

Addendum
DIRECTORS'/ORGANIZATIONAL AGENDA
ADDENDUM

Monday, February 26, 2018

I. CITY CLERK

II. MAYOR'S CORRESPONDENCE

III. DIRECTORS CORRESPONDENCE

IV. CONSTITUENT CORRESPONDENCE

1. Plumbing Board Nomination, opposition - Michael Cook, Vision Mechanical
2. Plumbing Board Nomination, opposition - Justin Kreifels
3. Plumbing Board Nomination, opposition - Samuel Baacke, Vision Mechanical
4. City Traffic Camera's - Ivan Ossian
5. Plumbing Board Nomination, opposition - John Henry Zohner, Owner John Henry's Plumbing
6. Plumbing Board Nomination, opposition - Greg Bouwens
7. Vavrina Lane Traffic Study - Tony Reinke
Staff Response provided by Mark Lutjeharms, PE, PTOE, Manager, Traffic Engineering
8. Housing - Mary Reves
9. Hunk Dory LLC dba Royal Grove zoning issues/liquor license - Bill Austin, Attorney

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Friday, February 23, 2018 11:07 AM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 2/23/2018 11:07:15 AM

name Michael Cook
address 4220 Lowell Circle
city Lincoln
state NE
zip 68502
email mike@vmech.net
comments City Council Members,

It is my understanding that the Mayor has nominated an Omaha Union Contractor to serve on the Plumbing Exam Board. There are a few points on this issue that bother myself and I am sure many others in the community. First of all, Lincoln is not known as a Union Shop Municipality so why should we have a Union Shop representing our Plumbing Exam Board. Especially from Omaha. Lincoln has several capable Plumbing Contractors that would cherish the opportunity to serve in this function. It has always bothered me that we as Open Shop Plumbing and HVAC Contractors serving the Lincoln area are well respected in our City and the surrounding areas but none of us are allowed to procure the needed Licenses in the Omaha Area because it is so Union Controlled. It is virtually impossible to obtain the proper credentials to work in Omaha but the City of Lincoln is open to everyone. We need someone that knows the local Contracting Climate representing our Plumbing Board and not a Union Representative from Omaha serving in this position.

Thank you for your time and consideration with this issue.

Sincerely
Michael Cook
Vision Mechanical

IP: 76.84.20.111

Form: <http://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (Windows NT 10.0; WOW64; Trident/7.0; rv:11.0) like Gecko

Angela M. Birkett

From: Justin Kreifels <justink@actionlincoln.com>
Sent: Friday, February 23, 2018 11:14 AM
To: Jon Camp
Cc: Angela M. Birkett
Subject: Re: Plumbing nomination

Jon,
I wanted to fill you in on this plumbing exam board issue to try and explain why this is such a big issue for us local Lincoln business owners. Besides the fact that this removal of the existing board member and nomination of a new member was done without a ton of transparency, it's the possible motivations behind the move that are frightening to me. I've spoken to a lot of individuals that will be affected by this, business owners, city inspectors, and other exam/code board members and I can't seem to find anyone that supports this nomination. To be frank, everyone is pretty pissed off about it.

This is a multi-layered issue that goes beyond just Lincoln v Omaha. Since we don't have a state license here in Nebraska our licensing systems have local jurisdictions. Lincoln, Omaha, Grand Island, Kearney, Hastings, Beatrice, etc... All of these cities have their own licenses and their own exams and boards that oversee them. In order for me to pull permits in these towns and do business there, I need to pass their master's license plumbing exam. And in order for me to send my employees there to work on job-sites, I need to have one of my guys pass a journeyman's exam. Our licenses have 3 levels and each level serves a basic function/purpose, and they are:

Apprentice: no exam required, you are a registered "journeyman's assistant" within such jurisdiction but you cannot work on a permitted site without supervision from a journeyman or master

Journeyman Plumber: must have four year's apprenticeship experience and must pass the journeyman's exam within that jurisdiction. A journeyman can legally work on permitted job-sites within said jurisdiction as an installer, and may also oversee up to 4 apprentices on that site.

