

Directors Meeting Agenda

Monday, April 1, 2024, 2:00 p.m.

555 S 10th Street – Luxford Studio

- I. **Open Meetings Law Announcement**
- II. **Approval of Directors Meeting Minutes from March 18, 2024**
- III. **City Clerk Advisories**
- IV. **Mayor's Advisories**
- V. **Director's Advisories**
- VI. **City Council: Commissions, Committees, and Event Updates**
- VII. **Post-Meeting Council Members Calls to City Directors**
- VIII. **Adjournment**

Next Directors Meeting – April 8, 2024, 2:00 p.m.

City Correspondence

Tyler Spahn – RE: 665 Research Drive

Kristine Egan – Please Complete Survey / Mayor's Neighborhood Roundtable Meeting

Jennifer T. McDonald – BP240326 – 1 Administrative Approvals

Nina J. Anderson-Trumble – Fiscal Year 2022 – 2023 Audits for Lincoln Water & Wastewater Systems

Shelli K. Reid – BPC240327 – 1 PC Final Action Notice

Shelli K. Reid – BPC240327 – 1 PC Action

Constituent Correspondence

Rosina Paolini – LPR exemption from City Council Approval

Perry Howell – 665 Research Drive – Emails 1, 2 & 3

Peter Katt – How to Pay for Our New Downtown Library

Shelley Stall – Letter to Chad Blahak 032724

Keith Spilker – Proposed Water Special Assessment District #1211

The Directors Meeting Agendas and Minutes may be accessed at:
<https://www.lincoln.ne.gov/City/City-Council/Directors-Minutes-Agendas>

Tom J. Beckius

From: Tyler K. Spahn
Sent: Monday, March 25, 2024 2:37 PM
To: Perry Howell
Cc: Council Packet; Sue K Burgason; Yohance L. Christie
Subject: RE: 665 Research Drive

Mr. Howell: Thank you for your email. You are correct the name of the contractor is Rutalkn. I apologize if the misspelling caused any confusion.

The Avoca address provided in my letter is the address of Rutalkn's registered agent and principal office per the Nebraska Secretary of State's website. You may wish to contact them by email to avoid any issue. They list an email of info@rutalkn.com on their website.

If you have any additional questions, please feel free to contact our office at 402-441-7281.

Thank you,
Tyler K. Spahn
Asst. City Attorney

From: Perry Howell <powell@css-design.com>
Sent: Monday, March 25, 2024 2:20 PM
To: Council Packet <CouncilPacket@lincoln.ne.gov>
Cc: Tyler K. Spahn <TSpahn@lincoln.ne.gov>
Subject: 665 Research Drive

Lincoln City Council and Tyler Spahn, City Attorney's office.

Tyler, I received a letter from you last week addressing damage that was caused by a snow removal contractor who lost control of their vehicle and came onto my property past the sidewalk(~20feet). I submitted video of the incident showing the sequence of events.

The response from the City of Lincoln was certainly disappointing, but I understand that you may have a contract that indemnifies the City against incidence such as these. There are still problems with that response. Namely, that as the victim in this case I really do not have any recourse. I've called the company who contracted with you, no response. Basically, I'm left to do nothing or sue this company for damages wasting more time.

There are also other issues with your response. You list Rutalkin Inc. as the company with an address of 716 346th Street, Avoca NE 68307

That is close, but doesn't exactly match their website or address. The company name that I can find is : RUTALKN INC. There is no "i" in the corporate name. And the address is : 716 346th ST. Elmwood, NE 68349. NOT Avoca as noted on your letter.

For those that watched the video, you see a driver who has an accident, then leaves the scene. This looks like a texting or sleep deprivation or drunk driving incident as they just drove off the road.

I will be traveling on business this week, returning Friday. I will be very hard pressed to make the 3:00pm meeting, although I'd very much like to hear what you had to say.

I have a sincere appreciation for the council and the attorney's office. I'm not super happy with this however.

Thanks

Perry Howell

President

Communication Systems Solutions, Inc.

