinkler systems in 2006. Over time the benefit to the Lincoln Water System will be significant as the use of rain sensors becomes widespread.

The proposed ordinance change was reviewed and supported by the Building & Safety Department and the Mayor's Water Conservation Task Force. Members of the Mayor's Water Conservation Task Force include a Master Gardener and represent many walks of life, such as elementary schools, nurseries and garden centers, the University of Nebraska, sprinkler and irrigation contractors, engineers and architects, the Folsom Children's Zoo, banking, the Lower Platte South Natural Resources District, hospitals, industry, and plumbers. The Water Conservation Task Force has voted to support the change.

Karen Burchard, Chair of the Water Conservation Task Force, as well as staff from the Building & Safety Department and the Lincoln Water System, will attend the public hearing to answer any questions.

Thank you.



DGonzolas@ci.lincoln.ne.us

01/31/2007 01:56 PM

To CIC_Snow_Notification%NOTES@ci.lincoln.ne.us

cc

bcc

Subject snow report 2 p.m. 1-31-07

CITY OF LINCOLN SNOW/TRAFFIC CONDITIONS REPORT

A complete voice report is available at 441-7783. This number is for news media use only.

For more information:

Public Works Snow Center - 441-7644

Diane Gonzolas - 441-7831

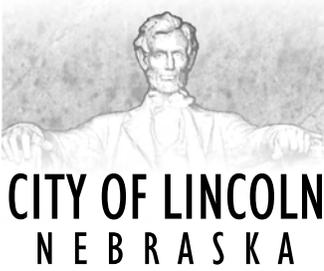
Date: Wednesday, January 31, 2007.

Time: 2 p.m.

Snow began falling about mid-morning, and the City began material spreading operations on bridges and overpasses about 10. As the snow continued to fall, a full material spreading operation began about 11 on bus routes, snow emergency routes and major arterials. Parking bans are not in effect. The Police Department reports that streets are slick, and there have been about nine accidents in the City since 11 this morning. Drivers are advised to allow plenty of following distance and be especially careful at intersections. StarTran reports that the Eastridge bus is running a bit behind schedule but all other buses are on time.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and in your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

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NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

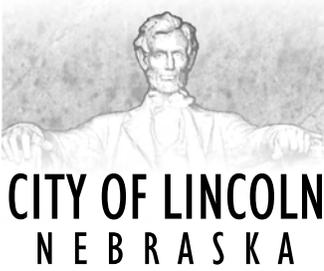
FOR IMMEDIATE RELEASE: January 31, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, February 1** in the **Mayor's Conference Room, 555 South 10th Street.**

Topics will include:

- Plans for the City's seventh annual Abraham Lincoln Birthday Celebration Sunday, February 11 at Southwest High School.
- The Parks and Recreation projects chosen to receive funding from the Lincoln Cares voluntary donation program in 2007.



NEWS RELEASE

MAYOR COLEEN J. SENG

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FOR IMMEDIATE RELEASE: February 1, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

LINCOLN CELEBRATION MOVES TO SOUTHWEST HIGH SCHOOL

Event to feature performance of "Visiting the Lincolns"

Mayor Coleen J. Seng today announced plans for the City's seventh annual Abraham Lincoln Birthday Celebration from noon to 5:30 p.m. Sunday, February 11. The free celebration will take place for the first time at Southwest High School, 7001 South 14th Street.

"We are excited to hold our celebration in south Lincoln for the first time," said Mayor Seng. "We hope many families will join us to learn more about our 16th President and the era in which he lived and to enjoy the music, dancing and other entertainment. I want to thank the many community sponsors who make it possible for us to present this free event." The celebration, which began in downtown, has been held at North Star High School for the past few years, but the school had a scheduling conflict this year.

The celebration will feature Illinois actors Michael Krebs and Debra Ann Miller as President Abraham and Mary Todd Lincoln in a program called "Visiting the Lincoln." The play is set on April 14th, 1865, the eve of Lincoln's death, as the Lincolns entertain unexpected guests at the White House. The hour-long performance will begin at 2:30 p.m. in the auditorium. Krebs portrayed Lincoln at last year's celebration in a re-enactment of a Lincoln-Douglas debate.

Also on the schedule for February 11:

- The Smith Family Band from Hastings and the Roundhouse Band will perform Civil War era music for re-enactors and the public to dance starting at noon.
- "Letters from the Battlefield" is the topic of a discussion set for 1:30 p.m. in the school's smaller theater. Leading the discussion will be Dr. Spencer Davis, a Peru State history professor, and Dr. Wayne Reynolds, Pastor of Grace United Methodist Church.
- Those dressing as President Lincoln can enter the "Impersonators Contest" by registering at the information desk the day of the event. Judging is at 1:30 p.m. and prizes will be awarded in two age categories – age 16 and under and adult. Winners will be announced at the 2 p.m. birthday party, which includes a mayoral proclamation.
- Lincoln musician Chris Sayre will play folk and traditional music from 3:30 to 5:30 p.m.

- more -

Abe Lincoln Celebration

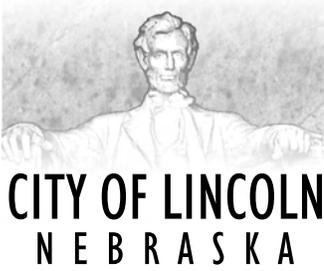
February 1, 2007

Page Two

A children's area will feature toys, games and crafts. A variety of Abraham Lincoln exhibits will be on display, and area Civil War re-enactors in authentic uniforms will mingle with the crowd and answer questions. Souvenirs and free refreshments will be available.

A volunteer steering committee headed by Paul Hadley has planned the celebration. Hadley is the current Commander of the Department of Nebraska, Sons of Union Veterans of the Civil War. Producers are the City of Lincoln and the Lincoln-Lancaster County Convention and Visitors Bureau with support from the Nebraska Humanities Council.

More information is available on the City Web site at lincoln.ne.gov.



NEWS RELEASE

MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 1, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Lynn Johnson, Parks and Recreation Dept., 441-8265
Susan Larson Rodenburg, Lincoln Cares, 421-1401

NEW PROJECTS ANNOUNCED FOR "LINCOLN CARES"

Community donation program benefits Lincoln parks system

Mayor Coleen J. Seng announced today that the Lincoln Cares program will help fund eight projects across the community in 2007. Lincoln Cares is a community donation program which allows Lincoln Electric System (LES) customers to voluntarily add one dollar to their bill payments each month for projects not included in the City budget. For the fifth consecutive year, Lincoln Cares will receive matching funds from TierOne Bank Foundation and World's Foremost Bank (Cabela's VISA Operation).

Lincoln Cares will help fund the restoration of the Smoke Signal statue at Pioneers Park, Hazel Abel Park renovation, Pioneers Park Nature Center artwork, the Jamaica North Trail, Sunken Gardens pathway lighting, the Youth Outdoor Adventure Program, the Green Team Youth Employment Program, and swimming and recreation program scholarships. A complete listing of the projects is attached.

"In just four years, this program has made a huge difference in our parks system," said Mayor Seng. "Generous donations from LES customers have allowed us to complete important projects that otherwise would have required taxpayer dollars. I also want to thank TierOne Bank Foundation and World's Foremost Bank for essentially doubling the public's donations since Lincoln Cares began. This is the kind of public-private partnership that makes Lincoln a better place to live."

TierOne Bank Foundation and World's Foremost Bank each provide a 50-cent match for every dollar contributed, up to \$30,000 each. The total corporate contribution to Lincoln Cares, from February 2003 through December 31, 2006 equals \$240,000.

From its inception in February 2003 through December 31, 2006, the program has collected \$309,468 from LES customers adding a dollar to their bill payments and through direct donations to the Lincoln Parks Foundation. An average of 6,584 LES customers donate to the program every month. Total individual and corporate donations to Lincoln Cares have reached \$549,468.

- more -

Projects funded in the first four years of the program include the Nebraska State Liberty Bell Shelter in Antelope Park; restoration of the Four Wars Memorial and Pioneer Woman sculptures; the Sunken Gardens renovation; the acquisition of prairie and grasslands at Pioneers Park; an addition to the Nature Center Prairie Building; the Park Middle School Teen Center; benches along the Holmes Lake Trail Loop; a shelter at Woods Park; air conditioning at the Ager Play Center and the Bethany Park Shelter; the Green Team Youth Employment Program; a Youth Outdoor Adventure Program; and Parker's Pals swim and recreation program scholarships for low-income youth.

"TierOne is very proud to be one of the original sponsors of the Lincoln Cares program," said Roger Ludemann, TierOne Bank Executive Vice President. "This will be our fifth year of involvement through the TierOne Bank Foundation, and we are strongly committed to the program's success and its efforts to enhance our community and make Lincoln a better place to live."

"Cabela's World's Foremost Bank is pleased to once again be a corporate sponsor for Lincoln Cares," said Tom Boatman, President of World's Foremost Bank. "The many projects and programs that have been completed would most likely not have occurred without Lincoln Cares, and the list of potential new projects that will enhance our community is truly impressive. The success of Lincoln Cares shows that Lincoln truly does care."

"We are very thankful for everyone who supports this program," said Lynn Johnson, Director of the Lincoln Parks and Recreation Department. "With our tight budget, this program allows us to go the extra mile to keep the parks system one of the jewels of Lincoln."

To donate to Lincoln Cares, LES customers can add one dollar to their bill payments each month. Those who pay LES through automatic bank billing can add Lincoln Cares to their payments each month by calling LES at 475-4211. Automatic bank bill customers may discontinue their voluntary contributions to Lincoln Cares at anytime by notifying LES.

For more information on Lincoln Cares, contact the Lincoln Parks and Recreation Department at 441-8264 or see the City's Web site at lincoln.ne.gov (keyword: cares).

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2007 Lincoln Care Projects
*The Lincoln Cares Advisory Board approved the
following projects to be funded by Lincoln Cares in 2007:*

Smoke Signal Statue Restoration -- \$20,000

The sculpture "Smoke Signal" is a landmark in Lincoln's historic Pioneers Park. The 16-foot cast concrete piece sits on a Dakota Sandstone outcropping and depicts Chief Red Cloud sending a smoke signal with a blanket. It was created by Ellis Burman in 1935 and was dedicated to the "Nebraska Indian." Restoration work involves cleaning and sealing the concrete and creating fiberglass feathers to replace those lost to vandalism. Estimated total cost: \$40,000. Additional funder: National Endowment for the Arts Access to Artistic Excellence Grant, \$20,000.

Sunken Gardens Pathway Lighting -- \$10,000

The original plans for the Sunken Gardens renovation project included lighting along the pathways in the lower level of the garden for evening visibility and after-hours security. The underground conduit for this lighting was installed but light installation was deferred due to cost. Estimated total cost: \$20,000. Additional funder: Lincoln Parks Foundation, \$10,000.

Hazel Abel Park Renovation -- \$10,000

Alice Abel donated Hazel Abel Park at 18th and "E" streets, to the citizens of Lincoln in September 1982 as a tribute to her mother, Hazel Abel. Alice Abel took a personal interest in development of the park and selected many of the unique park features including the Renaissance-style fences, English gazebo and antique baroque fountain. The proposed renovation will include replacement of the playground, walkway paving, benches and irrigation system; new plantings; repainting of the iron fence; and a new interpretive sign. Estimated total cost: \$150,000. Additional funders: City of Lincoln, \$65,000, and Alice Abel estate, \$75,000.

Pioneers Park Nature Center Entrance Sign/Artworks -- \$10,000

Plans have been developed for four metal sculptural panels to be created as signage for the Pioneers Park Nature Center. Estimated total cost: \$19,730. Additional funders: donations - \$4,000; Friends of Pioneers Park Nature Center, \$2,000; and Winnetta Trust Funds grant, \$3,730.

Jamaica North Trail Phase 2 -- \$10,000

The Jamaica North Trail is being built in an abandoned railroad right of way corridor that begins about one-half mile south of Saltillo Road. The first phase of the trail to 1st and Calvert streets was completed last fall. The second phase will extend the trail north another 2.25 miles to 4th and "J" streets. The southern end of the trail connects to the Homestead Trail that will ultimately extend through Beatrice to northern Kansas. Estimated total cost: \$774,000. Additional funders: donations secured through the Great Plains Trails Network, \$264,000, and Transportation Enhancement Grant, \$500,000.

Parker's Pals Swim and Recreation Program Scholarships -- \$15,000

Lincoln Cares funds are used to provide scholarships to children from low-income families for swimming lessons through a partnership with the Red Cross and Lincoln Parks and Recreation. In 2006, Lincoln Cares provided swim scholarships to 191 children. Lincoln Cares funds also are used to provide admission to public pools for low-income children and families. In 2006, the funds covered nearly 3,000 children. Scholarships are also provided for before- and after-school programs, summer day camps, youth sports programs, therapeutic recreation programs and outdoor education programs.

Green Team Youth Employment Program -- \$7,000

Lincoln Cares funding is used to pay participants in the summer youth employment program for low-income and at-risk youth ages 13 through 15. The program emphasizes job-training skills, including preparation of a job application, interviewing, and completing assigned work tasks. Participants assist in park maintenance activities, playground construction and summer day camp programs. Participants work six hours a day for three weeks. The Green Team had 20 participants in 2006.