Master Plumber: Must have journeyman's license for at least one year in that jurisdiction, can pull permits inside that jurisdiction and essentially operate a business within that city. Can also oversee up to 6 apprentices while on a permitted site.

The mayor's nominee works for a union outfit in Omaha and the union has been desperately trying to come in and steal our employees to build a legitimate workforce in Lincoln, which they haven't had here for a very long time. Lincoln's privately owned and non-union businesses are educated enough that they can handle almost all of the projects that go on in this city at a lower price than the union companies can. Their recruiters will go as far as walking on our job sites to post job flyers on our work trucks or talk to our employees during business hours, post signs outside of our businesses, whatever they can do to try and lure our guys into the union.

There is currently not a Lincoln based company (one that has a shop or address here in town) that is part of the union and they have not been able to pull as much of the talent from the local Lincoln businesses as they had wanted in the last few years. So, what's the next best thing? Get a union representative on the plumbing exam board to feed the out of town workforce the answers to our plumbing exam so they can come to town, take the test, and get a Lincoln license... How do you get on this board? You somehow convince the mayor remove (legally, but in a really shady fashion) a 24 year member of the exam board and replace him with a nominee of the mayor's choosing. An out of town, non-Lincoln resident union member...

So our fear is that our licensing exam board, which consists of members living and doing business within the same jurisdiction, just like every other exam board in these cities across the state, is being corrupted by our mayor for some sort of political or personal gains. I can assure you that Omaha would never allow a Lincoln representative or anyone from outside their jurisdiction sit on their exam board. There is no reason the mayor could not find a suitable candidate that works, lives, and pays taxes within this great city of ours. And to cram this individual from this organization down our throats as if he's the only viable candidate is one giant middle finger to all of us operators here in Lincoln.

Now, the mayor's office may claim that this individual's company does up to \$10M worth of business in Lincoln annually but that just isn't true. There are permit records on the city website that will prove this company hasn't hardly done any business within this city in the last few years. My company, and many others like it who pay the lion's share of fees, dues, and taxes in this town deserve much better.

Justin Kreifels

Director of Plumbing Operations

Action Plumbing, Heating, & A/C Inc.

4101 S 8th St

Lincoln, NE 68502

O: 402-423-6960

C: 402-314-4307

www.actionlincoln.com

From: Jon Camp <joncamp@lincolnhaymarket.com>

Sent: Wednesday, February 21, 2018 9:27:29 AM

To: Justin Kreifels

Cc: Angie Birkett

Subject: Plumbing nomination

Thanks for your email. I return to Lincoln late tonight.

The mayor's nomination is very concerning to me and I will address this upon my return.

Best regards

Jon

Jon Camp

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Friday, February 23, 2018 11:39 AM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 2/23/2018 11:38:59 AM

name Samuel Baacke
address 6041 kenwood rd.
city Lincoln
state NE
zip 68516
email sam@vmech.net
comments Dear Council Members,

It has come to my attention that the Mayor has nominated a new Plumbing Exam Board member. It is my understanding that the new member is associated with the Plumbing Union. I have some deep concerns with this decision. Lincoln, as a whole, has numerous open shops and is not a Union driven City. As a Code instructor at the local ABC center here in Lincoln, i have helped a number of Union workers obtain a Lincoln Plumbing License, but the same is not true for Omaha.It is nearly impossible for anyone from outside of Omaha to obtain a License. Omaha is a Union driven City. I am not sure why the decision was made to place anyone from the Union on to the Exam Board, and i am not sure how it will affect any of the open shops in the future, but i do not think that it is a good decision. Thank you for taking the time to read this.

Respectfully,
Samuel Baacke
Plumbing Master Contractor
Vision Mechanical

IP: 76.84.20.111

Form: <http://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (Windows NT 6.1; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/64.0.3282.186 Safari/537.36

Angela M. Birkett

From: Ivan Ossian <Ossian2@hotmail.com>
Sent: Saturday, February 24, 2018 6:38 AM
To: Council Packet
Subject: city traffic camera's.

