

**Annual Joint Meeting of
The Nebraska Capitol Commission
And
The Nebraska Capitol Environs Commission**

**Meeting Minutes
November 18, 2021**

1. Call to Order

Kile Johnson called to order the meeting of the Nebraska Capitol Commission at 10:00 a.m. on November 18, 2021 in Hearing Room 1507, First Floor in the Nebraska State Capitol, Lincoln, Nebraska. Mr. Johnson stated that the meeting would operate under the Open Meetings Act. A copy of the Act was posted at each entrance to the hearing room.

2. Roll Call

Nebraska Capitol Commission Members

Present:

Katherine Ankerson
Trevor Jones
Doug Carey
Thomas Sanderson
Trent Loos
Bob Ripley (Non-Voting)

Absent:

Governor Ricketts
Speaker Hilgers
Chief Justice Heavican

Nebraska Capitol Environs Members

Present:

Kile Johnson
Mary Campbell
Heidi Cuca
Delonte Johnson
Karen Nalow
Lynn Johnson (Non-Voting)
Collin Christopher (Non-Voting)

Absent:

Ann Post
David Quade

Trevor Jones was absent at the time of Roll Call but arrived at the meeting at 10:15 a.m.

3. Review / Approval of the December 10, 2020 Meeting Minutes

Mr. Johnson asked if there was any discussion or corrections to the minutes. There being none, Mr. Johnson asked for a motion to approve the December 10, 2020 meeting minutes. Mr. Sanderson MOVED to approve the minutes. Ms. Campbell SECONDED the motion.

The motion PASSED with a unanimous vote of all members present (9 Ayes, 6 Absent).

4. Public Comment for Items Not Listed on the Agenda

There was no public comment.

5. New Business

A. Capitol Environs Commission Annual Report

Collin Christopher, Staff Planner for the Nebraska Capitol Environs Commission, provided commission members with copies of the Capitol Environs draft annual report.

Mr. Christopher gave a brief review of the key projects from the year 2021:

- Residential Street Rehab Project – this project included resurfacing of the streets and sidewalk as well as ADA ramp improvements along Lincoln Mall, 14th Street, and Goodhue Boulevard.
- Dr. Susan La Flesche Picotte Sculpture – the Commission approved a plaque and portrait sculpture of Dr. Susan La Flesche Picotte located on the East side of Centennial Mall between the L and M block. This sculpture was funded through a private donation and unveiled on October 11th, 2021 as a celebration of Indigenous Peoples’ Day. Mr. Christopher noted that Karen Nalow was also a part of the team responsible for the design of the limestone outcrop on which the statue sits as well as the landscaping which serves as a backdrop for the sculpture.
- 1526 K Street Plaque – the Commission approved new pedestal and plaque in front of “The Protecting Hand” sculpture.
- 2 Landmark Centre – the Commission approved NEBCO’s plans to demolish and redevelop a portion of the North half of the block bounded by Lincoln Mall, H Street, 11th Street and 12th Street. A new office building will be constructed for the primary tenant, the USDA, with a timeline of completion in summer of 2023.
- South of Downtown PUD – the Commission provided an advisory review of the South of Downtown Plan Unit Development. The PUD aim to provide added land use flexibility in the South of Downtown area.
- McPhee Elementary Sign – a new sign in front of McPhee Elementary was approved by the Commission.
- 1320 Lincoln Mall – Exterior improvements at 1320 Lincoln Mall, West of the Capitol, were approved as part of a larger renovation of the office building.
- 1843 K Street Outdoor Play Area – the Commission approved an outdoor play area designed to promote children’s learning in an outdoor environment.
- Pershing Center Demolition – the demolition of the Pershing Center on Centennial Mall was approved. Plans for redevelopment include a private component and a public component. The private component will encompass affordable housing, a wellness center, and retail space. Schematic designs for this portion of the project are expected in either December of 2021 or January of 2022. The public component will be a new Downtown Central Library. The Commission is expecting to do a first review of that project in either the spring or summer of 2022.

Mr. Christopher also gave a brief report on the update of the Capitol Environs Design Standards which began a review and approval process in August of 2020. Additional standards for monuments and memorials along Lincoln and Centennial Malls were ultimately approved by the Lincoln City Council in September of 2021.