665 Research Drive Lincoln, NE 68521

Phone: (402) 261-8688 x201 **Fax:** (206) 350-2776

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Tom J. Beckius

From: Kristine A. Egan
Sent: Monday, March 25, 2024 4:27 PM
To: Kristine A. Egan
Subject: Please Complete Survey / Mayor's Neighborhood Roundtable Meeting

Good Afternoon Neighborhood Presidents and Leaders,

A reminder to please complete the below survey... and thank you to those that already have.

At recent Mayor's Neighborhood Roundtable meetings there has been discussion about returning to in-person meetings, while some attendees expressed a preference for continuing to meet via zoom. Please indicate your preference by clicking on the link and completing this short 2 question poll: <https://www.surveymonkey.com/r/5S6N8Y8>. **Please respond by Thursday, March 28th**. We will tabulate the responses and let you know the results by the end of the month and whether the April meeting will be in-person or via zoom.

PLEASE NOTE: Mayor's Neighborhood Roundtable is for Neighborhood Presidents or their designees.

Thank you,

Kristine Egan

Office Specialist
Urban Development Department
555 S. 10th Street, Ste 205 | Lincoln, NE 68508
Ph: 402.441.7569 | F: 402.441.8711
kegan@lincoln.ne.gov
www.lincoln.ne.gov

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Tom J. Beckius

From: Jennifer T. McDonald
Sent: Tuesday, March 26, 2024 2:42 PM
To: Council Packet
Cc: David R. Cary
Subject: BP240326 - 1 Administrative Approvals
Attachments: BP240326 - 1 Administrative Approvals.pdf

Please see the attached Administrative Approvals for March 19, 2024, through March 25, 2024.

Thank you,

Jennifer McDonald
Administrative Aide II
Lincoln-Lancaster County Planning Department
555 S 10th St, Ste 213
Lincoln, NE 68508
402-441-6365



Memorandum

Date: March 26, 2024
To: City Clerk
From: Clara McCully, Planning Dept.
Re: Administrative Approvals
cc: Shelli Reid, Planning Dept.

This is a list of City administrative approvals by the Planning Director from March 19, 2024, through March 25, 2024:

Administrative Amendment 24015 to Wilderness View Townhomes Second Addition Final Plat was approved by the Planning Director on March 25, 2024 to correct typographical errors, generally located at Maple View Court and Carlton Drive.

Administrative Amendment 24021 to Special Permit 1965B, Hartland Homes Northwest Apartments, was approved by the Planning Director on March 22, 2024, to add five unassigned dwelling units to the multi-family units, generally located at NW 48th Street and West Madison Avenue.

Tom J. Beckius

From: Nina J. Anderson-Trumble
Sent: Wednesday, March 27, 2024 9:56 AM
To: Jamie Phillips; Council Packet; Elizabeth D. Elliott; T.J. McDowell, Jr.
Cc: Cynthia J. Roth
Subject: Fiscal Year 2022 – 2023 Audits for Lincoln Water & Wastewater Systems

Cyndy Roth, LTU Business Manager, requested I email the link to the Lincoln Water and Wastewater Systems financial statements. Please see the link below.

[Financial Statements and Schedules – City of Lincoln, NE](#)

Thank you

Nina Anderson-Trumble

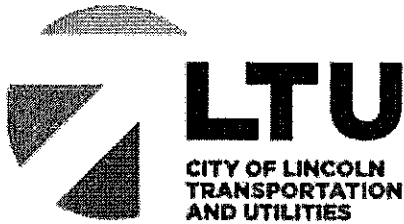
Administrative Aide II | Business Office

O: 402-441-7580

555 S 10th St, Suite 208
Lincoln, NE 68508

ltu.lincoln.ne.gov | [APWA Accredited](#)

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Tom J. Beckius

From: Shelli K. Reid
Sent: Wednesday, March 27, 2024 2:12 PM
To: Council Packet
Cc: David R. Cary; Steve S. Henrichsen
Subject: BPC240327 - 1 PC Final Action Notice
Attachments: BPC240327 - 1 PC Final Action Notice.pdf

Please see attached.