Youth Outdoor Adventure Program -- \$30,000

This program introduces low-income children to the great outdoors through recreation activities including fishing, archery, canoeing and orienteering. Lincoln Cares funds are used to purchase equipment, provide staff funding and pay for transportation and entrance fees.



HOUSE TO VOTE ON FY07 BUDGET NEXT WEEK

INSIDE:

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URBAN POLICY2

Washington Report

Archived at:
[www.capitaledge.com/
archive.html](http://www.capitaledge.com/archive.html)

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CONGRESS

State of the Union and minimum wage were the focus on the Hill this week. The President's annual State of the Union address was the highlight of a legislative week that represented a brief slowdown from the frenetic pace set by the House during the first two weeks of this session.

A scheduled retreat for Republican House members on Thursday and Friday was primarily responsible for the slowdown, as House members quietly approved a series of non-controversial, commemorative bills. They took a short break on Tuesday for the President's address, which contained no new urban initiatives. The Senate produced a little more action, although debate on legislation (HR 2) to raise the minimum wage remains in progress, as sponsors try to balance the wage hike with a package of small business tax breaks that were not included in the House version of the legislation.

House Democrats will have a retreat of their own next week, making for another shortened work schedule, but House members are expected to vote Wednesday on a long-term Continuing Resolution (CR) to fund federal programs in FY 2007 (see related story below). Senators are hoping to complete action on the minimum wage bill and also debate a non-binding resolution regarding the proposed troop buildup in Iraq.

BUDGET

House to consider FY 2007 CR next week. House leaders announced this week that a Continuing Resolution (CR) to fund federal programs for the remainder of FY 2007 would be considered on the floor next Wednesday. With the exception of the Departments of Defense and Homeland Security, federal agencies have been operating through a series of short-term CRs

approved by Congress since the new fiscal year began on October 1, 2006.

The long-term CR was precipitated by the failure of the Republican-controlled Congress last year to enact nine of the eleven FY 2007 appropriations bills. Not wanting to allow a protracted battle over FY 2007 spending to interfere with their "First 100 Hours" agenda this year, Democratic leaders decided to enact a long-term CR for FY 2007 when the current one expires on February 15. Then, the theory goes, Congress can quickly begin the FY 2008 budget process with a clean slate.

However, traditionally, a CR reverts to the previous year's funding levels, and such a scenario presents problems for a number of agencies hoping for increases that were anticipated last summer when the congressional appropriations committees began consideration of the FY 2007 budget. Veterans' health initiatives, programs at the National Institutes of Health, and funding at the Education and Transportation Departments are only a few areas in which advocates are pressing Congress to allow for increases over their FY 2006 levels.

Democrats are also sticking to their pledge to eliminate all earmarked funding from the long-term CR, which might free up additional funds for some programmatic increases. However, that action also raises questions as to how funding will be distributed at agencies such as the U.S. Army Corps of Engineers, whose annual budget is made up almost entirely of earmarked projects. There are reports that those funding decisions will be made in that case by the Corps District Offices, who will receive lump sums to divide as they see fit.

The lack of earmarks also opens up some federal programs to a competitive grant process for the first time. For example, the

Transportation and Community and Systems Preservation (TCSP) program at the Transportation Department has been earmarked entirely by Congress almost every year since it was created in the 1998 TEA-21 law. Now for the first time in several years, DOT is accepting applications for the program.

The Senate is expected to begin consideration of the long-term CR during the week of February 5. While the House is likely to prevent any amendments to its version, such a situation is nearly impossible in the Senate.

TRANSPORTATION

Senate strives to solve transportation funding dilemma. Yesterday, Senator Barbara Boxer (D-CA) announced that the Senate expects to honor SAFETEA-LU spending guarantees and increase highway and transit funding by nearly \$4 billion for FY 2007. Though details about the solution have not been released, reports are that the Senate Finance Committee may have found a way to offset the spending increase.

Additionally, Senator John Thune (R-SD) this week sent a letter signed by 72 of his colleagues to Senate leaders asking that highway funding be increased to FY 2007 guaranteed levels. According to the letter, if transportation funds are not funneled to states this year, critical road improvements could be delayed and states could face major economic disruption. All 75 members of the House Transportation and Infrastructure Committee sent a similar letter to House Appropriations Committee leaders last week.

The 2005 SAFETEA-LU law guarantees federal surface transportation programs will receive nearly \$4 billion more in FY 2007 than in FY 2006. That is unless the Continuing Resolution (CR) designates those programs stay at FY 2006 levels, which could give appropriators added freedom to fund other priorities. The House is set to take up the CR on January 31.

URBAN POLICY

Pelosi endorses 10-Point Plan. In a speech to the US Conference of Mayors, House Speaker Nancy Pelosi (D-CA) endorsed the “Mayors’ 10-Point Plan for Strong Cities, Strong Families and a Strong America,” saying that she will work to implement all of its recommendations.

Portions of the plan were also endorsed by other key members of Congress addressing mayors. Most notably, Senator Barbara Boxer (D-CA), the Chairman of the Senate Environment and Public Works Committee, voiced her support for the creation of an Energy and Environmental Block Grant. The new grant would be modeled on Community Development Block Grants and would provide funding directly to cities and urban counties for programs to improve energy efficiency, develop and implement strategies to reduce carbon emissions, develop and implement community and transportation energy conservation programs, develop new technologies to reduce oil consumption and promote alternative and renewable energy sources.

The remaining nine points of the plan are, in order:

2. Create a **Federal-Local Partnership on Crime Prevention**, including restoration of funding for COPS and the Local Law Enforcement Block Grant;
3. Double funding **Community Development Block Grant** to \$8 billion a year;
4. Establish an **Affordable Housing Trust Fund** administered by Fannie Mae and Freddie Mac and funded by at least five percent of their profits;
5. Fully fund **public housing** operating subsidies and the HOPE VI Program;
6. Create **tax incentives**, bonds and other measures to improve the nation’s infrastructure;
7. Invest in a competitive workforce by **fully funding job training** and ex-offender programs;

8. Fully fund the **No Child Left Behind Act**, revive the **Summer Youth Employment Program** and increase funding for **21st Century Learning Centers** and other after-school programs;

9. **Ensure Homeland Security** through an interoperable communications grant program, increased transit security funding and improved allocation of grant funds to local governments,

10. Strengthen the **Unfunded Mandates Reform Act of 1995** to restrict the ability of Congress to impose unfunded mandates on local governments and to preempt local authority.

A complete version of the plan is available at:

http://usmayors.org/uscm/news/press_releases/documents/10-PointPlan.pdf.

January 26, 2007

Charles Brown
1900 So. 34th Street
Lincoln, Nebraska 68506-1919

RE: Response to Letter Regarding Proposed Municipal Code Amendments

Dear Mr. Brown:

The purpose of this letter is to respond to your January 12 letter regarding the proposal by the Parks and Recreation Advisory Board to amend Section 12.08.270 of the Lincoln Municipal Code regulating alcoholic beverages in park facilities.

During the regular meeting of the Parks and Recreation Advisory Board on December 7, 2006, the Board recommended revisions to the regulation regarding alcoholic beverages in parks to allow limited opportunities for alcoholic beverages to be served in seven park facilities. A synopsis of the proposed changes is as follows:

- 1) Alcoholic beverages would be allowed to be sold by a licensed vendor during up to four performances at Pinewood Bowl annually. The Parks and Recreation Advisory Board recognizes that the outdoor amphitheater in Pioneers Park is an under-utilized community asset. The ability for sale of alcoholic beverages during concerts would likely make outdoor concert events financially feasible, thereby expanding entertainment options in the community. The Board is recommending that only event producers who have demonstrated ability to responsibly serve adult beverages during large public events be allowed to utilize Pinewood Bowl for this purpose.
- 2) Alcoholic beverages would be allowed to be served by a licensed caterer in conjunction with rental of Auld Recreation Center, Easterday Recreation Center and the Pioneers Park Nature Center by community residents and groups. These three facilities are regularly rented for events such as wedding receptions, family reunions, and family holiday gatherings. The Parks and Recreation Advisory Board believes that allowing alcoholic beverages to be responsibly served in these facilities would increase use, and therefore revenue to the Parks and Recreation Department. A licensed caterer would be required to verify that individuals are of a legal age to consume alcoholic beverages and to monitor consumption. Alcoholic beverages would not be allowed to be served or to be consumed outside of the building.
- 3) Alcoholic beverages would be allowed to be served in Hazel Abel Park, Stransky Park, Sunken Gardens, and the Pioneers Park Nature Center during fundraising events that benefit parks and recreation facilities or programs. The facilities would not be open to the general public during these events. Alcoholic beverages would be served by a licensed caterer. The Parks and Recreation Advisory Board recognizes the need for fundraising activities to support special facilities or activities which are beyond what can be funded by taxes.

Please find enclosed a copy of the summary of the survey completed regarding the policies and regulations of ten other communities for alcoholic beverages in park facilities. A copy of this summary will also be forwarded to the City Clerk with the minutes for the December 7, 2006, Parks and Recreation

Advisory Board meeting after they have been approved by the Board on February 1st. This and all other Parks and Recreation Advisory Board meetings are open to the public. We meet the first Thursday of the month at 4:00 p.m. at Auld Recreation Center in Antelope Park. Please feel free to attend.

Discussions regarding possible amendments to regulations regarding alcoholic beverages in park facilities have occurred during the past couple of years in the context of developing a master plan for renovation of Pinewood Bowl, and development of fundraising activities. The work of the Parks and Recreation Advisory Board is accomplished through working subcommittees. The Board determined in June 2006 that the Fees and Facilities subcommittee would be responsible for reviewing regulations and policies regarding alcoholic beverages in parks. This subcommittee developed the proposal and forwarded it to the Advisory Board on December 7, 2006, for public hearing and action. This recommendation is being forwarded to the City Council for their consideration and action. Mr. Johnson confirmed that consideration of the proposed code amendments, regarding expanding allowances for limited consumption of alcoholic beverages in park facilities, will be scheduled during an evening session of the City Council.

I apologize for the delay in responding to your letter. I wanted to confer with Parks and Recreation Director Lynn Johnson in preparing this correspondence. He and the other administrative staff members were involved in budget meetings much of last week. As you know, the City of Lincoln faces a projected \$9 million deficit for the next fiscal year. The Parks and Recreation Department's "share" of this is \$800,000. Obviously, there is a growing and ever-present need for more revenue sources. The Parks and Recreation Advisory Board would be happy to know your recommendations for raising funds to keep our parks a vibrant part of our community. Please forward your ideas directly to me at squam@atozprint.com and I will take them to the Board for consideration.

Thank you for your interest in our Parks and Recreation Department and our City.

Sincerely,



Sue Quambusch, Past-Chair
Parks and Recreation Advisory Board

enclosure

cc: Mayor Coleen J. Seng
Lincoln City Council
Joan Ross, City Clerk
Tom Casady, Police Chief
Lynn Johnson, Parks and Recreation Director
Deena Winter, Lincoln Journal Star

City	Are Alcoholic Beverages Allowed in Parks?	Are Alcoholic Beverages allowed In Park Facilities for Special Events Community Festivals?	Are Alcoholic Beverages Allowed in Park Shelters, Recreation Centers?
Lincoln, NE	NO	NO	NO
Omaha, NE	Yes (if approved by Council or permit for beer/wine only is obtained, \$65)	Yes	Yes
Sioux City, IA	Yes (in 14 park areas only - beer/wine)	Yes	Yes (if permit is acquired by the group who sub-leases the facility)
Des Moines, IA	Yes (3 park shelters allow beer/wine only)	Yes (amphitheater only)	Yes - shelters / No - rec centers
Sioux Fall, SD	Yes	Yes (w/permit)	Yes - shelters / No - rec centers
Topeka, KS	No	No	No
Wichita, KS	No	No	No
Overland Park, KS	No	No	No
Boulder, CO	Yes (beer/wine only with permit)	Yes (w/Facility Use Agreement, \$25)	Yes - shelters only
St. Paul, MN	Yes (w/permit)	Yes	Yes
Madison, WI	Yes (in 3 parks only, beer only w/permit)	Yes	Yes

KC



Jean L Walker/Notes

01/30/2007 04:15 PM

To Benjamin Bretz,

cc City Council Members, Michael Merwick/Notes,

bcc

Subject Response regarding parking on Hill Street (Solid Rock
Gymnastics and Bison Youth Sports Complex)

Dear Mr. Bretz:

I am familiar with the Hill Street area from when it was occupied by the skating rink, but have not been through that area since the sports complex occupied the building. I'll try to drive by this Saturday.

The parking regulations in Lincoln's zoning ordinance generally are based on the classification of the zoning district in which the land use is located. So, for example, on land that is zoned Industrial-1 district, which allows a broad range of commercial and industrial uses, most uses are required to supply one parking space for every 1000 square feet -- regardless of whether it is a manufacturing plant or a retail strip center.

However, there are certain land uses for which the zoning ordinance specifies special parking requirements regardless of the zoning district in which the use is located. The two uses mentioned in your email -- the gymnastics center and the sports complex -- were classified as "private schools/academies" and "indoor recreation/court games", respectively.

School/academy uses are required to have 1 parking space per 3 "students", plus 1 per employee. If class sessions are scheduled within 1/2 hour of each other, parking for two sessions is required. That requirement seems to have worked in the case of the gymnastics center.

