

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.

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Friday, July 25, 2025, 8:30 a.m., City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Eileen Bergt, Ann Post, Kile Johnson, David Quade, Andrea Gebhart, David Landis and Heidi Cuca.

OTHERS IN ATTENDANCE: Collin Christopher, David Cary, Clara McCully and Kristi Merfeld of the Planning Department; Maggie Stuckey-Ross of Parks and Recreation Department; Rick Hoppe of the Mayor's Office; Abby Littrell of the Law Department and other interested citizens were present.

STATED PURPOSE OF MEETING: Nebraska Capitol Environs Commission Meeting

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

Johnson noted that the action today is final on the proposed certificate.

Johnson then called for the approval of the minutes of the regular meeting held April 25, 2025.

Motion for approval made by Quade, seconded by Cuca.

Minutes were approved 7-0; Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca voting "yes".

PUBLIC HEARING AND ACTION

UDR25072- CERTIFICATE OF APPROPRIATENESS GOODHUE BOULEVARD TREE REMOVAL AND REPLACEMENT

(Lincoln Parks and Recreation)

Public Hearing

July 25, 2025

Members Present: Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca.

Collin Christopher, Planning Department, 555 S 10th Street, Lincoln NE came forward and wanted to give some background information about this project before the applicant spoke. This is about the removal of 29 trees along Goodhue Boulevard and the replacement of 131 trees, not just on Goodhue but on side streets between 14th and 16th Street from H down to A Street. Christopher stated that there have been some substantial changes to this project since it was introduced in October 2024.

First, there was some concern and confusion about the sidewalk realignment concept that dates back to a master plan that was created in the 1980s, which showed the sidewalks getting closer to the back. This, in theory, would open up better views of the Capitol. Back in October of 2024, some members of the public assumed that the trees were being removed to accommodate a sidewalk realignment. Following the public hearing, City leadership discussed sidewalk realignment and it was determined that there was no budget for it at that time and relocating the sidewalk would result in even more trees being removed. Thus, a decision was made to not move forward with any sidewalk realignment work.

The second big change is centered around the assessment of the trees. At the previous public hearing, Parks did not provide any formal documentation of the condition of the trees planned for removal. Since then, arborists from the Parks Department have conducted full TRAQ inspections for each of the 29 trees. Those inspections can be found in the agenda packet, along with accompanying pictures.

The final change is that now there is a street tree replacement plan in place – which was not available back in October – that includes replacements on Goodhue Boulevard and all the side streets and 14th and 16th streets.

Now that all this additional information has been added, the Planning Department feels confident in recommending approval of this proposal, with a few additional items being requested to be provided to the Commission through follow-up documentation, meaning that Parks and Rec would not have to come back for another approval unless there are substantial changes to the proposal. It is being asked that all final maintenance and warranty details be provided to the Commission once they are available. Second, a final landscape plan with identified species should be submitted to the Commission as that information is finalized.

Rick Hoppe, Chief of Staff, Mayor Gaylor Baird, 555 S 10th Street, Lincoln NE came forward and introduced himself and Maggie Stuckey-Ross from the Parks and Recreation Department. Hoppe addressed that this is a broader conversation than just the removal of trees in this neighborhood. It is about finding the best way to preserve this vision of the Capitol architect for axial streets, which would create grand boulevards that lead to the Capitol, creating a vista of great scenery. In addition to the 29 trees that are proposed to be removed, the conversation today is also about the planting of 131 trees because it is important to this Commission to preserve the vision for future generations to enjoy and fulfill that vision.

Maggie Stuckey-Ross, Parks and Recreation Department, 3131 O Street, 3rd Floor, Lincoln NE came forward and mentioned that there is a new member of the commission since the last time this was discussed, so there will be a short overview of this project. Maggie proceeded to state that this project started back in August 2024, when the Parks and Recreation team were conducting inspections and noticed trees along Goodhue Boulevard were concerning. The decline of those trees was progressing, and it was decided to apply for a Certificate of Appropriateness. This item was on the October 25, 2024 meeting agenda. The replanting plan was not presented at the October meeting, as it was contingent on resolving the issue of realignment of the sidewalks in the area. The commission voted 3 to 2 in favor, but the motion failed due to not reaching a quorum. On November 14, 2024 several departments including Parks and Recreation, along with neighbors, gathered at McPhee Elementary School to come to some agreement. It was decided that there needed to be more discussion with staff and the community on this item, so it was withdrawn on December 12, 2024.