Thank you,

Shelli Reid
Administrative Officer
Lincoln-Lancaster County Planning Dept.
Ph: 402-441-6363
sreid@lincoln.ne.gov

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Shelli Reid, Planning

DATE: March 27, 2024

RE: Notice of final action by Planning Commission: March 27, 2024

Please be advised that on March 27, 2024, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution PC-01901, approving Special Permit 24003, to allow the sale of alcohol for consumption on the premises on property legally described as a portion of Lot 1, Las Brisas Heights, aka 2301 NW 12th Street Condominium Unit 2, located in the NE 1/4 of section 16-10-6, Lincoln, Lancaster County, Nebraska generally located at 2301 NW 12th Street; and

Resolution PC-01902, approving Special Permit 24004, to allow for the sale of alcohol for consumption, on property legally described as Lot 216, located in the NE 1/4 of Section 13-10-6, Lincoln, Lancaster County, Nebraska, generally located at 2949 N 27th Street; and

Resolution PC-01903, approving Special Permit 24006, to allow for an early childhood care facility, on property legally described as Lots 1-22, Block 1 and Lots 1-22 Block 4, Johnsons (FS) Subdivision, Vacate B Street and Vacate alleys by ORD 5142, in the SW 1/4 Section of 29-10-7, Lincoln, Lancaster County Nebraska, generally located at 4530 A Street.

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 Resolutions 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. SP24003, SP24004, SP24006) click on "Search", then "Select", and go to "Related Documents".

F:\devreview\final action notices\cc\2024\032724

Tom J. Beckius

From: Shelli K. Reid
Sent: Wednesday, March 27, 2024 2:57 PM
To: Council Packet; Commish; Planning_ALL; Chad E. Blahak; David A. Derbin; Elizabeth D. Elliott; John M. Ward; Jon D. Carlson; Michaela A. Sweeney; Pamela L. Dingman; Robert K. Simmering; Ron E. Rehtus; Shelli K. Reid; T.J. McDowell, Jr.; Terry A. Kathe; Tim S. Sieh
Subject: BPC240327 - 2 PC Action
Attachments: BPC240327 - 2 PCAction.pdf

Please see attached.

Thank you,

Shelli Reid
Administrative Officer
Lincoln-Lancaster County Planning Dept.
Ph: 402-441-6363
sreid@lincoln.ne.gov

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

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 27, 2024, 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.

****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.

AGENDA

WEDNESDAY, March 27, 2024

[Commissioners Campbell and Ryman Yost absent; Commissioner Eddins exited at 1:23 p.m. Commissioner Ryman Yost appointed Commissioner Joy to serve as Chair for this hearing.]

Approval of minutes of the regular meeting held March 13, 2024. ****APPROVED: 7-0 (Campbell and Ryman Yost absent)****

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

COMPREHENSIVE PLAN CONFORMANCE

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 24003, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the "East Gateway Mall Redevelopment Plan", a proposed guide for redevelopment activities within the Redevelopment Area, consisting of approximately 58 acres generally bounded by O Street to the south, N 66th Street to the east, Dead Man's Run Creek to the north, and North 63rd Street to the west, generally located at N 66th and Q Streets.

Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Planning Commission recommendation: FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Campbell and Ryman Yost absent), Public hearing before the City Council is tentatively scheduled for Monday, April 22, 2024, 3:00 p.m.

- 1.2 COMPREHENSIVE PLAN CONFORMANCE 24004, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a request to declare City property as surplus, on property generally located at 10th & N Streets.
Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
This application was removed from the Consent Agenda and had a separate public hearing. Planning Commission recommendation: FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Campbell and Ryman Yost absent), Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