The requirement for recreation in the form of "court" games, as in the sports complex, is 4 parking spaces per court. As I understand it, there are 5 courts set up in the sports complex, and so the parking requirement by code is only 20 spaces. It looks to me that this parking requirement was intended to deal with tennis or raquetball courts, which have fewer participants, and not the volleyball or basketball which I understand is going on at the sports complex. If it's anything like my daughter's volleyball team Saturdays at the middle schools, there are "sessions" with people arriving and leaving at the same time, and quite a crowd of family spectators around the courts.

The Hill Street area is zoned I-1, so if this building of about 40,000 square feet was a warehouse instead of a sports complex, 40 parking spaces would be required. We count about 80 paved parking spaces available to the complex, and as I recall the field to the east of the building is sometimes used for overflow.

Lincoln's zoning ordinance was last overhauled in 1979, and it is due for another one. We hope to do a comprehensive review of all the parking regulations in the future, and we will note that the definitions and requirements for indoor recreation need attention. In theory, locating commercial uses like the gymnastics center and the sports complex in an industrial area makes sense, because the peak parking demand for these uses is on weekends and evenings, when most of the other commercial/industrial uses are closed and there is an opportunity to share parking. But in this particular case, these two uses with the same kind of peak parking demand adjoin each other, in a relatively isolated area without those opportunities to share parking.

However, I need to tell you that, even if the City Council revised the parking regulations to require more parking for the kind of activity occurring at the sports complex, the new requirements could not be imposed retroactively on existing uses -- they are "grandfathered" by state law and allowed to continue as they were previously approved.

Please contact me if you have any other questions about this issue,

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377

----- Original Message -----

From: Benjamin Bretz

To: pnewman@lincoln.ne.gov; pnewman@lincoln.ne.gov; jcamp@lincoln.ne.gov; jcamp@lincoln.ne.gov; jcook@lincoln.ne.gov; jcook@lincoln.ne.gov; amcroy@lincoln.ne.gov; amcroy@lincoln.ne.gov; reschliman@lincoln.ne.gov; reschliman@lincoln.ne.gov; ksovoda@lincoln.ne.gov; ksovoda@lincoln.ne.gov; dmarvin@lincoln.ne.gov; dmarvin@lincoln.ne.gov

Sent: Saturday, January 27, 2007 11:40 AM

Dear Council Members,

On Saturday Jan. 27th, 2007 I picked up my daughter from gymnastics at Solid Rock Gymnastics at 710 Hill Street. As I traveled West on Hill to the gym I could hardly even drive down the street there were so many cars from the Bison Youth Sports Complex. I got to the gym and talked with Danelle Catlett the owner of Solid Rock and she told me that she had to get a contract with a towing company and tow cars from Bison out of her lot to make room for her patrons. After talking to Danelle I decided to call non-emergency and complain about all the cars that were illegally parked. There was a truck parked on the corner of 8th and Hill, there was a truck parked 4 feet in front of the fire hydrant that is in front of Bison. There were 3 or more cars that were parked within 4 feet of private curb cut outs for driveways or public entrances to other parking lots. I was very disappointed with the Lincoln Police Officer that responded to my call as he issued only one ticket to the truck that was parked on the corner and ignored all the other violations.

I understand that it is great to have a business like Bison in town for our youth, but I also feel that the city needs to pay attention to issues like this and address these issues. I challenge each one of you next Saturday to try and drive down Hill Street and see if you think it is a problem.

Thank you for all the hard work you do to make Lincoln a better city,

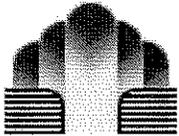
Ben Bretz
402-570-1272

8:00? 8:25? 8:40? [Find a flick in no time](#)
with the [Yahoo! Search movie showtime shortcut.](#)

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.432 / Virus Database: 268.17.12/653 - Release Date: 1/26/2007 11:11 AM



Jean L Walker/Notes

01/30/2007 04:31 PM

To City Council

cc Dana W Roper/Notes, julie@mccordburnslaw.com,
Mayor/Notes,

bcc

Subject Bill #06R-231, Special Permit No. 06062, soil mining request

----- Forwarded by Jean L Walker/Notes on 01/30/2007 04:30 PM -----

Marvin S Krout/Notes

01/30/2007 04:27 PM

To

cc

Subject Bill #06R-231, City Special Permit No. 06062, soil mining
request

Attached per Council request is the information on "design objectives" for community unit plans that was referenced by one of the neighbors who spoke in opposition to soil mining at your hearing last evening. These objectives are found in Section 14.003(j) of the County Zoning Resolution. Technically, the argument that these objectives are not being met should have been made at the County Board meeting, regarding the 2/3 of the site that is within the County's zoning jurisdiction. This language is not repeated in the CUP provisions in the City's zoning ordinance which applies to the southern 1/3 of the site on which the Council held the hearing. In any case, I think it can be argued that the grading plan does not violate the spirit of these objectives: some grading will be done, but so is grading sometimes done in agricultural fields; this is not a native prairie habitat area but an agricultural field; and a minor wetland area along with the key drainageways will be preserved.

Let me take this opportunity to correct my error in stating that there is a flashing signal at the intersection of Highway 77 and Waverly Road. I was quoting the remark made by the applicant's engineer at the Planning Commission. One of the neighbors told me after the hearing that the signal was in fact at Bluff Road, not Waverly Road, and we confirmed that is the case.

Last, in reviewing the conditions on the site plan, I noticed that the operations would be limited to weekdays from 7:00 am to 7:00 pm and Saturdays from 7:00 am to 5:00 pm, and not on Sundays or holidays.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377

ARTICLE 14
COMMUNITY UNIT PLAN

14.001. General Purpose. The purpose of this chapter is to permit and to encourage the creative design of new living areas, as distinguished from subdivisions of standard lot sizes and standard street systems, and in order to permit such creative design in buildings, open space, and their interrelationship while protecting the health, safety and general welfare of existing and future residents of surrounding neighborhoods.

14.003. General Requirement. The owner or owners of any tract of land in the "R" Zoning District which is one acre or more in area, including and up to the center line of existing public rights-of-way abutting the tract of land, or in the "AG" Zoning District which is 75 acres or more, or in the "AGR" Zoning District which is ten (10) acres or more in area, may submit to the County Board a plan for the use and development thereof for residential purposes or for the repair and alteration of any existing residential development; provided, however, that the County Board shall apply the standards contained in this chapter in consideration of all applications for community unit plans.

a) A community unit plan in "R" District may be permitted on a tract of land which is less than ten (10) acres but more than five (5) acres in area. The maximum permitted density on such a tract shall be calculated as follows:

The maximum number of dwelling units permitted by the underlying district will be computed and this maximum will be reduced by ten (10) percent to accommodate the small size of the tract.

b) A community unit plan in the "R" District may be permitted on a tract of land which is not more than five (5) acres but more than one (1) acre in area. The maximum permitted density shall be calculated as follows:

The maximum number of dwelling units permitted by the underlying district will be computed and this maximum will be reduced by twenty (20) percent to accommodate the small size of the tract.

c) A community unit plan in the "R" District may be permitted on a tract of land which is less than ten (10) acres but more than one (1) acre in area where such tract is bounded on at least two sides by one or more existing community unit plans. The maximum density of such a tract shall be calculated as in Section 14.014.

d) A community unit plan may be permitted in the "AGR" Districts on a tract of land which is ten (10) or more acres in area. The maximum permitted density of such a tract shall be calculated as in Section 14.014.

e) Notwithstanding the provisions of (a) through (d) above, where permitted in the "AG" Agricultural District, any community unit plan shall contain a minimum area of 75 acres, and in the "AGR" Agricultural Residential District, a minimum of ten (10) acres.

f) A community unit plan which complies with the energy conservation standards, if adopted by the County Board and on file with the County Clerk, may receive a dwelling unit bonus in accordance with the standards adopted by resolution of the County Board.

g) Additional dwelling units may be granted by the County Board for each dwelling unit subsidized by the state or Federal government for low-income families or as a dwelling unit bonus for the provision of barrier-free units; however, the number of additional dwelling units shall not exceed those provided in the standards adopted by resolution of the County Board.

h) A community unit plan located in the "AG" or "AGR" Zoning Districts which will protect the open space areas as designated in the Future Land Use Maps of the Lincoln City-Lancaster County Comprehensive Plan may receive a dwelling unit bonus in accordance with the standards adopted by resolution of the County Board. A similar dwelling unit bonus may be made for protection of environmentally sensitive areas not shown in the plan. However, any such request shall be accompanied by a showing by the applicant of the need and means for protection of a portion of the property.

i) The dwelling unit bonuses permitted under this section shall not exceed a total of twenty (20) percent in any community unit plan.

j) A community unit plan in the "AG" Zoning District where cultivated land and pasture land is preserved and no new County roads are created may receive a 20% density bonus. The design of the community unit plan shall accomplish the following design objectives:

1. Preserve the rural character of the open fields and pastures and natural wooded areas;
2. Preserve the natural habitats;
3. Preserve natural drainage courses;
4. Preserve the existing natural topography. (Resolution No. 4699, December 3, 1990)

14.005. Procedures. An application and plot plan and plans for development of a community unit plan under this article shall be filed in writing with the Codes Administration Division. Upon the filing of an application together with all information required by this article, the County Board will refer the application to the Planning Commission. The Planning Commission shall hold a public hearing upon such application and make a report to the County board regarding the effect of the proposed use upon the surrounding neighborhood, the community as a whole and other matters relating to the public health, safety and general welfare. The County Board shall take no final action upon any application for a community unit plan filed with the County Clerk; provided, that in the event there is a delay in excess of sixty (60) days from the date of referral on the part of the Planning Commission in reporting its recommendations to the County Board, the applicant may appeal to the County Board, requesting final action. If the County Board determines that the delay of the Planning Commission is unjustified, it shall direct the Commission to submit a report no later than immediately after the Commission's next regularly scheduled meeting.

The report of the Planning Commission to the County Board shall include reasons for recommending approval or denial of any application and if approval is recommended, shall further include specific evidence and facts showing that the proposed community unit plan meets the following conditions:

a) That the land surrounding the tracts for the proposed community unit plan will not be adversely affected;

MEMORANDUM

TO: City Council

FROM: Marvin Krout, Director of Planning 

SUBJECT: Council resolution on naming and re-naming streets in Lincoln
(Bill #07R-32, scheduled for public hearing on February 5, 2007)

DATE: January 31, 2007

cc : Mayor Coleen Seng
Planning Commission
Street Name Committee
Tom Casady, Chief of Police
Don Herz, Finance Director
Mike Merwick, Director of Building & Safety
Karl Fredrickson, Director of Public Works & Utilities
Dana Roper, City Attorney

We noted this resolution scheduled for Council hearing on February 5 calling for a task force to be appointed to develop a policy on naming and re-naming city streets. I thought it might be helpful to provide you with some background information as you take public comments next Monday and decide what to do with this resolution. Attached is a short paper that summarizes the current structure and process for naming streets in Lincoln, outlines the current formal and informal policies that are used locally in this process, and discusses additional policies that have been adopted by other communities and governmental agencies.

Certainly we could develop a more comprehensive list of policies for new names as well as name changes. But it seems as though most of the concern is with the proposed changes to existing street names, where we have no written policies, so you may want to narrow the scope of this effort to just that issue.

Staff does not feel that we have or should expect a runaway problem in this area. We have successfully discouraged most proposals to rename streets, because we recognize they can create a host of problems for the public and private sectors:

- Creates difficulties for businesses or residential property owners and tenants, who must adjust to the change, inform their family, friends, suppliers, customers, etc, change their letterheads, business cards, and marketing materials.
- Creates difficulties for emergency services when addresses called in refer to obsolete street names.

- Creates at least temporary problems for the motoring public in their way-finding.
- Creates problems for a number of city and county departments and agencies who keep address-based records; these records need to be changed, and the ability to retrieve and summarize historical address-based information coded with old and new street names is more complicated and time-consuming.
- Creates similar problems for private companies who keep private address-based records.

We are not aware of any other street name changes being contemplated. We have limited staff and other issues to tackle which we consider more pressing. Even if we come up with a more complete list of policies, some policies are likely to be in a form that still calls for some subjective judgement on your part, and there will always be some party (e.g. Talent Plus) who will want the Council to consider an exception to whatever policies you may adopt.

However, if the Council believes this issue needs to be addressed, I would suggest that, rather than appoint a new task force with all the additional work that entails (who is appointed, who is the chair, when and where do they meet, who takes the minutes, who staffs the task force, etc.), consider directing your Planning Commission to consider this issue. This issue is already in their realm of responsibility through the subdivision regulations, and they are responsible for naming streets in the county as well as the city jurisdiction. They are also set up to more easily solicit and record public comments on new street naming policies, if you want that to be part of your charge.

Current structure and process for naming streets in Lincoln.

Section 14.24 of the City Code specifies how buildings should be assigned numbers if fronting on a public street or private roadway (defined in this section as a private way that has been established through plans or plats approved by the Planning Commission, or established by another unit of government). This section provides for City Council approval of private street names, prohibits duplicate use of existing or approved street names, and requires that private street name signs be approved by Public Works and look different than public street name signs.

Section 26.23.11. This section of the City's subdivision regulations deals with street names. The City's subdivision regulations do spell out some guidelines on naming new streets, which occurs as part of the platting process by which new lots and blocks and streets are laid out and improved. The old letter and number system in the core area is to be respected, there are specified conventions for using prefixes (N, NW, SW and W), and there are a limited range of suffixes permitted for streets designed as cul-de-sacs, to warn you that you are entering a dead-end street. There are not any other formal conventions for use of suffixes. The regulations call for continuing existing street names where an existing street is being extended, but avoiding the duplication or phonetic approximation of existing street names.