At the request of Mr. Loos there was some discussion on the number of projects taken on yearly by the Nebraska Capitol Environs Commission.

B. Capitol Commission Annual Report

Roxanne Smith, writer and editor of the Capitol Commission Annual Report distributed copies to the Commission members.

Mr. Ripley gave a review of the programs and projects outlined in the Annual Report. The programs under review include:

- Building Conservation – this program encompasses Furniture Conservation and Restoration, the Capitol Carpentry Shop, and HVAC Project support.
- Capitol Collections Program which includes the Capitol Archive and Dome Project support. Mr. Ripley emphasized the importance of the work of Karen Wagner, Capitol Archivist, in preservation projects by maintaining a vast collection of documents original to the Capitol. He then drew the Commissioners’

attention to a table set up in the Hearing Room with a selection of Capitol Archival items which are relevant to the construction taking place 100 years ago this month.

- Capitol Custodial with a focus on the Supreme Court Floor Refinishing aspect of the HVAC project
- Capitol Grounds Maintenance
- Building Maintenance which includes HVAC, Electrical, Plumbing, and Preventative Maintenance.

The Annual Report includes specifics of each program's work throughout 2021.

In response to a question from Ms. Campbell, Mr. Ripley explained plans for the surface of the geothermal well field. Mr. Ripley explained that originally there was intention to construct a new office building with parking at that location. Those plans changed due to COVID-19 decreasing demand for office space. The current most likely outcome would be a surface parking lot for public parking within walking distance of the Capitol.

At the request of Mr. Johnson, Mr. Ripley provided more details of the restoration of the 7 Supreme Court Judge's chairs.

Mr. Loos inquired about the retention of expertise and talent on the Office of the Capitol Commission staff. Mr. Ripley explained that every process is documented extensively so that expert knowledge may be retained and passed on to subsequent staff.

At the request of Ms. Cuca, Mr. Ripley reported that the removal of the scaffolding around the Capitol dome has begun. The scaffolding will be completely disassembled and removed over the coming weeks.

Several members of the Commissions expressed their gratitude to Mr. Ripley and their appreciation for OCC's care of the State Capitol.

C. Other Business from the Commission

Roxanne Smith directed the Commissioner's attention again to the Archival materials displayed in the Hearing Room for this meeting and passed around safe-to-touch copies of the items including photographs and report of the Capitol building construction.

6. Adjourn

There being no further business, Mr. Johnson asked for a motion to adjourn the meeting. Ms. Ankerson MOVED to adjourn the meeting. Ms. Cuca SECONDED the motion.

The motion PASSED with a unanimous vote of the members present. (10 Ayes, 5 Absent).

The meeting was adjourned at 11:00 a.m.

APPROVAL OF MINUTES

Minutes prepared 11/19/2021

Noelle Pinneo, Clerk of the Capitol Commission
Office of the Capitol Commission

Minutes approved _____

MEETING RECORD

Advanced public notice of the Nebraska Capitol Environs Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Wednesday, November 10, 2021.

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, November 18, 2021, 11:10 a.m., Hearing Room 1510, Nebraska State Capitol, 15th St. and 'K' Streets, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Mary Campbell, Heidi Cuca, Delonte Johnson, Kile Johnson and Karen Nalow; Ann Post and David Quade absent.

OTHERS IN ATTENDANCE: Collin Christopher, Paul Barnes and Teresa McKinstry of the Planning Department; Michelle Potts and David Collett from the State of Nebraska; Craig Aldridge from Lincoln Transportation and Utilities; and other interested parties.

STATED PURPOSE OF MEETING: Nebraska Capitol Environs Commission Meeting

Meeting started 11:10 a.m.

Chair Kile Johnson called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

K. Johnson then called for a motion approving the minutes of the regular meeting held September 24, 2021. Motion for approval made by D. Johnson, seconded by Nalow and carried 5-0: Campbell, Cuca, D. Johnson, K. Johnson and Nalow voting 'yes'; Post and Quade absent.

EXTERIOR WORK AT 501 S. 14TH STREET

PUBLIC HEARING:

November 18, 2021

Members present: Campbell, Cuca, D. Johnson, K. Johnson and Nalow; Post and Quade absent.

