

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MAY 7, 2001
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

- *1. Director's Minutes for April 16, 2001.
- *2. Minutes of "Noon" Council Members' Meeting for April 23, 2001.
- 3. Pre-Council Meeting Minutes - Executive Session - RE: Labor Negotiations - April 23, 2001.
- 4. Director's Minutes for April 23, 2001.

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

- *1. RTSD Meeting (Camp/Cook/Seng)
- *2. Entryway Meeting (Cook/Fortenberry)
- *3. Star City Holiday Festival Board Meeting (McRoy)
- *4. The Downtown Lincoln Bid Association Meeting (Seng)
- *5. PRT Meeting (Shoecraft)
- 6. Lincoln Partnership for Economic Development Investors Meeting (Fortenberry/Shoecraft)
- 7. Internal Liquor Committee (Johnson/McRoy/Shoecraft)
- 8. Joint Budget Committee (McRoy/Seng) - **CANCELLED MAY 4TH MEETING - RESCHEDULED TO MAY 11TH**

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

- *1. Memo from Jennifer Brinkman - RE: Boards and Commissions Upcoming Appointments (See Material).
- *2. Letter from Carol J. Connor, Library Director - As of September 1, 2001, a vacancy will exist on the Library Board due to the expiration of the term of Ruthann Young (See Material).
- 3. Memo from Jennifer Brinkman - RE: Boards and Commissions Upcoming Appointments (See Material).

IV. MEETINGS/INVITATIONS

1. Fourth Annual Great Plains Symposium Featuring Contemporary Civil Rights Issues - Presented by City of Lincoln Commission on Human Rights - on Friday, July 20, 2001 at the Cornhusker Hotel - Registration per person is \$50.00 RSVP by July 9, 2001-After July 9th there will be an additional \$10.00 added to the registration - 8:00 a.m. to 4:30 p.m. (See Brochure for more details).
2. You and a Guest are Invited to the Time Warner Cable Spotlight On Education Night - Honoring excellence in education and rewarding teachers for their innovative use of cable television in the classroom On Monday, May 14, 2001 from 6:00 p.m. to 8:00 p.m. - Johnny Carson Theater (West side of Lied Center)301 North 12th Street - RSVP to Time Warner Cable at 421-0330 by May 8th (See Menu on back of Invitation).
3. Media Release from Lori Seibel - Community Health Endowment to Hold Informational Meetings for "Blueprint Project" - Dates of the Informational Meetings on Monday, May 14, 2001 at 10:00 a.m. to 11:00 a.m., Training Center at the L/L County Health Department **AND** on Thursday, May 17, 2001 at 4:00 p.m. to 5:00 p.m. in the County-City Building in Conference Room 113 - RSVP to 436-5516 (See Release) (If you plan on attending one of these meetings, please indicate which one you will be attending - **May 14th or May 17th**).

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

- *1. Discussion on the Request from Lori Seibel from the Community Health Endowment - The purpose of this memo is to invite a member of the Lincoln City Council to give welcoming remarks (2-4 minutes) to those in attendance (See Attached Memo).
2. Jeff Fortenberry's discussion on packet preparation.
3. Jeff Fortenberry's discussion on staff positions in City Council Office.
4. Discussion regarding Office Assignments.
5. Final discussion on discretionary fund disbursement.
6. Discussion on Council Members' Committee Assignments (See attachment).

VIII. ADJOURNMENT

***HELD OVER FROM APRIL 30, 2001.**

DA50701/tjb

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MAY 7, 2001
CONFERENCE ROOM 113

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

Newly Elected Council Members: Glenn Friendt, Ken Svoboda, Terry Werner.

Others Present: Jennifer Brinkman, Mayor's Office; Dana Roper, City Attorney; Investigator Russ Fosler, Capt. Joy Citta, LPD; Darrell Podany, Aide to Council Members Camp and Johnson; Joan Ray, Council Secretary; Chris Hain, *Journal Star* representative.

NON-AGENDA PRESENTATION:

Council Member Johnson had requested a presentation on two establishments that had been discussed at the Internal Liquor Committee meeting and so prior to the listed Agenda items being addressed, Captain Joy Citta and Investigator Russ Fosler of the Lincoln Police Department gave a detailed presentation to Council on Zappata's and Studio 14. The presentation covered concerns that had been brought out at the Internal Liquor Committee meetings previously. Captain Citta and Investigator Fosler also answered questions and concerns presented by Council Members.