Private roadways are defined as generally constructed to public street standards, providing easements for public access, and not being gated. These are the kinds of streets to which the Planning Commission gives official names for addressing and other record-keeping purposes. In the case of Talent Plus, the City Council made an exception and approved their request to name (Talent Plus Way) and address their driveway, for mailing purposes. But the official address for Talent Plus in the City's property records is 6500 Pioneers.

Street name committee. There is no mention in the subdivision regulations of the street name committee, but this group has been a key part of the process for reviewing new names and proposed re-names for decades. The street name committee is comprised of 11 members representing Planning, Public Works, Building and Safety, Police, Fire, 911, Sheriff, County Engineer, U.S. Postal Service, and Windstream. Their role is to help ensure that new and changed street names do not create confusion in dispatch of emergency services, provide for convenient way-finding for residents and businesses and visitors to the city, and minimize new administrative burdens to local government.

Informal policies on street naming and re-naming. Staff has had an informal policy that discourages naming streets after active businesses which are going to be addressed on that street. There is a good likelihood that eventually, the business will leave or change names, and the new addressees are usually not enamored with the street name they have inherited, and so they request another change (e.g. Kmart Drive to Noddle Drive). We interpret a new street that "lines up" with an existing street, but is not directly adjacent to and extending that street, to be an extension. We have encouraged, but not strictly required, that the existing name be continued in these cases.

While the Planning Commission basically approves new street names through the approval of preliminary plats and development plans, there is no formal process set out for review of proposals to re-name streets, and no written policies to guide decisions. Staff has taken these proposals through the street name committee to the Council without Planning Commission review.

Street name changes in Lincoln. We do seem to process about 8-10 street name changes per year. However, the bulk of these changes are basically technical corrections, trying to correct errors which occurred in the original street naming, like the incorrect street name prefix or suffix. These cases generally involve streets that have not yet seen buildings constructed and addresses assigned. Or the current name may have been or will be a cause for confusion to the current addressees and/or for emergency services, postal services, etc. Sections of old roadway that remain when major streets are being realigned fall into this category, such as old 84th Street (to Tower Court) near Pine Lake Road, Van Dorn west of 9th Street (to West Progressive Court and Place), and North 56th Street (to "Old Highway 77") near Cornhusker. In these cases, addressees, if there are any, generally have requested or supported the street name change. In one recent case, the Council approved a change from North 14th Street to Antelope Valley Parkway from north of the railroad overpass to Cornhusker, because a brand new street was being constructed to the south, and it was felt that it would be less confusing to continue that new street name up to a major intersection.

The staff's collective memory turned up only a handful of existing streets with a significant number of addressees that were renamed, as in the pending proposal to change 15th Street to Goodhue. And there have been few names changed on major traffic-ways, like Capitol Parkway West to Rosa Parks Way. Other recalled examples are:

- J Street, west of the State Capitol, to Lincoln Mall, and 15th Street, north of the Capitol, to Centennial Mall,
- Homestead Expressway (changed from Highway 77 to Salt Creek Roadway from I-80 to Saltillo, and later changed again to Homestead Expressway south to the county line and through Gage County to Beatrice and the national monument), and
- Purple Heart Highway (changed from Highway 34 at the suggestion of a state roads department retiree, after the state rejected his initial suggestion to name I-180).

Reimbursement. The fee adopted by Council resolution for street name changes is \$250. This is equivalent to other fees which involve limited staff research, reports, and time spent on hearings and followup paperwork. The fee probably represents less than ½ of full cost recovery, as do our other fees for development applications. By informal policy, unless the City is initiating a request for a street name change, applicants are required to pay the cost of changing any and all street name signs.

Street naming policies in other communities. Some communities have more comprehensive guidelines for evaluating street names, whether proposed new names or changed names. Some of the guidelines do require some subjective judgement, and are typically phrased in a "encourage" or "discourage" mode, so there is flexibility on their application. Guidelines include:

- easy to read (and remember/pronounce on the telephone with 911)
- no “offensive” names (slang, double meanings)
- no “frivolous” or “complicated” words
- no unconventional spelling
- no special characters like hyphens, apostrophes or dashes
- no use of a prefix or suffix for street name
- more conventions for suffixes, based on the physical characteristics of the streets
- strict requirement that new streets which “line up” with but are not adjacent to existing streets take the existing street name
- not longer than 27 or 28 characters, excluding the prefix/suffix
- add to community pride by promoting local heritage, history and traditions, and reflect local geography and character
- do not use names of living people or active businesses
- use names with the same theme within an individual subdivision

“Honorary” street names. A number of communities have a formal system of giving secondary names to streets, which are not considered the official names used for addressing purposes. This is meant to be a way to meet the goals of groups looking for a way to commemorate a person, place, event, etc., without the complications of changing the official name. Typically, a second sign blade with the honorary name in a different color is installed on the same pole and above or below the sign blade carrying the official street name. The honorary street name might cover the entire length of the street or just a segment. Communities typically require a petition with a minimum number of signatures to process these requests, perhaps a super-majority of the owners whose property addresses would be affected, and the petitioners are expected to bear the cost of the installing new signs.

Nebraska’s roads department has a well-developed policy for naming state highways and bridges after a “person or organization or other entity who has contributed significantly to the well-being of others.” They take requests from local government jurisdictions only, and in recent years, they have selected just one new name per year for this program – a simple way to ensure that this kind of program does not overwhelm their department. The local jurisdiction must pay for the signs, which are limited to one in each direction of the highway segment. Designated highway segments include Highway 2 from Lincoln to Nebraska City, in memory of Jerome and Betty Warner, and Highway 281 between Hastings and Grand Island in honor of Tom Osborne. Highway 2 through Lincoln is still the official street name carrying addresses of fronting properties. Both of these commemorative names were approved before the current

policy was adopted. Tom Osborne Highway does not meet the current "deceased" criteria, and probably would not have been approved today.

While this secondary name concept may avoid some of the problems of officially renaming a street, it can be the source of other problems. The dual naming may result in confusion over the proper name of the street, particularly if there are properties addressed on the street. A 911 call referring to an unofficial street name could delay the emergency response, mail may get incorrectly addressed, directions by signage or individuals may refer to one or the other street name which is unfamiliar to the driver being directed, etc. In addition, establishing a new program with honorary street names, even if fees were raised to more fully cover the administrative costs, could end up taking a great deal of time and provide even more opportunities for controversy. The City of Chicago has 1200 honorary street names, and some of the hearings have been very contentious.

"Vanity" street names. We don't know of any communities where naming rights for official streets are sold through a bidding process as a revenue device, like naming rights for arenas. We did find one community that allows for what they called "vanity" (as in license plates) street name changes, where an individual or company or association requests a change as a personal preference, rather than being intended to correct an error or reduce confusion or some other similar public benefit. The special fee for these changes was significantly higher than the cost of processing the application, either to discourage too many applications or raise revenues, or both. The community required that a petition be signed by a super-majority of the owners whose property addresses would be affected.

Recently, the State Fair Board took bids and awarded naming rights for their internal streets. You will find Sid Dillon Road and Omaha Truck Center Drive, among others. These streets are not part of the City's official street system, and no buildings are addressed on these streets -- with the exception that the administration building on the street that runs along the south boundary of the park carries the address of 1800 State Fair Park Drive for the entire park. So this particular re-naming had few of the negative impacts that most changes to current street names have for government and the general public.

q:\msk\street naming memo to City Council

***** ACTION BY PLANNING COMMISSION *****

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 31, 2007, 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 also meet on Wednesday, January 31, 2007, 11:45 a.m. - 12:45 p.m. in Conference Room 113 of the County/City Building, 555 S. 10th St., Lincoln, Nebraska, for a presentation by Kent Seacrest on "Vision 2015".

**** PLEASE NOTE:** 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 31, 2007

[Commissioner Larson absent]

Approval of minutes of the regular meeting held January 17, 2007. ****APPROVED, 7-0 (Strand abstained; Larson absent)****

1. REQUESTS FOR DEFERRAL

Page 01 1.1a Annexation No. 06022, to annex approximately 15.9 acres, generally located at SW 40th Street and West A Street.
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov
Applicant's request for four-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, February 28, 2007, 1:00 p.m.

Page 01 1.1b Change of Zone No. 06082, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at SW 40th Street and West A Street.

Staff recommendation: Approval

Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

Applicant's request for four-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, February 28, 2007, 1:00 p.m.

Page 01 1.1c Preliminary Plat No. 06011, Woodland View 1st Addition, for 25 single family lots and 4 outlots, on property generally located at SW 40th Street and West A Street. The Planning Commission action on the plat is final, unless appealed to the City Council. The following waivers are also being requested: a) to allow sanitary sewer to run against the street grade and b) to allow sanitary sewer to be deeper than 15 feet. Any waiver requests that are recommended for denial by the Planning Department will be forwarded to the City Council for public hearing. If all waiver requests are recommended for approval, the Planning Commission action is final, unless appealed to the City Council. ***** FINAL ACTION *****

Staff recommendation: Conditional Approval

Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

Applicant's request for four-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, February 28, 2007, 1:00 p.m.

2. PUBLIC HEARING AND ACTION:

CHANGE OF ZONE:

Page 03 2.1 Change of Zone No. 07001, to amend Chapter 27.52 of the Lincoln Municipal Code relating to Flood Regulations for Existing Urban Area, by amending Section 27.52.020 to add definitions for 100-Year Flood Elevation, Development Area, Fill, Flood Storage Area or Salt Creek Flood Storage Area, Percentage of Allowable Fill, and Single-Family Residential Building; and by adding a new section numbered 27.52.035 to adopt standards for development within the Salt Creek Flood Storage Areas.

Staff recommendation: Approval

Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: APPROVAL of corrected text amendment language dated January 26, 2007, 8-0.

Public Hearing before City Council tentatively scheduled for Monday, February 26, 2007, 5:30 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

Page
29

2.2a Change of Zone No. 06062, amending Title 27 of the Lincoln Municipal Code relating to Zoning by amending Section 27.27.080, 27.28.090, 27.31.100, 27.37.070, and 27.51.100 relating to the O-3 Office Park District, R-T Residential Transition District, B-2 Planned Neighborhood Business District, B-5 Planned Regional Business District, and I-3 Employment Center District; by amending Section 27.60.040 relating to Planned Unit Developments; by amending Section 27.63.020 relating to special permits; and by amending Section 27.65.030 relating to Community Unit Plans requiring the Planning Commission to take final action or make a required report and recommendation within twelve weeks following the date of their first public hearing on the matter and, upon failure thereof, authorizing the applicant to appeal to the City Council requesting final action, and providing that all applications which have been placed on pending by the applicant shall automatically expire one year thereafter unless the applicant requests the application be removed from pending prior to the expiration date; and by amending Section 27.81.040 relating to amendments to the Zoning Code to require the Planning Commission to submit its recommendation report to the City Council within twelve weeks following the date of their first public hearing on the change of zone, and adding a provision that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending.

Staff recommendation: Approval

Staff Planner: Ray Hill, 441-6371, rhill@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: APPROVAL, excluding the 12-week time period for Planning Commission action, 7-1 (Esseks dissenting, Larson absent).

Public Hearing before City Council tentatively scheduled for Monday, March 5, 2007, 1:30 p.m.

Page
71

2.2b County Change of Zone No. 06070, amending the Lancaster County Zoning Regulations by amending Sections 13.001 and adding Section 13.002 regarding special permit procedures; by amending Section 13.003 regarding administrative amendments; amending Section 14.005 and by adding Section 13.002 relating to special permits and community unit plan applications, respectively, to require the Planning Commission to take final action or make a required report and recommendation within twelve weeks following the date of their first public hearing on the matter and, upon failure thereof, authorizing the applicant to appeal to the County Board requesting final action, and providing that all applications which have been placed on pending by the applicant shall automatically expire one year thereafter unless the applicant requests the application be removed from pending prior to the expiration date; amending Section 22.003 to require the Planning Commission to submit its

recommendation and report to the County Board within twelve weeks following the date of their first public hearing on the change of zone, and adding section 22.019, a provision that applications placed on pending by the applicant shall automatically expire one year thereafter unless the applicant files a request with the Planning Director requesting that the application be removed from pending; and amending Section 22.005 to amend the time period for posting a sign and posting notice in the newspaper.

Staff recommendation: Approval

Staff Planner: Ray Hill, 441-6371, rhill@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: APPROVAL, excluding the 12-week time period for Planning Commission action, 8-0 (Larson absent).

Public Hearing date before Lancaster County Board being requested.

Page 85 2.2c Miscellaneous No. 06012, amending Title 26 of the Lincoln Municipal Code relating to the Land Subdivision Ordinance by amending Section 26.11.032 to delete the filing deadline before a preliminary plat may be scheduled on the Planning Commission agenda; amending Sections 26.11.037, 26.11.060 and 26.31.010 to require the Planning Commission to take final action or make a required report and recommendation within twelve weeks following the date of their first public hearing on the matter and, upon failure thereof, authorizing the subdivider to appeal to the City Council requesting final action and providing that all applications which have been placed on pending by the subdivider shall automatically expire one year thereafter unless the subdivider requests the application be removed from pending prior to the expiration date.

