

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, MARCH 19, 2001  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

1. Minutes of "Noon" Council Members' Meeting for March 12, 2001.
2. Pre-Council Meeting Minutes - RE: Stormwater Master Plan - February 12, 2001.
3. Pre-Council Meeting Minutes - RE: Interim Floodplain "No Net Rise" Standard - February 12, 2001.
4. Pre-Council Meeting Minutes - RE: Review of Cell Tower Standards - March 5, 2001.
5. Pre-Council Meeting Minutes - RE: KPMG Annual Audit Report - March 12, 2001.

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

1. Multicultural Advisory Committee (McRoy)
2. Lincoln/Lancaster Homeless Coalition (McRoy)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS**

1. Memo from Jennifer Brinkman - RE: Boards and Commissions Upcoming Appointments (See Memo).

**IV. MEETINGS/INVITATIONS**

1. The Dale Carnegie Course has been transformed – to help you achieve "BREAKTHROUGH" goals on the way to reaching your personal "VISION" - The Dale Carnegie Course Kick-Off Session - Thursday, March 29, 2001 at 6:00 p.m. at the Cornhusker Hotel - Reserve your chair today - (See Invitation).
2. Lincoln South & East Beltway Study - Public Information Meeting on Tuesday, March 27, 2001 at the Lancaster Events Center, 4100 North 84<sup>th</sup> Street - Join the discussion and participate in the process of determining the future of the

Lincoln/Lancaster County Transportation System! - The Public Information Meeting will be held from 11:00 a.m. to 8:00 p.m. (See Invitation).

3. Taste of Nebraska Presents NRA - "On A Roll" - You are cordially invited to be our guest! - on Monday, April 30, 2001 at the Cornhusker Hotel - 6:00 p.m. to 7:00 p.m., Governor's Reception - 7:00 p.m. to 9:00 p.m., Dinner, Awards & Entertainment - RSVP by April 9, 2001 to Craig Lutz at 483-2630 (See Invitation).
4. The Capital Humane Society Board of Directors Cordially invites you to its Fifteenth Annual Animal Awareness Dinner - on Thursday, March 29, 2001 at the Top of the Rock, 14<sup>th</sup> & P Streets - 6:00 p.m., Cash Bar - 6:45 p.m. Dinner - Buffet Dinner \$25.00 - RSVP by March 23<sup>rd</sup> (See Invitation).
5. Mayor Don Wesely invites you to participate in the next "Pennies For Lincoln" campaign. - "Daydreams" by Sondra Jonson will be installed this summer at Cooper Park, Eighth & E Streets - Please join us for a news conference to kick off the campaign, on Tuesday, March 20, 2001 in the multi-purpose room at Park Middle School at 9:45 a.m. - (See Invitation).

#### **VI. REQUESTS OF COUNCIL FROM MAYOR - NONE**

#### **VII. MISCELLANEOUS**

1. Further Discussion on disks & copies.

#### **VIII. ADJOURNMENT**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, MARCH 19TH, 2001**  
*CONFERENCE ROOM 113*

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

**Others Present:** Mark Bowen, Ann Harrell, Jennifer Brinkman, Mayor's Office; Dana Roper, City Attorney; Jason Reynolds, Ray Hill, Planning; 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.

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Mr. Shoecraft, Council Chair, requested a motion to approve the above-listed minutes. Coleen Seng moved approval of the minutes as presented. The motion to approve the minutes as presented was seconded by Cindy Johnson and carried by the following vote: AYES: Jonathan Cook, Annette McRoy, Cindy Johnson, Jerry Shoecraft, Jeff Fortenberry, Coleen Seng, Jon Camp; NAYS: None.

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

1. MULTICULTURAL ADVISORY COMMITTEE (McRoy) Ms. McRoy reported that the Affirmative Action Officer search is moving forward. The interviews are in the final rounds. They had 16 applicants who passed the qualification requirements, and three dropped out, so there were 13 people interviewing originally. Larry Williams is going through all the interviews. So the process continues.

The MAC is planning celebrations in the near future. The 35<sup>th</sup> Anniversary of the Human Rights Commission will be this summer. They are having something at the Great Plains Symposium. But later this fall they're going to have a Unity Day. Then MAC itself is planning, with the Mayor's Office, a type of Cultural Awareness Day to bring a lot of people together for needed dialogue.

