

DIRECTORS' ORGANIZATIONAL MEETING
Monday, January 10th, 2022
555 S. 10th Street
Council Chambers

I. MINUTES

II. AJUSTMENTS TO THE AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

1. PLANNING DEPARTMENT:

- a) Administrative Approvals from 12/14/21 through 12/20/21.
- b) Administrative Approvals from 12/14/21 through 12/27/21.
- c) Urban Design Committee Agenda for Tuesday, Jan. 4, 2022.
- d) PC Action dated for Wednesday, Jan. 5, 2022.
- e) Final PC Action from Wednesday, Jan. 5, 2022.

VI. BOARDS/COMMITTEE/COMMISSION REPORTS

VII. CONSTITUENT CORRESPONDENCE

1. Mask mandate enforcement - Ryan Ertz
2. Letter on 23rd and Y project - Bob Reeves
3. Film production funding - Jonathon Goodro
4. Homelessness in Lincoln - Darren Stevenson
5. Street Project at 20th & Cornhusker Hwy - Rodney Vlcek
6. Hy-Vee - Jeff High
7. LPD Culture - Rae King
8. Eliminating the mask mandate in the face of a surging Omicron/flu - Maribeth Milner
9. Opposition to 2.18.034 - Joe Damico
10. Surplus Funds - John M
11. Comment on Streets - Lynn & Jane Kaufmann
12. Zoning problem in Woods Park Neighborhood - Jayne L. Seby
13. 2.18.034 "Contractor Provisions" - Hugh Sieck
14. LNK Ordinance 21-172 - Justin Kreifels
15. 2.18.034 Contractor Provisions - Jake Whitefoot
16. Amendment 2.18.034 - Brandon Gunther
17. Public Records Request Police Collective Bargaining Agreements - Tate J. Fegley

VIII. ADJOURNMENT



Memorandum

Date: † December 21, 2021
To: † City Clerk
From: † Teresa McKinstry, Planning Dept.
Re: † Administrative Approvals
cc: † Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from December 14, 2021 through December 20, 2021:

Waiver 21007 to adjust the vertical light trespass at the shared property line by 10 foot candles on property generally located at 6320 Telluride Drive and 6500 Telluride Drive.

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



Memorandum

Date: + December 28, 2021
To: + City Clerk
From: + Teresa McKinstry, Planning Dept.
Re: + Administrative Approvals
cc: + Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from December 21, 2021 through December 27, 2021:

Administrative Amendment 21068 to Final Plat 21083, Iron Ridge 6th Addition, approved by the Planning Director on December 21, 2021 to correct a missing street name, on property generally located at S. 27th Street and Rokeby Road.

Administrative Amendment 21061 to Change of Zone 19002, Stone Bridge Creek Commercial Planned Unit Development, approved by the Planning Director on December 22, 2021 to change 50 single detached dwellings to 104 townhome dwellings and 2 attached single-family dwellings with waivers to internal lot dimensions and setbacks and change several public streets to private roadways, and change a street name from Windom Way to Ridgebury Lane, on property generally located at Redstone Road and Humphrey Avenue.

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

URBAN DESIGN COMMITTEE

The City of Lincoln Urban Design Committee will have a regularly scheduled public meeting on Tuesday, January 4, 2022, at 3:00 p.m. in City Council Chambers on the 1st floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

AGENDA

1. Approval of UDC meeting record of December 7, 2021.

DISCUSS AND ADVISE

2. MAD48 Redevelopment Project - *UDR21111*

STAFF REPORT & MISC.

3. Staff report & misc.

Urban Design Committee's agendas may be accessed on the Internet at
<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Urban-Design-Committee>

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

<https://linclan.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/Agendas/2022/ag010422.docx>

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

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 5, 2022, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

MASKS ARE STRONGLY ENCOURAGED FOR OUR PUBLIC MEETINGS IN THIS BUILDING

****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 or County Board by filing a Notice of Appeal with the City Clerk or County 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.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing Plan@lincoln.ne.gov by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

AGENDA

WEDNESDAY, JANUARY 5, 2022

[Commissioner Ball absent; Commissioner Cruz arrived at 1:06 p.m.]

Approval of minutes of the regular meeting held December 15, 2021. ****APPROVED: 7-0; (Ball and Cruz absent)****

1. **CONSENT AGENDA**
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN AND RELATED ITEMS:

- 1.1a **COMPREHENSIVE PLAN AMENDMENT 21003, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map from industrial to commercial on approximately 5.6 acres, on property generally located southeast of N. 14th Street and Cornhusker Highway at 1555 Yolande Avenue and 1445 and 1525 Cornhusker Highway.**
Staff recommendation: Approval
Staff Planner: Rachel Christopher, 402-441-7603, rchristopher@lincoln.ne.gov
Planning Commission recommendation: APPROVAL; 7-0 (Ball and Cruz absent).
Public hearing before the City Council is tentatively scheduled for Monday, January 31, 2022, 5:30 p.m.