Staff recommendation: Approval

Staff Planner: Ray Hill, 441-6371, rhill@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: APPROVAL, excluding the 12-week time period for Planning Commission action, 7-1 (Esseks dissenting, Larson absent).

Public Hearing before City Council tentatively scheduled for Monday, March 5, 2007, 1:30 p.m.

Page 99 2.2d Miscellaneous No. 06014, amending "Rule 2. Filing of Applications" of the Lincoln City-Lancaster County Planning Commission Rules and Procedures, to change the filing deadline from 12:00 noon four Thursdays before Planning Commission public hearing to 4:00 p.m four weeks before Planning Commission public hearing.

Staff recommendation: Approval

Staff Planner: Ray Hill, 441-6371, rhill@lincoln.ne.gov

Had public hearing.

Planning Commission 'final action': APPROVAL, 8-0 (Larson absent), Resolution No. PC-01036.

2.2e County Miscellaneous No. 06016, amending Section 3.06 of the Lancaster County Land Subdivision Regulations to delete when a preliminary plat would appear on the Planning Commission agenda; amending Section 3.08 to require the Planning Commission to make a required report and recommendation within twelve weeks following the date of their first public hearing on the matter and, upon failure thereof, authorizing the subdivider to appeal to the County Board requesting final actions; amend Section 3.09 to delete the provision that approved preliminary plats have no force or effect after 10 years and authorizing the Planning Director to determine when a new preliminary plat will be required after 5 years; and add Section 3.21 to provide that all applications which have been placed on pending by the subdivider shall automatically expire one year thereafter unless the subdivider requests the application be removed from pending prior to the expiration date.

Staff recommendation: Approval

Staff Planner: Ray Hill, 441-6371, rhill@lincoln.ne.gov

Had public hearing.

Planning Commission recommendation: APPROVAL, excluding the 12-week time period for Planning Commission action, 7-1 (Esseks dissenting, Larson absent).

Public Hearing date before Lancaster County Board being requested.

3. OTHER BUSINESS:

3.1 Briefing on proposed amendments to parking provisions in zoning ordinance. **The Planning Commission was briefed by Planning staff on upcoming proposed amendments to the parking provisions and parking matrix in the zoning ordinance. Anticipated public hearing date is February 28, 2007, 1:00 p.m.**

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

PENDING LIST:

1. *Change of Zone No. 3321, requested by Michael T. Johnson, on behalf of West Gate, inc., from R-7 Residential District to B-4 Lincoln Center Business District, on property generally located at 1729 "M" Street.
(6-13-01: Planning Commission voted 6-0 to place on pending at the request of the applicant.)*

2. *Street and Alley Vacation No. 04013, to vacate all of the east-west alley in Block 65, Original Lincoln, bounded by 13th, 14th, "M" and "N" Streets, generally located at S. 13th Street & "M" Street.
(3-16-05: Planning Commission voted 9-0 to place on pending until completion of the Downtown Master Plan at the request of the applicant.)*

3. *Change of Zone No. 06084, a proposed text amendment to Title 27 of the Lincoln Municipal Code, by amending Chapter 27.63 to define a special permit for a kennel; by amending Chapter 27.45 to allow a kennel as a special permitted use in the H-4 General Commercial District; and by amending Chapter 27.47 to allow a kennel as a special permitted use in the I-1 Industrial District.
(1-17-07: Planning Commission voted 8-0 to continue public hearing on February 14, 2007.)*

Planning Dept. staff contacts:

Ray Hill, Development Review Manager	441-6371	. rhill@lincoln.ne.gov
Steve Henrichsen, Special Projects Manager	441-6374	. shenrichsen@lincoln.ne.gov
Mike Brienzo, Transportation Planner	441-6369	. mbrienzo@lincoln.ne.gov
Tom Cajka, Planner	441-5662	. tcajka@lincoln.ne.gov
David Cary, Transportation 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
Sara Hartzell, Planner	441-6372	. shartzell@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>**

JAMES W. HEWITT
2990 SHERIDAN BLVD.
LINCOLN, NE 68502

RECEIVED

January 25, 2007

JAN 26 2007

CITY COUNCIL
OFFICE

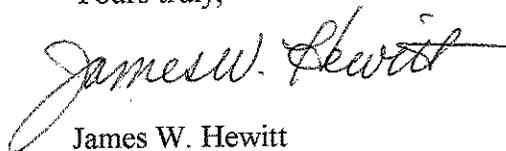
Ms. Patte Newman
Chair, Lincoln City Council
555 South 10th
Lincoln, NE 68508

Re: Goodhue Boulevard

Dear Ms. Newman:

As a member of the Capitol Environs Commission, and as a college professor teaching Nebraska history, I am profoundly aware of the great contribution Bertram Goodhue made to Nebraska in designing our magnificent capitol. I think it would be highly appropriate to recognize that contribution by renaming south 15th street between H and A streets "Goodhue Boulevard." If that action is taken, all Nebraskans will be able to recognize what Goodhue has given us. I hope that you will share my belief with your colleagues on the Council, and that you will all act in concert to give Goodhue his due.

Yours truly,



James W. Hewitt



Lincoln Public Schools

5901 O Street • Lincoln, NE 68510 • (402) 436-1000 • (Fax) 436-1084

January 29, 2007

Robin Eschliman
Lincoln City Council
555 South Tenth Street
Lincoln, NE 68508

Dear Robin:

Lincoln Public Schools Board of Education members have received your survey entitled "SURVEY FOR SCHOOL BOARD AND COUNTY COMMISSIONERS ON TIF." Representing the Board of Education, I am returning the survey uncompleted. Also enclosed is a copy of the August, 22, 2006, Board of Education Meeting minutes and referenced Planning Committee report. This item was acted on by motion, second and roll call vote.

The Board of Education has clearly stated its position on this issue. The position was further clarified for the City Council and Mayor in a letter from Dennis Van Horn, Associate Superintendent for Business Affairs, dated August 22, 2006. There has been no change in the Board's position on this issue since we took formal action.

If you have questions or need additional clarification, please contact me.

Sincerely,

Donald R. Mayhew, President
Lincoln Board of Education

c: Patte Newman ✓
Bob Workman

Enclosures

LINCOLN PUBLIC SCHOOLS
BOARD OF EDUCATION
LINCOLN, NEBRASKA

MINUTES OF MEETING – AUGUST 22, 2006

1. **OPENING PROCEDURES**

Notice of the time and place of the meeting of the Lincoln Board of Education was given by mail to the following news media: Television Stations KOLN, KLKN, KETV, KPTM, WOWT and KMTV; Radio Stations KFOR, KLIN, KMEM, KRNU, KLDZ, KZKX and to the *LINCOLN JOURNAL STAR* and *OMAHA WORLD-HERALD* newspapers. A public notice was published in the *LINCOLN JOURNAL STAR*.

Call to Order

The meeting was called to order by the Board President, Mr. Don Mayhew, at 8:01 a.m., Tuesday, August 22, 2006, at the Lincoln Public Schools District Offices.

Roll Call

Upon calling the roll, the following Members were:

Present: Ms. Baier, Mrs. Danek, Mrs. Larsen,
Dr. Zimmer, Mr. Mayhew

Absent: Mr. Evans (excused), Mr. Prettyman (excused)

Announce Open Meetings Act Posting

The Lincoln Board of Education makes available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of this meeting, the Board President announced and informed the public about the location of the posted information.

Staff in Attendance

Also meeting with the Board were:

Mr. James Gessford, Attorney for the Board
Dr. Marilyn Moore, Associate Superintendent for Instruction
Mr. Dennis Van Horn, Associate Superintendent for Business Affairs
Dr. Nancy Biggs, Associate Superintendent for Human Resources
Dr. Virgil Horne, Administrative Assistant to the Superintendent for
Governmental Relations
Dr. David Myers, Administrative Assistant to the Superintendent for
General Administration and Communication

A list of other people in attendance is set forth in Report File No. LL-61.

SECOND READING, RECOMMENDED FOR ACTION (continued)

From Board Committees (continued)

9a. REVIEW PLANNING COMMITTEE RECOMMENDATION ON NORTH 56TH STREET AND I-80 TAX INCREMENT FINANCING MATTER AND BOARD ACTION THEREON

Dr. Zimmer reported that the District has received reports and requests from private developers and the County-City Development staff regarding a proposed development in the area of North 56th Street and I-80. The Board previously directed staff to visit with the Planning Commission regarding the Board's concerns about Tax Increment Financing, and the Planning Committee was asked to discuss the Board's recommendation again. Dr. Zimmer read the following recommendation from the Planning Committee:

The Planning Committee has received information from the City of Lincoln related to the "Draft" North 56th and I-80 Redevelopment Plan and proposed associated residential tax increment financing. The Board Planning Committee provides the following for the Board's review and discussion:

LPS plays a major role in Lincoln's economic development by maintaining and strengthening our excellent public school system, to foster a competitive workforce and help retain and attract quality businesses.

LPS supports the Lincoln economy through sound hiring, procurement, and construction practices.

When the blight study for a development area at North 56th Street and I-80 was first reviewed by the Planning Commission and the City Council, LPS spoke against deriving Tax Increment Financing (TIF) from new residential developments. We are grateful that the City Council endorsed the policy urged by LPS.

LPS reiterates that Tax Increment Financing of new residential development is poor public policy, requiring that, for up to 15 years, property taxes on existing homes and businesses would bear most of the costs of public education (and other essential services) for those new neighborhoods, especially their share of the cost of building new facilities.

Dr. Zimmer moved, Mrs. Danek seconded

That the Board endorse the Planning Committee report and recommendation against Tax Increment Financing (TIF) of new residential developments and instruct staff to communicate this action to City officials.

Mrs. Larsen reported that the Planning Committee thought it important to expedite this matter in order to give notice to the Planning Commission.

Mrs. Danek noted that the Board has been very consistent in its objections to Tax Increment Financing, and believes any taxing should be balanced as a whole, as one Lincoln.

Mrs. Larsen indicated that it's important to note that the full Board is aware of this statement being made today, as the information was previously distributed to all Board Members. She advised that the Planning Committee members are Dr. Zimmer-chair, herself, and Mr. Prettyman.

Roll Call: **Ayes:** Ms. Baier, Mrs. Danek, Mrs. Larsen,
Dr. Zimmer, Mr. Mayhew

Nays: None

Motion carried.

SECOND READING, RECOMMENDED FOR ACTION (continued)

From the Superintendent

10. REQUEST FOR CLOSED SESSION

Mr. Mayhew announced that the Board had no need to hold a closed session today.

11. 2006-07 LIABILITY/CASUALTY INSURANCE RATES

Dr. Biggs and Risk Management Supervisor Ms. Sue Wright presented the 2006-07 liability/casualty insurance rates, as set forth in Report File No. LL-68. Dr. Biggs reminded Board Members that the rates were discussed at their last meeting. She added that they are exceedingly good rates, which is a testimony to the quality of the School District and the management of the Risk Management Department.

Mrs. Danek move, Mrs. Larsen seconded

That the Board approve the recommended 2006-07 insurance coverage/rates.

Roll Call: **Ayes:** Mrs. Danek, Mrs. Larsen, Dr. Zimmer,
Ms. Baier, Mr. Mayhew

Nays: None

Motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from today's Consent agenda.

Addition to Agenda
August 22, 2006

Review Planning Committee recommendation on N. 56th and I-80 Tax Increment Financing matter and Board action thereon. (See attached Planning Committee report).