It would be nice if they were up to date and could be refreshed. The site has a disclaimer that in the future it will be live but that doesn't help when looking for information and the pictures are days old.

Sent from [Mail](#) for Windows 10

Angela M. Birkett

From: John Henry Zohner <jh@jhlincoln.com>
Sent: Saturday, February 24, 2018 11:08 AM
To: Council Packet
Subject: Protest of City of Lincoln Plumbing Exam Board appointment.

To the City Council members:

This e-mail is in protest of the recent City of Lincoln Plumbing Exam Board appointment that is scheduled to be voted on at the next City Council meeting. Please be aware there are serious concerns regarding the manner in which this appointment has moved forward.

It's important for the City Council members to consider the following concerns before voting on this appointment:

1. This Plumbing Exam Board position was not posted to inform local Master Plumbers the position was available. This appointment can be considered a form of discrimination to minorities as well as an attempt to not follow normal acceptable position filling practices.
2. The applicant that was appointed does not live within the jurisdiction of the City of Lincoln Plumbing Codes Department. It's perceived by many within the plumbing industry a local Master Plumber would do a better job on the Board because of their vested interest in serving our community.
3. There are more qualified local Master Plumbers interested in filling this Plumbing Exam Board position.

I suggest a two-week postponement of a City Council vote to allow the Plumbing Exam Board position to be posted to allow an equal opportunity for better qualified applicants. The applications could then be reviewed, and the best qualified candidate appointed.

Because there is considerable discontent within the plumbing industry, there would be a value in a review of the qualifications by the City of Lincoln Human Resources Department or other unbiased City officials. This direction will allow full transparency and ultimate acceptance of this future Plumbing Exam Board member by the plumbing industry.

Thank you for consideration to base this decision on qualifications so we can completely get away from the unfortunate appearance it is based on political gains. Our primary goal for our community should be to always do the right thing and avoid shortcuts if there is an opportunity for a better solution. Together we can make a difference.

Sincerely,

John Henry (Jack) Zohner
Owner of John Henry's Plumbing, Heating, & A.C. Co.

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 26, 2018 6:21 AM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 2/26/2018 6:21:26 AM

name Greg Bouwens
address 5901 Fletcher Ave
city Lincoln
state NE
zip 68507
email greg@bouwensplumbing.com

comments Dear City Council Member,
It has recently come to my attention that a Master Plumber from Lincoln has been replaced on the Plumbing Examiners Board by a plumber from Omaha.
Despite holding a Lincoln Master Plumbers license, the individual has his primary business interests in Omaha and his other projects around the country.
After discussing this with other Lincoln licensed plumbers and business owners, as well as fellow members of the Lincoln Plumbing Heating and Cooling Contractors Association, I feel this is not in the best interest of the Lincoln community.
There are many Master Plumbers and business owners in Lincoln who are qualified to serve on this board and whose livelihood depends on the quality and integrity of the plumbing profession in Lincoln.
The fact that this decision was reached without any notice, or input from the Lincoln Plumbing community, is also very concerning.
I appreciate your consideration of this matter and anything that may be done to resolve it.

Sincerely,
Greg Bouwens
Bouwens Plumbing Co. Inc.

IP: 76.84.219.152

Form: <http://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (iPad; CPU OS 10_3_3 like Mac OS X) AppleWebKit/603.3.8 (KHTML, like Gecko) Version/10.0 Mobile/14G60 Safari/602.1

Angela M. Birkett

From: Tony Reinke <treinke@nrchealth.com>
Sent: Monday, February 26, 2018 8:51 AM
To: Mark E. Lutjeharms
Cc: Jon Camp; Andrew M. Jenkins
Subject: Re: Vavrina Lane Traffic Study

Thank you!

