

# **Directors' Meeting Agenda**

2 p.m. Monday, December 8, 2025 555 S. 10th St., Lincoln, NE Bill Luxford Studio

- I. Open Meetings Law Announcement
- II. Approval of Directors' Meeting Minutes from November 17
- **III.** City Clerk Advisories
- **IV.** City Council Advisories
- V. Director Advisories
- VI. Councilmember Commission, Committee, and Event Updates
- VII. Public Comment
- VIII. Post-Meeting Council Members' Calls to City Directors
- IX. Adjournment

Next Directors' Meeting – 2 p.m. Monday, January 5

## **City Correspondence**

Urban Development	December 8 Neighborhood Roundtable Meeting
Planning & Dev.	Administrative Approvals
n	BPC251203 - 1 PC Action
"	BPC251203 - PC Final Action Notice
n	BP251205-1 Historical Preservation Committee
LES	LES Administrative Board Meeting Minutes 11.21.25
City Attorney	Claims against the City set for Public Hearing 12/08/2025

# **Constituent Correspondence**

Kimberly Homelessness concerns

Robert Borer ES&S is implicated
Sue Kirkland Parking meter times

Teresa Martinez More snow/ice removal needed

Marcia Kay Williams "Katie Pitts"

Peter Ferguson Invitation: 31st Annual MLK Jr. Youth Rally

From: <u>Stephanie L. Rouse</u>

Cc: Jacob R. Schlange; Steve S. Henrichsen

Subject: December 8 Neighborhood Roundtable Meeting

Date: Monday, December 1, 2025 8:55:54 AM

Hello Mayor's Neighborhood Roundtable Representatives,

As you will recall, we are continuing the conversation on the Accessory Dwelling Unit text amendment for our December 8<sup>th</sup> meeting. The agenda is below along with the meeting notes from our November meeting.

- December 8 Agenda: <a href="https://www.lincoln.ne.gov/files/sharedassets/public/v/1/urban-development/neighborhoods/roundtable/2025\_dec-8-mayors-neighborhood-roundtable-agenda.pdf">https://www.lincoln.ne.gov/files/sharedassets/public/v/1/urban-development/neighborhoods/roundtable/2025\_dec-8-mayors-neighborhood-roundtable-agenda.pdf</a>
- November 10 Notes: <a href="https://www.lincoln.ne.gov/files/sharedassets/public/v/1/urban-development/neighborhoods/roundtable/2025\_nov-10-mayors-neighborhood-roundtable-meeting-notes.pdf">https://www.lincoln.ne.gov/files/sharedassets/public/v/1/urban-development/neighborhoods/roundtable/2025\_nov-10-mayors-neighborhood-roundtable-meeting-notes.pdf</a>



Stephanie Rouse, AICP
Urban Development Manager
City of Lincoln
Urban Development

Office: 402-441-8211 Mobile: 531-350-0783

555 S 10th St, Ste 205 Lincoln, NE 68508 <u>lincoln.ne.gov/Urban</u> From: <u>Laura A. Tinnerstet</u>
To: <u>Benjamin A. Sobel</u>

Cc: <u>David R. Cary</u>; <u>Steve S. Henrichsen</u>

**Subject:** Administrative Approvals

Date:Tuesday, December 2, 2025 11:18:19 AMAttachments:BP251202-1-Administrative Approvals.pdf

# Good morning,

I've attached the Administrative Approvals for this week.

Thank you,



#### **Laura Tinnerstet**

Administrative Aide II Lincoln-Lancaster County Planning and Development

Office: 402-441-6365

555 S 10th St, Ste 213 Lincoln, NE 68508 <u>lincoln.ne.gov/PlanDev</u>



# Memo

DATE: December 2, 2025

TO: City Clerk
FROM: Clara McCully

to December 1, 2025:

SUBJECT: Administrative Approvals

This is a list of City administrative approvals by the Planning Director from November 26, 2025,

Administrative Amendment 25041, to Pre-Existing Special Permit 27B, Telecommunications building, was approved by the Planning Director on November 26, 2025, to revise the site plan to show a designated outdoor training area with utility poles as accessory to the existing telecommunication building, generally located at the southwest corner of S 27<sup>th</sup> Street and Old Cheney Road.

From: Shelli K. Reid

To:

Planning ALL; Benjamin A. Sobel; Andrew Barness; Chad E. Blahak; David A. Derbin; Elizabeth D. Elliott; John M. Ward; Jon D. Carlson; Pamela L. Dingman; Rick D. Hoppe; Robert K. Simmering; Ron E. Rehtus; Shelli K. Reid; Terry A. Kathe; Tim S. Sieh

Subject: BPC251203 - 1 PC Action

Wednesday, December 3, 2025 2:11:06 PM Date:

Attachments: BPC251203- 1 PC Action.pdf

## Please see attached.

# Thank you,



### Shelli Reid

Administrative Officer Lincoln-Lancaster County Planning and Development

Office: 402-441-6363

555 S 10th St, Ste 213 Lincoln, NE 68508 lincoln.ne.gov/PlanDev

#### \*\*ACTION BY PLANNING COMMISSION\*\*

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 3, 2025, at 1:00 p.m. in the City Council Chambers on the first floor of the County-City Building, 555 S. 10<sup>th</sup> 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, DECEMBER 3, 2025

#### [Commissioner Ebert absent]

Approval of the minutes of the regular meeting held November 12, 2025. \*\*APPROVED: 7-0 (Ryman Yost abstained; Ebert absent)\*\*

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

#### **COMPREHENSIVE PLAN CONFORMANCE:**

1.1 COMPREHENSIVE PLAN CONFORMANCE 25012, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Terminal Building Redevelopment Project within the Lincoln Center Redevelopment Plan, to change the term of TIF repayment from 15 years to 20 years and update the project narrative, on property generally located at 947 O Street and 139 S. 10th Street.

Staff recommendation: Finding of Conformance with Comprehensive Plan Staff Planner: Andrew Thierolf, (402) 441-6371, <a href="mailto:athierolf@lincoln.ne.gov">athierolf@lincoln.ne.gov</a>
Planning Commission recommendation: FINDING OF CONFORMANCE: 8-0 (Ebert absent). Public hearing before the City Council is tentatively scheduled for Monday, January 12, 2026, 3:00 p.m.

#### **TEXT AMENDMENT:**

1.2 TEXT AMENDMENT 25011, to amend the Lincoln Municipal Code, Table 27.72.030(a) to reduce the minimum lot area required for dwellings in the B-2 Zoning District from 2,000 square feet per unit to 1,000 square feet per unit, and to amend Table 27.06.070 and 27.62.040 for Household Living Use Group to change dwellings from conditional to permitted use in the O-2 Zoning District.

Staff recommendation: Approval

Staff Planner: George Wesselhoft, (402) 441-6366, gwesselhoft@lincoln.ne.gov Planning Commission recommendation: APPROVAL: 8-0 (Ebert absent) Public hearing before the City Council is tentatively scheduled for Monday, January 5, 2026, 3:00 p.m.

#### **CHANGE OF ZONE:**

1.3 CHANGE OF ZONE 21020D, to amend the South of Downtown Planned Unit Development (PUD), specifically updating the Lot Regulations within the PUD to allow a two-family dwelling on lots 1,740 sf or larger and to reduce the average lot width to 17' per unit on lots legally created after November 1, 2025, on property generally located between A and H Streets and 10th and 17th Streets.

Staff recommendation: Conditional Approval

Staff Planner: Benjamin 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: CONDITIONAL APPROVAL: 8-0 (Ebert absent), as set forth in the conditions of the staff report dated November 20, 2025. Public hearing before the City Council is tentatively scheduled for Monday, January 5, 2026, 3:00 p.m.

1.4 CHANGE OF ZONE 25025, from AG (Agriculture) to AGR (Agricultural Residential) on property generally located at SW 89th Street and W Van Dorn Street.

Staff recommendation: Approval

Staff Planner: George Wesselhoft, (402) 441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 8-0 (Ebert absent). Public hearing before the City Council is tentatively scheduled for Monday, January 5, 2026, at 3:00 p.m.