So there will be two events coming up within the next 6 to 9 months to try to bridge the gap between new immigrants and traditional minorities that we have, which would be the Hispanic, African-American, [Native-American] and some Asian groups. Now we have 6-8 new groups coming into Lincoln. The goal will be to bridge the gaps in relating to these new cultures. Traditionally, people relate only to the dominant culture as opposed to relating to the other cultures, so these events are scheduled to help bridge that gap.

2. LINCOLN/LANCASTER HOMELESS COALITION (McRoy) Ms. McRoy was out of town at a Neighborhoods Symposium and was unable to attend the meeting.

OTHER MEETINGS REPORTS: Ms Seng reported that she had attended the follow-up to the Human Services Needs Assessment study done by Hanna-Keelan. Now the University's Public Policy Center is doing a follow-up on how those priorities will become implemented. She reported that they did a Thursday afternoon/Friday morning event where they started forming some new coalitions that are really using Bob Moyer's Family Violence group's prototype program. That is a really good model program and is probably what the other groups will end up using as a model for their own programs.

They're trying to group the programs in focus areas such as child care, or transportation, or on the basic emergency needs, or whatever the focus is - out of those nine priorities, A whole new structure is being established.

Ms. McRoy reported on the Neighborhoods Symposium she had attended in Minneapolis with the Lincoln Chapter of Neighborhoods, Inc. She noted that it was very interesting as far as what they'd learned. As part of it, Lincoln received a \$1,000.00 grant to use however the local chapter sees fit. So, there will be a meeting to see how that could be pooled with the \$1,000.00 left over from their last budget. Now, we'll have \$2,000.00 to invest in the community. They'd like to see a project started within the next six months, so that is being looked into. She felt this was a nice outcome of the conference. The group may do a conference or seminar here in Lincoln and bring in City Departments such as Urban Development.

**III. APPOINTMENTS/REAPPOINTMENTS** - Noted Without Comment

**IV. MEETINGS/INVITATIONS** - Noted Without Comment

**V. COUNCIL MEMBERS**

**JONATHAN COOK** - No Further Comments

**ANNETTE McROY** - Ms. McRoy asked Mr. Camp why the pedestrian over-pass meeting scheduled at 4:00 p.m. that afternoon was not scheduled as a pre-council? Mr. Camp stated that its not just the over-pass, but it is the pedestrian [inaudible] south of there that will go through the Haymarket. Ms. McRoy thought if it was regarding the over-pass that all of the Council should be there for that. Some Council Members did not know what was being discussed. Ms. McRoy read a flier she had received about a meeting this afternoon about decision proposals on 8<sup>th</sup> Street changes. Council queried who was sponsoring the meeting? The answer was DLA, who had wanted to talk to Haymarket businesses about pedestrian flow and parking problems - all in anticipation of the baseball traffic to come.

Mr. Fortenberry noted that a key in the discussion of this issue is the division between the two down-towns, [Haymarket/Market Place] which is 9<sup>th</sup> Street. He stressed that we have to find a way to bridge that, noting that that is why he has been aggressive in his efforts at beautification. Because he felt that was helping to reduce the intimidation factor on 9<sup>th</sup> Street, which he felt was a very intimidating street [in regards to pedestrian crossings there].

Mr. Shoecraft asked if a pedestrian over-pass wasn't an option. Mr. Fortenberry stated that he had brought that up several years ago, and a good comment was made that it would be expensive if people don't use it.

There was confusion as to exactly which project was being discussed here, so the discussion was closed with the assertion that those who attended the scheduled meeting would report back to Council at the next "Noon" meeting.

**CINDY JOHNSON** - No Further Comments

**JERRY SHOECRAFT** - No Further Comments

**JEFF FORTENBERRY** - No Further Comments

**COLEEN SENG** - No Further Comments

**JON CAMP** -No Further Comments

ANN HARRELL - No Further Comments

JENNIFER BRINKMAN - No Further Comments

DANA ROPER - No Further Comments

**VI. REQUESTS OF COUNCIL FROM MAYOR** - Ms. Brinkman noted that she had been working with Joan [Ray] on the May 14<sup>th</sup> Post-Election Council Luncheon. She stated that she had contacted Mr. Jack Moors who agreed to and has reserved the Capitol Room at the Nebraska Club for the Luncheon on May 14<sup>th</sup>. The only question he had was whether or not we wanted a pre-set menu or to order from the menu. Ms. Seng indicated to Ms. Brinkman that Ms. Ray could work with Ms. Brinkman on that.