This brings us to today and a lot has changed, as has been discussed by Collin Christopher already. The part to be highlighted again is the enhancement of the replanting plan in the agenda. It is the South district of the capitol from 14th to 16th Street and A to H Street that is being proposed to plant 131 new trees and 55 of those trees would be on Goodhue Boulevard and 76 on the adjacent side streets. There is also a proposed 4-year maintenance plan for all 131 trees and 4 years of private contractor awareness monitoring of those trees including pruning and watering. There is funding to handle a 4-year maintenance program for these trees, giving them the best opportunities to survive. If this plan could be in place for every tree planted, the department would be in a much better situation.

Stuckey-Ross stated that the climate is changing, and those first years are critical to the long-term viability of trees. The Parks department is excited about 131 new trees for this area. Collin also pointed out the TRAQ assessments earlier of all 29 of the Goodhue trees that were completed by the end of June or early July and are now available for review. The team took images of the trees when they were assessing them, to see how the conditions have changed since last summer. Stuckey-Ross commented that there was a lot of discussion last fall about the removal of the trees and the sidewalk issues. There was no replanting plan in place at that time. However, the boulevard is also important, as is the South access to the Capitol. Putting this amount of work and investment in this project is good for Lincoln. The nursery will help care for these trees for 4 years, extending the maintenance contract. This gives the trees the best chance. It is going to take some time to reestablish the existing canopy, but Parks and Recreation Department is doing this for future generations, and believe these steps will help ensure that this area thrives into the future.

Design decisions for this are documented with several design standards. The first is the City's design standards for trees. Many should be familiar with the design standards. Lincoln Transportation and Utilities has design standards related to sight distance at intersections. Many of these trees are at intersections or alleys in the streets, so there are certain restrictions to make sure people have the right sight lines when exiting the area or traveling South. There is a south mall plan for the Capitol environs, so all considerations were looked at, utilizing the best tree space, making canopy space and highlighting the boulevard. Tree placement has always been the curb and the sidewalk; however, there are some adjustments near the Capitol and McPhee Elementary School, to recognize the traffic patterns in place.

Single species will no longer be planted. Different species will be highlighted with species diversity that will be best for the environment and to combat diseases. The trees will be selected from locally available sources that are suitable for street tree use. There will be priority given to species with diversity, mature form and climate resilience. Many of the trees are close to the sidewalk, so it is important to be selecting trees that will work in that space. Stuckey-Ross referred to a listing of a few of the species that could be selected. As Collin stated they will be working with nursery partners to make the best selections. Then this fall the list of species can be shared with the commission if this is given the Certificate of Appropriateness today. The tree planting is made with careful consideration of the unique conditions and areas with shade coverage for the pedestrian but also support the long-term health and growth of the tree. Stuckey – Ross showed on the map where new trees would be planted on Goodhue and side streets. Parks and Recreation is excited for this special district to have the additional investment for the pedestrians and neighborhood. On F Street, there are several planting areas that have been waiting for a tree to be planted. It is

very likely that a previous tree existed there, and it was removed and not replaced. So trees will be added to these areas again. Between 14th and Goodhue there are significant opportunities to add tree species.

Hoppe spoke and mentioned the tree assessments and their criteria. The trees are assessed on their risk of failure and the potential impact that risk of failure has on people and property around the trees. That is deeply impacted by the context in which the tree sits. Rick discussed a few examples of areas or situations where a tree would not impact people or property if it fell. However, urban tree canopy can change things, and Goodhue Boulevard is a very dense neighborhood. It has multi-family dwelling units, and as a result, the sidewalks are active and busy, and cars line the street. This causes potential targets for any risk of failure. The mitigation strategies are limited, since the street and sidewalks can't be closed for a long period. A track assessment is how the risk of failure is evaluated. A tree risk assessment qualification is an international standard set by arborists.

The purpose is to identify defects and the likelihood of failure and impact. Arborists make decisions about the tree with public safety in mind and try to preserve trees when possible. Staff spent 75 hours evaluating these trees. They then looked at the rating systems for both failure and consequences of that failure and that made a potential mitigation strategy. Hoppe commented that the results did include the 29 trees that need to be taken down which have medium or high risk. 11 trees had high risk or extreme risk. Another 11 had moderate risk and 3 trees are at a lower risk. The lower risk trees will most likely progress further in a short period of time.