#### **PERMITS:**

1.5 SPECIAL PERMIT 13047A, to add office use on the locally landmarked Lewis-Syford House on property generally located at 700 North 16th Street. **FINAL ACTION** 

**Staff recommendation: Conditional Approval** 

Staff Planner: Jill Dolberg, (402) 441-6373, idolberg@lincoln.ne.gov

<u>Planning Commission "final action": CONDITIONAL APPROVAL: 8-0 (Ebert absent), as</u> set forth in the conditions of the staff report dated November 14, 2025, Resolution No. <u>PC-01963.</u>

1.6 SPECIAL PERMIT 18023B, to allow for the expansion of the Mourning Hope Grief Center Special Permit to add a parking lot, on property generally located at South Folsom and West A Streets. **FINAL ACTION** 

**Staff recommendation: Conditional Approval** 

Staff Planner: George Wesselhoft, (402) 441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission "final action": CONDITIONAL APPROVAL: 8-0 (Ebert absent), as set forth in the conditions of the staff report dated November 20, 2025, Resolution No. PC-01964.

1.7 SPECIAL PERMIT 25043, to allow an Academy for an indoor youth athletic training facility, on property generally located at 2440 Production Drive. **FINAL ACTION** 

Staff recommendation: Conditional Approval

Staff Planner: Benjamin Callahan, (402) 441-6360, bcallahan@lincoln.ne.gov

Planning Commission "final action": CONDITIONAL APPROVAL: 8-0 (Ebert absent), as

set forth in the conditions of the staff report dated November 20, 2025, Resolution No. PC-01965.

1.8 PRE-EXISTING USE PERMIT 3AJ, to amend the pre-existing use permit PEUP3 to allow miniwarehouse as a permitted use on property generally located at 6400 O Street. FINAL ACTION Staff recommendation: Conditional Approval Staff Planner: Jacob Schlange, (402) 441-6362, jschlange@lincoln.ne.gov

Planning Commission "final action": CONDITIONAL APPROVAL: 8-0 (Ebert absent), as set forth in the conditions of the staff report dated November 20, 2025, Resolution No.

PC-01966.

- 2. **REQUESTS FOR DEFERRAL:** None
- 3. ITEMS REMOVED FROM CONSENT AGENDA: Item 1.3 (Public Hearing and Administrative Action)
- PUBLIC HEARING AND ADMINISTRATIVE ACTION: 4.

#### **TEXT AMENDMENT:**

4.1 TEXT AMENDMENT 25014, to amend the conditional use provisions in LMC 27.62.080 and special permit provisions in LMC 27.63.070 related to allowing childhood care facilities in providing more flexibility with the allowed occupancy, the reuse of an existing building within residential neighborhoods, revising of specific conditions with the Design Standards by no longer requiring daycares over 21 children to be located on collector and arterial roadways, and additional provisions for the safety of childhood care facilities in or near the I-1 Industrial zoning district.

Staff recommendation: Approval

Staff Planner: Benjamin Callahan, (402) 441-6360, bcallahan@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 8-0 (Ebert absent). Public hearing before the City Council is tentatively scheduled for Monday, January 5, 2026, at 3:00 p.m.

5. **CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:** 

\* \* \* \* \* \* \* \* \* \*

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

\*\*\*\*\*

Adjournment: 1:31 p.m. From: Shelli K. Reid
To: Benjamin A. Sobel

Cc:David R. Cary; Steve S. HenrichsenSubject:BPC251203 - PC Final Action NoticeDate:Wednesday, December 3, 2025 2:22:27 PMAttachments:BPC251203 - PC Final Action Notice.pdf

Please see attached.

Thank you,



## Shelli Reid

Administrative Officer Lincoln-Lancaster County Planning and Development

Office: 402-441-6363

555 S 10th St, Ste 213 Lincoln, NE 68508 <u>lincoln.ne.gov/PlanDev</u>

# PLANNING COMMISSION FINAL ACTION NOTIFICATION

**TO**: Mayor Leirion Gaylor Baird

Lincoln City Council

FROM: Shelli Reid, Planning

**DATE**: December 3, 2025

**RE:** Notice of final action by Planning Commission: December 3, 2025

Please be advised that on December 3, 2025, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

**Resolution PC-01963** approving **Special Permit 13047A**, to change the use on the locally landmarked Lewis-Syford House from a residential use of up to five persons to Office, legally described as SUBDIVISION OF L1 SW LITTLES SUB OF W1/2 SW 24-10-6, Lot J - K, W175', Lincoln, Lancaster County, Nebraska, generally located at 700 North 16th Street;

**Resolution PC-01964** approving **Special Permit 18023B**, to allow for the expansion of the Mourning Hope Grief Center Special Permit boundary for a parking lot, on property legally described as Lots 45 and 46 and the remaining portions of Lots 47 and 48, Ricketts Consolidation of Lots in Block 7, Highland Park, located in the SW 1/4 of Section 27-10-6, Lincoln, Lancaster County, Nebraska, generally located at South Folsom and West A Streets;

**Resolution PC-01965** approving **Special Permit 25043**, to allow an Academy for an indoor youth athletic training facility, on property legally described as Lot 4, Saltillo Industrial Park 2nd Addition, located in the NE 1/4 of Section 1-8-6, Lincoln, Lancaster County, Nebraska, generally located at 2440 Production Drive; and

**Resolution PC-01966** approving **Pre-Existing Use Permit 3AJ**, to amend the pre-existing use permit PEUP3 to allow mini-warehouse as a permitted use on property legally described as Lot 1, Gateway Shopping Center 4th Addition, Lincoln, Lancaster County, Nebraska, and generally located at 6400 O Street. The Planning Action is final, unless appealed to the Lincoln City Council.

The Planning Commission action is final, unless appealed to the Lincoln City Council. The Planning Commission's 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 <a href="www.lincoln.ne.gov">www.lincoln.ne.gov</a> (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., SP13047A, SP18023B, SP25043, PEUP3AJ), click on "Search," then "Select," and go to "Related Documents".

From: <u>Laura A. Tinnerstet</u>
To: <u>Benjamin A. Sobel</u>

Cc: <u>David R. Cary</u>; <u>Shelli K. Reid</u>

Subject:BP251205-1 Historical Preservation CommitteeDate:Friday, December 5, 2025 10:07:30 AMAttachments:BP251205-1-Historic Preservation Committee.pdf

# Good morning,

Please see attached.

Thanks,



## **Laura Tinnerstet**

Administrative Aide II Lincoln-Lancaster County Planning and Development

Office: 402-441-6365

555 S 10th St, Ste 213 Lincoln, NE 68508 <u>lincoln.ne.gov/PlanDev</u>

#### HISTORIC PRESERVATION COMMISSION

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, December 11, 2025, at 2:00 p.m., in the Council Chambers, 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 HPC meeting record of November 13, 2025.

#### **HEARING AND ACTION**

- 2. SPECIAL PERMIT 19033A, to add a use at the locally landmarked Cooley-Dodge farmstead to include short term rental and future construction of an additional house, generally located at 17185 Bluff Road, Waverly, Nebraska.
- 3. CERTIFICATE UDR25107 to present three permit-ready residential plans to the Historic Preservation Commission for approval for use as infill in residential local landmark historic districts.
- 4a. CERTIFICATE UDR25108, for the demolition of an existing garage, on property in the Woods Park Bungalow Local Landmark Historic District, generally located at 624 South 32nd Street.
- 4b. CERTIFICATE UDR25109, for the construction of a two-car garage, on property in the Woods Park Bungalow Local Landmark Historic District, generally located at 624 South 32nd Street.

#### **DISCUSS AND ADVISE**

5 CERTIFICATE UDR25038 for the rehabilitation of the apartment building at 919 South 12<sup>th</sup> for the Gathering Place, to advise on a revision to the plans which would increase the height of the elevator and stair tower by five feet.

#### STAFF UPDATES AND ANNOUNCEMENTS

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 Lincoln Commission on Human Rights at 402 441 7624, or the City Ombudsman at 402 441 7511, as soon as possible before the scheduled meeting date in order to make your request.

The Historic Preservation Commission's agenda may be accessed on the Internet at

From: Kellie Cave

**Subject:** LES Administrative Board Meeting Minutes 11.21.25

Date: Thursday, December 4, 2025 9:12:56 AM

Attachments: bd.min.November.2025.pdf

## Good morning!

Please see the attached meeting minutes from the November 21<sup>st</sup> meeting.

Thank you,

Kellie

# **Kellie Cave | Senior Executive Assistant**



Office: 402-473-3382 Mobile: 402-802-0749

LES.com | 9445 Rokeby Rd. | Lincoln, NE 68526



#### MINUTES OF LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD

Minutes of the regular meeting held at 9:30 a.m., Friday, November 21, 2025, at the Kevin Wailes Operations Center, 9445 Rokeby Road, Lincoln, Nebraska. Public notice of today's meeting was published in the Lincoln Journal Star on November 14, 2025.