I. MINUTES

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*Held Over from 04-30-01

Mr. Shoecraft, Council Chair, requested a motion to approve the above-listed minutes. Cindy Johnson moved approval of the minutes as presented. The motion was seconded by Jonathan Cook 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. RTSD (Camp/Cook/Seng) Ms. Seng reported that no one had arranged to have the building prepared for meeting. She noted that the 3rd and "A" Street project had been approved and all of its various pieces such as eminent domain, the design agreement, etc. She reported that they had approved Alignment Five which is what the South Salt Creek neighbors had wanted. That was also the one that Staff had recommended, so that worked well.

One of the pieces that they had brought up from an earlier meeting for consideration was the ownership and maintenance of the area under the over-pass. She noted that they had had trouble on that with the KNL and the issue is it is still being worked on. Ms. Johnson asked who was responsible for that? Mr. Cook noted that the City will take control of that, but they wanted to make sure the responsibility is clearly outlined. He stated that the RTSD Board requested that they see the agreement that will ultimately go to the City Council, to make sure that the Board is comfortable with it and that it covers everything they want it to cover, so there is not another situation like the ones that have come up with other over-passes.

Mr. Cook stated that Roger Figard had addressed those concerns when he mentioned the landscaping plan that will be in place rather than waiting to set up the landscaping later in the process as had been done previously. This is a good start.

The Harris over-pass was approved for \$3,000,000.00.

*2. ENTRYWAY MEETING (Cook/Fortenberry) Mr. Fortenberry reported that they had discussed possible new revenue [inaudible] proposal along the Interstate in terms of an Overlay District. It would create mechanisms that would enable the City to meet the development community half-way. He mentioned that distance requirements were discussed with bonus situations for trade-offs in the set-back requirements. They looked at ways to get the development community to respect that corridor. He stated that, as Bob Hampton pointed out, there are certain topographies there that make it unnecessary to have those levels of set-backs. Mr. Fortenberry thought a fair assessment of the meeting was that it was an attempt at corridor protection.

Mr. Cook stated that the legal department has issued a statement that the Interstate is a front yard for these properties and front-yard set backs would apply. He felt this would help a little bit in dealing with the issue.

Mr. Fortenberry reported that the Mayor had pointed out that one of the issues is the industrial zoning designations that are already in place in the area. He mentioned some specific areas under consideration for development that would fall into that category.

Discussion continued briefly on the industrial zoning and the advances in attitudes in developers and also within the community, due, in part, to the regulatory mechanisms that

have been initiated.

*3. STAR CITY HOLIDAY FESTIVAL BOARD (McRoy) No Report.

*4. THE DOWNTOWN LINCOLN BID ASSOCIATION Meeting (Seng) Ms. Seng reported that each month they've been having presentations on [inaudible] technology. They've had groups from Peoples Natural Gas and other utility organizations. This time, Time-Warner Cable made a presentation on how difficult it was to get cable into older buildings - especially in areas such as Downtown where there isn't much green space to dig.

There was a re-cap of the whole Downtown Technology Fair. She noted that that had been a great success. One of the pieces done on the side-line of that Fair was a test on the Old Fed Building which caused a lot of interest; an event coming up in June had been presented by Mr. Cecil Steward for attendance considerations; Dallas McGee shared that the developer on the Downtown Entertainment Center will be back in Lincoln in June and a charrett will be set up in July.

Antelope Valley was also briefly discussed.

*5. PRT (Shoecraft) - Mr. Shoecraft did not attend.

6. LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS (Fortenberry/Shoecraft) - No Report

7. INTERNAL LIQUOR COMMITTEE (Johnson/McRoy/Shoecraft) Ms. Johnson reported that Bob Jorgenson from Responsible Hospitality Council made a presentation on concerns that they had. It was brought to the attention of the group that they wanted to have someone from the alcohol industry as a representative at the ILC meetings. When something of a sensitive nature came up at a meeting, they would leave until discussion was over. They discussed setting up the Agenda so that such sensitive issues could be placed at the end of the meeting so they could withdraw prior to those discussions, but still be included in the main part of the meetings. Nothing was decided definitely. LPD didn't have a problem with industry attendance as long as it was understood that they would leave during discussion of sensitive issues.

They had discussed requiring a permit for 'under twenty-one'. They felt that in a University town, there needed to be alternative entertainment noted above. It was determined that controlling liquor licenses through the dance permit process could not be done legally.

Ms. Johnson then presented Captain Citta and Investigator Fosler for their presentation on the two establishments. She requested the Council to make a determination as to whether or not the members would support the sending of two letters she had prepared to be sent to the State Liquor Commission on these establishments. The letters would request that the Liquor Commission have a 'Show Cause' Hearing on these two

establishments because of the problems they've created.

Ms. Johnson was sending the letters on behalf of the City Council and that is why she was asking for Council approval on the letters. The Council agreed.