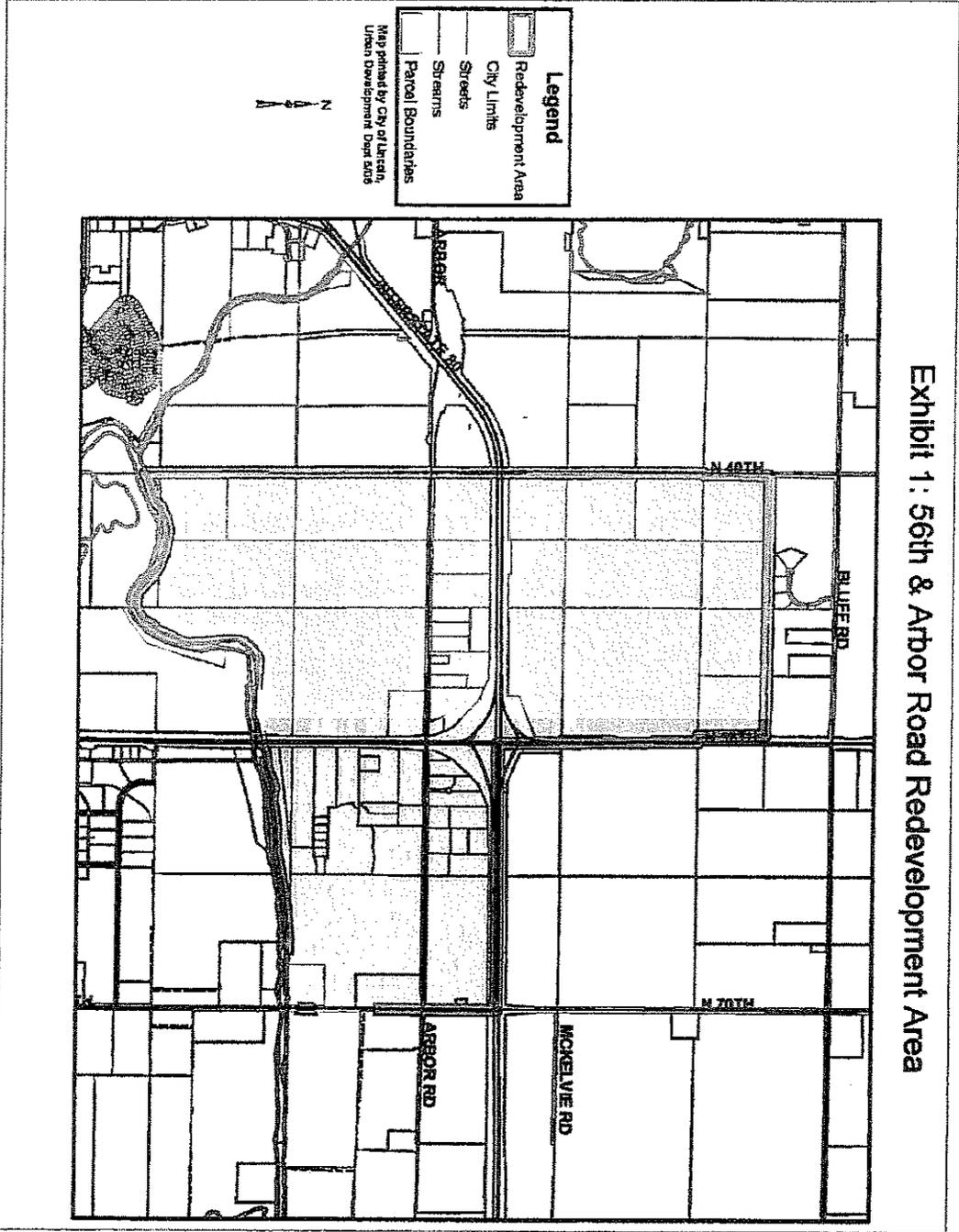
Planning Committee Report N. 56th and I-80 Draft Redevelopment Plan

The Planning Committee has received information from the City of Lincoln related to the "Draft" N. 56th and I-80 Redevelopment Plan and proposed associated residential tax increment financing. The Board Planning Committee provides the following for Board review and discussion:

- LPS plays a major role in Lincoln's economic development by maintaining and strengthening our excellent public school system, to foster a competitive workforce and help retain and attract quality businesses.
- LPS supports the Lincoln economy through sound hiring, procurement, and construction practices.
- When the blight study for a development area at N. 56th and I-80 was first reviewed by Planning Commission and City Council, LPS spoke against deriving Tax Increment Financing (TIF) from new residential developments. We are grateful that the City Council endorsed the policy urged by LPS.
- LPS reiterates that Tax Increment Financing new residential development is poor public policy, requiring that for up to 15 years, property taxes on existing homes and businesses would bear most of the costs of public education (and other essential services) for those new neighborhoods, especially their share of the cost of building new facilities.

Planning Committee 8-21-06

Exhibit 1: Redevelopment Area



Subject: Additional Agenda Item for 8-22-06

From: Dennis Van Horn <dvhorn@lps.org>

Date: Mon, 21 Aug 2006 09:46:46 -0500

To: Don Mayhew <don@innovationcorp.com>, Lillie Larsen <llarsen@lps.org>, Kathy Danek <kmdanek@aol.com>, Keith Prettyman <kprettyman@assurity.com>, bbaier@ci.lincoln.ne.us, 'Barb Baier' <bbaier@neb.rr.com>, Ed Zimmer <ezimmer@neb.rr.com>, ezimmer@ci.lincoln.ne.us, devans@lps.org, devans@neb.rr.com

CC: Susan Gourley <sgourley@lps.org>, Marilyn Moore <mmoore@lps.org>, Nancy Biggs <nbiggs@lps.org>, Virgil Horne <vhorne@lps.org>, Dave Myers <dmyers@lps.org>, Dennis Van Horn <dvhorn@lps.org>, Jim Gessford <jgessford@perrylawfirm.com>, Linda Pappas <lpappas@lps.org>

Board Members:

The Planning Committee has added an additional agenda item to tomorrow's meeting under Committee Reports. The item concerns the Draft Redevelopment Plan for the N.56th and I-80 area. The reason for adding the item at this time is that it is time sensitive as the City Council will be addressing the issue soon.

The Agenda item description is as follows:

Addition to 8-21-06 Agenda

Review Planning Committee recommendation on N. 56th and I-80 Tax Increment Financing matter and Board action thereon. (See attached Planning Committee report).

Attached is a map of the area and a report from the Planning Committee regarding the draft Redevelopment Plan. We will provide hard copies of these items for you at the Board meeting.

Please contact me if you need additional information prior to the meeting.

Thanks - Denny

--

*Dennis A. Van Horn
Associate Superintendent
for Business Affairs
Lincoln Public Schools
(402)436-1636
dvhorn@lps.org*

This email (including attachments) may contain privileged or confidential information and may be exempt from public disclosure under applicable law. It is intended only for the use of the individual or entity named. This message is for informational or scheduling purposes, it is not intended to circumvent provisions of the open meetings law. Unless otherwise indicated, no response is expected. If you have received this communication in error, please immediately



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
LINCOLN BRANCH P.O. BOX 81322 LINCOLN, NEBRASKA 68501-1322
VOICE MAIL (402) 475-4700

January 29, 2007

Mrs. Patte Newman
Chair, Lincoln City Council
555 South 10th Street
Lincoln, NE 68508

RECEIVED

JAN 31 2007

CITY COUNCIL
OFFICE

Dear Patte,

Thank you for your support and assistance with passing the ordinance for Rosa Parks Way. We could not have gotten it done without your unquestionable support. We are working hard to raise the \$15,000, and we are making progress. I shall never forget your cooperative and willing spirit. I look forward to the day when the signs are in place which will read, "Rosa Parks Way". It will truly be a lasting historic event for Lincoln, and will demonstrate to future generations that Lincoln is the land of opportunity for all and we respect and appreciate diversity.

Rosa Parks leadership changed civil rights in this country. Your leadership as Council Chair will have a lasting effect on change in this city for education, diversity and the results of your actions will serve as a role model for all women who will follow you.

As a head-up, we are planning a ribbon cutting ceremony in late September and would like to have you participate. We plan to include Lincoln Public School students and September will give us time to prepare for the event and allow students time to return from summer break and settle in. I will keep you posted as plans are developed.

Thank you again,

A handwritten signature in cursive script that reads "Leroy Stokes".

Leroy Stokes
President, Lincoln Branch NAACP

RECEIVED

FEB 01 2007

**CITY COUNCIL
OFFICE**

Mary Earley
2220 North 56th Street
Lincoln, Nebraska 68504

January 23, 2007

RECEIVED

FEB 01 2007

Patte Newman
555 South 10th Street
Lincoln, Nebraska 68508

Dear Ms. Newman,

I am writing to you as a homeowner with a problem. I purchased my home in 1992 and just love University Place. I have wonderful neighbors and frequent the local businesses to support the area. I do what I can to maintain and improve the value of my home inside and out. I began having problems with my main drain backing up several years ago. I was told it was due to thirsty tree roots that had breached the line. The drain has required cleaning every year or two.

A few years ago, prior to the addition of the third lane on 56th Street, I had a local plumber (Mr. Rooter) clear the line. They inspected the line and told me it ran about 150 feet directly to the west across 56th Street and dumped into the main line there. The plumber told me they used a radio frequency locator attached to a camera to find the line. He also told me the line was not in great shape. I had no reason to disbelieve him. I have had a plumber out to clear the line every year to 18 months since that inspection. Due to scheduling issues, different plumbers have cleared the drain but I have relied mostly on Mr. Rooter. In September of 2005, Mr. Rooter cleared the drain. In July of 2006, just 10 months later, the drain backed up again. This was four months beyond Mr. Rooter's six-month "warranty." In July of 2006, Mr. Rooter told me the line was damaged and needed to be replaced. Again, I was told that the line was 150 feet long and emptied out west under 56th Street. Due to the nature of the conversation and events that occurred while he was cleaning out the drain, I became unsure of the credibility of this particular plumber. At this point I contacted the city and asked several questions to include where my drain emptied into the city main. The attached document was provided by the city. The city informed me that my main line is in fact 265 feet long and runs south. I was fairly upset by this, as more than one plumber had told me that my line ran west and was only 150 feet long. I have also been extremely worried that my line is damaged and would require a very costly replacement.

A few days ago the line backed up again. I called a different plumber. Holmes Sewer and Drain came out and cleared all 265 feet of line. I then had Tinius Plumbing run a camera through the line to inspect it. This was quite costly, but I felt it necessary as Mr. Rooter had told me the line was damaged. Good news, the line is in good condition, has minimal damage and does not need to be replaced after all. During the inspection process, Tinius discovered there is a cleanout for the line located about 150 feet from the house. Unfortunately, it is about 20 inches from the curb under the street. When the third lane was added to 56th Street my cleanout line was covered with cement, as was the majority of the line. I understand that there should be a cleanout in my line if it exceeds a certain length. The cleanout does exist but I cannot access it. I am looking for some guidance or a course of action from you about how to gain access to the cleanout in my main drain line. Any assistance you can offer at this point would be most helpful and appreciated. I would like to stop putting so much money down the drain to remove tree roots. If the cleanout could be accessed it would be most helpful. Thank you for your consideration in this matter. If you need any further information please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary Earley', written in a cursive style.

Mary Earley

PLUMBING INSPECTOR'S REPORT

M. H. ...
 REGISTERED PLUMBER

PERMIT NO. *64155*

... ..
 OWNER

LOT _____ BLOCK _____

ADDITION _____

Y MEAS. *2330 21056*
SEWER

DEPTH OF PIPE AT HOUSE *7'*

DEPTH OF PIPE AT JUNCTION *10'*

LENGTH OF CONNECTION *2.65' Clay*

TOTAL FALL FROM SOIL PIPE TO JUNCTION _____

LENGTH OF SOIL PIPE *40'*

... .. FIXTURE *5-28-62*

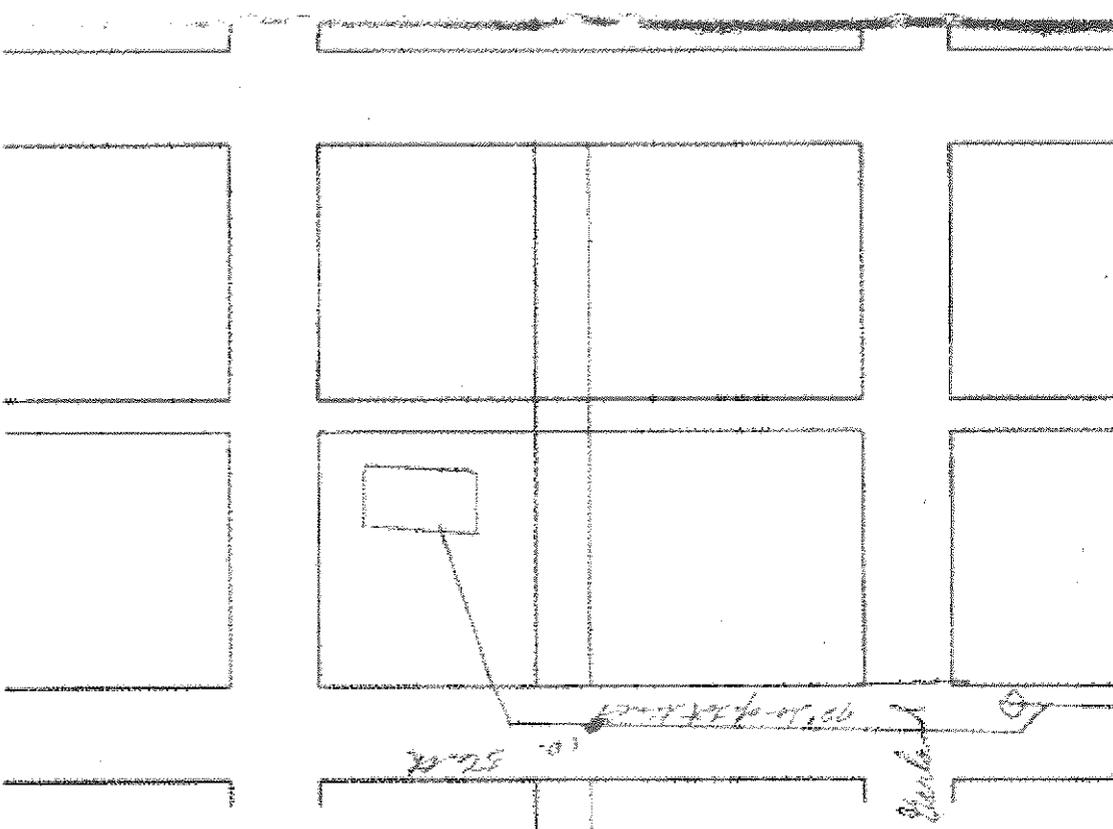
NO.	KIND	NO.	KIND
1	SEWER CONNECTION		REGULATORS
2	WATER CLOSURE		LANDING TUBE
1	SINK		SPRING RETURN H
2	LAVATORY		URINALS
1	BATH TUB		(AUTOMATIC) WALK IN HEATER
1	PLUMB FIXTURES		
<i>... ..</i>			

SEWER APPROVED *5-24-62 Lewis*

ROUGH APPROVED *6-12-62 Mackin*

FINAL APPROVED _____

REMARKS _____





Jim Johnson
<JimJohnson@neb.rr.com>
01/26/2007 07:05 AM

To commish@lanaster.ne.gov
cc dshively@lincoln.ne.gov, MKTolzin@lanaster.ne.gov,
council@lincoln.ne.gov
bcc
Subject

Commissioners:

I hope the article in this morning's Lincoln Journal Star is in error regarding your wishes to place an item on the April city election ballot, because contrary to statements attributed to the County Election Commissioner I think that would be a violation of State law, and as a taxpayer I'd hate to see my taxes be used in court to fight an unwinnable case.