**Board Members Present:** Kate Bolz, Andy Hunzeker, Alyssa Martin, Lucas Sabalka, David

Spinar, Chelsea Johnson, Carl Eskridge.

Board Members Absent: Karen Griffin, Eric Schafer.

LES Staff Present: Emeka Anyanwu, Shelley Sahling-Zart, Emily Koenig, Paul Crist,

> Lisa Hale, Katie Lechner, Jim Rigg, Marc Shkolnick, Chad Gebers, Bryan Willnerd, Sherryl Oosting, Ralph Hotler, Kayla Kollars, Ron Kohel, Rick Fernandez, Rod Preusker, Kelley Porter,

Keith Snyder, Jeffrey Geist, Kellie Cave.

Others Present: Nathan Svatora, Scott Williams, Kim Morrow, Ken Winston, and

numerous virtual participants via Microsoft Teams.

News Media Present: None.

Chair Lucas Sabalka declared a quorum present and called the meeting to order at approximately 9:30 a.m. A safety briefing was provided. Sabalka noted that LES conducts its meetings in compliance with the Nebraska Open Meetings Act and Responsibilities noted that a copy of the Act is located on the wall at the back of the room and with the Assistant Secretary. Shelley Sahling-Zart, General Counsel, reviewed duties and responsibilities of LES Board members.

Call to Order, Safety Briefing, and Board **Member Duties and** 

Chair Sabalka asked for approval of the minutes of the October 17, Approval of Minutes 2025, Board meeting. David Spinar moved approval of the minutes. Carl Eskridge seconded the motion. The vote for approval of the minutes was:

Aye: Kate Bolz, Andy Hunzeker, Alyssa Martin,

Lucas Sabalka, David Spinar, Chelsea

Johnson, Carl Eskridge.

Nay: None.

Absent: Karen Griffin, Eric Schafer.

Ken Winston, speaking on behalf of the Nebraska Chapter of the Comments from

Sierra Club, expressed his gratitude for LES and the service Customers he receives. He expressed concern surrounding the proposal to investigate nuclear energy as it pertains to the 2040 netzero goal. He encouraged LES to consider community solar and battery storage projects to honor the commitment of the 2040 goal. Winston noted that with assistance from LES, he now has solar panels on his personal residence, and commended LES's Energy Services team members for their guidance and commitment during the project. He also noted that while not affiliated with the group, he is encouraged by Mount Zion Baptist Church's effort to increase sustainability by installing solar panels on their church.

Scott Williams, speaking on behalf of himself as a resident of Lincoln, addressed the board regarding distributed energy resources. He recognized the challenges associated with accommodating load growth while keeping the grid reliable and resilient. Williams commended LES Board and staff for their continue work to keep the lights on, and encouraged the examination of alternative energy sources. He suggested LES should consider deploying batteries throughout residential areas of Lincoln to reduce service interruptions (e.g. branch falling on tree). Williams indicated his profession is the battery and solar industry, but his comments were not made on behalf of his business.

Emily Koenig, VP of Financial Services and Chief Financial Officer, introduced Ralph Hotler, Tool Repair Technician 1st Class, who was recognized by the board for 30 years of service to LES. The board commended Hotler on this achievement.

**Introduction and Recognition of Staff** 

Emily Koenig, VP of Financial Services and Chief Financial Officer, introduced Sherryl Oosting, Office Administrator, who was recognized by the board for 40 years of service to LES. The board commended Oosting on this achievement.

Andy Hunzeker, Chair of the Personnel & Organization Committee, reported on Committee discussions held on November 4, 2025, including: 1) Wellness Program Year End and Screening Statistics Update, 2) Safety Program Update, 3) Employment Metrics Review, 4) 2025 Health and Dental Update, 5) 2026 Health and Dental Forecasts. (Exhibit I)

**Personnel & Organization Committee Report** 

Alyssa Martin, Communications & Customer Services Committee Communications & member, reported on Committee discussions held on Customer Services

November 17, 2025, including: 1) Power LES Forward: Committee Report Outreach Efforts, 2) Campaigns, 3) Affordable Housing Energy Efficiency Update: Existing Multi-Family, 4) Educational Impact, 5) EV Ride & Drive, 6) Public Power Week. (Exhibit II)

Chelsea Johnson, Chair of the Operations & Power Supply Committee, reported on Committee discussions held on November 13, 2025, including: 1) 2025 Q3 Generation Revenue and Cost Report, 2) Landfill Gas Generation Repowering Update, 3) Resource Planning Activities Update. (Exhibit III)

**Operations & Power Supply Committee Report** 

Emeka Anyanwu, CEO, provided an overview of LES's proactive participation in Great Plains New Nuclear Consortium. He indicated Administrative Board affirmation and approval would be obtained prior to any substantive changes. Anyanwu provided confirmation that this participation would not preclude any other exploratory work for near and longterm solutions that correlate to 2040 goal and newly established goals and measures. He also clarified the definition of pre-work, which includes staff time. The Board affirmed this was a positive next step toward supporting load growth and moving toward net-zero goal. Anyanwu estimated a 10-15-year timeline was expected and reasonable for research and implementation.

\*Approval of LES **Participation in Great Plains New Nuclear** Consortium, LES Resolution 2025-13

David Spinar moved approval of LES Participation in Great Plains New Nuclear Consortium, LES Resolution 2025-13. (Exhibit IV) Carl Eskridge seconded the motion. The vote for approval was:

> Aye: Kate Bolz, Andy Hunzeker, Alyssa Martin,

> > Lucas Sabalka, David Spinar, Chelsea

Johnson, Carl Eskridge.

Nay: None.

Karen Griffin, Eric Schafer. Absent:

Bryan Willnerd, Manager of Treasury and Risk Management, provided an overview of changes to the LES 401(k) Retirement Plan Updates, Retirement Plan and 457(b) Retirement Plan changes LES Resolution 2025-14 including requirements and some optional measures for employees as laid out in the Secure 2.0 Act. He also

\*Approval LES 401(k)

reviewed updates to Policy 316. The board requested further research into adopting a provision for employees who are survivors of domestic abuse. The Investment Committee will research further.

Carl Eskridge moved approval of the LES 401(k) Retirement Plan Updates, LES Resolution 2025-14 (Exhibit V). Alyssa Martin seconded the motion. The vote for approval was:

> Aye: Kate Bolz, Andy Hunzeker, Alyssa Martin,

> > Lucas Sabalka, David Spinar, Chelsea

Johnson, Carl Eskridge.

Nay: None.

Absent: Karen Griffin, Eric Schafer.

Carl Eskridge moved approval of LES 457(b) Retirement Plan \*Approval of LES 457(b) Updates, LES Resolution 2025-15 (Exhibit VI). Alyssa Martin seconded the motion. The vote for approval was:

Retirement Plan Updates, LES Resolution 2025-15

Aye: Kate Bolz, Andy Hunzeker, Alyssa Martin,

Lucas Sabalka, David Spinar, Chelsea

Johnson, Carl Eskridge.

Nay: None.

Absent: Karen Griffin, Eric Schafer.

Kate Bolz moved approval of LES Policy 316 Updates (Exhibit \*Approval of LES Policy VII). Carl Eskridge seconded the motion. The vote for 316 Updates approval was:

Aye: Kate Bolz, Andy Hunzeker, Alyssa Martin,

Lucas Sabalka, David Spinar, Chelsea

Johnson, Carl Eskridge.

Nay: None.

Absent: Karen Griffin, Eric Schafer.

The next regular meeting of the LES Administrative Board will be Next Meeting Friday, December 19, 2025, at 9:30 a.m.

# Without further business before the Board, Chair Sabalka declared **Adjournment** the meeting adjourned at approximately 10:29 a.m.

Carl Eskridge, Secretary

BY: <u>Kellie Cave</u>

Kellie Cave, Assistant Secretary

From: Sue K Burgason
To: Benjamin A. Sobel

Cc: Yohance L. Christie; Abigail F. Littrell

**Subject:** Claims against the City set for Public Hearing 12/08/2025

**Date:** Tuesday, December 2, 2025 2:47:46 PM

Attachments: 25R-507 Resolution.pdf

25R-507 Claims Report.pdf

Letter to Debbie Ngo re Claim 11.18.2025.pdf Letter to Dora Arizaga re Claim 11.18.2025.pdf Letter to Christopher Pischel re Claim 11.19.2025.pdf Letter to Eric Waggerman re Claim 11.20.2025.pdf Letter to Richard Brown re Claim 11.20.2025.pdf Letter to Mohamad Alrazag re Claim 11.20.2025.pdf Letter to Henry Vote re Claim 11.20.2025.pdf

Ben: Attached is Resolution and Claims Report that is set for public hearing on December 8, 2025, and letters to claimants that are on the list of denied claims.



