

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MARCH 12, 2001
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting for March 5, 2001.
2. Pre-Council Meeting Minutes - RE: Urban Development Department Update - March 5, 2001.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. ISPC Meeting (Fortenberry/Cook)
2. Parks & Recreation Advisory Board Meeting (Cook)
3. Lincoln Partnership for Economic Development Investors Meeting (Shoecraft/Fortenberry)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. MEETINGS/INVITATIONS

1. Updowntowners Membership Meeting on Wednesday, March 21, 2001 from 12:00 to 1:30 p.m. - Spaghetti Works - Join special guest Tim Utrup for a presentation of Lincoln's new Pro Baseball Team. Tim is the General Manager for the Salt Dogs and will present on the current progress of the ballpark and the upcoming season. Lunch is \$8.00 (No-Shows will be billed) RSVP to 434-6507 by March 16th (See Invitation).
2. Please Join Us for a Special Reception - Conversation with Dr. Cowley on Wednesday, March 14, 2001 at the Downtown Holiday Inn, University Room - from 5:30 p.m. to 7:00 p.m. - Drinks & Hors d'Oeuvres - RSVP to 441-3332 - (See Invitation).

3. St. Cecilia Cathedral Restoration: Preserving a Nebraska Landmark - by Paul Jeffrey AIA, Bahr Vermeer & Haecker Architects, Omaha - PAL Brown Bag - Open to the Public - Noon, Tuesday, March 13, 2001 at the Museum of Nebraska History 15th & P Streets (See Invitation).
4. "Educating Future Stewards of the Earth" - We invite you to be our guest at Earth Wellness Festival - on Thursday, March 22, 2001 from 9:00 a.m. to 2:30 p.m. - at Southeast Community College, 8800 "O" Street - Participate in activities/view The Raptors (See Invitation).
5. On Friday, March 23, 2001, the combined Rotary Clubs of Lincoln, Nebraska and the Lincoln Chamber of Commerce will host a Noon Luncheon to salute Valentino's and its employees for their contributions to the City of Lincoln and the State of Nebraska - Seating will be available at 11:45 a.m. at the Cornhusker Hotel Ballroom, 333 South 13th Street - Reservations are \$17.00 per person - Please complete the attached registration coupon, and return it with check by March 16, 2001 (See Invitation).

V. COUNCIL MEMBERS

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

1. Discussion whether or not Council is using the Internet Agenda on Thursday evenings (Council's input requested by Information Services) And Discussion if Council still would like Tammy to print out the Liquor Reports for them.
2. Discussion on when Council Members would like to have the next Joint/LPS Meeting. (On Mondays or Thursdays)

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MARCH 12TH, 2001
CONFERENCE ROOM 113

Council Members Present: Jerry Shoecraft, Chair; Jeff Fortenberry, Vice-Chair; Jonathan Cook, Cindy Johnson, Annette McRoy, Coleen Seng; **ABSENT:** Jon Camp.

Others Present: Mark Bowen, Ann Harrell, Jennifer Brinkman, Mayor's Office; Dana Roper, City Attorney; Darrell Podany, Aide to Council Members Camp and Johnson; Karen Shinn, Aide to Council Member Fortenberry; Joan Ray, Council Secretary; Chris Hain, *Journal Star* representative.

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting for March 5, 2001.
2. Pre-Council Meeting Minutes - RE: Urban Development Department Update - March 5, 2001.

Mr. Shoecraft, Council Chair, requested a motion to approve the above-listed minutes. Cindy Johnson moved approval of the minutes with a correction to the Minutes of "Noon" Council Members' Meeting for March 5th, 2001 at Page 8, Line 1, changing the word "week" to "month" in reference to the meeting agenda of the ILC. The motion to approve the minutes as amended was seconded by Coleen Seng and carried by the following vote: **AYES:** Jonathan Cook, Annette McRoy, Cindy Johnson, Jerry Shoecraft, Jeff Fortenberry, Coleen Seng; **NAYS:** None; **ABSENT:** Jon Camp.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. ISPC (Fortenberry/Cook) Mr. Cook noted that he was not officially doing anything with the group now. Mr. Fortenberry reported that he did not attend after learning from Mr. Thomas that there were no major policy issues to be discussed.
2. PARKS & RECREATION ADVISORY BOARD (Cook) Mr. Shoecraft asked Mr. Cook if there had been discussion on the ice arena issue? Mr. Cook answered that there had not, noting that it had been on the agenda, but Mr. Johnson reported that there were to be some meetings and recommendations made with the sub-committee that would handle it, so the Board did not have a presentation on that.