PERMITS

- 1.3 SPECIAL PERMIT 24003, to allow the sale of alcohol for consumption on the premises on property generally located at 2301 Northwest 12th Street.
FINAL ACTION
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL: 7-0 (Campbell and Ryman Yost absent), as set forth in the conditions of the staff report dated March 13, 2024, Resolution No. PC-01901.
- 1.4 SPECIAL PERMIT 24004, to allow for the sale of alcohol for consumption, on property legally generally located at 2949 North 27th Street. ***FINAL ACTION***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL: 7-0 (Campbell and Ryman Yost absent), as set forth in the conditions of the staff report dated March 13, 2024, Resolution No. PC-01902.
- 1.5 SPECIAL PERMIT 24006, to allow for an early childhood care facility, on property generally located at 4530 A Street. ***FINAL ACTION***
Staff recommendation: Conditional Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL: 7-0 (Campbell and Ryman Yost absent), as set forth in the conditions of the staff report dated March 13, 2024, Resolution No. PC-01903.

2. REQUESTS FOR DEFERRAL:

CHANGE OF ZONE AND ASSOCIATED ITEM

- 2.1a COUNTY CHANGE OF ZONE 24002, from AG (Agricultural District) to I (Industrial District) for D.C. Addition, on property generally located at the SW corner of the intersection of Mill Road & North 162nd Street.
Staff recommendation: Deferral of application requested by applicant
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission granted the request on behalf of applicant for this application to be put on pending until further notice.

- 2.1b COUNTY PRELIMINARY PLAT 24001, to plat 10 lots along with outlots as part of D.C. Addition, a proposed industrial subdivision, on property generally located at the SW corner of the intersection of Mill Road and North 162nd Street.

FINAL ACTION

Staff recommendation: Deferral of application requested by applicant

Staff Planner: George Wesselhoff, 402-441-6366, gwesselhoff@lincoln.ne.gov

Planning Commission granted the request on behalf of applicant for this application to be put on pending until further notice.

3. **ITEMS REMOVED FROM CONSENT AGENDA: Item 1.2**
(Public Hearing and Administrative Action)

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

COMPREHENSIVE PLAN AMENDMENT AND ASSOCIATED ITEMS

- 4.1a COMPREHENSIVE PLAN AMENDMENT 24002, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Priority Growth Areas Map, to change from Tier III and Tier I Priority B to Tier I Priority A on property generally located near the intersection of North 70th Street and Interstate 80.

Staff recommendation: Approval

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 6-0 (Campbell and Ryman Yost absent; Eddins declared conflict of interest) Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

- 4.1b COMPREHENSIVE PLAN CONFORMANCE 24005, to declare surplus City-owned property generally located near the intersection of North 70th Street and Interstate 80.

Staff recommendation: In Conformance with the Comprehensive Plan

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

Planning Commission recommendation: FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 6-0 (Campbell and Ryman Yost absent; Eddins declared conflict of interest) Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

- 4.1c ANNEXATION 24002, to annex approximately 448 acres, including 314 acres for the future State of Nebraska correctional facility, on property generally located near the intersection of North 70th Street and Interstate 80.

Staff recommendation: Approval

Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 6-0 (Campbell and Ryman Yost absent; Eddins declared conflict of interest) Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

4.1d CHANGE OF ZONE 24004, from AG (Agricultural District) to P (Public), on property generally located between Highway 77 and N 84th Street from Interstate 80 to Bluff Road.

Staff recommendation: Approval

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

Planning Commission recommendation: APPROVAL: 6-0 (Campbell and Ryman Yost absent; Eddins declared conflict of interest) Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

4.1e STREET AND ALLEY VACATION 24004, vacating McKelvie Road east of North 70th Street adjacent to property generally located at McKelvie Road east of North 70th Street.

Staff recommendation: Conforms to the Comprehensive Plan

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

Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Campbell and Ryman Yost absent; Eddins declared conflict of interest) Public hearing before the City Council is tentatively scheduled for Monday, April 15, 2024, 3:00 p.m.

5. **CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:** None

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

Adjournment: 1:40 p.m.

Tom J. Beckius

From: Rosina Paolini <rapaolini@gmail.com>
Sent: Monday, March 25, 2024 7:03 AM
To: Council Packet
Subject: LPR exemption from City Council Approval

Good morning Council Members,

The Lincoln Parks and Recreation department has been exempt from City Council approval of their Master Plans other than the Woods Park Master Plan and plans using T.I.F dollars like the South Haymarket Master Plan. The process starts with the Planning Department, and may be recommended by the Planning Commission with T.I.F. project and final approval of the City Council and the Mayor for final approval.