- 1.1b CHANGE OF ZONE 21052, from I-1 (Industrial District) to H-3 (Highway Commercial District), on property generally located at 1555 Yolande Avenue and 1445 and 1525 Cornhusker Highway.
Staff recommendation: Conditional Approval
Staff Planner: Rachel Christopher, 402-441-7603, rchristopher@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL; 7-0 (Ball and Cruz absent), as set forth in the conditions of the staff report dated December 21, 2021. Public hearing before the City Council is tentatively scheduled for Monday, January 31, 2022, 5:30 p.m.

PERMITS:

- 1.2 SPECIAL PERMIT 18003B, to allow for the sale of alcohol for consumption on the premises, on property generally located at 150 SW. 14th Place. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated December 16, 2021: 7-0 (Ball and Cruz absent). Resolution No. PC-01791.
- 1.3 SPECIAL PERMIT 21049, to allow for soil mining/excavation, on property generally located at North 70th Street and Arbor Road. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated December 21, 2021: 7-0 (Ball and Cruz absent). Resolution No. PC-01792.
- 1.4 SPECIAL PERMIT 21052, to allow for increased height of a flagpole to 130 feet, on property generally located at 6340 Arbor Road. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated December 22, 2021: 7-0 (Ball and Cruz absent). Resolution No. PC-01793.
- 1.5 SPECIAL PERMIT 21055, to allow for the sale of alcohol for consumption off the premises, on property generally located at 2645 'O' Street. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
This item was removed from the Consent Agenda for a separate public hearing.
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated December 15, 2021: 8-0 (Ball absent). Resolution No. PC-01794.
2. **REQUESTS FOR DEFERRAL:** See Items 4.1a and 4.1b.
3. **ITEMS REMOVED FROM CONSENT AGENDA:** See Item 1.5.
4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION**

ANNEXATION AND RELATED ITEMS:

- 4.1a ANNEXATION 21010, to annex approximately 41.99 acres, more or less, on property generally located NE of South 70th Street and Yankee Hill Road.
Staff recommendation:
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission granted a request on behalf of the applicant to defer public hearing and action on this application to the January 19, 2022, hearing.
- 4.1b CHANGE OF ZONE 21053, from AG (Agricultural District) to R-3 (Residential District) District) PUD (Planned Unit Development) for the Market Pointe PUD for up to 120,000 square feet of commercial floor and up to 464 multiple-family dwelling units with adjustments to the Zoning and Subdivision Ordinances, on property generally located NE of South 70th Street and Yankee Hill Road.
Staff recommendation:
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission granted a request on behalf of the applicant to defer public hearing and action on this application to the January 19, 2022, hearing.

PERMITS:

- 4.2 SPECIAL PERMIT 21053, to allow for a Residential Healthcare Facility for up to 6 persons, on property generally located at 8421 Pinedale Court. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the corrected staff report dated December 22, 2021: 8-0 (Ball absent). Resolution No. PC-01795.

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

ANNEXATION AND RELATED ITEMS:

- 5.1a ANNEXATION 21009, to annex approximately 13.59 acres, more or less, on property generally located at South Folsom Street and West Old Cheney Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL; 8-0 (Ball absent), as set forth in the conditions of the staff report dated December 2, 2021. Public hearing before the City Council is currently pending.
- 5.1b CHANGE OF ZONE 21051, from AG (Agricultural District) to R-4 (Residential District), on property generally located at South Folsom Street and West Old Cheney Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL; 8-0 (Ball absent), as set forth in the conditions of the staff report dated December 2, 2021. Public hearing before the City Council is currently pending.

5.1c SPECIAL PERMIT 21050, to allow for a CUP (Community Unit Plan) for up to 128 dwelling units, with associated waivers to setback requirements, on property generally located at generally located at South Folsom Street and West Old Cheney Road.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the revised staff report dated December 2, 2021: 8-0 (Ball absent). Resolution No. PC-01796.

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

Adjournment: 2:48 p.m.

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: January 6, 2022

RE: Notice of final action by Planning Commission: January 5, 2022

Please be advised that on January 5, 2022, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution PC-01791, approving SPECIAL PERMIT 18003B, to allow for the sale of alcohol for consumption on the premises, on property legally described as Lot 1, Earl Carter First Addition, located in the NE 1/4 of Section 28-10-6, Lincoln, Lancaster County, Nebraska, generally located at 150 SW 14th Place;

Resolution PC-01792, approving SPECIAL PERMIT 21049, to allow for soil mining/excavation, on property legally described as the west 600 feet of Lot 47 and the east 100 feet of Lot 48, located in the SE 1/4 of Section 27-11-7, Lincoln, Lancaster County, Nebraska, generally located at North 70th Street and Arbor Road;

Resolution PC-01793, approving SPECIAL PERMIT 21052, to allow for increased height of a flagpole to 130 feet, on property legally described as Lot 1 and Outlots A and B, Camping World Addition, located in the NE 1/4 of Section 28-11-7, Lincoln, Lancaster County, Nebraska, generally located at 6340 Arbor Road;