#### Susan Burgason

Paralegal
City of Lincoln
Office of the City Attorney

Office: 402-441-8802 Fax: 402-441-8812

555 S 10th St, Rm 300 Lincoln, NE 68508 <u>lincoln.ne.gov/Attorney</u>

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November 17, 2025

Mayor & City Council Lincoln, Nebraska

RE: Report of Claims Against City of Lincoln for November 1 through November 15, 2025

Dear Mayor & Council:

The following is a report of claims against City of Lincoln which have been disposed of, or are pending, for period of November 1 through November 15, 2025. This report will describe claims and dispositions or status of these claims.

#### **DENIED CLAIMS:**

**Debbie Ngo** filed claim during the month of August 2025 in an unspecified amount for tree limb removal expense and damage to property as the result of fallen tree limb. This claim has been reviewed by this office and has been **denied**.

**Dora Arizaga** filed claim during the month of August 2025 in an unspecified amount for damage to vehicle and property as the result of fallen tree. This claim has been reviewed by this office and has been **denied**.

**Christopher Pischel** filed claim during the month of September 2025 in the amount of \$536.26 for expense incurred as the result of sewer back-up. This claim has been reviewed by this office and has been **denied**.

**Eric Waggerman** filed claim during the month of September 2025 in the amount of \$1,560.00 for damage to tire rims as the result of pothole. This claim has been reviewed by this office and has been **denied**.

**Richard Brown** filed claim during the month of September 2025 in the amount of \$2,118.76 for injury incurred as the result of trip and fall on sidewalk. This claim has been reviewed by this office and has been **denied**.

**Mohamad Alrazaq** filed claim during the month of October 2025 in the amount of \$300.00 for damage to tire as the result of pothole. This claim has been reviewed by this office and has been **denied**.

**Henry Vote** filed claim during the month of October 2025 in the amount of \$125.00 for damage incurred as the result of fall in hole on sidewalk. This claim has been reviewed by this office and has been **denied**.

#### ALLOWED AND SETTLED CLAIMS:

**James Wenzl** filed claim during the month of August 2025 in the amount of \$1,828.00 for tree limb removal expense and damage to property as the result of fallen tree limb. This claim has been reviewed by this office and has been **allowed** in the amount of \$1,828.00.

**Progressive Insurance as subrogee of Christine Grandgenett** filed subrogation claim during the month of September 2025 in the amount of \$10,485.84 for damage to insured's vehicle as the result of accident involving Lincoln police vehicle. This claim has been **settled** by the Risk Management Office in the amount of \$10,485.84.

**Ryder Transportation Services – Great Wall Seafood** filed claim during the month of October 2025 in the amount of \$24,548.61 for damage to vehicle as the result of accident involving StarTran bus. This claim has been **settled** by the Risk Management Office in the amount of \$24,548.61.

**Kevin Bousquet** filed claim during the month of November 2025 in an unspecified amount for damage to vehicle when struck by City vehicle. This claim has been **settled** by the Risk Management Office in the amount of \$10,725.00.

**Rose Elembo** filed claim during the month of November 2025 in the amount of \$1,769.16 for damage to vehicle when struck by StarTran bus. This claim has been **settled** by the Risk Management Office in the amount of \$1,769.16.

#### **PENDING CLAIMS:**

**Joshua James Smallfoot** filed claim during the month of February 2023 in the amount of \$50,000 alleging excessive force by Lincoln police. This claim is under review and is pending.

**Temple Baptist Church** filed claim during the month of June 2023 in an unspecified amount for alleged damage incurred when L.E.S. was boring for installation of electrical conduit. This claim is pending review and ratification by L.E.S. Administrative Board.

**CMR** on behalf of Windstream filed claim during the month of June 2023 in an unspecified amount for alleged damage to Windstream cable during installation of electrical lines. This claim is pending review and ratification by L.E.S. Administrative Board.

**CMR on behalf of Windstream** filed claim during the month of August 2023 in an unspecified amount for alleged damage to Windstream cable during installation of electrical lines. This claim is pending review and ratification by L.E.S. Administrative Board.

**Jack Wickline** filed claim during the month of October 2023 in the amount of \$50,100 for alleged injury incurred when arrested by Lincoln police. This claim is under review and is pending.

**Progressive Insurance as subrogee of Corey Allmendinger** filed subrogation claim during the month of November 2023 in the amount of \$3,845.47 for damage to insured's vehicle as the result of fallen tree limb. This claim is under review and is pending.

**April Kohl** filed claim during the month of December 2023 in an unspecified amount for alleged injury incurred while claimant was passenger on StarTran bus. This claim is under review and is pending.

**Yolanda Edmiston** filed claim during the month of February 2024 in the amount of \$500,000 for alleged injury incurred when claimant was passenger on StarTran bus. This claim is under review and is pending.

**Amica Insurance as subrogee of Patrick Wingfield** filed subrogation claim during the month of March 2024 in the amount of \$1,697.04 for damage to vehicle when struck by police vehicle. This claim is under review and is pending.

**Jamaal McNeil** filed claim during the month of March 2024 in the amount of \$25,050,000 for alleged damages relating to his arrest. This claim is under review and is pending.

**U.S. Property Inc.** filed claim during the month of March 2024 in the amount of \$10,818.50 for costs incurred in capping leaking water line. This claim is under review and is pending.

**Theresa Lemons** filed claim during the month of April 2024 in the amount of \$100,000 for alleged injury incurred when claimant's scooter tipped over while she was passenger on StarTran bus. This claim is under review and is pending.

**Kyra Miller** filed claim during the month of April 2024 in the amount of \$12,500 for vehicle sold at police auction. This claim is under review and is pending.

**Joe Hofmeister** filed claim during the month of May 2024 in an unspecified amount for alleged damage to trees as the result of sewer main replacement project. This claim is under review and is pending.

**RG Hall LP** filed claim during the month of May 2024 in an unspecified amount for damage to property as the result of fallen tree. This claim is under review and is pending.

**Evan LaBouef** filed claim during the month of June 2024 in the amount of \$50.00 for loss incurred due to disconnection of electrical power in error. This claim is pending review and ratification by L.E.S. Administrative Board.

**Zakia Moussaid** filed claim during the month of June 2024 in an unspecified amount for injury as the result of accident involving police vehicle. In August 2025, settlement demand was made in the amount of \$100,000. This claim is under review and is pending.

**Mackenzie Quinn** filed claim during the month of June 2024 in an unspecified amount for injury incurred as the result of accident involving a Health Department vehicle. This claim is under review and is pending.

**Optum on behalf of Auto Owners Insurance as subrogee of Laurie Chrastil** filed subrogation claim during the month of August 2024 in the amount of \$28,859.16 for damage to insured's vehicle when struck by fallen tree near Pioneers Park Golf Course. This claim is under review and is pending.

**Lucas Long** filed claim during the month of August 2024 in an unspecified amount for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**Mark Bosak** filed claim during the month of August 2024 the amount of \$5,104.73 for damage to vehicle and unspecified amount for injury incurred as the result of accident involving StarTran bus. **Progressive Insurance** filed subrogation claim during the month of November 2025 in the amount of \$4,911.21 for damage to insured's vehicle and \$1,258.62 for medical payments made on behalf of insured as a result of the accident. These claims are under review and are pending.

**Joelle Paige** filed claim during the month of September 2024 in an unspecified amount for alleged injury incurred when claimant fell as she was exiting StarTran bus. This claim is under review and is pending.

**Eric Baer** filed claim during the month of September 2024 in an unspecified amount for damage to vehicle when struck by StarTran bus. This claim is under review and is pending.

**Lisa Study** filed claim during the month of September 2024 in an unspecified amount for damage allegedly incurred to property during police investigation. This claim is under review and is pending.

**Laura Marshall** filed claim during the month of September 2024 in an unspecified amount for alleged damages incurred due to claimant's arrest by Lincoln police. This claim is under review and is pending.