Ms. Brinkman noted that she had received a call last week from Liz Thanel of the Corrections Department asking what telephone numbers the Council and the Mayor would like to have blocked so that they don't receive calls from inmates at the correctional facilities. Ms. Brinkman felt that waiting until May, after the election, might be better timing on this, but Ms. Thanel wanted to do it now.

Council members stated that they had never been approached with this before and asked if this would be including the State Corrections? Ms. Brinkman stated that this would be just County Corrections. Mr. Cook asked if this has been a problem in the past. Ms. Brinkman indicated that it had not been, but this is just something that is offered to Council Members and the Mayor. She asked that, if Council Members wanted to take advantage of it, just send her an e-mail with the numbers to block. If she did not hear from Council Members, she would assume that this was something that Council Members did not want.

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** - Addressing an Item Not Listed on the "Noon" Agenda:

Mr. Jason Reynolds and Mr. Ray Hill of the Planning Department were at the meeting at the request of Council Member Fortenberry to give the Council information on the proposed Scrap Yard issue. Planning Staff reviewed for Council Members the materials that had been sent out on that issue, including the applicant's request that it be deferred and kept on Pending for one more week so that the applicant can work out some site plan issues and show some additional screening. Mr. Shoecraft indicated that the Council had also received the material on Potential Plan Use or Potential Use as Residential Housing.

Mr. Camp stated that he had some questions on the Student Housing proposal. He wondered if something like that could be built on that property? There is a lot more going on there...what is feasible, what isn't? Mr. Hill stated that the present Comprehensive Plan still calls for the area to be Industrial. Until that land use is changed in the Comprehensive Plan to some other use, the Planning Department's position will be that it should be used for Industrial purposes.

Mr. Hill continued, noting, as Mr. Reynolds pointed out in his Staff Report, if you put student housing there, you have to look at the traffic impact that may have on Charleston Street, because that is the direct route to the University. The people who live in the North Bottoms have already indicated that they are concerned about traffic on Charleston Street.

Mr. Reynolds stated that any sorts of applications in that area would have to work with the DEQ which has some jurisdiction over that landfill area. Mr. Reynolds stated that from his understanding, garnered from the Public Works memos, there are a lot of engineering issues for *any* sort of development in that area because of the potential instability of the landfill material, methane gas, that could be present in the area. The soil cap on top of that landfill, which was reported as being from 2 - 9 inches, is a very shallow rubble cover.

Mr. Fortenberry stated that he was concerned over benefits vs. costs. He noted that the underlying zoning is Industrial. The potential for reclamation of the land is limited. It would have to go through a long process prior to that, which at this point is speculative; but, the City has located its own service there which is similar to the use being proposed.

That said, Mr. Fortenberry continued, we have an area that is in transition with the baseball park, with the two parks which he suspected would see increase in usage as the roadway is redesigned and the baseball facility comes on line. The saline wetlands have been set aside right in the vicinity there, as well as the BMX track.

What Mr. Fortenberry wondered, if this will proceed, then shouldn't a better site plan be presented that would show, instead of just distance bufferings - plantings that could help those distance problems along with some street re-design at the point of the City's tow lot that would respect the park use and the BMX use....separate that area a little more from the Industrial application.

Those are all just general thoughts, but it is what Mr. Fortenberry stated he has been weighing in this situation. [Other comments inaudible].

Mr. Fortenberry stated that one of the problems, when you look at massive expanses of industrial property is just parking in general. It's exactly that...nothing that breaks it up as some island type area in the middle might do. That would help break up the intensity of the vast expanse of cars. He felt these kinds of things would help and increase the benefit side of the equation. This isn't pretty stuff to deal with, but it's a necessary part of commerce which (he stated in a tongue-in-cheek aside to Council) he wished would go to 56<sup>th</sup> Street.