Resolution PC-01794, approving SPECIAL PERMIT 21055, to allow for the sale of alcohol for consumption off the premises, on property legally described as Lot 1, Block 1, Youngs East Lincoln, located in the NE 1/4 of Section 25-10-6, Lincoln, Lancaster County, Nebraska, generally located at 2645 O Street;

Resolution PC-01795 approving SPECIAL PERMIT 21053, to allow for a Residential Healthcare Facility for up to 6 persons, on property legally described as Lot 5, Block 3, Brandt Heights 2nd Addition, located in the NW 1/4 of Section 35-10-7, Lincoln, Lancaster County, Nebraska, generally located at 8421 Pinedale Court; and

Resolution PC-01796, approving SPECIAL PERMIT 21050, to allow for a CUP (Community Unit Plan) for up to 128 dwelling units, with associated waivers to setback requirements, on property legally described as Lot 63, located in the SW 1/4 of Section 10-9-6, Lincoln, Lancaster County, Nebraska, generally located at South Folsom Street and West Old Cheney Road.

The Planning Commission action on these applications is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (search for "PATS"). Click on "Planning Application Tracking Service (PATS)" at the top of the page, click "Selection Screen" under "PATS Tools" on the right side of the screen, type in the application number (i.e. SP18003B, SP21049, SP21052, SP21053, SP21055, SP21050), click on "Search", then "Select", and go to "Related Documents".

F:\devreview\final action notices\cc\2022\010522

JaMel E. Ways

From: Ryan Ertz <ryan_ertz@hotmail.com>
Sent: Saturday, December 4, 2021 9:52 AM
To: Council Packet
Subject: Mask mandate enforcement

I was told the city of Lincoln has a mask mandate in place. We are in town for a basketball tournament, at Kinetic and Speedway Village, at most 10% of spectators are wearing masks. What's the point of a mandate if it is not even remotely enforced?

Sent from my iPhone

JaMel E. Ways

From: Bob Reeves <bobreeves63@gmail.com>
Sent: Tuesday, December 7, 2021 9:00 AM
To: Council Packet; James M. Bowers
Subject: upcoming council action on Y street project

The Clinton Neighborhood Organization wants to make a statement to the City Council about the LA Real Estate apartment complex proposed between 23rd and 24th on Y. The planning commission on Nov. 17 approved a change of zone and alley vacation as recommendations to the council. Do you automatically put such items on their agenda for public hearing, or do they go in the consent agenda if no one files an appeal? Do you have any idea when this may come up for action by the City Council? We're planning to send a letter to the council later this week expressing the CNO board's concerns about this project.

Bob Reeves, secretary
Clinton Neighborhood Organization
402-464-1803
bobreeves63@gmail.com

JaMel E. Ways

From: Jonathon Goodro <jgoodrofilm@gmail.com>
Sent: Wednesday, December 8, 2021 10:02 AM
To: Council Packet
Subject: Film production funding

Hello,

My name is Jonathon Goodro and I'm a resident of Lincoln Nebraska I'm also an independent filmmaker it's been working in the industry full-time the last five years. In the last couple of weeks I've been approached about producing a 9 episode limited series And filmmakers could be myself would love to film it here in Lincoln and Lancaster County. I have raise money for films that have starred Andrew Garfield of the Spiderman films Oscar-nominated John Malkovich, and and Ron Perlman of the Hellboy film series just a name a few. The reason I'm reaching out to the city Council is I've been told that there is a committee in which one of your members or a few of them are in charge of that have access to a arts fund set aside for productions that want to come in and produce their TV and film in the area due to what I believe is the LB 840. I am aware these funds exist as I have discussed with two filmmakers who have gone through This process once before and I am requesting a meeting with whoever is in charge of disbursing and allocating where those funds go. Let me know who I need to contact directly and I will take it from there. We would like to stay here and hire here and I'm hoping that whoever is in charge of this committee feels the same way. I would hate to have to take another production of mine to Arkansas or Oklahoma.

Jonathon Goodro

Sent from my iPhone

JaMel E. Ways

From: Darren Stevenson <dstevenson2@huskers.unl.edu>
Sent: Wednesday, December 8, 2021 1:24 PM
To: Council Packet
Subject: Homelessness In Lincoln

Dear Lincoln City Council,

Hi, my name is Darren Stevenson, I am from Omaha and I'm currently a freshman at the university of Lincoln. During my time in Lincoln, I have really enjoyed myself. I like going to husker games and wondering around downtown. During my time in Lincoln, I have noticed how many people I see living on the streets. I've seen so many that I decided to do some research about homelessness in Lincoln. I am sure you guys are aware of this problem and I have noticed that you guys have done many things to help these people. I read that you guys have provided over 12 million dollars to help people recover from COVID-19 in 2020. As well as hosting the salvation army events here in Lincoln. Despite your guys' amazing efforts there are still too many people that are homeless in Lincoln today. I have come up with 2 ideas on my own that I think could be beneficial to stopping homelessness in Lincoln. The first idea is to have a long-term affordable housing plan because the number one cause of homelessness is lack of affordable housing. This housing plan could be a 10-year project that provides about 5,000 affordable housing units. That is a goal that I think you guys can accomplish. I believe that by doing this we can take a lot of people from the street and put them into shelter. The next plan that I have is to expand the homeless shelters in Lincoln. With winter here many homeless people can't sleep outside so they all go to the homeless shelters. This causes overcrowding and lack of supplies for the shelters. I think if we expand the shelters or even build new shelters that it would do wonders for these people. Even if they get off the streets, I want their living conditions to still be up to slandered. I really appreciate everything you guys have done not just for the homeless, but for the city as well. I hope you guys can get back to me soon because I am really passionate about this and I believe that everyone deserves a place to stay, thanks.