Tony Reinke
Corporate Security Engineer
[Splunk Trust Member](#)

NRC Health

Office: 800 388 4264 | Fax: 402 475 9061
[nrchealth.com](#)
[twitter](#) | [blog](#) | [linkedin](#)

Human understanding.™

From: "Mark E. Lutjeharms" <MLutjeharms@lincoln.ne.gov>
Date: Monday, February 26, 2018 at 8:48 AM
To: Tony Reinke <treinke@nrchealth.com>
Cc: Jon Camp <jcamp@lincoln.ne.gov>, "Andrew M. Jenkins" <AJenkins@lincoln.ne.gov>
Subject: RE: Vavrina Lane Traffic Study

Mr. Reinke,

We are drafting the results of the study and can provide you that information, including the requested data, soon. Hope to have something to share with you by week's end.

Regards,

Mark Lutjeharms, PE, PTOE
Manager, Traffic Engineering
City of Lincoln
Public Works & Utilities
949 W. Bond Street, Suite 200
Lincoln, NE 68521
402-441-7711 (office)
402-416-9925 (cell)
mlutjeharms@lincoln.ne.gov

From: Tony Reinke [<mailto:treinke@nrchealth.com>]
Sent: Friday, February 23, 2018 2:51 PM
To: Engineering Services <engserv@lincoln.ne.gov>
Cc: Mark E. Lutjeharms <MLutjeharms@lincoln.ne.gov>; Jon Camp <jcamp@lincoln.ne.gov>
Subject: RE: Vavrina Lane Traffic Study

Hello Everyone,

I am following up on this request as I have not heard back. I am looking for the raw logs and the results of the study. Do you know when this will be available?

Tony Reinke

Corporate Security Engineer

NRC Health

Office: 800 388 4264 | Fax: 402 475 9061

nrchealth.com

[twitter](#) | [blog](#) | [linkedin](#)

From: Tony Reinke

Sent: Monday, February 19, 2018 11:10 AM

To: engserv@lincoln.ne.gov

Cc: mlutjeharms@lincoln.ne.gov

Subject: RE: Vavrina Lane Traffic Study

I am following up on this request as I have not heard back.

I am looking for the raw logs and the results of the study.

Tony Reinke

Corporate Security Engineer

NRC Health

Office: 800 388 4264 | Fax: 402 475 9061

nrchealth.com

[twitter](#) | [blog](#) | [linkedin](#)

From: Tony Reinke

Sent: Wednesday, January 31, 2018 11:03 PM

To: engserv@lincoln.ne.gov

Cc: Tony Reinke

Subject: Vavrina Lane Traffic Study

Hello,

Months ago a traffic study was conducted on Vavrina Lane. Is there a possibility of getting the raw logs from the traffic study? There is also a high school teacher in the neighborhood that would be interested in the logs as she teach statistics.

Tony Reinke

Angela M. Birkett

From: Mary Reves <reevesmary34@gmail.com>
Sent: Monday, February 26, 2018 9:18 AM
To: Council Packet
Subject: Housing

City Council,

City Council,

I attended a recent city council meeting where a new addition to the city is planned. It made me aware again of the lack of affordable housing for low income people. There are too many people forced to live in inadequate homes because of nowhere else to live that they can afford. I know that there is a movement to get homeless people off the streets and into apartments. That is a great program. This does not cover the needs of most low-income families, whether they be immigrants or poor citizens, for housing that is clean, safe, and near conveniences such as grocery stores, schools, medical facilities, transportation etc.

I realize there is some public housing, but not enough. There are many apartment complexes being built but they tend to have the latest, and most expensive floor covering, counter tops etc. I do not say that the materials should be poorly constructed or poor quality, but there need to be adequate furnishings but not necessarily of quality that raises the prices to rent these properties. I know that NeighborWorks does a great job in providing housing, but it is not enough. If we want to keep Lincoln a city where people want to live and work we must also provide adequate clean, safe housing for all our citizens.

What can and will the city do to encourage and facilitate the construction of properties that meet these needs.

Mary Reeves

Reevesmary34@gmail.com 402-464-1803

H. ^C ~

Angela M. Birkett

From: William Austin <waustin@blakeaustinlaw.com>
Sent: Friday, February 23, 2018 4:13 PM
To: Roy A. Christensen; Cyndi Lamm; Leirion Gaylor Baird; Jon Camp; Bennie R. Shobe; Jane Raybould; Carl B. Eskridge
Cc: Brian Will; elimardock@gmail.com; Brian Hofer
Subject: Hunky Dory LLC/Liquor License/Zoning issue
Attachments: doc00265720180223160602.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Council,

Please see attached letter regarding the issue of whether Hunky Dory dba Royal Grove can use the residentially zoned property as a parking lot.