Michelle Potts, who manages property for the State of Nebraska as the State Building Division (SBD) Director, opened by stating that 501 S. 14th St. is under the SBD's purview. The building has been identified as the preferred location for the proposed antenna. The State has identified this as the best location due to the fact that it has a backup generator.

David Collett manages the statewide radio system for the State of Nebraska. He said the State has a need to place an antenna on top of the building to cover Capitol Security, Nebraska State Patrol and others in the area for radio communications. The City has decided to remove themselves from the statewide radio system. The 501 building was identified as the best place for an antenna primarily because it is next to

the Capitol but not on the Capitol. The signal propagates to the side. There is currently a problem at the Capitol with the current system in that there is no coverage in the basement. They expect this change will cover their needs for the area. They have the necessary space and technology to put the antenna on the 501 Building. Additionally, the building has a necessary backup generator. The antenna and pole are about three inches wide.

K. Johnson inquired about the range of communication? Collett responded that the signal goes out about six or seven miles. K. Johnson asked if the State looked at any alternatives. Collett replied yes, but noted that they didn't find an alternative location with a backup generator. K. Johnson asked if a backup generator would be at the State Office Building. Collett replied yes, but only for building control and lighting. The generator wouldn't run any equipment. Potts added that they usually have a backup generator in what they consider a 24/7 building.

K. Johnson stated that previously, Scott Gatewood had represented that the exterior material at the top of the 501 Building would go away. Gatewood had stated that the plan was to get rid of it. He sees a problem with placing another unscreened structure on top of the building. He believes a visible tower on top is contrary to all the work this Commission has done and focused on. He would like to see alternative sites developed. For example, he suspects this could be placed on top of the State Office Building quite easily. Perhaps there is also another building in the area that could do this. He fears that if an antenna goes up on the 501 building, the other stuff might never go away. The unscreened equipment would be contrary to the goals of the Nebraska Capitol Environs Commission.

Potts believes that Gatewood represented the equipment to be removed. In the short-term, there would still be some equipment on top. They would ask to place the structure there while the equipment is being removed. They would like to have the antenna placed as soon as possible. They would have to get a backup generator and a data center setup for the State Office Building. If they get to the stage where the equipment is removed, they would be in a better place to relocate the antenna.

Collett believes it is the current goal of the City to leave the state tower by the end of December 2021. There is a bit of a time constraint so that State Patrol does not lose radio access.

K. Johnson inquired what would be needed for the backup generator at the State Office Building. Potts replied that they haven't had time to look at that yet. It would need to be a data center type setting. Long-term, the State Office Building could be an option.

Campbell understands it could be two years before getting rid of the antenna. Potts stated that the air handler will become internal to the building. They hope to have this completed by the fall or summer of 2022.

Nalow is concerned with the idea of potentially allowing more equipment on top of this roof. She is concerned with allowing temporary solutions that could become permanent. Potts stated that the language of the approval could be altered. Their plan is to find a long-term location. She would have liked more time to find a location, but with the constraints, the 501 building is the best location.

Nalow understands from the images shown, it would be located to the east. Collett clarified it would be to the east of the air handler. He believes it would be approximately twelve feet above the air handler. The bottom needs to be above the handler so the pattern spreads out.

Nalow would like to see images of what this may look like. Collett stated that they have digital images, no hard copies. Potts stated that they looked at a standalone, but they were fearful it may be more apparent. They thought the air handler would block the view a little. Collett stated they are trying to accommodate the loss of those City antenna systems.

K. Johnson stated that he personally has a problem with this. He believes the applicant should further investigate the State Office Building. This has been a problem for years. The air handling equipment is contrary to the design standards that are in place. There is no screening. He thinks this should be tabled to further investigate a long-term solution or have the applicant work with the City of Lincoln to use their antenna system on a temporary basis while a long-term solution is found that isn't intrusive.

D. Johnson asked what megahertz this will use. Collett stated it will be close to the same frequency that cell phones use. There is no commercial use in the 700-megahertz range. D. Johnson knows that higher frequencies are able to go through buildings better. Collett noted that the 700 to 800-megahertz range is preferred. D. Johnson wondered if the problem areas are in the basement of the Capitol. Collett stated that the problem area is downtown. Capitol Security also works in the State Office Building. The problem with placing an antenna on top of the State Office Building is that there are departments there that need to be covered. D. Johnson asked how many watts. Collett responded 200 watts. He stated that there is an actual antenna, two antennas both six feet long, one points up and one down. They transmit and receive on opposite sites. They are a total twelve feet long.