Stuckey-Ross discussed that from August 2024 to July 2025 there was a significant decline in the trees which included fungal decay and other issues, such as hypoxia and yellowing of the leaves. There were multiple examples shown of the problems these trees are experiencing, as well as the address at which these are occurring. Different mitigation options were considered besides just removal.

There are about 85,000 trees in Lincoln and Rick had pointed out earlier that the team is conservative when doing these assessments and tries to save as many trees as possible. Several people asked about pruning last fall, but these trees are simply not at a stage where pruning would help protect them. It would have the opposite effect since they are already stressed and declining. Since last fall 19 service calls have been made for Goodhue Boulevard indicating a problem with a tree. The City has paid 2 related claims and cannot overlook the failures and the money being spent by the City with the knowledge we have about the status of these trees.

Hoppe replied that the Parks Department and the arborists have a large responsibility and liability issue to think of, if someone was injured from a tree. If the City were to go to court over something, they would be in a situation where they would be asked if they were aware that the trees needed to come down and it would rely on the opinions from arborists and Parks and Recreation staff to evaluate the situation. The liability has to be addressed when considering taking down these trees.

Stuckey-Ross said, if this were to pass today, the timeline would be fall 2025 to start removing 29 trees along Goodhue Boulevard and replanting 55 trees and start the 4-year maintenance period. Coming in Spring 2026 the planting of 76 trees throughout the South environs would take place. Some of this could be impacted by the LTU water line work in the area. 8 of the 55 trees along Goodhue from G Street to H are on the governor's block. Those will be this fall, but subject to status from the State regarding the ash trees on that block. There are Autumn Purple Ash trees in this area, and we want to make sure the trees being planted will be there for a long time and open up the view on the block. There could be changes and those would be communicated to staff if needed.

Hoppe concluded with noting again that arborists do not cut down trees unless it is a last resort. They devote their lives to protecting trees. There have been multiple departments spending countless hours on this project. The hope is to move this forward on the Certificate of Appropriateness of removal and replanting of trees.

Johnson asked if the City has been put on notice that these trees are dying, decaying and dangerous.

Hoppe replied, yes exactly.

Johnson said if you go to court based on property damage or personal injury, the City would be responsible.

Hoppe said yes, but there is a City attorney here to engage in this conversation.

Abby Littrell, Attorney, City Law Department, 555 S 10th Street, Lincoln NE came forward and mentioned that Rick Hoppe has done a good job explaining the standard of negligence that would apply to the City. Since the City is a subdivision, there is some immunity from certain property. One of our defenses is that we can't know all the potential hazards, so if we are in a litigation situation or evaluating claims, one of the first things to look at is whether the City was aware or on notice that a potential hazard existed. In this case, the trees are sick and there is a notice that they could fail

at any time. It is not always known if the tree is failing, unless there is an assessment completed. These trees have a well-documented record of the condition.

Johnson asked if this would include the trees that are considered low risk.

Littrell said this would include the low risk trees as well, because a record has been completed on them, and they are in a heavily trafficked area.

Quade said it was mentioned that there would be the removal of 29 trees and 55 replacement trees on Goodhue Boulevard, does that mean there are 26 new trees being planted.

Stuckey-Ross replied that replacing 55 trees could be part of trees that have been removed and never replaced. So the removal of 29 and replacement of 26 is correct.

Quade replied that there was also a discussion about the conditions the trees were experiencing. Is there a threat of spreading diseases to adjacent trees, or how is it mitigated when there is a replacement, to ensure the new tree is not going to get the same disease.

Stuckey-Ross said, there is a risk of spreading, and there is a need to remove the tree deep enough to get most of the waste wood. The best practice is to burn it and not repurpose it because of the risk of decay.

Cuca asked if the weather was related to the tree falling that took place in June.

Stuckey-Ross said it was not believed that weather was a factor but will follow up with that question.

Landis commented that tree removal is a significant response in this situation. Pruning could get rid of some dead branches and there is a recommendation for the City to consider that option. It won't solve the liability issue or the problem of the trunk decay. How many of the 29 trees have conditions that would not be solvable by just pruning.

Stuckey-Ross replied that reviewing the assessments can determine the answer, but dead limb branches dropping are an effect of deterioration and a result of insects, decay, and root rot.