**Foundation for Education Services** filed claim during the month of October 2024 in the amount of \$10,305.32 for damage incurred in basement of building due to flooding that occurred in an L.E.S. vault during a heavy rainstorm. This claim is pending review and ratification by L.E.S. Administrative Board.

**Kayla Lee** filed claim during the month of October 2024 in the amount of \$11,357.00 for property damage and alleged emotional distress incurred as the result of no-knock warrant executed by Lincoln police. This claim is under review and is pending.

**Lee Cosby** filed claim during the month of November 2024 in the amount of \$800,000 for alleged damages incurred as the result of his arrest. This claim is under review and is pending.

**Kristopher Cody Koebel** filed nine claims during the month of December 2024 totaling \$26,500,000 alleging excessive force and unlawful conduct by Lincoln police and other law enforcement agencies. This claim is under review and is pending.

**Old Dominion Freight Line** filed claim during the month of February 2025 in the amount of \$12,195.79 for property damage incurred as the result of the accident involving StarTran bus. This claim is under review and is pending.

**Kathleen Pfeffer** filed claim during the month of March 2025 in the amount of \$110.00 for out-of-pocket expenses incurred as the result of claimant's fall as she was getting on a StarTran bus. This claim is under review and is pending.

First Dakota Indemnity Company as third party administrator of The Bridge of Nebraska Inc. filed claim during the month of March 2025 for workers compensation benefits paid on behalf of injured employee LaNita Nelson as the result of trip and fall on sidewalk. This claim is under review and is pending.

**Nubia Albayero** filed claim during the month of April 2025 in an unspecified amount for alleged injury incurred as the result of accident involving L.E.S. vehicle. This claim is under review and is pending.

**William Burda** filed claim during the month of April 2025 in the amount of \$105.50 for damage to sprinkler system during L.E.S. pole installation. This claim is pending review and ratification by L.E.S. Administrative Board.

**Auto Owners Insurance as subrogee of Sam and Ashley Myhre** filed claim during the month of May 2025 in the amount of \$278,391.24 for damage to insured's home as the result of fallen tree limb. This claim is under review and is pending.

**Pamela Prater** filed claim during the month of May 2025 in the amount of \$8,218.09 for damage to property as the result of sewer back-up. This claim is under review and is pending.

**CMR on behalf of Windstream** filed claim during the month of May 2025 in an unspecified amount for damage to Windstream property. This claim is pending review and ratification by L.E.S. Administrative Board.

**Theresa Bredehop** filed claim during the month of May 2025 in the amount of \$1,000,000 for alleged injury incurred when claimant was passenger on StarTran bus. In August 2025, settlement demand was made in the amount of \$375,000. This claim is under review and is pending.

**Gregory Smith** filed claim during the month of June 2025 in the amount of \$9,297.35 for damage to sewer line. This claim is pending review and ratification by L.E.S. Administrative Board.

**Jim Haas** filed claim during the month of June 2025 in the amount of \$1,640.00 for damage to tree. This claim is pending review and ratification by L.E.S. Administrative Board.

**Christine Grandgenett** filed claim during the month of July 2025 in the amount of \$1,000,000 for injury incurred as the result of accident involving Lincoln police vehicle. This claim is under review and is pending.

Allstate Insurance as subrogee of Hoi Wong and Er Fong Wong filed claim during the month of July 2025 in an unspecified amount for medical payments on behalf of insured's driver as the result of accident involving Parks vehicle. This claim is under review and is pending.

**Catherine Corbet** filed claim during the month of July 2025 in the amount of \$112.00 for damage to sprinkler system by L.E.S. This claim is pending review and ratification by L.E.S. Administrative Board.

**Claudia Perez** filed claim during the month of July 2025 in an unspecified amount for alleged injury incurred when claimant was a passenger on a StarTran bus. This claim is under review and is pending.

**Nathan and Amy Green** filed claim during the month of July 2025 in the amount of \$1,312.54 for damage to pool equipment as the result of power surge. This claim is pending review and ratification by L.E.S. Administrative Board.

**Arianna Banspach** filed claim during the month of July 2025 in the amount of \$201.30 for damage to tire as the result of pothole. This claim is under review and is pending.

**State Farm Insurance as subrogee of Derek Harris** filed claim during the month of July 2025 in the amount of \$6,716.40 for damage to insured's property as the result of fallen tree limb. This claim is under review and is pending.

**Geury Brito** filed claim during the month of August 2025 in the amount of \$1,680.00 for damage to windshield of vehicle that claimant was transporting when it was struck by tree limb overhanging street. This claim is under review and is pending.

**Jeffrey-Luis Lopez** filed claim during the month of August 2025 in the amount of \$250,000 alleging unlawful arrest and excessive force by Lincoln police. This claim is under review and is pending.

**Yosha Brown** filed claim during the month of August 2025 in the amount of \$6,500 for injury incurred to daughter when scooter she was riding flipped on an uneven sidewalk. This claim is under review and is pending.

**Dylan Kitchen** filed claim during the month of August 2025 in the amount of \$185.52 for damage to fence as the result of fallen tree limb. This claim is under review and is pending.

**Robin Lynne Jones** filed claim during the month of August 2025 in an unspecified amount for tree limb removal expense and damage to property as the result of fallen tree limb. This claim is under review and is pending.

**James William Quinn** filed claim during the month of August 2025 in the amount of \$284.95 for damage to fence as the result of fallen tree limb. This claim is under review and is pending.

**Ali Muhammed** filed claim during the month of August 2025 in the amount of \$4,521.65 for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**Marie Pulcherie Mbizi** filed claim during the month of August 2025 in the amount of \$5,625.25 for tree limb removal expense and damage to fence as the result of fallen tree limb. This claim is under review and is pending.

**Michael Price** filed claim during the month of August 2025 in an unspecified amount for alleged injury incurred while claimant was a passenger on a StarTran bus that was involved in an accident. This claim is under review and is pending.

**Trenton Rohde** filed claim during the month of August 2025 in the amount of \$150,000 for alleged injury incurred when claimant was a passenger on a StarTran bus. This claim is under review and is pending.

**State Farm Insurance as subrogee of Lionel Brown** filed claim during the month of August 2025 in the amount of \$1,300.00 for proceeds from sale of vehicle at auction. This claim is under review and is pending.

**Zachary Coburn** filed claim during the month of September 2025 in the amount of \$2,015.16 for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**Hannah Middleton** filed claim during the month of September 2025 in an unspecified amount for alleged injury incurred as the result of accident involving police vehicle. This claim is under review and is pending. **Joe Miller** filed claim during the month of September 2025 in the amount of \$12,708.91 for damage to fence and shed as the result of fallen tree. This claim is under review and is pending.

**Christopher Johnson (JCJ Holdings LLC)** filed claim during the month of September 2025 in the amount of \$1,300.00 for damage to property as the result of fallen tree limb. This claim is under review and is pending.

**Lannette Griffin-Mack** filed claim during the month of September 2025 in the amount of \$1,250.00 for tree limb removal expense and damage to two vehicles as the result of fallen tree limb. This claim is under review and is pending.

**Catherine Garcia** filed claim during the month of September 2025 in the amount of \$3,033.00 for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**lan Duane Larson** filed claim during the month of September 2025 in the amount of \$10,000 for damage to sign and vehicle when struck by City vehicle. This claim is under review and is pending.

**Donna Akiyama** filed claim during the month of September 2025 in the amount of \$980.00 for tree limb removal expense and damage to property as the result of fallen tree limb. This claim is under review and is pending.

**Hunter Robertson** filed claim during the month of September 2025 in the amount of \$2,065.74 for medical expenses incurred while claimant was in police custody. This claim is under review and is pending.

**Ronald Pointer** filed claim during the month of September 2025 in an unspecified amount for alleged illegal tow of vehicle and false incarceration. This claim is under review and is pending.

**Ronald Pointer** filed claim during the month of September 2025 in an unspecified amount for alleged failure by Lincoln police to investigate an assault that claimant reported to Lincoln police. This claim is under review and is pending.

**Becky Barnes** filed claim during the month of September 2025 in the amount of \$400.00 for damage to fence as the result of fallen tree. This claim is under review and is pending.

**Charles Rethmeier** filed claim during the month of September 2025 in the amount of \$2,027.89 for damage to vehicle when struck by mower. This claim is under review and is pending.

**Rick Hart** filed claim during the month of September 2025 in the amount of \$7,965.00 for damage to sewer line as the result of roots from City tree. This claim is under review and is pending.

