

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 6, 2001 AT 5:30 P.M.**

The Meeting was called to order at 5:33 p.m. Present: Council Chairperson McRoy; Council Members: Camp, Friendt, Seng, Svoboda, Werner; Joan Ross, City Clerk. Absent: Cook.

The Council stood for a moment of silent meditation.

READING OF THE MINUTES

FRIENDT Having been appointed to read the minutes of the City Council proceedings of July 30, 2001, reported having done so, found same correct.

Seconded by Seng carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Cook.

PUBLIC HEARING

CHANGING THE CITY TELECOMMUNICATIONS OCCUPATION TAX RATE FROM 3.8% TO 5.75% OF GROSS RECEIPTS EFFECTIVE SEPTEMBER 1, 2001 - Steve Huggenberger, Law Dept., provided fact sheets put together for the adoption of the telecommunication ordinance last year & proceeded to explain the process used to write the ordinance.

Lois Newman, no address given, came forward in opposition.

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St., came forward in opposition.

Ed Patterson, President of Malone Neighborhood Assn., came forward in opposition. Discussion followed.

Nancy Intermill, came forward in favor of. Discussion followed.

Toni Burress, 2064 Valley View, came forward in favor of. Discussion followed.

Bob Valentine, 2060 Park Avenue, came forward in opposition.

Jessica Intermill, no address given, came forward in favor of. Discussion followed.

Bruce Bohrer, Representative of Lincoln Chamber of Commerce, came forward in opposition.

Glen Cekal, 1420 C St., came forward in favor of.

Bill Crawford 105 N 8th St., came forward in favor of.

Cy Miller, 3311 S. 54th St., came forward in opposition.

Roger Dorfler, no address given, came forward in opposition.

Susan Epps, 8017 Meredeth Street, came forward in favor of.

Gary Rabel, Member of League of Human Dignity, expressed his concern of the raising of fees to ride the handivan & City buses.

Larry Rivers, Sr., Member of the Community Forestry Advisory Board, came forward in favor of. Discussion followed.

Keil Wilson, 4236 Washington St., came forward in opposition. Discussion followed.

Fred Houck, Business Develop Manager for Modis Consulting, came forward in opposition.

Mike Stroup, 6921 Orchard came forward in opposition. Discussion followed.

Ann Nickerson, 1241 N 41st, came forward in favor of. Discussion followed.

Lisa Blakey, no address given, came forward to ask what other means have been looked at for the money needed for the budget. Discussion followed.

Randy Stramel, 1122 New Hampshire, came forward in favor of.

Leo Perreault, Market Area President for Alltel in Nebraska, came forward in opposition. Discussion followed.

Tim Knott, Wachiska Audobon Society, Came forward in favor of. Discussion followed.

This matter was taken under advisement.

AMENDING THE CONDITIONS OF SALE OF VACATED DAIRY DRIVE BY WAIVING THE CHARGE BY THE CITY FOR THE ASSESSMENT OF THIS LAND THAT WILL BE TRANSFERRED TO LINCOLN MATTRESS AND LANCASTER COUNTY - Clinton Thomas, Real Estate Division, came forward to explain this process.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

MISCELLANEOUS BUSINESS PUBLIC HEARING

Cy Miller, 3311 S. 54th St., requested that the money to add more trails in Lincoln be used to repair sidewalks.

Glen Cekal, 1420 C Street, proposed that a PSO be hired to ticket residents for improperly licensed vehicles, lawns needing to be mowed, & others not obeying the law.

Chief Casady, came forward to explain there are already 5 PSO team areas used for this purpose. 115,000 parking tickets were issued last year.

Roger Dorfler, 127 E Street, came forward to discuss the hobbyist permit & to ask why there wasn't enough parking provided for the employees when they built the new building so they don't have to condemn the businesses to the north to build a parking garage. He also suggested a shuttle from other parking facilities be provided for employees.

Ed Patterson, 2108 Q Street, came forward to discuss unlicensed cars.

This matter was taken under advisement.