Mr. Cook noted that another issue which had been discussed was that of the high school students and expanding the student membership criteria so that the Board could include, potentially, college students and high school students in *any* class year (freshman thru senior). There was a question as to whether expanding the criteria was appropriate; we wanted to make sure that the college students were residents of Lincoln. Also, even if they were students, would they be considered adults, and could they be appointed as adult members? Finally it was decided that the whole issue should go back to committee since we weren't really ready to act on any changes to the policy with all of these questions still pending.

The other thing, which consumed most of the meeting time, (the agenda was re-done just prior to the meeting in order to eliminate all of the golf reports and other things because we knew there were people there to talk about it) was the Irvingdale Cell Tower. We spent most of our time on that.

Mr. Cook reported that there had been very strong testimony from the neighbors and the neighborhood association that they really didn't want the tower in the park. They felt there was a location more appropriate than the original location. What we were hearing from Qwest and from the neighbors is that the school is the better site. Qwest would prefer the school building; it's the high point there and it's closer to the point where they need a tower. The further west they go, the less beneficial it is for their coverage area. We already have two towers on top of the school. One is stealth, one is exposed; even though the one that is exposed is not so attractive, nobody in the neighborhood seemed to be really worried about that. The school building wasn't in need of aesthetic protection, and protecting the park was more important.

The problem here, Mr. Cook stated, is - just LPS. We don't understand what the issue is with them. We hear different stories. We don't know if they're interested in negotiating; or what their problems are with previous Qwest applications? It sounds as though they're just not committed to making this work...as much as they should be. So, we just need to have this discussion with the school board, because there needs to be a policy in place.

Mr. Cook felt there were a couple of things to consider. Yes, it may be revenue neutral to their operating budget because they may lose State aid if they get money from cell towers; but as someone pointed out, it isn't necessarily revenue neutral to the people, because it does mean less money that would come from taxes to fund the schools operating budget; even though that goes through State aid, so it may not help the property tax issue, but it is still something.

Certainly, it is a community service. LPS has tall buildings which are located all over town and they're appropriate places to put cell towers rather than at parks.

Mr. Cook reported that Mr. Lynn Johnson said that the Parks & Rec Advisory Board would send a rather strongly worded letter from the Board to LPS to let them know how important this is to us and to the neighborhoods. Hopefully, something will come from that. In the meantime, we've tabled the application because we don't want to give an indication that the park location is okay.

Mr. Fortenberry noted that Mr. Cook raised some interesting issues. [Mr. Fortenberry's remarks were mostly inaudible, but made reference to the financial incentive or lack thereof being a large concern, with further remarks made regarding the State aid loss as being a dis-incentive.]

Ms. McRoy stated that Qwest had pooled all of their school applications, (they had other applications pending for other school sites) but after this fell, they pulled all of those applications because of this one. She thought that was not a very "good faith" move on their part. The next building they had wanted a tower on may have worked out, but they pulled them all. Mr. Cook stated that it sounded like they just had difficulties with *any* negotiations. Ms. McRoy thought that unless it was to be the same format for each site location...but she felt each one would and should have its own merit. She just thought it was interesting that they pulled all the applications.

Mr. Shoecraft wondered what had caused all of this communication difficulty, noting that he just didn't understand it. Several thoughts from Council regarding the cause were that A) a lot of people were working on the project; and B) the bureaucracy - with no reference point. Ms. Seng asked if anyone of the council members had gone to the reception with the president of Qwest...no one had.

3. LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS MEETING (Shoecraft/Fortenberry) Mr. Shoecraft stated that he did not have anything to report on this meeting. He noted that he did have a meeting scheduled with them this week where there will be discussion of a number of issues that will be coming before Council. He made the observation that the Economic Development Investors' group seemed to be going one way and the Chamber seems to be going another. Mr. Shoecraft stated that he wanted to talk to them about their visioning and what the City is doing about the flood plains and other areas, wanting to make sure that everyone was on the same page on these issues.

Mr. Cook wanted Mr. Shoecraft to bring up the fiber-optic issue involving LES. He would encourage them to take a strong stand on that, because that would be beneficial to the business community. Mr. Cook could not understand why they wouldn't be taking a stronger stand on that issue. Mr. Shoecraft stated that LPED is promoting economic development of business, but he felt the Chamber's stance on the telecommunications issue to be 'sort of odd'.

Mr. Cook stated that the City gives money to LPED, noting that might make a difference. The position shouldn't reflect the Chamber's stance if that stance is at odds with the good of the larger community.

Ms. Seng asked how much money the City puts into LPED? Ms. Harrell noted that she believed it was \$200,000 yearly. Mr. Cook stated that he certainly did not want to see them taking positions at odds with what the City feels is an appropriate direction. This comment was met with some skepticism and ambivalence from other Council Members.