Mr. Reynolds stated that the applicant was working on the re-design showing plantings, and increasing the height of the fence to eight feet. They'll be adding cover [inaudible] Although the report from Public Works regarding the solid waste section, indicates the difficulties they've run into on the 48<sup>th</sup> Street site. The soil does not support the tree plantings being done at that site. This plan will be bringing in soil to plant around the trees, so there would be a mound for each tree; or maybe a berm to plant the trees on. It's still in the flood plain, but it would provide a more viable landscaping material and opportunity for success.

Ms. Seng noted that she had watched the so-called Boosalis Park and all of that area, stating that she did not know how many times Public Works had planted, re-planted, and re-planted to try to get growth at that landfill. She commented that that landfill has been worked on much more recently. What we've been doing there would be better than the site where the reclamation efforts were begun such a long time ago. She did not think that at that time, we as a City knew what to do with those kinds of areas; nobody did. She stated that we weren't worse than anyone else; we just didn't have information on how to deal with that. Its going to take a long time before that land can ever be utilized. Ms. Seng asked if the top soil cover was only 2-6 inches?

Mr. Reynolds explained that they had done some top soil testing when making the wetlands delineation and, in checking the top soil, found that one of the samples was two inches and one was nine inches. He was not sure if that was the entire range or variety, but those two numbers stood out in the report.

Ms. Seng noted that she used to watch the area on Highway 77 going north to Ceresco...they kept coming in again and again to plant trees and the trees just didn't take. They do have a little landscaping in that area now.

Mr. Fortenberry asked if the plan being referred to is just a little group of trees, or is it going to form the opaque border? Mr. Reynolds stated that from discussions with the applicant, they will be relying on the fence primarily for screening. They will be planting a mixture of deciduous and evergreen trees to just break it up. The interest in having deciduous trees is that it would provide a crown that was a little higher and offer some additional screening, at least in the eight odd months of the year that the trees have leaves. They'll be spaced about the same distance as street trees are spaced...about every 50 feet or so to just break up the visual line as you drive along Sun Valley or Charleston. He stated that he had not seen the plan, however, and it may wind up being different.

Ms. McRoy observed that, as Ms. Seng stated that the City didn't know better back then in closing landfills and that may have been true around the country; but, just because we didn't know what we were doing at that point in time...now we do. There is a strong argument for reclaiming that land for other than Industrial use. She noted that she had spent a great deal of time looking at websites where the experts have accomplished reclamation



with federal funds. She stated that she was optimistic that we can go back and reclaim this land with the help of the federal government and these developers. There are funds and partnerships available throughout the state.

Mr. McRoy informed Council that there is someone in the environmental health division of the City's own Health Department who can look at this site and give us input on his thoughts about it. She felt we should look outside the box on this issue. She noted that the City can't force private property owners to do this, but we can send a strong message to them that we don't want a salvage yard there. We'll wait and work with them to come up with a solution. This can be reclaimed. She would support re-zoning the area to another use that would not be detrimental to the neighborhood.

Mr. Camp asked Mr. Fortenberry's views regarding the entryway issue in the area. Mr. Fortenberry stated that the area is in transition which causes some dilemma. He thought that in terms of the [much of Mr. Fortenberry's comments from this point were intermitently inaudible, leaving little opportunity for accurate recording. The general comments regarded Sun Valley being a bridge to the City from the interstate; the area being industrial already to the west with a railroad track to the south. He wondered if the concept of screening, particularly in the east and south corners would help. He reiterated that the area is zoned industrial, with the City itself utilizing that zoning. He felt it was harder with all those factors being considered to believe reclamation could be initiated, though in an ideal situation that would be his choice.]

Mr. Cook stated that many feel the tow lot was placed improperly there. He stated that he would hate to see Council make a decision with which everyone would be unhappy 10 years from now, even though it may look reasonable now.

Mr. Cook continued, noting that we may find that the area is something completely different in 10 years and we might be very unhappy that we put something [objectionable] in a place like this. He stated that, clearly, there are many issues that need to be looked at. He did not want to see the City set up a strawman with this student housing issue. He felt that it would be inappropriate to say because *that* isn't realistic to state that *this [project]* is okay. He felt that there would be conflicts, but he wouldn't be focusing on the student housing issue.

1. Further Discussion on disks & copies - [*Addressed in an FYI Memo to Council on March 16<sup>th</sup>, 2001*]

**VIII. MEETING ENDED** - Approximately 1:15 p.m.

cm031901/jvr