I have no particular reservations against building a new jail if one is needed, and I assume that if there's an election you'll try to make the case, but State statute is clear on when elections can be held. State statute 32-404 allows local subdivisions to decide when their elections should be, but only as provided in the charter (which the City does in its Lincoln City Charter), or through code or bylaws. If the County happens to have a similar charter or bylaws then I stand corrected (although in that case I have doubts as to why the article is discussing state law in the first place); in the more likely scenario that the County is just trying to piggyback off the City's planned expenditure (to the County, I might add) of funds for its City election, be advised that I think you're wrong. State Statute 32-405 is unambiguous in stating that any elections (not covered by the "charter, code, bylaws" exception of 32-404) needs to happen on the first Tuesday following the second Monday of a month, unless the law provides otherwise. And I see no state law that provides otherwise. (Illogical or not.)

Moreover, Countywide elections are more expensive than City elections. Peoplewise the County isn't so much bigger than the City, but if you're expecting the Election Commissioner to staff all those extra polling places for one issue you're crazy.

Be advised that I'll be watching, state statutes in hand.

Thanks for your time!

Jim Johnson
1201 Berkshire Ct #36
Lincoln NE 68505

JimJohnson@neb.rr.com



"Dempsey, Cindy"
<Cindy.Dempsey@mdsinc.com>

01/29/2007 12:38 PM

To <campjon@aol.com>, <council@lincoln.ne.gov>

cc

bcc

Subject Comment regarding breast-feeding in Lincoln

Dear Mr. Camp and other city council members,

Nebraska is in the minority in that we do not have laws protecting a mother and baby's right to breast-feed in public. We should not let cultural taboos jeopardize the health of women and children. Please read the article at the link below and consider a city ordinance that would protect breast-feeding in Lincoln.

Thank you, Cindy Dempsey

Consistent voter, 1705 Skyline Drive, Lincoln, NE 68506

Food or lewd? Breast-feeding reveals divide

Health authorities have said for decades that breast is best for baby, but American attitudes about public nursing are still heatedly divided. In some cases, women who don't or can't breast-feed can be made to feel like they're bad mothers. And those who do _ and nurse in public _ can be the targets of complaints and outrage.

<http://www.msnbc.msn.com/id/16773617/from/ET/>

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<rjmartin2@windstream.net>

01/29/2007 04:17 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Item #6 cell tower

City Council Members:

This email is being sent to express my concern about the placement of a cell tower in Cooper Park. I feel the tower design would take away from the historic nature of the park. A much better placement would be to the north of Park Middle School in the industrial area or even on top of the grain elevator at 6th and "G" Streets. Please vote against this proposal.

Becky Martin
338 So. 29th Street
Park Middle School Teacher



Christy and Lance Krejdl
<krejdl@windstream.net>

01/30/2007 11:06 AM

To council@lincoln.ne.gov

cc

bcc

Subject 56th and Waverly road mining permit

Dear Council members,

I would like to express my concern for the proposed land mining permit north of Waverly road and east of 56th street. As a resident of the View Pointe North neighborhood this proposed site would be directly west of my residence. I oppose the proposed permit for many reasons, not the least of which is safety. The contractor that would be providing the equipment for the project has stated that we can expect well over 200 truck a day using the site. This in itself will be a major safety issue as there is not a traffic light of any kind at the 56th street and Waverly road intersection. In addition there is limited visibility when making the turn to or from Emmawalter road on to Waverly road. A secondary consideration is that Waverly road was just repaved this year and will likely need to be redone again much earlier than normal due to the greatly increased truck traffic that this would cause. Most disappointing with this issue is how those behind this project continue to keep the people affected in the dark. Our home owner association actually found out about the proposed mining second hand AFTER the initial council meetings were conducted. This action would also be directly contrary to our local home owners association covenants which were in fact written by the party that is trying to obtain this permit!

I urge the council to consider the effects this project will have over the short and long term for those living in the area. We will be subject to noise, dust, traffic, and safety issues, not to mention the permanent change to the landscape that this project will cause.

Thank you for your consideration,

Lance Krejdl
View Pointe North Home Owner association
12200 Emmawalter Road



"shannon mcgovern"
<midwestminichoppers@hotmail.com>

01/30/2007 09:14 PM

To lama_mama@alltel.net, commish@lanaster.ne.gov,
workbob@msn.com, mayor@lincoln.ne.gov,
commish@lincoln.ne.gov, council@lincoln.ne.gov

cc

bcc

Subject Motorsports Taskforce

Found this little piece in the Journal Star.

Soil Mining Expert wrote on January 30, 2007 7:53 PM:

"In watching the City Council proceedings on TV, I see the opposition called upon Karen Kurbis as an expert for testimony against soil mining. She is on a Motorsports Task Force on public record saying racing at Topeka is obnoxious, she is on public record against soil mining at Hwy 77 and Davey Road, and she is on public record against a potential Drag Strip that according to a recent UNL impact study would bring 10 million dollars to our county. Denying these permits will cost the contractors more to buy soil farther out of town to build roads on I-80 which cost us the taxpayers more. One has to ask, why are these same 10 people in northern lancaster county costing all of us more in taxes and denying us revenue to help our county?"



"bbohrer@lcoc.com"
<bbohrer@lcoc.com>
02/01/2007 02:15 PM

To "Ms. Tammy Grammer" <tgrammer@lincoln.ne.gov>
cc
bcc
Subject Action Alert - Fundamental Income Tax Reform

Dear Lincoln Business Leader,

Yesterday the Lincoln Chamber of Commerce was part of a growing coalition that presented testimony before members of the Legislature's Revenue Committee in support of Governor Heineman's tax relief proposal, LB 331.

Now the Committee members need to hear from business leaders like you who know how important it is for our state to pursue fundamental income tax reform.

Please send an email to Senators on the Revenue Committee using the links provided below to tell them:

- We need tax relief as proposed in LB 331 so we to have a competitive climate for creating jobs
- We need tax relief that keeps more capital in the private sector economy
- We need tax relief to help maintain and grow business operations and grow our economy

By the way, property tax relief in the form of almost \$2.4 Billion (Yes, Billion) in state aid to schools and other local governments is provided through the Governor's budget proposal. But this will require local government to follow the Governor's lead and be as frugal on local spending decisions as he has been with the 3.8% state budget increase.

So please act now and make a difference! Nebraska needs fundamental income tax reform to create a tax climate for 21st century jobs! Be sure to thank Senator Ray Janssen for introducing LB 331 on behalf of the Governor.

Senator (Chairman) Ray Janssen rjanssen@leg.ne.gov ; Senator M.L. "Cap" Dierks mdierks@leg.ne.gov ; Senator Ron Raikes rraikes@leg.ne.gov ; Senator Abbie Cornett acornett@leg.ne.gov ; Senator Carroll Burling cburling@leg.ne.gov ; Senator Don Preister dpreister@leg.ne.gov ; Senator Chris Langemeier clangemeier@leg.ne.gov ; Senator Tom White twhite@leg.ne.gov

Thanks for making a difference!!

Bruce J. Bohrer
Executive Vice President and General Counsel
Lincoln Chamber of Commerce
1135 M Street, Suite 200

Lincoln, NE 68508
Phone: (402) 436-2358
Cell: (402) 430-2358
Fax: (402) 436-2360
www.LCOC.com

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**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, FEBRUARY 5, 2007**

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 3 through February 9, 2007 - Schedule subject to change.
2. NEWS RELEASE - RE: City Won't Appeal Personnel Board Decision.
3. Letter from Mayor Seng - RE: 2015 Steering Committee - Events Facility Task Force.

II. CITY CLERK - NONE

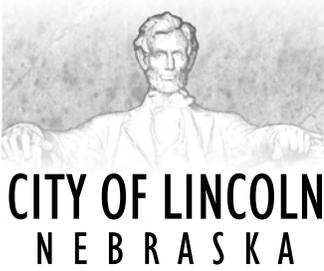
III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Julie Shipman-Burns, and 10 E-Mail Letters with signatures - RE: In strong Opposition to the Soil Mining Special Permit #06062.
2. E-Mail from Virgil Stewart - RE: 84th & Adams Development.
3. E-Mail from Shannon McGovern - RE: Lincoln growth.
4. E-Mail from Joel Ludwig - RE: Grow Lincoln-Support for soil mining application.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 2, 2007

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

Mayor Seng's Public Schedule
Week of February 3 through February 9, 2007
Schedule subject to change

Saturday, February 3

- East Rotary painting project - 8:30 a.m., University Place Park, 49th and Garland streets

Monday, February 5

- City-County Common Meeting - 8:30 a.m., Room 113, County-City Building, 555 South 10th Street

Tuesday, February 6

- Mickle Middle School "Celebration of Excellence," remarks - 7 a.m., 2500 North 67th Street
- AFL-CIO conference, remarks - 1:30 p.m., Villager Motel, 5200 "O" Street
- International visitors from Costa Rica, Jamaica, Lithuania, Norway, Singapore, Sri Lanka and Venezuela - 4:15 p.m., Mayor's Conference Room, 555 South 10th Street
- 4-H Achievement Night, remarks and proclamation - 6:30 p.m., Anderson Hall Auditorium, 15th and "R" streets

Wednesday, February 7

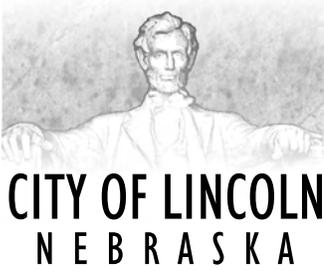
- LPS Foundation "Celebration of Excellence," remarks - 4 p.m., Sheridan Elementary School, 3100 Plymouth Avenue.

Thursday, February 8

- Square D Company celebration of being selected as a "Top Plant" by Engineering Magazine, remarks - 10:45 a.m., Square D shipping/receiving dock, 1717 Centerpark Road
- Neighborhood Roundtable - 5:30 p.m., Mayor's Conference Room, 555 South 10th Street

Friday, February 9

- Send-off for Nebraska Army National Guard deployment to Afghanistan - 4 p.m., Spirit of '76 Armory, 1776 North 10th Street



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 2, 2007

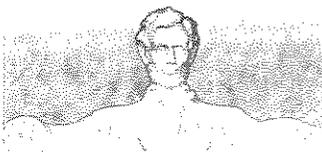
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

CITY WON'T APPEAL PERSONNEL BOARD DECISION

Mayor Coleen J. Seng said today that the City would adhere to the decision of the Personnel Board to uphold the suspension of John Huff and to reinstate him as Assistant Fire Chief at the Lincoln Fire and Rescue Department.

The Mayor said to appeal the decision would result in substantial additional cost to the taxpayers of the City. She said that all procedures of due process were followed, and the City does not intend to appeal the decision of the Personnel Board.

Huff reported for work this morning.



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Office of the Mayor
555 South 10th Street
Suite 208

Lincoln, Nebraska 68508

402-441-7511

fax: 402-441-7120

mayor@lincoln.ne.gov

February 2, 2007

2015 Steering Committee - Jim Abel, Larry Arth, Wendy Birdsall, Mike Dunlap, Terry Fairfield, Tom Henning, Brad Korell, Marc LeBaron, Tonn Ostergard, Kent Seacrest, Roger Severin, and Tom Smith

% 2015 Group
1111 Lincoln Mall, #350
Lincoln, NE 68508

Dear Members of the 2015 Steering Group:

In October 2005, the Events Facility Task Force I appointed recommended that the State of Nebraska, State Fair Board, University of Nebraska-Lincoln, City of Lincoln, Lancaster County and Lancaster County Agricultural Society approach the issue of events-related physical facilities in a unified manner that produces an integrated plan.

The Task Force concluded that the Lincoln community would be well served by building an arena, a hotel/convention center and an exposition center in a planned sequence. The preferred location for a future arena and hotel/convention center is the west Haymarket District, the group reported.

In submitting their report to me, the Task Force members asked and I re-authorized them to continue pursuing their recommendations.

On November 9, 2006, the Task Force submitted to me a comprehensive second report that reaffirmed the initial report's conclusion that the West Haymarket is the right location for a new arena and hotel/convention center. The Task Force's November 9 report urged me to appoint a new citizen group to build on the Task Force's work by informing the community about the vision that has been developed.

That same month, the 2015 Vision Steering Committee hosted a news conference to share its vision for Lincoln. As you know, that vision calls for the private sector to come together with the public sector to achieve a set of "pillar" projects for the community. In the 2015 group's view, the West Haymarket initiative must be one of those pillars.

The 2015 Vision Action Plan calls for appointing individuals to chair volunteer groups committed to implementing each of the pillar projects. I applaud this practical approach to organizing a complex, challenging and exciting task.