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING

AMENDING LINCOLN MUNICIPAL CODE SECTION 2.76.145, COMPENSATION PLAN, MERIT PAY PLAN, ADMINISTRATION AND REQUIREMENTS FOR ADVANCEMENT; SECTION 2.76.153, COMPENSATION PLAN, MERIT PAY PLAN, SHIFT DIFFERENTIAL; SECTION 2.76.160, COMPENSATION PLAN, VARIABLE MERIT PAY PLAN; AND SECTION 2.76.380, SICK LEAVE WITH PAY; TO REFLECT NEGOTIATED CHANGES AND CHANGES APPLICABLE TO EMPLOYEES NOT REPRESENTED BY A BARGAINING UNIT - CLERK read an ordinance, introduced by Ken Svoboda, amending Chapter 2.76 of the Lincoln Municipal Code relating to the personnel System to incorporate negotiated changes and changes applicable to employees not represented by a bargaining unit by amending Section 2.76.145 to provide that the Mayor may grant permanent one- or two-step merit increases; amending Section 2.76.153 to provide that both probationary and regular employees may be paid shift differential; amending Section 2.76.160 to provide that employees in pay ranges prefixed by "A" and "C" receive a 4 1/2% increase after probation and to provide 4% temporary exceptional service awards to employees in pay ranges prefixed by "A", "C", "E" and "M"; amending Section 2.76.380 to increase certain accrual amounts and to clarify sick leave accrual amounts, to define the amount of sick leave payable upon death retirement or reduction in force, and to provide a waiver for increased family sick leave in special circumstances; and repealing Sections 2.76.145, 2.76.153, 2.76.160 and 2.76.380 of the Lincoln Municipal Code as hitherto existing, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "F" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "F" and repealing Sections 11 and 12 of Ordinance No. 16652, passed by the City Council on August 8, 1994, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "X" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "X" and repealing Sections 3 and 4 of Ordinance No. 17704, passed by the City Council on August 7, 2000, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "E" AND "M" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "E" and "M" (Excluded Employee); and repealing

Sections 1, 2, 5, and 6 of Ordinance No. 17704, passed by the City Council on August 7, 2000, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "P" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letter "P" and repealing Ordinance No. 17713, passed by the City Council on August 14, 2000, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "N" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to the pay range prefixed by the letter "N"; and repealing Ordinance No. 17707, passed by the City Council on August 7, 2000, the second time.

ADOPTING PAY SCHEDULES AND SCHEDULES OF PAY RANGES FOR EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO PAY RANGES PREFIXED BY THE LETTER "A" AND "C" - CLERK read an ordinance, introduced by Ken Svoboda, adopting pay schedules and schedules of pay ranges for employees of the City of Lincoln, Nebraska whose classifications are assigned to pay ranges prefixed by the letters "A" and "C"; and repealing Ordinance No. 17705, passed by the City Council on August 7, 2000, the second time.

CHANGING THE CITY TELECOMMUNICATIONS OCCUPATION TAX RATE FROM 3.8% TO 5.75% OF GROSS RECEIPTS EFFECTIVE SEPTEMBER 1, 2001 - CLERK read an ordinance, introduced by Ken Svoboda, amending Sections 3.24.080 and 3.24.090 of the Lincoln Municipal Code to increase the telecommunications occupation tax rate from 3.8% to 5.75% of gross receipts commencing September 1, 2001; and repealing Sections 3.24.080 and 3.24.090 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING THE CONDITIONS OF SALE OF VACATED DAIRY DRIVE BY WAIVING THE CHARGE BY THE CITY FOR THE ASSESSMENT OF THIS LAND THAT WILL BE TRANSFERRED TO LINCOLN MATTRESS AND LANCASTER COUNTY - CLERK read an ordinance, introduced by Ken Svoboda, authorizing the conveyance of Dairy Drive as vacated by Ordinance No. 17864 to the County of Lancaster and Jerry Coniglio, the second time.

RESOLUTIONS

APPROVING A LABOR CONTRACT BETWEEN THE CITY AND THE LINCOLN CITY EMPLOYEES ASSOCIATION - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81012 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached labor agreement between the City of Lincoln and the Lincoln City Employees Association, to be effective August 16, 2001, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

APPROVING A LABOR CONTRACT BETWEEN THE CITY AND THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81013 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached labor agreement between the City of Lincoln and the International Association of Firefighters, to be effective August 16, 2001, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

PETITIONS AND COMMUNICATIONS

PETITION TO VACATE PUBLIC WAY THE NORTH-SOUTH ALLEY BETWEEN LINCOLN MALL AND K STREET, LOCATED IN BLOCK 119, ORIGINAL LINCOLN, LANCASTER COUNTY, NEBRASKA SUBMITTED BY INLAND INSURANCE COMPANY, ABEL INVESTMENT CO., NEBCO, INC. & UNIVERSAL SURETY COMPANY - CLERK presented said petition which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON JULY 23, 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