Council discussion continued briefly on the cell tower issue and the Qwest corporation. Mr. Fortenberry felt the Chamber should be contacting Qwest and welcoming them to the community. Mr. Shoecraft noted that something seems to be wrong, pointing out the excessive amount of friction that seems to be generating with this project. It was noted that an adversarial relationship seems to have developed, which everyone agreed was unfortunate and should be corrected.

OTHER MEETINGS REPORTS: Ms Seng reported that she had attended three meetings about which she'd like to share information with Council.

The first was the Dead Man's Run meeting. She noted that someone in University Place named Jim Cook has been running these meetings and has involved many City Departments as well as the NRD. People have been coming from as far away as the Seacrest Park and Wedgewood areas; there was neighborhood representation from other areas in the City as well. Ms. Seng reported that the Agenda was quite lengthy, but the meetings have been going well, running from 11:00 am to 1:00 pm. She felt each meeting moved the issue forward a bit, noting that it has given some helpful understanding to what it's like dealing with flood plain situations. Part of the meetings are dedicated to flood insurance, part to what NRD is doing and part to what the City is doing. The groups will continue meeting about every two-three months.

Ms. Seng reported on a second meeting with about 200 people regarding the University Place pool. The pool is not the controversy...everyone is delighted about that. But the people who live on the south side of University Place Park...especially Francis Street, have gotten all worked up about the huge amounts of increased traffic they believe will be generated. The University of Nebraska's East Campus Master Plan, some years down the road (maybe 10-20 years), shows a cut-through for Francis Street over onto the East Campus. So, then that will become more of a major road.

Public Works has been working through this for a very long time at a number of meetings. At one point the neighbors on Francis asked that that street be closed off up to 52nd Street and have a cul-de-sac. Public Works put together plans for a round-about right at the entrance into the park at 39th and Francis.

The out-come of the meeting was that everyone is happy now with the pool and it's placement and with Francis Street being open - well, *nearly* everyone is happy.

Ms. Seng also attended the Bethany Business Association Meeting. She commented that if anybody still has an interest in attending their next meeting, they would need to get their replies sent soon.

Ms. Johnson asked if Mr. Fortenberry would like to attend the meeting together as "has-beens". [Laughter] Mr. Cook noted that it is better to be a "has been" than a "never was" - a statement upon which Council reached consensus.

III. APPOINTMENTS/REAPPOINTMENTS - Noted Without Comment

IV. MEETINGS/INVITATIONS - Noted Without Comment

V. COUNCIL MEMBERS

JONATHAN COOK - No Further Comments

ANNETTE McROY - No Further Comments

CINDY JOHNSON - Ms. Johnson mentioned material she had received and placed in Council packets regarding Talent+. She noted that many people had sent e-mails with questions. She forwarded those e-mails to Talent+ requesting that they answer the questions for Council, and the material is what they sent in response to that request.

JERRY SHOECRAFT - No Further Comments

JEFF FORTENBERRY - No Further Comments

COLEEN SENG - No Further Comments

JON CAMP - Absent

ANN HARRELL - No Further Comments

JENNIFER BRINKMAN - No Further Comments

DANA ROPER - No Further Comments

VI. REQUESTS OF COUNCIL FROM MAYOR - Ms. Brinkman gave a Legislative update to Council on Legislative Bills currently before the Unicameral. The bills discussed are listed in the handout material Council received

VII. MISCELLANEOUS -

1. A: Discussion on whether or not Council is using the Internet Agenda on Thursday evenings (Council's input requested by Information Services) - *It was agreed that the process would continue as it is currently being done. [IS notified on 03-14-01]*

B: Discussion as to whether or not Council still would like Tammy to print out the Liquor Reports for them. *[It was agreed that the process should continue as it is currently being done.]*

Mr. Roper brought up the privacy issue of applicants noting that some very personal information is provided in the Liquor License applications. Brief discussion ensued with a final decision being that the process should continue as it is currently being done.

2. Discussion on when Council Members would like to have the next Joint/LPS Meeting. (On Mondays or Thursdays) It was determined that Council would request a Pre-Council discussion with LPS, Law, Administration, Finance regarding the Cell-Tower issue specifically, and the levy-override, tentatively. Then a Joint Meeting would be scheduled in May, after the General Election, allowing the new Council Members to participate in the discussions.

Mr. Roper stated that someone should be running the meeting as to discussion issues and goals. Mr. Shoecraft indicated that he and Mr. Bowen would co-ordinate the meeting agenda. *[LPSDO contacted on 03-14-01 to set up a Pre-Council and notified that the Joint Meeting should be scheduled after the May election. Date for Pre-Council pending response from LPSDO.]*

VIII. MEETING ENDED - Approximately 12:55 p.m.

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