Hoppe commented that if pruning would solve the problem, the arborists would have made that suggestion. The removal of the trees is recommended because all those trees are at risk of significant failure.

Bergt commented that when thinking of Goodhue Boulevard and the Capitol building, the trees are big and beautiful but are not symmetrical. Many of the trees look old and they need to treat this street with a little more dignity. Planting and replanting of new trees will create that importance. It is hard to remove trees, but we need to think about the future and the next generation.

Johnson was pleased that there was going to be a hold on the 8 trees by the governor's mansion.

Gebhart responded that the Parks and Recreation Department has put a lot of time into reassessing and bringing a more thought-out plan is appreciated. Even though we are losing 29 trees, we are gaining 55 trees. The focus should be on what we are gaining for the long-term future.

Post asked about the maintenance plan.

Stuckey-Ross said there are some grant programs that are being tested using private contractors to do maintenance between Parks and Recreation and local nurseries. This is part of the tree replacement and making sure it is pruned at the right times, as well as being watered and monitored for 4 years. This will be the best shot at life, and it was tested in Airpark and there was success with this type of plan. This is a huge step forward.

Cuca asked if there is failure during those 4 years will the trees be replaced.

Stuckey-Ross commented that there is a warranty contract as part of this plan. They will try to ensure that these trees are still there after the 4-year contract is done.

Landis replied that with all the effort being put into this project, it would be nice to have this all over the City.

Stuckey-Ross agreed the wish would be to do this all over the City. This is an amazing opportunity to invest in the future of Lincoln.

Johnson stated that at this time, testimony will be from anyone that is opposed to the plan.

Kristen Wandrey, 843 Goodhue Boulevard, Lincoln NE came forward and thanked the Parks and Recreation team for sharing their plan and providing more details on the replacement plan for a resident who lives on Goodhue. Wandrey feels that the neighbors have not been informed about this project. The meeting that was held last fall was useful and showed transparency. The changes have not been made very public. This is not the plan that was shown to them. They were not made aware that all of the trees made it back on the removal list. Some of the issues are from drought and not enough water. 4 years of maintenance is not enough time, in the life of a tree. This is a large rental area with more people walking and biking. The neighborhood community has not seen a replanting map and there needs to be more transparency. Some of the reasons for the trees dying are too much heat and not enough water. This has been ongoing and even with a water and maintenance plan, it is not happening right now and that is concerning. Please consider the residents of the area with an equal weight of the property owners. Renting has zero impact on the investment and engagement of the people that actually live here and they really care about the trees that are outside their houses. A meeting at the school would have been helpful as these plans are the first we have seen today.

Carina McCormick, 1525 E Street, Lincoln NE, came forward and agreed with comments that were made by the previous speaker Kristen. Carina also felt that the meeting last fall was helpful and that there should have been another one. Some of the problems with the trees is that they can be treated and that hasn't been considered beyond the particular diseases. It is important for everyone to understand the effect the lack of shade is going to have on the community. It will be decades before the new trees provide any shade. So for the people living there now, this is the end of the shade. This is a serious decision to remove all 29 trees. This needed more public engagement with these 29 trees and the evaluations of which ones needed to be removed. Still all 29 still came back as meeting the requirement to be removed.

Kendall Wyers, 2443 S 19th Street, Lincoln, NE, came forward and stated that he had submitted written testimony on this topic and wanted to speak today regarding the trees with the low-risk assessment. For them to be removed is extreme and not typical. It is understandable that the City has taken on some liability by saying they are due for removal, and the motivation behind that. There was agreement that there are some trees that do need to be removed. Typically, arborists would not remove low-risk trees and every tree has flaws. To condemn a tree for minor flaws is extreme. If that were done to every tree, there would be very few trees left standing. The tree risk manual says low and moderate risk should have mitigation, and removal should be a last choice.

Johnson asked if Wyers agreed that the assessment and final recommendation is a matter of opinion.

Wyers replied in agreement that the assessment is a judgment call. To get those conclusions takes a lot of judgement calls. The judgement calls can be debated, but the biggest issue is the 30-day timeline. That is the prediction time, and it has almost been 30 days since most of these have been done. The majority have been rated as probable or imminent for failure. The 30 days are almost up, and they have not failed, except maybe small branches have fallen. Nothing major has occurred, so that says the judgment calls are flawed, to reach that conclusion.