LPR is the only department in the city who uses their in-house planning staff, their Facilities Manager and Department Director to develop the Master Plan, bring it before the Parks and Recreation Advisory Board (an appointed position), if approved by the PRAB board is then funded. In my years, the PRAB has NOT approved a proposed plan..

As the Woods Park saga continues, please help me understand why the Lincoln Parks and Recreation department continues to be exempt from the planning process that goes before the City Council and the Mayor for final approval? The department handles billions of taxpayer dollars with no oversight by the same governing body that determines the city budget, and all other City Master Plans.

I understand why LPR was exempt in the early days when we were a town with LPR staff completing small in house plans. As the city grew and the parks plans grew into multi - million / billion dollar master plans. The process needs to reflect the other city departments. I appreciate LPR has planning staff and a facilities manager, however they operate in a proverbial insulated bubble. It has taken the Woods Park conflict to raise awareness as to the level of this insulation.

PRAB, who approves said plans, does not question LPR's compliance with the PlanForward. Orientation apparently does not onboard new members with a review of the Comprehensive Plan. After speaking with a new member, they were not aware of PlanForward. Board members are not privy to the financials of the plans, the funding sources are not known to them other than that a funding campaign was established. I question how decisions are made on these billion dollar budget plans.

PRAB meetings reveal frequent absences and cancelled meetings due to lack of quorum or agenda , voting on master plans without reading the document, the secretary reported calling board members to insure their attendance and they still didn't show up for the meeting. Legal staff is present at the board meetings. PRAB's conduct was established long before the current director's tenure and the current director has taken great efforts to improve the accountability of the board by changing the monthly meetings to every other month. I was surprised to only see one PRAB board member at one of the Woods Tennis Open houses. I attended 2 of them, they may have attended the Tuesday, 11am meeting. Filming the open houses would provide those not in attendance some insight and perspective of the testimony delivered rather than scribes taking notes, those not privy to the in person testimony are getting an interpreted version.

Similar to the Planning Commission there is little conversation and questions are not permitted with PRAB meetings. The difference being, the approval goes before the City Council and Mayor before being adopted and funded.

The governing process of LPR needs to look like LFR and LPD. I look forward to the conversation, please share your thoughts.

Thank you for your time and attention in all matters,

*rosina

Rosina Paolini

1850 Dakota Street

Lincoln NE 68502

402-423-1260

Tom J. Beckius

From: Perry Howell <phowell@css-design.com>
Sent: Monday, March 25, 2024 2:20 PM
To: Council Packet
Cc: Tyler K. Spahn
Subject: 665 Research Drive

Lincoln City Council and Tyler Spahn, City Attorney's office.

Tyler, I received a letter from you last week addressing damage that was caused by a snow removal contractor who lost control of their vehicle and came onto my property past the sidewalk(~20feet). I submitted video of the incident showing the sequence of events.

The response from the City of Lincoln was certainly disappointing, but I understand that you may have a contract that indemnifies the City against incidence such as these. There are still problems with that response. Namely, that as the victim in this case I really do not have any recourse. I've called the company who contracted with you, no response. Basically, I'm left to do nothing or sue this company for damages wasting more time.

There are also other issues with your response. You list Rutalkin Inc. as the company with an address of 716 346th Street, Avoca NE 68307

That is close, but doesn't exactly match their website or address. The company name that I can find is : RUTALKN INC. There is no "i" in the corporate name. And the address is : 716 346th ST. Elmwood, NE 68349. NOT Avoca as noted on your letter.

For those that watched the video, you see a driver who has an accident, then leaves the scene. This looks like a texting or sleep deprivation or drunk driving incident as they just drove off the road.

I will be traveling on business this week, returning Friday. I will be very hard pressed to make the 3:00pm meeting, although I'd very much like to hear what you had to say.