Sincerely, Darren Stevenson

JaMel E. Ways

From: Rodney Vlcek <hotrod1631@icloud.com>
Sent: Thursday, December 16, 2021 12:23 PM
To: Council Packet
Subject: Street Project @ 20th & Cornhusker Hwy.

Council Members,

I want to take this time and thank each of you for your help & work on getting a very dangerous intersection (20th & Cornhusker Hwy) moved forward with elevating the island that will restrict left turning at that no left turn sign.

It is a dangerous intersection especially at peak hours and because of each of you (and especially council members Ward and Bowers) and Director Elliott, the construction has begun and it is already safer.

I testified at open mic in July of 2020 and again was going to in August of 2021 until personally speaking with Director Elliott about this intersection and because of her insight and others monitoring it for several weeks, we finally have progress to rectify this problem.

Thank You All Again and have a safe & joyous holiday!

Rodney Vlcek

Sent from my iPhone

JaMel E. Ways

From: Jeff High <jdhighmail@gmail.com>
Sent: Monday, December 20, 2021 8:18 AM
To: Council Packet
Cc: Kate
Subject: HY-Vee

Good morning

At the 84th Hy-Vee on Friday. Found 20 to 30 percent of the customers without masks. Told my wife and she went in Saturday and found the same, and took photos if you would like them.

Contacted the manager and was told the Lincoln Hy-Vee policy for masks comes from the main office in Iowa. Do not approach customers and let them decide on masks or not. The managers of the Lincoln stores got together and all agree. No Lincoln Mayor or City Council would tell Hy-Vee what to do. They will not observe the Lancaster County Policy regarding masks. Seems like we have a serious problem that needs to be addressed.

Thank You

Jeff High
7135 York Lane
68505

JaMel E. Ways

From: Rae King <rking529@yahoo.com>
Sent: Tuesday, December 21, 2021 10:16 PM
To: Council Packet
Subject: LPD culture

Dear Council:

I have concerns regarding the culture of LPD; specifically how women are treated.

As a tax payer and active citizen in this community, I would like to see council support an independent investigation of LPD culture using a reputable external firm.

Respectfully,
Gina King
340 S. 54th

JaMel E. Ways

From: Maribeth Milner <mmilner@inebraska.com>
Sent: Tuesday, December 21, 2021 11:24 PM
To: Mayor
Cc: Council Packet
Subject: Eliminating the mask mandate in the face of a surging Omicron / flu surge...

I don't know how much influence the Mayor has over the Lancaster Health Dept.

Just wanted to register my very deep concern over letting the mask mandate expire as a fast-moving Omicron wave moves across the nation.

If the mask mandate expiration prevents medical offices from having mask mandates, I will likely not be seeking in-person medical assistance until the pandemic is over.

Finally...

While interacting with a city agency I learned that my emails were being filtered out as spam by the city... so I'd appreciate receiving acknowledgement of your having received this email.

Thanks,

Maribeth

--

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

JaMel E. Ways

From: Joe Damico <jdamico@generalexavating.com>
Sent: Monday, December 27, 2021 12:01 PM
To: Council Packet
Subject: Opposition to 2.18.034

Good morning, Merry Christmas and Happy New Year to all council members!!

I am writing to oppose the proposed change to the Purchasing Division adding section 2.18.034 to the Lincoln Municipal Code.

We as a company, completely oppose this addition as it is simply not good for Lincoln. With the tight labor market and concerns for construction costs, this additions seems contrary to anything that makes sense. This new section will add tremendous costs to already skyrocketing labor and material costs, not to mention inflated costs on engineering and inspection costs.

This is nothing more than trying to get a line in our code demanding that companies employ union labor for a portion of the job. There are no union utility contractors in Lincoln!! Do we want our city tax dollars to go to out of city or state contractors?? We, as a company, have been doing technical training as well as safety training for over 30 years, but do not have registered apprentice training program. A registered apprentice training program is another term for union and we strongly oppose them.

Please do not pass this as it will only add costs that ultimately tax payers pay!! You, as stewards of OUR money, not your money, have a responsibility to get the most bang for our buck and demanding union labor be used is not being the best you can be!!!!

Thank you for your time and voting this down!!!!