**Jack Kirkland Jr.** filed claim during the month of September 2025 in the amount of \$5,170.00 for tree limb removal expense and damage to property as the result of fallen tree limb. This claim is under review and is pending.

**Jeffrey Lamb** filed claim during the month of October 2025 in the amount of \$156.00 for expense incurred for removal of fallen tree limb. This claim is under review and is pending.

**Nathaniel Furr** filed claim during the month of October 2025 in the amount of \$8,242.43 for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**Dawn Giebler** filed claim during the month of October 2025 in the amount of \$806.00 for damage to property when struck by L.E.S. vehicle. This claim is pending review and ratification by L.E.S. Administrative Board.

**Brett Joseph** filed claim during the month of October 2025 in the amount of \$3,375.37 for damage to sewer line when struck by L.E.S. This claim is pending review and ratification by L.E.S. Administrative Board.

**Richard Lespreance** filed claim during the month of October 2025 in the amount of \$892.32 for damage to vehicle when struck by debris from a blown fuse from L.E.S. pole. This claim is pending review and ratification by L.E.S. Administrative Board.

**Thomas Hudson** filed claim during the month of October 2025 in the amount of \$7,500.00 for damage to vehicle as the result of fallen tree limb. This claim is under review and is pending.

**Craig Connelly** filed claim during the month of October 2025 in the amount of \$350.00 for damage to property that occurred when L.E.S. was trimming trees. This claim is pending review and ratification by L.E.S. Administrative Board.

**Terreno, Johnston and Jay Sean Hill** filed claim during the month of October 2025 in an unspecified amount for alleged injuries incurred while claimants were passengers on StarTran bus. This claim is under review and is pending.

**Kenneth Burley** filed claim during the month of October 2025 in the amount of \$150,000 for alleged injury incurred while claimant was passenger on StarTran bus. This claim is under review and is pending.

**Dillon Ballagh** filed claim during the month of October 2025 in the amount of \$250,000 for alleged injury incurred as the result of fall from wheelchair while claimant was passenger on StarTran van. This claim is under review and is pending.

**Olga Kanne** filed claim during the month of October 2025 in the amount of \$1,452.00 for damage to driveway and sidewalk as the result of tree removal. This claim is under review and is pending.

**Nicholas Furchert** filed claim during the month of October 2025 in the amount of \$100 for loss of food when electrical power was turned off. This claim is pending review and ratification by L.E.S. Administrative Board.

**Tom Cabela** filed claim during the month of October 2025 in the amount of \$576.92 for damage to property as the result of fallen tree limb. This claim is under review and is pending.

## NEW CLAIMS FILED DURING PERIOD OF NOVEMBER 1 THROUGH NOVEMBER 15, 2025:

**Laura Rhinehart** filed claim in the amount of \$300.00 for damage to vehicle as the result of pothole. This claim is under review and is pending.

**Brittney Clark** filed claim in the amount of \$105.79 for loss of food when electrical power was turned off. This claim is pending review and ratification by L.E.S. Administrative Board.

**Marcellin Logsdon** filed claim in an unspecified amount for damage to vehicle when struck by City vehicle. This claim is under review and is pending.

**Sharon Schmidt** filed claim in an unspecified amount for damage to vehicle when struck by City vehicle. This claim is under review and is pending.

**Sharon Baker** filed claim in the amount of \$815.90 for damage to vehicle when struck by StarTran bus. This claim is under review and is pending.

**David Donald** filed claim in the amount of \$5,000 for alleged injury incurred while claimant was passenger on StarTran bus. This claim is under review and is pending.

**Lindsey Korger** filed claim in the amount of \$3,115.00 for damage to rental property as the result of action by Lincoln police. This claim is under review and is pending.

**Jackie Prater** filed claim in an unspecified amount for damage to fence when allegedly struck by City mower. This claim is under review and is pending.

#### PENDING TORT LITIGATION:

**Marc Timmins** filed claim during the month of February 2024 in the amount of \$500,000 for damages incurred as the result of motor vehicle accident that claimant alleges occurred due to lack of signage and street lighting at a roundabout. Claim was withdrawn and suit was filed in Lancaster County District Court. Litigation is pending.

**Lisa Schwartz** filed claim during the month of February 2024 in the amount of \$29,000 for damages to claimant's property as the result of flooding that occurred as the result of L.E.S. breaching pipe. This claim was withdrawn and suit was filed in Lancaster County District Court. Litigation is pending.

**Kalyn Thomson and Adam Thomson** filed claim during the month of October 2024 in the amount of \$500,000 for injury incurred as the result of accident involving police vehicle. This claim was withdrawn and suit was filed in Lancaster County District Court. Litigation is pending.

**Fernando Figueroa** filed claim during the month of November 2024 in the amount of \$50,000 for alleged injury incurred as the result of accident involving StarTran bus. **Cannon Cochran Management Services, Inc. on behalf of Old Dominion Freight Line** filed a subrogation claim in the amount of \$27,767.86 for workers compensation benefits paid as the result of injury sustained by Fernando Figueroa who was an employee/driver of semitruck owned by Old Dominion Freight Line that was involved in the accident. This claim was withdrawn and suit was filed in Lancaster County District Court. Litigation is pending.

**Brendan Welch** filed claim during the month of March 2025 in the amount of \$2,342.58 for damage to vehicle as the result of accident involving StarTran bus. Suit was filed in Lancaster County Court. Litigation is pending.

**Nathan Hinds** filed claim during the month of October 2024 in the amount of \$1,000,000 for injury incurred as the result of accident involving an alleged vehicle pursuit by Lincoln police. Suit was filed in Lancaster County District Court. Litigation is pending.

Submitted by City Law Department

25R-507 Introduce: 11-24-2025

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$1 \hspace{1cm}  exttt{BE IT RESOLVED by the City Council of the City of Lincoln, Nebr$
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- 2 That claims against City of Lincoln listed in attached report marked as Exhibit
- 3 "A" dated November 17, 2025, of new and pending tort claims filed with the
- 4 Office of City Attorney or the Office of City Clerk, as well as claims which
- 5 have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-
- 6 905 (Reissue 1997). The dispositions of claims by the Office of City Attorney as
- 7 shown in attached report are hereby approved:

8	DENIED CLAIMS		ALLOWED CLAIMS	
9	Debbie Ngo	Unspecified Amount	James Wenzl	\$ 1,828.00
10	Dora Arizaga	Unspecified Amount	Progressive Insurance a/s/o	
11	Christopher Pis	schel \$ 536.26	Christine Grandgenett	10,485.84
12	Eric Waggerman	1,560.00	Great Wall Seafood LLC	24,548.61
13	Richard Brown	2,118.76	Kevin Bousquet	10,725.00
14	Mohamad Alrazac	300.00	Rose Elembo	1,769.16
15	Henry Vote	125.00		

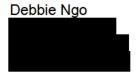
16 The City Attorney is hereby directed to mail to claimants listed herein a 17 copy of this resolution which shows final disposition of their claim.

Introduced by:

Approved as to Form and Legality:	
City Attorney	Approved this day of, 2025:
	Mayor



November 18, 2025



RE: Claim Against the City of Lincoln

Dear Ms. Ngo:

This is in response to your claim against the City of Lincoln received in this office on August 14, 2025, for reimbursement of tree limb removal expense and damage incurred to property as the result of a fallen tree limb on August 9, 2025. It is this office's responsibility to investigate the merits of claims that are filed against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that the City failed to act or acted in a negligent manner, or in this case, that the City should have acted to remove or trim the subject tree in a timely manner and failed to do so. State law determines when a city is liable for damage such as the damage referenced in your claim. A city can only be held liable for payment of damage if the city had actual or constructive notice of the defect within a reasonable time prior to the incident giving rise to the claim, and if a city had notice, there must be evidence that the city's actions were negligent in addressing the defect.

The City of Lincoln understands the inconvenience and financial impact incurred as the result of this incident, however, because taxpayer funds are used to pay claims of this type, this office can only recommend to the Lincoln City Council payment of claims in which there exists a legal basis to establish liability. City Forestry personnel reports that the City had not received any notice that the subject tree was in need of trimming or removal prior to the date the tree limb fell on August 9, 2025. The cause of the fallen tree limb on August 9, 2025, was a strong windstorm. Based on the information provided by City Forestry personnel, I cannot determine that the City was negligent, and therefore this claim will be referred to the Lincoln City Council with a recommendation that the claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the Lincoln City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell
Assistant City Attorney



November 18, 2025



RE: Claim Against the City of Lincoln

Dear Ms. Arizaga:

This is in response to your claim received in this office on August 14, 2025, for property damage incurred as the result of a fallen tree on August 9, 2025. It is this office's responsibility to investigate the merits of claims that are filed against the City of Lincoln and make a recommendation to the Lincoln City Council. In order for a claim to be authorized for payment from public funds, it must be shown that the City of Lincoln failed to act or acted in a negligent manner, or in this case, that the City should have acted to remove or treat the subject tree and failed to do so.