Landis responded that the letter that was sent was valuable but he thinks there needs to be some clarification about the term low risk and how it is interpreted. It seems to be a low risk of failure if injury to life and property is low because it is farther away from an area of potential injury. Is that the interpretation that was being made. Landis proceeded to state that in this case, he is referencing that it is more about the chance the tree will fall is not likely, that the odds are low.

Wyers responded that this is hard to understand, because there are a lot of steps to the final risk rating and combination of multiple elements. Wyers replied that likelihood of it failing is low and the occupancy rate for pedestrians for a 24-hour period is low.

Landis commented that there are a lot of combined elements, and this is a sophisticated answer. It is about the chance of failure to the tree, and what is the chance this will cause significant damage to something else. This goes into the idea of low risk. Is that a fair characterization from what you have said.

Wyers generally agreed.

Bob Ripley 3022 William Street, Lincoln NE came forward and spoke that he has a great interest in this topic and presented Exhibit 1 for review. In past years, implementation of the master plan would have been addressed, if large trees had not been there and now we are to the point that the trees need to come down. It was proposed 15-20 years ago that these trees be removed. Great resistance came from the neighborhood and they decided to leave them but now is the time.

Ripley understood that when City staff looked at the sidewalks and decided not to do anything, that members of the NCEC were a part of that discussion. Ripley said looks like not, as no one responded and advocacy is part of the design issues mission that this group is about.

Bergt asked what the question again was again.

Ripley commented that Christopher said earlier in the short term, City staff decided not to do anything with the sidewalks on Goodhue. Were members of the commission a part of that discussion with City staff? It doesn't appear that they were and the fact that City staff were making decisions without the Commission is pretty significant and is why he is speaking here today. It is a mistake that the commission was not a part of that decision. The City should not turn things like this over to City staff especially on design issues and making all the decisions.

Ripley displayed the images on Goodhue Boulevard for everyone to see. This is what the first blocks look like. The sidewalks are 10 feet back from the curb. They are 6 feet wide in the first block. Regardless of the dimensions, the trees sit between the sidewalk and curb. This puts them closer to the street and when they start getting a good spread to them, pruning is required to allow people to walk under them. There are 4 axial streets to the Capitol and this one is close to reaching its potential and it won't unless the sidewalks are adjusted in the street trees place.

Ripley ended the conversation as the 5-minute time allotted had ended.

Landis asked that by moving the sidewalk and the trees back and picking a species that does not block the view of the Capitol itself, according to the exhibit they would plant trees on the building side and not on the curbside. This would allow for gorgeous trees and a picture of the Capitol. Is this the missing part of the existing circumstance as we look down Goodhue Boulevard.

Ripley replied yes that is the case and it is intended to provide a better pedestrian experience. Street lights allow for a better path. Trees can be grown in a selection of species, and Parks can approve this. His interest is setting up an outline or framework for Goodhue Boulevard, so when the trees die and are replaced, they don't end up in the same problematic zone. Once the sidewalks are there and the alignment is there, the trees can go in place. Each side dictates to put the trees between the sidewalk and the curb. No one advocates for trees more than he does. It was his favorite street as a kid in the 1950's. It could be that same kind of street again with the right kind of planning and not just sitting and discussing that it is a problem. It does cost money and so does the O Street project. From his experience, where there is a political will, there is a financial way. There is no other City that is the Capital City of Nebraska and this district would be an impressive space.

Johnson asked about the width of Goodhue Boulevard.

The right-of-way property line on one side to the property line is 120 feet and 20 feet wider than the average platted street in the City of Lincoln. The downtown area is 100 feet, but Goodhue is one of four or five streets in the original plat that were made extra wide. This boulevard is the oldest axial street to the Capitol, with development done in 1912 when the Lincoln statue on the West entrance was put in place.

Johnson asked if the proposed planting area falls within these property lines.

Ripley stated it does. The sidewalks are very random and in many cases there is no choice but to put the tree between the sidewalk and the curb. He is proposing that the sidewalks do not get shuffled to the side, because they are in the short term and not the long term where we wait another 60-70 years before these trees die. This is the opportunity to put the sidewalks in place.