Joe D'Amico

Joe D'Amico
Vice President



YOUR "UNDERGROUND" PARTNER

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JaMel E. Ways

From: jlm62111@outlook.com
Sent: Sunday, January 2, 2022 4:13 AM
To: Council Packet
Subject: Surplus Funds

Dear City Council,

Being stewards of the public's money, does not mean shopping spree when there is a surplus of funds. We all know property values have risen and if there is a surplus of funds from the budget. Do not be throwing us pennies as you go over your wish list people are hurting out here and could use some of their tax dollars back

Thank you,

John

Sent from Mail for Windows

JaMel E. Ways

From: Lynn & Jane Kaufmann <lkauf73@gmail.com>
Sent: Sunday, January 2, 2022 6:26 PM
To: Council Packet
Subject: comment on streets

We all agree the streets in Lincoln have been neglected for years and need lots of work. I sincerely appreciate the pot holes in the streets being repaired. But I (along with many other people I know) would like to recommend to the person who runs the ant eater (our nickname for the truck operated by one person who fills the potholes) needs to adjust the method to fill the potholes. We all agree that after those holes are filled, that machine has not only filled the pot hole but created another speed bump on the street. So it is difficult to determine if filling the hole is better or having another one of the millions of speed bumps it has produced all over the streets of Lincoln. There has to be a method when filling the holes so the fill material is even with the street and not an inch or so above the street. So now as you drive, we cannot avoid the pot hole but have to hit one or more of the millions of speed bumps created by the machine making the street even rougher than before.

Another question on the streets. I witnessed this in another city the past year where a machine was going down the street with an asphalt truck backed up to it, and behind it was a brand new lane of asphalt. Further down the street in front of this machine was a grinding machine taking up one lane of the street and elevating the asphalt into another truck. They were able to lay down several miles of street in one day. Wouldn't this be a lot better than trying to fix the small 4 x 4 or 10 x 10 sections at a time? The north 70th street south of Havelock is fantastic after they laid down a new layer of asphalt.

JaMel E. Ways

From: Lynn & Jane Kaufmann <lkauf73@gmail.com>
Sent: Sunday, January 2, 2022 6:26 PM
To: Council Packet
Subject: comment on streets

We all agree the streets in Lincoln have been neglected for years and need lots of work. I sincerely appreciate the pot holes in the streets being repaired. But I (along with many other people I know) would like to recommend to the person who runs the ant eater (our nickname for the truck operated by one person who fills the potholes) needs to adjust the method to fill the potholes. We all agree that after those holes are filled, that machine has not only filled the pot hole but created another speed bump on the street. So it is difficult to determine if filling the hole is better or having another one of the millions of speed bumps it has produced all over the streets of Lincoln. There has to be a method when filling the holes so the fill material is even with the street and not an inch or so above the street. So now as you drive, we cannot avoid the pot hole but have to hit one or more of the millions of speed bumps created by the machine making the street even rougher than before.

Another question on the streets. I witnessed this in another city the past year where a machine was going down the street with an asphalt truck backed up to it, and behind it was a brand new lane of asphalt. Further down the street in front of this machine was a grinding machine taking up one lane of the street and elevating the asphalt into another truck. They were able to lay down several miles of street in one day. Wouldn't this be a lot better than trying to fix the small 4 x 4 or 10 x 10 sections at a time? The north 70th street south of Havelock is fantastic after they laid down a new layer of asphalt.

JaMel E. Ways

From: Jayne L. Sebby <sebbyiplaw@gmail.com>
Sent: Wednesday, January 5, 2022 9:25 PM
To: Council Packet
Subject: Zoning problem in Woods Park Neighborhood (core Lincoln neighborhood)
Attachments: Map of alcohol & CBD sites.pdf

Dear Council Members.

The City Planning Commission approved today a special permit for the sale of alcohol (off-site consumption) at a tobacco/vape/CBD business, 27th Street Liquor and Tobacco, located on the SW corner of S. 27th & O Streets (blue dot on the attached map). This business opened about 6 months ago and recently decided to include alcohol sales. There are 2 liquor stores and 5+ convenience stores (black dots) selling off-site alcohol within 1/2 mile of this site. There are at least 7 tobacco/vape/CBD stores (red dots) within the same 1/2 mile. There is a Head Start daycare less than a block away and two more daycares within 2 blocks. Elliott Elementary School is 2 blocks away. There are two residential duplexes a few hundred feet away. CentrePointe's main residential facility for clients dealing with mental health issues and substance abuse is a block away. Voices of Hope's offices, helping abused spouses and significant others, is 2 blocks away. Lutheran Social Services' medical facility is less than 3 blocks away. There is a motel primarily used by transients across the intersection. Our neighborhood is full of transitional housing and group homes for youth and adults. But the only thing the Planning Commission could ask about was whether any of these were within 100 feet of the front door of the business (the minimum distance set by city ordinance). Lincoln's Planning Department proved that the closest of all of these was at least 125 feet away. So the Commission had to approve the application. The attorney speaking on behalf of the owner of the business (Viet Nguyen) and the owner of the building (Marilyn Long) described the area as "blighted", that his clients were providing jobs during the pandemic, and that there would be no downside to granting the special permit.