I have had an opportunity to investigate your claim with City Forestry personnel. City Forestry personnel report that the subject tree did not appear to be suffering from any type of disease, and that prior to August 9, 2025, the City had not received any notice that the subject tree was in need of trimming or removal. The cause of the fallen tree on August 9, 2025, was a strong windstorm.

The City of Lincoln understands the inconvenience and financial impact you have incurred as the result of this incident, however, because taxpayer funds are used to pay claims of this type, this office can only recommend to the Lincoln City Council payment of claims in which there exists a legal basis to establish liability. Based on information provided by City Forestry personnel, it does not appear that the City or its employees failed to act or acted in a negligent manner, and therefore your claim will be referred to the Lincoln City Council with a recommendation that your claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the Lincoln City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

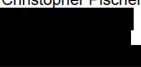
Sincerely,

Abigail F. Littrell Assistant City Attorney



November 19, 2025

Christopher Pischel



RE: Claim Against the City of Lincoln

Dear Mr. Pischel:

This is in response to your claim against the City of Lincoln received in this office on September 2, 2025. It is this office's responsibility to investigate claims against the City of Lincoln and make a recommendation to the Lincoln City Council.

The City of Lincoln understands the inconvenience and financial impact you have incurred as the result of this incident, however because taxpayer funds are used to pay claims of this type, this office can only recommend to the City Council payment of claims in which there exists a legal basis to establish liability. In order for a claim to be authorized for payment from public funds, it must be shown that there exists evidence of some failure of duty owed to you. I have investigated your claim with the City's Wastewater personnel. I can find no evidence that the City, its employees or agents, failed to act or acted in a negligent manner which resulted in the expense you incurred. Therefore, your claim will be forwarded to the Lincoln City Council with a recommendation that your claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at council@lincoln.ne.gov. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell

Assistant City Attorney

aligail & Littrett





RE: Claim Against the City of Lincoln

Dear Mr. Waggerman:

This is in response to your claim against the City of Lincoln received in this office on September 4, 2025, for damage to your tire rims on September 2, 2025, as the result of a pothole in the vicinity of Havelock Avenue and 84<sup>th</sup> Street. It is this office's responsibility to investigate the merits of claims that are filed against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists a legal basis for such authorization. Nebraska law is specific regarding when a city is liable for damage such as the damage referenced in your claim. The mere occurrence of an incident resulting in damages on a roadway, in and of itself, is not sufficient to establish that a city must assume responsibility for the damages. A city can only be held liable for payment of damages due to defects in a roadway if the city had actual or constructive notice of the defect within a reasonable time to allow repair prior to the incident giving rise to the claim.

The City of Lincoln understands the financial impact you have incurred as the result of this incident, however, because taxpayer funds are used to pay claims of this type, this office can only recommend to the City Council payment of claims in which a legal basis exists to establish liability. A review of the City's Street Maintenance records indicates that the pothole referenced in your claim was first reported on September 4, 2025, by receipt of your claim. Since I cannot determine that the City had notice of the pothole prior to the incident giving rise to your claim, your claim will be referred to the Lincoln City Council with a recommendation that the claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell Assistant City Attorney

aligail + Littrett





RE: Claim Against the City of Lincoln

Dear Mr. Brown:

This is in response to your claim against the City of Lincoln received in the City Clerk's Office on September 18, 2025, for costs incurred as the result of your fall on a sidewalk on September 23, 2024. It is this office's responsibility to investigate claims against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists a legal basis for such claim. The mere occurrence of an accident resulting in damages, in and of itself, is not a sufficient basis for a claim for those damages. In this case, it must be shown that the City of Lincoln had knowledge of the claimed defect prior to the accident giving rise to the claim. According to the records of the Lincoln Transportation Department, the first notice concerning the subject sidewalk defect was received on September 23, 2024, which is the date of your fall.

In addition, the City of Lincoln is not an insurer of those using its sidewalks and the City is not required to keep its sidewalk completely free of changes in the surface thereof. It is not unusual for a sidewalk, public or private, to have uneven surfaces. Users of sidewalks are required to keep a proper lookout, or in other words exercise reasonable care. It must be shown that the claimed defect which contributed to the accident was not observable or a hidden defect and was of such a nature that a person using the sidewalk could not take action to prevent the accident.

I can find no evidence of negligence on the part of the City of Lincoln or its employees or agents, and therefore, your claim will be forwarded to the Lincoln City Council with a recommendation that your claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell
Assistant City Attorney

aligail + Littrett



Mohamad Alrazaq

RE: Claim Against the City of Lincoln

Dear Mr. Alrazag:

This is in response to your claim against the City of Lincoln received in this office on October 16, 2025, for damage to your tire while you were traveling over the railroad tracks on Yankee Hill Road south of Nebraska Parkway on October 16, 2025. It is this office's responsibility to investigate the merits of claims that are filed against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists a legal basis for such authorization. Although Yankee Hill Road is a public street, the area described in your claim is within the railroad tracks and the railroad right-of-way, which area is under the control of Omaha Public Power District, and OPPD is responsible for maintenance and repair of this area. Accordingly, your claim against the City of Lincoln will be referred to the Lincoln City Council with a recommendation that the claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell

Assistant City Attorney

cc: Omaha Public Power District, 444 S. 16th Street, Omaha, NE 68102



Henry Vote

RE: Claim Against the City of Lincoln

Dear Mr. Vote:

This is in response to your claim against the City of Lincoln received in this office on October 21, 2025, for damage incurred as the result of your fall on sidewalk at 1144 M Street on October 15, 2025. It is this office's responsibility to investigate claims against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists a legal basis for such claim. The mere occurrence of an accident resulting in damages, in and of itself, is not a sufficient basis for a claim for those damages. In this case, it must be shown that the City of Lincoln had knowledge of the claimed defect prior to the incident giving rise to your claim. According to the records of the Lincoln Transportation Department, the first notice concerning the subject defect was received on October 16, 2025, the day after your fall.

Since the City of Lincoln did not have knowledge of the defect prior to the date of your fall, I can find no evidence of negligence on the part of the City of Lincoln or its employees or agents, and therefore, your claim will be forwarded to the Lincoln City Council with a recommendation that your claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on December 8, 2025, at 3:00 p.m. in the Council Chambers, 555 South 10<sup>th</sup> Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at <a href="mailto:council@lincoln.ne.gov">council@lincoln.ne.gov</a>. If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, December 5, 2025, by phone at 402-441-7281.

Sincerely,

Abigail F. Littrell Assistant City Attorney

OpenForms Benjamin A. Sobel From: Subject:

Council Comment - Kimberly
Saturday, November 29, 2025 10:49:13 PM
SubmissionReceipt-SubmitAComment-220.pdf Date: Attachments:



# **Council Comment - Kimberly**

Kimberly has submitted a comment for Council. Please see the attached comment

Name	Kimberly
Phone	
number	
Email	
address	
	I am a student at a concerned resident of Lincoln. I am writing
	to you today because I am worried about the growing issue of
	homelessness in our city. While working on a project about
	this, I've learned that the core of the problem seems to be a
	lack of resources. Our current shelters are consistently at
	capacity, and the wait for permanent housing can be very long.
	This situation forces vulnerable people to sleep in public
	spaces, which is unsafe for them and difficult for our
Your	community. I know the city has many other priorities and a
comment	budget to focus on, but I believe that providing a basic safety
Comment	net such as a safe place to sleep, is necessary. Investing more
	on shelters and permanent supportive housing would make a

real difference. It would help those in need and would allow our police and emergency services to focus on other issues. I urge you to consider this during your budget discussions. Please prioritize and support an increase in funding for programs and services that directly address homelessness in Lincoln. It will help make our city a better place for everyone. Thank you for your time and consideration.