Cuca is curious when the City made this decision and why. Collett stated that when the City put in their radio system four to five years ago, they decided to use the State radio system core processing. This allowed them to save about \$1 million. This last year, they received funds that allowed them to decide they wanted to build their own core. He doesn't fully understand the city's reasoning. For one, the City indicated the State wouldn't allow them access to make changes to the system. There is some level of access they want that has systemwide impacts. According to the City, they have the access they need, but not the access they want into the system. They are going to spend more money to operate separate from the State.

K. Johnson inquired if the City would possibly participate a little longer until the applicant finds another solution. Collett responded that the City has stated they are leaving in December and that is it.

D. Johnson wondered if there is anyone else in the state that has their own system. Collett replied yes, but this connects to the statewide core.

Collin Christopher stated that the information he received in preparing his staff report was that the City of Lincoln is planning to divest as early as the first quarter of 2022. Collett responded that he had heard December 2021. Motorola isn't sure if they can meet that date. He was told the end of December.

K. Johnson asked if to the applicant's knowledge, there is any limit on the City extending their date so they could work further on this. Collett stated there is a tenuous relationship between the City and his office.

Nalow would like to defer this request so this can be looked into further and other options explored. She questioned what that would mean for the applicant. Collett responded that their equipment from Motorola has already been ordered. They are in the process of determining where it needs to be placed. They could spend a little time looking for another alternative. They believe the 501 Building is the best

location from their perspective. If this was tabled for another month, he believes they would have time to come back with more information.

ACTION:

K. Johnson moved to continue public hearing and action until the next regular meeting in December 2021, seconded by Campbell and carried 5-0: Campbell, Cuca, D. Johnson, K. Johnson and Nalow voting 'yes'; Post and Quade absent.

K. Johnson stated that the Commission does not want an unscreened situation. They would like other possibilities explored. He thanked the applicant. He explained that the design standards call for anything on top of the building to be screened. From the perspective of looking up, what the applicant is proposing isn't the best view.

Nalow would look at the view to the Capitol as well. Everything on the roof is a distraction.

LTU WATER MAIN REPLACEMENT PROJECTS UPDATE:

Craig Aldridge with Lincoln Transportation and Utilities (LTU) provided plans to the group. He is the project manager for a couple of water main replacement projects that he is working on behalf of Lincoln Water System. For the first project, the bulk of the work will occur on 'G' Street. A portion of the water main is being replaced on 'H' St. from 7th Street to 9th Street, and a portion on Randolph Street. There are a couple of runs from 7th Street to 8th Street, on 'G' Street and 'H' Street. The existing mains in this area are six and eight inches. They were installed in the late 1800s, early 1900s. He finds it amazing that they have lasted this long. They will replace those mains with six-inch mains. This is the standard for a primarily residential area. Ninety-nine percent of projects he has worked on in the past have been PVC mains, but ductal iron mains would also be acceptable from the City's perspective. The mains on the east/west runs on 'G' Street and 'H' Street in Capitol Avenue will be on the north side behind the back of curbs. There will be minimal disruption. The mains on 7th Street and 8th Street will be on the east side, Capitol Avenue on the west side. The mains are designed to be installed via a trenchless technology. This is a method where the mains can be tunneled in and it is a lot less disruptive. Now, 'G' Street is about 90 percent complete with the design. They need to wrap up a few things. They anticipate advertising this for bidding in December 2021. Their target is March 2022 as the start of construction. This is a large project, and they are anticipating it will take almost eight months to complete. December 2022 is the date they are targeting for completion. They don't allow contractors to seed in December. That would be pushed to spring of 2023. Regarding traffic impacts, typically these are constructed where contractors set up a rolling two to four block span with barricades and signage to dissuade through traffic, but they will stagger the barricades so local people can still access their drives. They are trying to minimize traffic as much as possible though, at least on 'G' Street. For side streets with the trenchless design, they will be able to maintain traffic to some degree. There shouldn't be much impact. There might be a temporary lane closure on 14th Street, but they should be able to maintain one lane on 16th Street and 17th Street at all times.