I have a sincere appreciation for the council and the attorney's office. I'm not super happy with this however.

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To: Tyler K. Spahn
Cc: Council Packet; Sue K Burgason; Yohance L. Christie
Subject: RE: 665 Research Drive

Thank you for the responsiveness and guidance on a better contact method. I now see that email address on the bottom of their webpage.
I'll reach out and see what happens.

Thanks

Perry

From: Tyler K. Spahn <TSpahn@lincoln.ne.gov>
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Cc: Council Packet <CouncilPacket@lincoln.ne.gov>; Sue K Burgason <sburgason@lincoln.ne.gov>; Yohance L. Christie <YChristie@lincoln.ne.gov>
Subject: RE: 665 Research Drive

Mr. Howell: Thank you for your email. You are correct the name of the contractor is Rutalkn. I apologize if the misspelling caused any confusion.

The Avoca address provided in my letter is the address of Rutalkn's registered agent and principal office per the Nebraska Secretary of State's website. You may wish to contact them by email to avoid any issue. They list an email of info@rutalkn.com on their website.

If you have any additional questions, please feel free to contact our office at 402-441-7281.

Thank you,
Tyler K. Spahn
Asst. City Attorney

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Perry Howell

President

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Phone: (402) 261-8688 x201 **Fax:** (206) 350-2776

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Tom J. Beckius

From: Perry Howell <phowell@css-design.com>
Sent: Monday, March 25, 2024 3:04 PM
To: Tyler K. Spahn
Cc: Council Packet; Sue K Burgason; Yohance L. Christie
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FYI, that email was undeliverable. Or so MS Outlook bounce stated.

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Asst. City Attorney

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Subject: 665 Research Drive

Lincoln City Council and Tyler Spahn, City Attorney's office.

Tyler, I received a letter from you last week addressing damage that was caused by a snow removal contractor who lost control of their vehicle and came onto my property past the sidewalk(~20feet).

I submitted video of the incident showing the sequence of events.

The response from the City of Lincoln was certainly disappointing, but I understand that you may have a contract that indemnifies the City against incidence such as these. There are still problems with that response.

Namely, that as the victim in this case I really do not have any recourse. I've called the company who contracted with you, no response. Basically, I'm left to do nothing or sue this company for damages wasting more time.

There are also other issues with your response. You list Rutalkin Inc. as the company with an address of 716 346th Street, Avoca NE 68307

That is close, but doesn't exactly match their website or address.

The company name that I can find is : RUTALKN INC. There is no "i" in the corporate name.

And the address is : 716 346th ST. Elmwood, NE 68349. NOT Avoca as noted on your letter.

For those that watched the video, you see a driver who has an accident, then leaves the scene. This looks like a texting or sleep deprivation or drunk driving incident as they just drove off the road.

I will be traveling on business this week, returning Friday. I will be very hard pressed to make the 3:00pm meeting, although I'd very much like to hear what you had to say.

I have a sincere appreciation for the council and the attorney's office. I'm not super happy with this however.

Thanks

Perry Howell

President

Communication Systems Solutions, Inc.

665 Research Drive Lincoln, NE 68521

Phone: (402) 261-8688 x201 **Fax:** (206) 350-2776

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Tom J. Beckius

From: Peter Katt <LawKatt@nebholdings.com>
Sent: Tuesday, March 26, 2024 9:26 AM
To: Council Packet
Subject: How to Pay for Our New Downton Library

Lincoln should do the same thing if we really want a New Downtown library rather than just talk about it

<https://nebraskaexaminer.com/briefs/fundraising-for-omahas-new-central-library-surpasses-158m-goal/>

Tom J. Beckius

From: Shelley Stall <Shelley.Stall@outlook.com>
Sent: Wednesday, March 27, 2024 12:34 PM
To: Chad E. Blahak
Cc: James M. Bowers; Tom Duden; Justin P. Carlson; Brodey B. Weber; Sandra J. Washington; Tom J. Beckius; Bennie R. Shobe; vish.reddi@nearsouth.org; Jon D. Carlson; David R. Cary; Council Packet
Subject: Letter to Chad Blahak 032724

Dear Mr. Blahak,

Please provide me with an update, specifically your progress and the results, with respect to my requested investigation and enforcement of housing code violations at 1900 A Street.