Bergt agrees with the sidewalk and the design of the street. The sidewalks are not all in a row along this street. Sidewalks would look nicer if they were more in line with each other. It has been said that there is no funding for this sidewalk project. There is another way to look at this and that is clearly in the tree selection. Picking the right canopy of trees would allow us to see the Capitol building.

Ripley said he is advocating for the tree planting, but also putting in a good structure in place because the opportunity is today. The trees are coming down and there will not be a clear path to put in an adjusted sidewalk later.

Johnson motioned to close public hearing. Gebhart motioned first, seconded by Quade.

Motion carried 7-0; Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca voting "yes".

Bergt thanked Parks and Recreation for doing all this work on the trees. It was mentioned earlier that the community thought the trees were coming down because of the sidewalks but was it the other way around. The trees were to be removed for the same reasons as today, could you address your decision about this.

Hoppe commented that the sidewalk was part of the last conversation. There had not been any direction from Capitol Environs to pursue it any further. At this point the City does not know any source of financing for the sidewalk. The fact that removal and replanting plan has been created, we did not think it was an appropriate measure at this time to move the sidewalk forward.

Bergt asked if the removal of the trees is going to be completed by an outside contractor.

Stuckey-Ross stated yes, that is correct.

Bergt replied that since there will be a hired contractor and those in low risk could fail in a year or two, they should be taken out now, like the higher risk trees.

Hoppe stated that to be efficient and cost-effective, it should be done now, and your thoughts are right on target. Another comment to make is the testimony about the unlikelihood of someone being hit by a branch while walking down the street. What wasn't mentioned is there are cars along that street 16 hours a day, every day. There are trees on top of those cars, and they are going to be damaged and destroyed. Yes, it is unlikely for a human to be hit, but the other factors need to be looked at, if the trees are allowed to stay.

Stuckey-Ross responded to a follow up question about a weather-related event causing the tree failure on a car, and yes it was a weather event. Also, in response to Mr. Landis, the number of trees being removed that pruning could extend their survival is zero. All 29 of the trees have problems and could not be solved with pruning.

Post stated that there is an existing plan that calls for realignment of the sidewalks. What if a developer wants to renew a block in this area, do they have to follow the plan or not. What happens next.

Christopher replied that the Commission should re-examine this plan and determine what the vision should be for Goodhue Boulevard. Where do sidewalks fit into this plan. In his opinion, the trees should remain between the sidewalk and street as they are today, but that is just one opinion. The goals should be to preserve a view of the Capitol and provide maximum shade for the pedestrian. Everyone has their own opinions on this topic, and there needs to be an effort to develop some consensus. There is a reason why this 40-year-old master plan hasn't been implemented. It is tough to realign all of the sidewalks while accommodating the trees. When do you realign when there are very mature trees. We need to go with what we have now and make it a priority to figure out how the plan might need to evolve.

Post thanked Christopher for those comments and doesn't want to see a scenario where there is a standard in place that results in inconsistencies with the sidewalks.

Johnson suggested that the record be reopened to include this additional testimony. Motion was made by Landis and seconded by Cuca.

Motion carried 7-0; Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca voting "yes".

Landis asked if the trees should be between the curb and the sidewalk or the sidewalk and the building. Bob was suggesting the trees be placed between the sidewalk and the building. This creates a more powerful image. The decision that is made now, between the 2 choices is going to last for 60 years. That choice really hasn't been decided. It should be thought about with the possibility of creating aligned sidewalks instead of what is happening now, which reinforces the lack of consistency in the location of the sidewalks.

When thinking about the trees, are we sure the sidewalk problem can't be solved for the next 60 years if this replacement plan goes forward. The question should be if the design is being done in a way that preserves the possibility, and if money and commitment were available to do the sidewalk alignment. Would this group have an opinion to say to the City about this being a communal public problem and using public money to solve it. Does the City take care of the sidewalks in front of our property or is the landowner responsible. Landis was not sure which way is correct. We are already investing hugely and not sure if the City is willing to entertain this notion of solving the sidewalk problem with City money at this time.

Hoppe replied that the removal of trees supports the realignment, and those have to come out, but the replanting can't be done if the sidewalks are going to be changed. If the Commission has a desire to leave this to be dealt with at some junction, then the trees can be removed and there can be a delay on the plan to replant the trees. Hoppe is not sure the general public will be in support of this, because there is no idea of how long it's going to take to gather the resources to make this happen. It could be 10 more years or more of growth of these new trees that would not be allowed to occur.