I have no problem with the off-site sale of liquor or the sale of CBD products. But over a dozen businesses (some selling both products) within about a half mile of each other just sets most of them up for failure. It invites riffraff into the area. And it also has an extremely negative influence on other commercial properties as well as the surrounding residential neighborhoods. Yet the only code limitation is that each business needs to be only 100 feet from so-called "protected properties." That restriction needs to be extended to at least 2000 feet.

The 27th & O area was close to the east end of Lincoln 75 years ago. But the zoning "restrictions" for the core neighborhoods haven't been adjusted to reflect the high infill that has occurred since then. Core neighborhoods support most of the social services agencies and their facilities but we don't have any way to control commercial landlords who rent to businesses who cause disruptions to those services. As the attorney said this afternoon, the Woods Park neighborhood is "blighted" but it's not because of the area's current residents or the tenants who were in the commercial properties five years ago. It's because we have no way to prevent commercial landlords from blighting the neighborhood with their poor choices of tenants. Yes, there's a pandemic and yes, it's hard to find tenants. But that's not a legitimate reason to allow core neighborhoods to deteriorate just so one commercial landlord doesn't have to have a bad year.

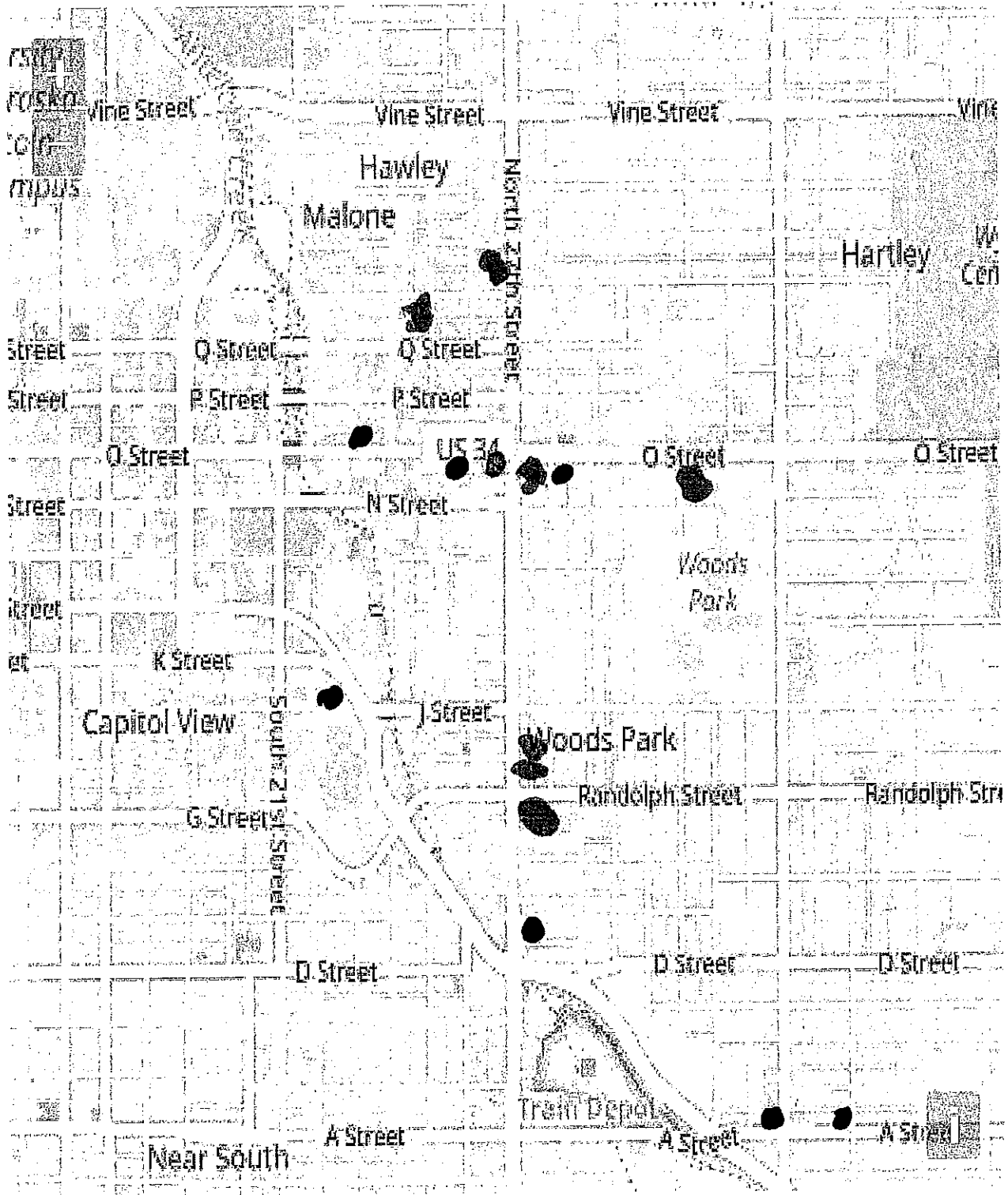
How much has it cost the city to clean up North 27th Street and the surrounding neighborhoods? Or the south of downtown neighborhoods? How stupid is it to spend millions of dollars to fix what a few ordinances could have prevented? Yes, I know that the wealthy residents of Lincoln want and have the political power to keep negative events away from their own homes. My neighbors and I are simply asking for the same consideration from the City Council.