Captain Citta and Investigator Fosler made their presentation.

8. JOINT BUDGET COMMITTEE (McRoy/Seng) - CANCELLED MAY 4TH MEETING - RESCHEDULED TO MAY 11TH

OTHER MEETINGS REPORTS: - Ms. McRoy reported that she had gone to the Lincoln Board of Realtors meeting where they had discussed the licensing of duplexes. The main discussion had been focused on vandalism and how the law enforcement agencies work rental property complaints. The gist of the concern was the difficulty of offering proof of criminal intent in order to prosecute at higher level. Mr. Shoecraft noted that the Police Department had indicated to him that it is very difficult to prove vandalism and criminal intent, though he didn't think it should be that difficult and encouraged the Board to continue to look into ways to make it easier for the property owners.

III. APPOINTMENTS/REAPPOINTMENTS -

1. Memo from Jennifer Brinkman - RE: Boards and Commissions Upcoming Appointments (See Material). - Noted without comment

*2. Letter from Carol J. Connor, Library Director - As of September 1, 2001, a vacancy will exist on the Library Board due to the expiration of the term of Ruthann Young (See Material). Ms. Seng wanted to make sure that Carol Connor was made aware that the Council wanted the Appointments to the Library Board to be chosen from applicants who had previously applied. Ms. Brinkman stated that she would be sure to forward Council's wish to Ms. Connor.

IV. MEETINGS/INVITATIONS - Noted Without Comment

V. COUNCIL MEMBERS

JONATHAN COOK - No Further Comments

ANNETTE McROY - No Further Comments

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 - Mark Bowen stated that there would be a budget briefing tomorrow for the Council in the Mayor's Office.

VII. MISCELLANEOUS -

*1. Discussion on the Request from Lori Seibel from the Community Health Endowment - The purpose of this memo is to invite a member of the Lincoln City Council to give welcoming remarks (2-4 minutes) to those in attendance (See Attached Memo). Mr. Shoecraft asked who wanted to respond to the invitation from Lori Seibel. Ms. Seng indicated that she would do that. Ms. Seibel was notified by Council Staff.

2. Jeff Fortenberry's discussion on packet preparation. Mr. Fortenberry presented an idea that would help integrate electronic technology with a more efficient running of the Council Office. In terms of the computer, it is good and helpful for the Council's legislative packets to be out there on the internet. But, in terms of the paper necessary to be given to Council Members, realistically, if you talk about what you actually review on paper, it comes down to the actual legislation, the summary sheet and perhaps the minutes from the Planning Commission (including attached graphics). He felt this would be, 95% of the time, the critical core of information. The other items, letters and attachments, are really back-ground material that is not critical. He thought that that sort of information could be dispensed as an attachment to the legislation. That would save some paper in the office, but, if it was needed, it could be accessed using the laptop when the issues comes up. That might be an efficient, hybrid way to give us the information we need with the back-up documentation on the web, but the paper could be cut back to help on staff time and paper usage.

Ms. McRoy noted that the goal was to not even have the paper agendas and ordinances anymore. Mr. Fortenberry answered that he, personally, needed that.

It was agreed that many people benefitted from having the paper copies.

Staff will present that suggestion to I.S. for consideration of this stage of development in the “paperless agenda” concept.

3. Jeff Fortenberry’s discussion on staff positions in City Council Office. Mr. Fortenberry noted that a long time ago, there had been the designation of “Council Secretary” which would be Joan’s position. That was changed to “Office Assistant” Mr. Fortenberry stated that he would introduce the concept of reviving the Council Secretary position - not to make any other changes other than to assign that title.

Maybe along with that would come the supervisory role of the rest of the staff.

He noted that it would seem to be prudent to have the Council Office’s official person designated as Council Secretary. He felt that would give the Council Office the “stand alone” credibility in the City that it needs, rather than being adjunct to something else which really has a minimum supervisory role.

Ms. Seng noted that that discussion needs to be followed up at the Budget Hearings.

4. Discussion regarding Office Assignments. This was discussed briefly. Mr. Friendt was assigned Mr. Fortenberry’s office; Mr. Svoboda was assigned Ms. Johnson’s office and Mr. Werner was assigned Mr. Shoecraft’s office.
5. Final discussion on discretionary fund disbursement. It was decided to add all the funds together, divide by three and give each incoming member an equal amount in their discretionary funds for the remainder of the fiscal year. *This was done.*
6. Discussion on Council Members’ Committee Assignments (See attachment). Deferred to June 4th.

VIII. MEETING ADJOURNED - Approximately 1:12 p.m.