In my view, the time is right for a new citizen group to build on the progress of the Events Task Force. I have decided to name the 2015 Vision group as the citizen group to continue the community work.

Kent Seacrest
February 2, 2007
Page 2

The 2015 Vision Group is growing in numbers and the participants are Lincoln citizens who care enough about the community to invest in its future. I am glad to see them organize and step forward. This community is built on public private partnerships because government cannot and should not do it all. I welcome the 2015 group as an active and engaged partner in continuing the expansion of Lincoln's economy.

I look forward to working with your group.

Sincerely,

A handwritten signature in cursive script that reads "Coleen Seng".

Coleen J. Seng
Mayor of Lincoln

cc: Dick Campbell, Chairman, Mayor's Event Facility Task Force
Lincoln City Council
Event Facility Task Force members



"Julie Burns"
<julie@mccordburnslaw.com>

02/02/2007 03:15 PM

To <keagan@lancaaster.ne.gov>, <council@lincoln.ne.gov>
cc <workbob@msn.com>, <commish@lancaaster.ne.gov>, <dschorr@lancaaster.ne.gov>, <mmeyer@lancaaster.ne.gov>, <rstevens@lancaaster.ne.gov>, <shartzell@lincoln.ne.gov>, bcc

Subject Soil Mining Special Permit No. 06062

Good Afternoon.

I have reviewed the letter provided to the City Council from Mr. Krout and I respectfully disagree with his interpretation of the objectives as outlined in Section 14.003 (j) of the County Zoning Resolution. Further, I fail to understand how anyone can make a legitimate argument that removing 16 feet of soil from the earth does not interfere with the topography of land. In addition, why is it necessary for the public to be responsible to advise the County Commissioners of Article 14 of the County Zoning Resolutions? This land was already given special permit and tax status by allowing the applicant to put the land in a community unit plan. The applicant was given density bonuses and green belt status. By the very language in Article 14, in that Mr. Giebenrath was allowed to receive a 20% density bonus, pursuant to subparagraph (J) 1 & 4, the land in the community unit plan MUST "preserve the rural character of the open fields. . .and preserve the existing natural topography" As a matter of law, this land MUST remain in a continued agricultural use". By Nebraska Statutes and applicable definitions of Agriculture, Mining is NOT an agricultural activity. Although repealed for reasons unrelated, the Legislative History of Nebraska Revised Statute Section 2-501 states that . . ."the product of a lumbering, mining, or fishing operation, though seasonal, is not within the concept of "growing".

Mining is a use that is allowed by SPECIAL permit in land that is zoned agricultural. There is a distinct difference. Because this land is already in a CUP, it is land that is governed by Article 14 of the County Zoning Resolutions, and given the multiple references in Nebraska Statutes, Lincoln Municipal Code, and the County Zoning Ordinances, this CUP land cannot be changed from that classification and a special permit should not be granted in this case.

There are so many arguments that can be made against approving this applicants special permit; however, the most important argument that MUST be the focus of everyone's decision is the SAFETY, HEALTH, and WELFARE of the families living in the neighborhood surrounding the proposed mining site. Considering the voluminous amount of testimony that has been provided at the various hearings regarding the serious safety issues and the violation of the original Community Unit Plan agreement there is ample evidence to support the County Commissioners to allow a RECONSIDERATION of this issue and for the City Council to overturn the decision of the planning department in allowing this mining operation to move forward.

On behalf of my family and the ten families of whom I have attached individual statements, we are asking the City Council to deny this application for a soil mining operation and we also ask again for the County Commissioners to reconsider this issue and application. Thank you.

Respectfully submitted,

Julie Shipman-Burns



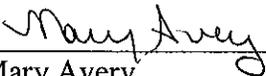
- non farming use permit.pdf

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

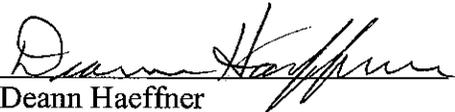
I am writing this letter to voice my strong opposition to the soil mining special-use permit application by Mr. Willard Giebenrath. I oppose this commercial mining permit for health, safety and quality of life issues. It is my understanding this "out lot" is part of View Point North Development and was purposely set aside for farming. Please vote NO on this non-farming use permit.

Sincerely,



Mary Avery
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 14
12001 Emmawalter Road
Lincoln, NE 68517-9816

1/28/07
Date



Deann Haeffner

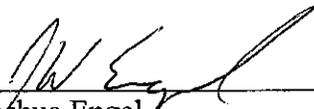
1/28/07
Date

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

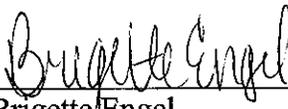
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Sincerely,



Joshua Engel

12-7-06
Date



Brigette Engel

12-7-06
Date

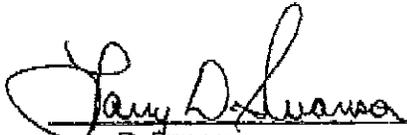
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 7 (12401 Emmawalter Road)
1817 Folkways Blvd.
Lincoln, NE 68521

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

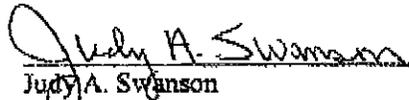
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Sincerely,


Larry D. Swanson

12-7-06
Date


Judy A. Swanson

12-7-06
Date

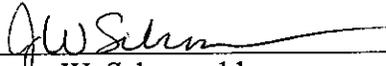
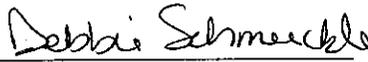
View Point North 7, 35, 36 9-11-7
View Point North Lot 12 (12201 Emmawalter Road)
2020 N Locust
Wahoo, NE 68066

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

I am writing this letter to voice my strong opposition to the soil mining special-use permit application by Mr. Willard Giebenrath. I oppose this commercial mining permit for health, safety and quality of life issues. It is my understanding this "out lot" is part of View Point North Development and was purposely set aside for farming. Please vote NO on this non-farming use permit.

Sincerely,

	<u>12-06-06</u>		<u>12-06-06</u>
Jason W. Schmeeckle	Date	Debbie S. Schmeeckle	Date

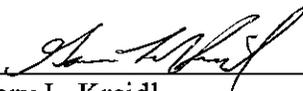
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 8
12601 Emmawalter Road
Lincoln, NE 68517

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

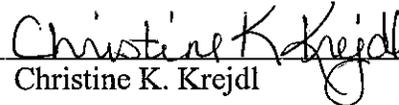
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Sincerely,



Gary L. Krejdl
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 2
12200 Emmawalter Road
Lincoln, NE 68517

12-06-06
Date


Christine K. Krejdl

12-06-06
Date

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

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Sincerely,

Nadia Banketov

Nadia Banketov

View Pointe North 7, 35, 36 9-11-7

View Pointe North Lot 6

6700 Giebenrath Road

Lincoln, NE 68517

12-07-06

Date

Dmitry Banketov

Dmitry Banketov

12-07-06

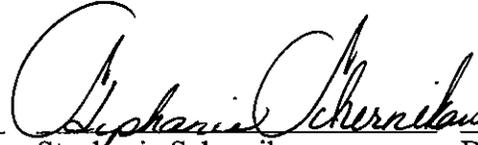
Date

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

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Sincerely,

	<u>12-7-06</u>		<u>12-7-06</u>
Matthew Schernikau	Date	Stephanie Schernikau	Date

View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 11
12301 Emmawalter Road
Lincoln, NE 68517

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

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Sincerely,

Robert L. Miller
Robert L. Miller
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 7
12701 Emmawalter Road
Lincoln, NE 68517

12-7-06
Date

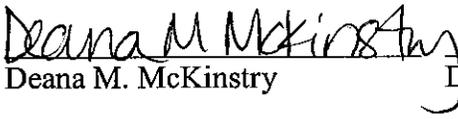
Kathy J. Miller
Kathy J. Miller
12-7-06
Date

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

I am writing this letter to voice my strong opposition to the soil mining special-use permit application by Mr. Willard Giebenrath. I oppose this commercial mining permit for health, safety and quality of life issues. It is my understanding this "out lot" is part of View Point North Development and was purposely set aside for farming. Please vote NO on this non-farming use permit.

Sincerely,

	12-10-05		12-10-06
Gary D. McKinstry	Date	Deana M. McKinstry	Date

View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 9
12501 Emmawalter Road
Lincoln, NE 68517

CITY COUNCIL OFFICE
COUNTY-CITY BUILDING
555 S. 10TH STREET
LINCOLN, NE 68508

Dear City Council Members:

I am writing this letter to voice my strong opposition to the soil mining special-use permit application by Mr. Willard Giebenrath. I oppose this commercial mining permit for health, safety and quality of life issues. It is my understanding this "out lot" is part of View Point North Development and was purposely set aside for farming. Please vote NO on this non-farming use permit.

Sincerely,



Roger D. Korth
View Pointe North 7, 35, 36 9-11-7
View Pointe North Lot 1
12000 Emmawalter Road
Lincoln, NE 68517-9815

12/7/06
Date



Virgil Stewart
<vs05511@alltel.net>
02/03/2007 08:37 AM

To council@lincoln.ne.gov

cc

bcc

Subject 84th and adams development

Dear City Council members: I live at 75th And Adams street where I built a home on Mahoney golf course 25 years ago. I am writing you as a resident of the Golf Park Neighdorhood. I know you are considering the 84th and Adams development this week. I do not object to the development if two thongs happen. The first would be a stoplight at the intersection of 75th and Adams. There are some 350 homes in Golf park and several hundred more in Regent Heights. Golf Park has only two exits, one at 75th and Adams and the other on 70th street. Regent heights has 2 exits both on Adams Street. It virtually impossible during the morning and evening rush to turn east onto adams from 75th street now. Add another development at 84th and Adams and were looking at a very dangerous situation here. The other thing I feel would be needed is to make Adams Street from 70th to 84th 4 lanes. Please consider my suggestions here to help prevent a really dangerous traffic situation. SINCERELY Virg Stewart 3030 N. 75th St. Ct.



"shannon mcgovern"
<midwestminichoppers@hotmail.com>

02/04/2007 02:02 PM

To council@lincoln.ne.gov

cc

bcc

Subject Lincoln growth

Please support growth for Lincoln. I was born and raised here in Lincoln. I have been watching this CRRLife.org outfit and believe they do not support any growth north of I-80 and Hwy77 area. They do not own northern Lancaster county. Nor are they bringing in any badly needed revenue for Lincoln. I have noticed they will find any excuse to stop growth in their direction. Please stop them Let Lincoln grow! Vote for soil mining permit thank you.



"Joel Ludwig"
<jjl1963@alltel.net>
02/04/2007 12:18 PM

To <council@lincoln.ne.gov>
cc <Matt.Olberding@lee.net>, ""LIBA"" <coby@liba.org>, <commish@lancaster.ne.gov>, <mayor@lincoln.ne.gov>
bcc
Subject Grow Lincoln: Support for soil mining application

I urge the council to approve the soil mining permit for the area along Highway 77 between Waverly and Mill roads. The dirt is needed for construction projects and for over-fill of the land fill.

I believe there are efforts by people in the area north of the interstate that, for their own gains, are trying to stop the city of Lincoln from growing north. The group that is opposing the soil mining permit has taken active opposition to any growth that Lincoln may have to the north. Their position is based on letters sent in opposition to other projects in the area claiming to have been promised that Northern Lancaster County would stay agricultural. Who promised? The county board? This anti-growth group does appear to have the support of a county board member that lives in that area

If you give an inch to this anti-growth group, CPRlife.org, then you will only encourage them. They will obstruct and restrict the growth of Lincoln to the north at any opportunity. Send a strong signal to them. Shut the door on them now. Let them know the people of Lincoln will not stand for their inhibiting progress.

The people of Lincoln need to be aware of the elected officials that are acting for them and those that align themselves against the growth and prosperity of Lincoln. I urge the council to directly address the actions of the county board and the planning department. Work out the problems. The future of Lincoln demands the cooperation of the governmental agencies that affect progress.

There are several businesses that are willing to invest in the future of Lincoln by building their businesses along Highway 77. The problems with getting the city services to the north side of the 56th Street interchange are inexcusable. Get the job done. Stop the internal road blocks to progress. IF the planning department is the problem, then you need to clean house.

How many jobs have to leave Lincoln before someone gets the message? Control Data, Square D, Goodyear, Cushman, National Crane, Lincoln Steel, American Tool, Ace Hardware Distribution, Land and Sky, Gallup, Quebecor. Who's next? Verizon helps, but it doesn't match the jobs lost. The Lincoln area would not have gotten the Tractor Supply warehouse if it were not for Waverly.

The city of Lincoln had better recognize that if the roadblocks to progress are not removed, the investors and

developers will pick up and leave. Others have already done so. Developers are already grumbling. You may even see current projects stopped mid-stream just to cut the losses. GET TO WORK!

Lincoln will eventually be the largest city in the state of Nebraska. The leaders of Lincoln had better start acting like it. The elected officials and government employees had better start planning for it. It hasn't really happened before, so why not try something different?

I am encouraged by the discussions surrounding the candidates for Mayor. I believe that Lincoln is on the verge of a tremendous renaissance. But I also believe choices for Lincoln are not between "stay as we are" or "move forward". It is much more serious. Grow or die. Those are the choices nature gives us. Choose growth for the city of Lincoln.

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