It's time to review the existing ordinances and regulations and how they impact the core neighborhoods compared to the wealthy, outer neighborhoods. We need your help to strengthen the heart of Lincoln.

Please contact me or any of the core neighborhood associations to help you get this review underway and to identify changes that need to be passed by the Council.

Thank you,

Jayne Seby
Woods Park Neighborhood Association
402-474-3059
jayneseby@gmail.com



Information on this map is for general reference only.

JaMel E. Ways

From: Hugh Sieck <hughsieck@hsphe.com>
Sent: Thursday, January 6, 2022 8:39 AM
To: Tom J. Beckius; Bennie R. Shobe; Sandra J. Washington; Jane Raybould; Tammy J. Ward; James M. Bowers; Richard W. Meginnis; Council Packet; Mayor
Subject: 2.18.034 "Contractor Provisions"

Dear Lincoln City Council Members,

It has come to my attention that the City Council will be voting on changing the Lincoln Municipal Code Chapter 2.18 and adding a new section numbered 2.18.034 entitled "Contractor Provisions".

As I read the proposed change to the Municipal Code it was evident that this not to an adaptation to add apprentices to the local workforce, but rather give an advantage in bidding City projects to non-Lincoln union contractors.

All codes (Plumbing, Mechanical, Electrical, etc.) have provisions which limits the ratio of Apprentices to Journeymen. This is usually something like 2 or 3 apprentices to every registered Journeyman. Therefore, the number of apprentices allowed on a particular job is limited by the number of Journeymen on that job. Making this change to the city code would do nothing to increase the amount of apprentices allowed on a jobsite. To allow more apprentices on a particular job, the Council would also need to make changes to all codes allowing a larger ratio of apprentices to journeymen. This would be problematic in that you would have a uneducated workforce made up of mostly apprentices constructing City Projects.

Specifically the Plumbing and Mechanical trades in Lincoln are made up primarily of "Open" shops. I believe there are currently zero (0) Lincoln based Union Plumbing / Piping Companies and only one (1) Lincoln based Mechanical/HVAC Company. All union Plumbing / Piping and Mechanical companies currently operating in Lincoln have their Home offices outside of Lincoln, and many outside of Nebraska. These companies for the most part are not employing Lincoln citizens, but people from Omaha or whatever city the Companies home office is in. To give these Companies a competitive edge over local Lincoln Contractors is ludicrous. The extra money being spent would leave Lincoln. The apprentices would be getting experience so they could work on the next NON-Lincoln Job and they would not be spending the money they make in Lincoln or paying Lincoln taxes.

Several years ago H&S Plumbing tried to establish a sponsored apprenticeship program through the United States Department of Labor. After about a year and a half we determined that for a company our size we did not see a benefit to being in the program. The amount of paper work and time required to administer the program was not justified by the amount of work our apprentices were doing in the field. H&S is one of the larger Plumbing / Mechanical companies in Lincoln. If this was not a good fit for us, I cannot see how our smaller Local competitors could make it work.

I recently agreed to sit on the Examining Board of Plumbers to help encourage LINCOLN citizens to become registered trades people. Passing this change to the code will only slam the door to Lincoln contractors and Lincoln citizens to be able to perform work on City of Lincoln projects.

Please vote **NO** to this proposed change to Lincoln Municipal Code.

Hugh Sieck III P.E.
President & Mechanical Engineer
H&S Plumbing & Heating /Design+Build
1720 Cushman Drive, Lincoln, NE 68512

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Website: www.hsphe.com



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 Please consider the environment before printing this email.

JaMel E. Ways

From: Justin Kreifels <justink@actionlincoln.com>
Sent: Thursday, January 6, 2022 9:21 AM
To: Council Packet
Cc: Mayor
Subject: LNK Ordinance 21-172

Council Members,

I have already sent this to James Michael Bowers last night but since we are short on time before Monday's meeting, I wanted to get this question in front of you as soon as possible.

Is the proposed ordinance 21-172 language inclusive of all contractors who have an apprenticeship program in place that is recognized by the NDL/USDL or is it discriminative of any non-union contractor regardless of its apprenticeship program status? The reason I ask is the a-b description does not have language that defines the requirements as being one or the other, or both (and/or). The line in question is:

The term "apprentice" means any person who is: (a) sponsored into an apprenticeship training program by a contractor that is authorized by a union to sponsor apprentices; (b) enrolled in a registered apprenticeship program recognized by the Nebraska Department of Labor or United States Department of Labor

We already have some great apprenticeship/workforce development programs in place in Lincoln through ABC, Southeast Community College, as well as in house training in lots of great plumbing, HVAC, and electrical shops around town. I would ask that you revise the language in this bill to include any apprenticeship program recognized by the NDL/USDL.