Christopher showed how this impacts the Capitol Environs on a small stretch of 'H' Street from 7th Street to 9th Street, along with a portion of 'G' Street from 14th Street to 17th Street. He believes a lot of this work will happen with minimal impacts to the above-grade surface, but he knows there was an identification of some street trees to be removed on 'G' Street.

Aldrige walked the area with City staff and identified trees that might have to be removed as part of the work. A few other trees were identified for removal by the Forestry Division (of the Lincoln Parks and Recreation Department) that they saw as possibly problematic. In total, there will be twelve trees removed as part of this project. They have tried to design this project knowing how important trees are to the residents. A lot of them happen to fall in areas where they have service connections. Once the main is in, the next step is to come back and transfer from the old main to the new main. If those services happen to fall under a tree, chances are the tree will need to come down. They work on saving the tree if they can. The sizes are 12-23 inch, 24-35 inch and over 36 inch. He believes only two of the trees identified are over 36. He thinks that Forestry has a program for providing vouchers for replacement trees that are more of the eight to ten-foot variety that will grow over time.

Lynn Johnson appreciates the coordination with Forestry and LTU staff. It is a benefit to have a multi-generational forest.

Campbell asked if the new infrastructure deal would cover any new trees. Aldridge is guessing it would cover water infrastructure, but most likely not trees. The users of water cover these projects. He doesn't know if any money will trickle down to wastewater infrastructure.

Nalow would like Aldridge to verify that typically streets in question within the Capitol Environs use the approach that they are not impacting pavement in this area, within the Mall area. Aldridge stated that there are a couple of ramps that have recently been replaced at 'G' Street and Goodhue Boulevard. He noticed some of the ramps will need to be removed for the work to be completed. Unfortunately, this happens. It doesn't look good to tear up work that was just done. We coordinate projects as best as we can. Infrastructure deteriorates at different rates. They have tried to avoid Goodhue Boulevard as much as possible. There is some rehab on 11th Street that is coming up next year and a piece of 8th Street needs to be redone next year. Language is in the contract that the contractors need to coordinate their work.

Christopher stated that there is a second project. This one doesn't look like it is as disruptive with only one tree being removed. However, it does cut through Centennial Mall.

Aldridge stated the second project is a proposed water main project along Q Street. There will be very little surface disruption. He also anticipates very little disruption at Centennial Mall. They have a surface connection on the east side of Centennial Mall by the east crosswalk. This won't disrupt the pavement along 'Q' Street, but the contractor will have to dig down to connect the service from the old main to the new main. He believes the hole will be about five feet by seven feet or six feet by eight feet.

Nalow asked if it would be possible to add some language that speaks to the concrete going back into the patch will have a similar aesthetic. She would like the concrete to blend in as much as possible. Aldridge didn't note any special pattern or coloration, but he will look again. Battleship gray is the standard color they put in. He noted some special patterning and coloration at Antelope Creek Parkway. He will take a second look and add a note. Nalow brings that to attention because sometimes where there is a larger patch job, it sometimes looks different than the surrounding concrete. Material in the Mall should be of the highest quality as possible.

K. Johnson noted that 427 Lincoln Mall has a circle in the sidewalk where a cut out section was replaced with a totally different appearance from the surrounding sidewalk. This is an example of what not to do.

Christopher inquired if there are any finish details the Commission can provide to LTU. Nalow believes it

is a standard finish. She is just concerned that it doesn't feel like a patch job when this is done. Aldridge noted that usually the bright white color is from the cure. He can look into if there are other colors of cure that could be used to give a softer feel and match better. He can add that language into the contract.

The Commissioners all agreed that this appears to be of no significant effect. They do not believe there is a need for LTU to come back for a formal presentation and action. Christopher believes that this gives City staff the direction they need. He will coordinate with Aldridge to address the Commissioners comments expressed today.

OTHER:

Christopher hopes for this commission to have a public hearing on Pershing Auditorium in December. If for some reason this group doesn't meet next month, Campbell's appointment ends in January 2022 and she has expressed a desire to not be reappointed. He expressed appreciation for all the work she has done over the years.

Everyone thanked Campbell for serving.

There being no further business the meeting was adjourned at 12:10 p.m.