From: Robert Borer

To: <u>dick.jablonski@essvote.com</u>

Cc: Bena, Wayne; waynebena@yahoo.com; revnen@compuserve.com; chris.wlaschin@essvote.com; Todd Wiltgen; Council Packet; Robert Evnen; tom.burt@essvote.com; kathy.rogers@essvote.com; Commish; LSO; Patrick

Condon; Byelick, Colleen; AGO Info Help; AGO - Department of Justice; Jim.Pillen@nebraska.gov; Foley, Mike

**Subject:** ES&S is implicated

**Date:** Monday, December 1, 2025 8:38:20 AM

Dick-

FYI.

ES&S is implicated in <u>this video</u>, in <u>this slide show</u>, in <u>this recently released book titled Stolen Elections</u> by Ralph Pezzullo, and in <u>this recently released interview</u> by former CBS 60 Minutes news correspondent Lara Logan.

Just a heads up-

Robert J. Borer

P.S. Mark Cook wanted to offer you a deal. You chased him off.

From: To:

OpenForms
Benjamin A. Sobel
Council Comment - Sue Kirkland
Tuesday, December 2, 2025 11:03:14 AM
SubmissionReceipt-SubmitAComment-222.pdf Subject: Date: Attachments:

Sue Kirkland



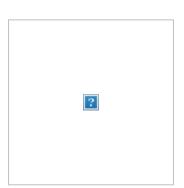
# **Council Comment - Sue Kirkland**

Sue Kirkland has submitted a comment for Council. Please see the attached comment

Ivallie	Sue Kirkland
Phone number	
Email address	
Your comment	Downtown Lincoln is a great area. I enjoy the shopping and dining experience there, however, the parking meters need to allow more than two hours. How about four? The app charges a service fee for each transaction which seems like only a small thing but why can't I just have more time to begin with? Please don't suggest parking garages. It's not like I don't know they're there. You want people to go downtown so let's try to help make it more convenient.

From: To:

OpenForms
Benjamin A. Sobel
Council Comment - Teresa martinez
Sunday, November 30, 2025 1:15:28 PM
SubmissionReceipt-SubmitAComment-221.pdf Subject: Date: Attachments:



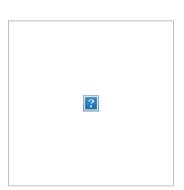
# **Council Comment - Teresa martinez**

Teresa martinez has submitted a comment for Council. Please see the attached comment

Name	Teresa martinez
Phone number	
Email address	
Your comment	What happened to all snow plows that were ready to go - so far this has been the worst yet - all the taxpayers money spent on these went where really - be set upset how literally nothing was done to make our streets safe during the first snowfall - I've never seen it this bad

From:

OpenForms
Benjamin A. Sobel
Council Comment - Marcia Kay Williams
Thursday, December 4, 2025 5:40:11 PM Subject: Date: SubmissionReceipt-SubmitAComment-223.pdf Attachments:



# **Council Comment - Marcia Kay Williams**

Marcia Kay Williams has submitted a comment for Council. Please see the attached comment

Name	Marcia Kay Williams
Phone	
number	
Email	
address	
	there have been 5 wrecks due to the sheer ice on the roads in
	Eastridge- why can't the roads be graveled? It is this way
Your	every year- who decides what streets get sand? We have yet
comment	another tax for road maintenance- isn't the life and safety of
	winter drivers near Pius and in Eastridge worth a look Check
	the police reports for today to see what I'm talking about.

 From:
 OpenForms

 To:
 Benjamin A. Sobel

Name

Katie Pitts

Subject: Council Comment - Katie Pitts

Date: Friday, December 5, 2025 9:22:26 AM

Attachments: SubmissionReceipt-SubmitAComment-224.pdf



# **Council Comment - Katie Pitts**

Katie Pitts has submitted a comment for Council. Please see the attached comment

Phone	
number	
Harriser	
Email	
address	
444.654	
	I'm sure I am not the first to write about how awful the streets
	are around Lincoln, but this is still the case even several days
	out from any kind of major winter weather. I live in southeast
	Lincoln and work downtown/around the Capitol and the roads
Your	are equally bad throughout the city. I would understand if the
comment	weather was relentless, but there have been days of clear
	skies when some of these side streets and entrances/exits on
	to roads could have been addressed. If funding is the issue,
	please take more of my money to get this done. Otherwise we
	are all going to be in for a long, miserable winter.

# Benjamin A. Sobel

**Subject:** Invitation with note: 31st Annual Rev. Dr. Martin Luther King, Jr. Youth Rally @ Mon Jan

19, 2026 10am - 12pm (CST) (councilpacket@lincoln.ne.gov)

**Location:** Nebraska Union, 1400 R St, Lincoln, NE 68588, USA

**Start:** Mon 1/19/2026 10:00 AM **End:** Mon 1/19/2026 12:00 PM

**Show Time As:** Tentative

**Recurrence:** (none)

Meeting Status: Not yet responded

**Organizer:** Peter Ferguson

**Categories:** Copied to Constituent

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Learn why this is important

#### You have been invited to the following event with this note:

"FOR IMMEDIATE RELEASE 31st Annual Rev. Dr. Martin Luther King, Jr. Youth Rally Monday, January 19, 2026 The Annual Rev. Dr. Martin Luther King, Jr. Youth Rally invites the community to join us in person on Monday, January 19, 2026, for the 31st Annual MLK Youth Rally. The event will take place in the Centennial Room of the University of Nebraska–Lincoln Student Union (14th & R Street, Lincoln, Nebraska) and will also be available virtually for statewide and international audiences. This year's theme, "The Audacity to Walk Together In Love," is inspired by Dr. King's 1964 Nobel Peace Prize acceptance speech—his call for dignity, equality, and freedom for the spirit. The theme highlights the courage required to act, overcome challenges, and build the beloved community through love in action. Organized annually by a diverse group of K–12 scholars, the Rally continues the mission of the planning committee: "...promotion of the life and dream of the late Rev. Dr. Martin Luther King, Jr., and local civil rights"

#### OR IMMEDIATE RELEASE

31st Annual Rev. Dr. Martin Luther King, Jr. Youth Rally

Monday, January 19, 2026

The Annual Rev. Dr. Martin Luther King, Jr. Youth Rally invites the community to join us in person on Monday, January 19, 2026, for the 31st Annual MLK Youth Rally. The event will take place in

the Centennial Room of the University of Nebraska-Lincoln Student Union (14th & R Street, Lincoln, Nebraska) and will also be available virtually for statewide and international audiences.

This year's theme, "The Audacity to Walk Together In Love," is inspired by Dr. King's 1964 Nobel Peace Prize acceptance speech—his call for dignity, equality, and freedom for the spirit. The theme highlights the courage required to act, overcome challenges, and build the beloved community through love in action.

Organized annually by a diverse group of K-12 scholars, the Rally continues the mission of the planning committee: "...promotion of the life and dream of the late Rev. Dr. Martin Luther King, Jr., and local civil rights leader Dr. Leola Bullock through positive youth action."

Brecklin, a 2026 Planning Committee member, reflects the heart of this year's message:

"Audacity looks like continuing to work toward a goal while facing adversity, messing up, getting back up, and taking more steps toward success."

Lead Advisor Peter Ferguson, now in his 29th year supporting the committee, adds:

"Each year, the planning team walks boldly toward its creation. This year, the planning committee is rallying around the words and actions of Dr. King and others who showed the audacity needed to build the beloved community. Every component lifts a purpose rooted in love."

# Event Schedule - Monday, January 19, 2026

All in-person events take place in the Centennial Room (14th & R Street).

9:00–10:00 a.m. CST — UNITY Community Rally (Doors Open)

 Community activities, photo booth, DJ, storytelling, face painting, and local activity booths

9:30 a.m. CST — Virtual Empowerment Pre-Rally Program (Livestream)

10:00 a.m. CST — 31st Annual Call to Action Program

- Youth-led original and adapted work
- Spoken word and interactive presentations
- Rally CommUNITY Choir
- Annual Civil Rights Book Project
- Special guest appearance

For more information, to support the event, or to stay connected:

Website:	

For additional information, to become a supporter of the Rally, or to stay updated on our efforts, or contact When Monday Jan 19, 2026 · 10am – 12pm (Central Time - Chicago) Location Nebraska Union, 1400 R St, Lincoln, NE 68588, USA View map Organizer Peter Ferguson peterfergusonbhs@gmail.com Guests (Guest list has been hidden at organizer's request) **Reply** for councilpacket@lincoln.ne.gov Yes No Maybe More options

Invitation from Google Calendar

You are receiving this email because you are an attendee on the event.

Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. Learn more