Landis asked if the fact is that the trees will be replanted in the same spot and that is what makes a realigned sidewalk possible.

Hoppe directed that question to Parks and Recreation who has more knowledge.

Stuckey-Ross replied that some of the trees are going back into the same spot as the existing trees, except from the G to H Street block. 83 trees are remaining on Goodhue. About 20 are already behind the sidewalk and the rest are between the

sidewalk and the curb. So, with Rick's point it is a step toward realignment with the 29 trees, but there will still be 60 plus trees in the way.

Landis replied that there is a problem with resources at the moment. This opportunity doesn't answer the question for all of Goodhue, because there are things that won't be changed and that is pushing the sidewalks out of alignment.

Stuckey-Ross did agree that the 83 trees are a problem to the alignment as well.

Bergt commented that trees being located in the same space at the curb would make alignment to the Capitol. Is it possible to make repairs to the sidewalk behind the trees and make them uniform, if the trees were uniform.

Stuckey-Ross said the sidewalks are not uniform today and where the trees are going on the G to H block is the block we are trying to line up. The sidewalk could be replaced where it is, but that is not the vision for today.

Bergt stated she was trying to modify the vision for the sidewalk. Is there a way to fix the sidewalk issue. She pointed out that in the first 10 years before tree roots take hold, there is an opportunity to pivot if a plan can be developed. The sidewalk realignment is a good discussion that should continue.

Landis commented it makes a hard problem ever harder.

Gebhart asked if the trees go between the sidewalk and the building, are they still part of the right-of-way or do they become the responsibility of the homeowner.

Stuckey-Ross replied that those are called boundary trees and there are several of those that were planted in the right-of-way and are now crossing property lines.

Littrell responded that the plat will show the property line and buildings built up to property line and a portion between the sidewalk and the property line that is still in the City right-of-way. We will only plant City trees on City property and will not plant on private property.

Johnson said this street is unusual because it is 120 feet wide. The trees would be in the City right-of-way and City responsibility.

Littrell confirmed that the right-of-way should be considered public property.

Johnson said then all the trees would be on City property.

Littrell said, yes that is correct.

Bergt commented that because of the extra wide right-of-way, trees can look like they are on private property when they are really on City property.

Stuckey-Ross agreed with the comment.

Gebhardt commented that the engagement is appreciated and wants everyone to have a voice. There is only so much that can be done, but wishes more information had been given to citizens.

Christopher recommended that the public hearing be closed again.

Johnson called for the public hearing to be closed; Landis motioned, seconded by Cuca.

Motion carried 7-0; Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca voting "yes".

Johnson called for a motion for approval of a Certificate of Appropriateness for removal and replacement of street trees as proposed along Goodue Boulevard and the adjacent side streets within the Nebraska Capitol Environs District. When available, Lincoln Parks and Recreation shall provide the Commission their final maintenance strategy and tree species selections.

Bergt motioned, Gebhardt seconded.

Landis replied that it makes a difference what that issues are with the tree and that pruning doesn't solve the problems and decay will continue.

Quade commented that it is difficult to take a mature tree down. It shouldn't be taken lightly and he feels for the residents in area that will lose the shade of a tree.

Bergt responded that it is hard to remove trees, but it is time to look towards the future.

Johnson stated that this is a long time coming and they always need to look at risk to both people and property. City liability and an injury to a person could be devastating. It is time to address the dying trees. The sidewalk issue is unfortunate, and they should look at that issue at a later time.

Gebhardt replied that they need to look at this now, not later. There's an immediate opportunity to reinvest and the replacement plan that has been brought to the table is a good one.

Cuca commented that she did not grow up in Lincoln, but has a true love of trees. Cuca wants to have a canopy of trees for future generations.

Post replied she is disappointed that there is not more of a resolution about the sidewalks at this time. But it is important to address the trees for the future.

Motion approved and carried 7-0; Bergt, Post, Johnson, Quade, Gebhart, Landis and Cuca voting "yes".

STAFF UPDATES:

Collin mentioned that the new commissioner David Landis was in attendance today. He spoke about what a great asset he will be to the group.

The next meeting will be August 25, 2025.

Collin stated that there are not any new applications for the next meeting yet, but they are getting close to having plans for Project "O" Street project ready for review in August or September.

There being no further business, the meeting was adjourned at 10:19 am.