- On July 26, 2023, I sent a letter and email to Deputy Chief of Staff Jon Carlson, requesting an investigation of 1900 A Street, concerning the following City Code violations: (1) excess number of unrelated occupants; and (2) the destruction of a historic structure without review and certification of the Historic Preservation Commission, as required. That letter (attached) was provided to you.
- You responded by email on August 4, 2023, indicating that your office and that of the City Attorney were researching the matter and would determine sometime the next week what, if any legal action, would be taken.
- On August 9, 2023, I thanked you for your response and requested an update when the investigation was complete. On September 6, 2023, I once more inquired by email about the status of the investigation. As of today, I am disappointed to report I have received no reply to my September inquiry. (Emails attached.)

You are well-aware, in the recent past, Near South neighbors, along with other neighborhoods, worked hard in collaboration with the City Council to adopt ordinances we were assured would better protect the character of our historic homes and neighborhoods. Throughout that process, one of our greatest concerns expressed to the Council, was enforcement of the new collaborative living ordinance, as well as other regulations intended to support the stability, safety, and integrity of our historic neighborhoods. Our requests to the Council for strengthened enforcement were not integrated into the new ordinance.

In the months following my inquiries regarding 1900 A, I along with many neighbors have watched a significant number of homes in the Historic Mount Emerald district of the Near South Neighborhood come on the market. The lack of communication and updates regarding the 1900 A violations leads us to believe that our concern about enforcement was well-founded. We wonder if the new owners of historic homes in our neighborhood will be required to obey local law and whether City administration genuinely intended to enforce these laws that they drafted and supported.

Thank you in advance for your prompt attention to this matter. I look forward to hearing from you.

Sincerely,
Shelley Stall

Cc: Jon Carlson, David Cary, Vish Reddi, City Council

Letter to Jon Carlson

July 26, 2023

Jon Carlson

Assistant Chief of Staff, Office of the Mayor 555 S. 10th Street
Lincoln NE 68508

RE: Complaint and Request to Enforce the Housing Code at 1900 A Street

Violations:

1. Housing more unrelated persons than allowed by the Housing Code
2. Destruction of a historic structure without review and certification of the Historic Preservation Commission

Background:

In 2019, 1900 A Street was transferred to new owners. When neighbors approached to greet the new owner, who was working in the yard, neighbors were told the property was to be a single family residence. Subsequently, it was observed to be occupied by what the neighbors believed to be a group home. No action was taken, assuming the property complied with the Code.

In late Fall of 2021, construction workers at 1923 B Street, a property approximately 50 feet from 1900 A Street, reported to neighbors that they were preparing the property to be an Oxford House, a residence for persons transitioning from treatment for substance abuse. Initially, neighbors believed that 1923 B violated the spacing requirements for group living facilities, but instead discovered that neither property complied with any regulations applicable to group living facilities. In response, the owner and operator of the 1923 B Oxford House requested and received from the City a blanket reasonable accommodation for all present and future disabled residents at the facility up to a maximum of 14 persons living at the property, thereby waiving the zoning ordinances with respect to the number of unrelated persons permitted to live at that address.


The Oxford House located at 1900 A Street has been in violation of the regulations applicable to the number of persons living in a single family home since operations began in 2019.

During the winter of 2022/23 an historic carriage house was demolished and replaced by a rock parking lot in the backyard at 1900 A, which is located in the Mount Emerald Historic District. While a demolition permit was secured, no review by the Historic Preservation Commission was sought or secured, as required by the Lincoln Municipal Code.

I respectfully request that an investigation be conducted and any violations of the City Code be enforced.