If the intent of this ordinance is to discriminate against open shop small businesses here in town and subsidize union labor with Lincoln taxpayer money, I would ask that you reconsider this idea. When you take into consideration that well over 80% of the construction workforce in the state is non-union, I have to ask why this would be good for our city it's citizens?

Our local open shop contractors take great pride in being a part of our growing city. For years we've watched our local tradesmen build our children's schools, our great LFR and LPD facilities, our parks, and so much more. Why would our city council ever want to stab us in the back with such discriminatory legislation?

Does the council understand the demographics of union labor in this state? Most of these contractors that would benefit from this ordinance are not locally based companies. You would be essentially taking Lincoln citizen's tax dollars, and handing it to contractors and laborers that don't live here, pay taxes here, or vote here. What could the City Council have to gain from this piece of legislation that does not promote Lincoln's workforce?

If this ordinance is truly meant to lift up apprenticeship programs, I ask that you include any NDL/USDL approved apprenticeship programs. Let's lift up Lincoln, not out of town contractors. If we move forward with this ordinance as written, we begin to drift away from meaningful workforce development, and into the hands

of corruption. The people of Lincoln should not be forced to subsidize union labor in our previously public and competitive city projects.

I am available to respond to emails or phone calls at your convenience. I am a staunch workforce development promoter in Lincoln, and I love my city and it's tradespeople.



Justin Kreifels
Director of Plumbing

ACTION Plumbing / Heating / AC / Electrical
402-423-6960 / Office
402-314-4307 / Mobile
ActionLincoln.com

JaMel E. Ways

From: Jake Whitefoot <jakew@ganatrucking.com>
Sent: Thursday, January 6, 2022 1:25 PM
To: Council Packet
Subject: 2.18.034 Contractor Provisions
Attachments: 2.18.034 Letter.pdf

Please see attached.

Respectfully,

Jake Whitefoot
Vice-President



Main: 402.794.5000 | Dir: 402.794.4313
2200 W Panama Rd | Martell, NE 68404
www.ganatrucking.com





2200 West Panama Rd. Martell, NE 68404 Phone (402) 794-5000 Fax (402) 794-5002

January 5, 2022

RE: 2.18.034 Contractor Provisions

To Whom It May Concern

We are writing in opposition to the proposed amendment 2.18.034 of the Lincoln Municipal Code.

Gana Trucking & Excavating, Inc. (GT&E) was founded in Lancaster County in 1995. Since then, we have been blessed enough to grow from a simple husband and wife operation to having over 170 local employees. Our success is due largely to the employees who have helped us along the way.

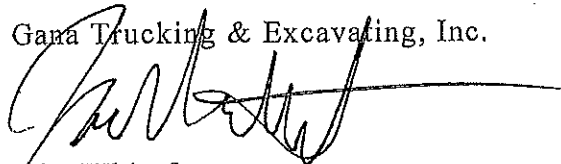
Our biggest concern with this proposed amendment is that it creates an unequal contract award system purely based on training and development practices. One standard of employment development has been elevated above all others and the Lincoln taxpayers are being asked to pay a 5% fee to the handful of companies that use those standards. It is an employer's right to decide how to train and develop new employees and they should not be penalized for using certain training programs over others.

Further, this amendment will hinder any new and developing business by increasing their administrative burden in order to be competitive. At the inception of a new business cost burdens may not allow for a company to use these hiring or developmental practices. A new company may not be able to effectively compete for a contract beginning on the very first day of their existence because of this amendment. Or a potential entrepreneur may never decide to take a chance and start their own business because they know it won't be economically feasible for them to survive.

We appreciate your consideration in this matter.

Sincerely,

Gana Trucking & Excavating, Inc.



Jake Whitefoot

JaMel E. Ways

From: Brandon Gunther <brandong@ganatrucking.com>
Sent: Thursday, January 6, 2022 1:46 PM
To: Council Packet
Subject: Amendment 2.18.034
Attachments: Sharp MX-3640N_20220106_122942 (002).pdf



2200 West Panama Rd. Martell, NE 68404 Phone (402) 794-5000 Fax (402) 794-5002

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My biggest concern with this proposed amendment is that it will smother the growth of small businesses by creating an unequal contract award system. It is unreasonable to think that a small company can easily absorb the necessary administrative burden to be compliant with this amendment. Nor is it reasonable to require companies to change their hiring and training practices to offset, what is essentially, a 5% fee imposed within the Lincoln City Limits.

I appreciate your consideration in this matter.

Sincerely,

Gana Trucking & Excavating, Inc.

A handwritten signature in cursive script that reads "Craig Gana".

Craig Gana

JaMel E. Ways

From: Tate J Fegley <tjf59@pitt.edu>
Sent: Wednesday, December 22, 2021 1:33 PM
To: Council Packet
Subject: Public Records Request - Police Collective Bargaining Agreements

Hello,

I am writing to request copies of all collective bargaining agreements between the City and the police union going as far back as records are available. Please let me know if I've contacted your department in error and please advise to where I should direct my inquiry.

Best,
Tate Fegley