Sincerely,

Bill Austin

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

From: scan.blakeaustinlaw@gmail.com [<mailto:scan.blakeaustinlaw@gmail.com>]

Sent: Friday, February 23, 2018 4:06 PM

To: William Austin <waustin@blakeaustinlaw.com>

Subject:

C006073
ECOSYS M6035cidn
[00:17:c8:01:7c:1e]



BLAKE | AUSTIN LAW FIRM LLP
The Cornhusker Plaza
301 South 13th Street, Suite 101
Lincoln, Nebraska 68508
(402) 480-7003

William F. Austin

February 23, 2018

Via Email

Chairman Christensen
and City Council Members
555 South 10th Street
Lincoln, Nebraska 68508

RE: Application of Hunky Dory, LLC d/b/a The Royal Grove (Class C Liquor License)

Dear Chairman Christensen and Council Members:

In speaking with the Applicant for the above-referenced liquor license, I understand that the action of the City Council in denying the license on February 12th of this year was predicated primarily upon a zoning issue. Specifically, a question was raised as to whether or not that portion of the old Royal Grove parking located on Lots 12 through 24, Block 7, Midway Addition is permitted because the property in question is zoned R-2, Residential.

In discussing this with the owners of the property, the Applicant has found that the residentially zoned property is the subject of a special permit granted by Resolution No. A56275 on June 12, 1967 permitting its use as a parking lot. A copy of the Special Permit is transmitted herewith. While the Special Permit was the subject of certain minor amendments, nothing rescinded the authority of the property owners to utilize the residentially zoned property in question as a parking lot.

As you know, special permits run with the land and so regardless of any changes in ownership or use, this special permit would remain in effect. Further, this special permit is not dissimilar from those authorized pursuant to LMC 27.63.170 which also allows parking lots within the R-2 zone when adjacent to an H-3 District.

Hopefully, this resolves the zoning conundrum and will allow the City Council to act favorably upon the requested application for a liquor license.

Sincerely,

William F. Austin
waustin@blakeaustinlaw.com

WFA/ljd
Attachment

cc: Brian Will
Eli Mardock

RESOLUTION NO. A 56275

WHEREAS, Mr. T. L. Jelsma has submitted an application designated as Special Permit No. 380 to construct and operate a parking lot on the following described real estate, to wit:

Lots 12 through 24, Block 7, Midway Addition, City of Lincoln, Lancaster County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Mr. T. L. Jelsma, under Special Permit No. 380, be granted under the provisions of Section 27.40.010 of the Lincoln Municipal Code upon the condition that the construction be in strict accordance with the application and the plat plan on file with the City Clerk, and upon the following express terms and conditions:

1. The property adjacent to the area included in the plan will not be adversely affected.
2. The plan is consistent with the intent and purpose of this title to promote public health, safety, morals and general welfare.
3. The areas proposed for parking be paved according to city standards.
4. The areas indicated for planting be developed with grass, trees or shrubs.
5. That work on the proposed parking lot not proceed until it has been inspected by the Building Inspection Department.

(amended to 5', May 6, 1968)

6. That a ⁵25-foot side yard on the east, properly developed and maintained with grass and shrubs be provided in place of the fence.

amended
6-7-67

Considered and Approval Recommended by
City-County Planning Commission

D. E. Brogden MATUR
Planning Director

RESOLUTION NO. A-56275
Special Permit No. 380 -
Application of T. L. Jelsma
for special permit to construct
& Operate parking lot - 325'
east of NW 4th St. south of
Saunders Ave. - GRANTED

293

Council Proceedings
June 12, 1967
Record 157 - Page 609

(AMENDED)
Council Proceedings
May 6, 1968
Record 158 - Page 597

(AMENDED)
Council Proceedings
October 13, 1969
Record 160 - Page -457