Shelley Stall 1954 A Street
Lincoln, NE 68502 shelley.stall@outlook.com

cc: David Cary, Director of Planning for Lincoln; Vish Reddi, President of NSNA

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Mr. Blahak's email to me from August 4, 2023

Ms. Stall,

Hi Ms. Stall. Jon Carlson from the Mayors Office forwarded your email and letter regarding 1900 A Street to me. As a result myself, members of my staff, and staff from the City Attorney's Office are researching this property. There is some complexity from its history that was not fully explored during the last complaint investigation. We will conclude our research by mid next week and determine at that time what appropriate legal action to take.

Thank you for sending your letter for us to take into consideration while we look into this item.

Chad

Chad Blahak
Director
Building and Safety

My email response to Blahak from August 9, 2023:

Mr. Blahak,

Thank you for your email regarding the initiation of an investigation of 1900 A Street for Code compliance. I look forward to updates on the status of your investigation.

Shelley Stall

And from September 6, 2023:

Mr. Blahak,

Has Building and Safety completed the investigation of 1900 A Street regarding Code compliance? Thank you for your attention to this matter.

Tom J. Beckius

From: City Clerk
Sent: Thursday, March 28, 2024 9:15 AM
To: Council Packet
Subject: FW: Proposed Water Special Assessment District #1211
Attachments: City Council Public Hearing Response.pdf

From: Keith Spilker <knjspilker@hotmail.com>
Sent: Wednesday, March 27, 2024 8:05 PM
To: City Clerk <CityClerk@lincoln.ne.gov>
Subject: Proposed Water Special Assessment District #1211

Please provide to City Council members.

Thank

Keith Spilker

March 27, 2024

Re: Special Water District #1211 – 12-inch diameter water main in Fletcher Ave from N 7th to N 14th streets

Comments to City Council

I am making these comments on behalf of myself at 900 Fletcher Ave and for family that owns the property at 1201 Fletcher. This represents 20% of the owners and 31% of the total owner cost of the project. Both properties will connect if this is approved.

I wanted to put my opinion in writing and respond to some of the comments made at the public hearing on March 25.

Why am I requesting this special water district:

- Quality of existing water supply
 - Many wells, including these two properties, have hard water high in various minerals.
 - Strong odor.
 - Cannot drink. Use distiller system for consumable water.
 - Hard on plumbing fixtures and equipment such as dish washers, washers and water valves, even with water softener systems.
 - Hard on clothes, fades color.
- Quantity
 - Limited capacity. Cannot water lawn or garden.
- Aging System
 - Concerned about need for future repairs. Would rather put money into obtaining city water vs repairs.

Concerns

- I, like owners who spoke, believe the cost is high. Combined with the cost to actually connect the total expense will be significant. However, the 20-year amortization option makes it more affordable. I know these kinds of improvements cost money and believe the benefits far outweigh the cost.
- One owner affected recently built a house and was able to obtain city water from the west side of 7th street where the current tappable water line ends. His comment was that he should not have to pay again for a tappable line he will not use. The counter to that is he signed an agreement when permission was granted to connect that informed him that he would be responsible for a water assessment if/when one was approved in the future. He can't now argue he should not be assessed the cost of this assessment when he signed a document stating he was aware he would need to pay at some future date.
- The subject of the existing 30" main water feeder line came up during the hearing. The council may have been given the wrong impression concerning fire hydrants. There currently are no fire hydrants along Fletcher Ave between 7th and 14th streets. The 30" line does nothing other than move a high volume of water.

Conclusion

- Approval of the special assessment district will improve the quality and quantity of the water supply for all who connect. Two owners will connect immediately and another two will likely connect. All other owners will have the option to improve their water situation in the future should something happen to their own wells.
- Improved public safety. As noted above, there currently are no fire hydrants along this portion of Fletcher Ave. Those will be installed as part of the construction of this water line. Lincoln Fire is hampered now as tankers are required to battle any fire. Hydrants will greatly improve the ability to minimize fire damage. This will benefit all owners, even those who do not connect.

Thank you for listening to all the comments March 25 and reviewing these notes. I hope you will approve this assessment district.

Keith Spilker
900 Fletcher Ave
Lincoln, NE 68521
402-326-7451