INVESTMENT OF FUNDS FOR JULY 23 - 27, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81014 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments for July 23 - 27, 2001)

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

REPORTS FROM CITY TREASURER OF TELECOMM. OCC TAX FOR THE MONTH OF APRIL, MAY JUNE, 2001: PNG TELECOMM.; JUNE, 2001: ATS MOBILE, ASSN. ADM., ALLTEL, SPRINT, NPCR DBA NEXTEL, MCLEODUSA, AT&T, EXCEL, TELCO, WESTERN UNION - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JUNE, 2001: TIME WARNER CABLE - CLERK presented said report which was placed on file in the Office of the City Clerk. (41-2518A)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MARCH 16 - 31, 2001 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-81015 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated April 2, 2001, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

DENIED

ALLOWED

Alan Schroeder 50,000.00

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

ORDINANCES - 1ST READING

APPROVING THE TRANSFER OF APPROPRIATIONS WITHIN PUBLIC WORKS & UTILITIES AND PARKS & RECREATION TO ENSURE THE COMPLETION OF CERTAIN PROJECTS THAT NEED ADDITIONAL FUNDING WITHIN THE FISCAL YEAR BUDGET - CLERK read an ordinance, introduced by Jon Camp, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Sanitary Sewer Construction Fund, Water Construction Fund, Landfill Revenue Fund, Street Construction Fund, Vehicle Tax Fund, Storm Sewer Bond Issue Fund, Parking Revenue Fund, parking Lot Revolving Fund, Athletic Fees Fund, Keno Fund, General Fund, Golf Fund, MIRF and Park & Recreation Department Other Funding Sources and declaring an emergency, the first time.

CHANGE OF ZONE 3327 - AMENDING SECTION 27.71.130 OF THE LINCOLN MUNICIPAL CODE TO ALLOW AN ADDITIONAL MAIN BUILDING ON A LOT IN THE AG ZONING DISTRICT

WHERE THERE IS AN EXISTING RESIDENCE. (IN CONNECTION W/01R-210) - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.71.130 of the Lincoln Municipal Code to allow an additional main building lot in the AG zoning district where there is an existing residence; and repealing Section 27.71.130 of the Lincoln Municipal Code as hitherto existing, the first time.

CHANGE OF ZONE 3331 - AMENDING CHAPTER 27.55 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY, AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT BY AMENDING THE LINCOLN ZONING ORDINANCE. (IN CONNECTION W/ 01-131) - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 27.55 of the Lincoln Municipal Code, Flood Plain District, amending Section 27.55.010 to adopt FEMA's September 21, 2001 Flood Insurance Rate Map and FEMA's Flood Insurance Study for Lancaster County, Nebraska and Incorporated Areas as part of Chapter 27.55; by amending Section 27.55.020 to delete the definition for "Flood boundary and floodway map (FBFM)", to add definitions for "Flood Insurance Study" and "historic structure", to amend the definition of "Flood Insurance Rate Map" to refer to the September 21, 2001 map, and to amend the definition of "flood plain" to base the designated flood plain on the September 21, 2001 Flood Insurance Rate Map; amending Section 27.55.020 to add general standards for construction in the AO zone and to make other revisions to clarify language relating to the general standards; amending Section 27.55.040 to add administrative provisions for the issuance of a development permit in Zone A and to make other revisions to clarify the administration of development within the flood plain; and repealing Sections 27.55.010, 27.55.020, 27.55.030, and 27.55.040 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING TITLE 26, THE LAND SUBDIVISION ORDINANCE, OF THE LINCOLN MUNICIPAL CODE TO ADD SECTION 26.07.115 AND TO AMEND SECTIONS 26.07.120 AND 26.15.040 TO ADOPT THE REVISED FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY AND TO CLARIFY LANGUAGE RELATING TO THE MINIMUM STANDARDS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM AND THE STATE OF NEBRASKA FOR FLOODPLAIN MANAGEMENT. (IN CONNECTION W/01-130) - CLERK read an ordinance, introduced by Jon Camp, amending Title 26, the Land Subdivision Ordinance, of the Lincoln Municipal Code by adding a new section numbered 26.07.115 to add a definition of "Flood Insurance Study"; by amending Section 26.07.120 to amend the definition of "flood plain" to base the regulatory flood plain on FEMA's September 21, 2001 Flood Insurance Rate Map; by amending Section 26.15.040, Development Within Flood Plain, to require the subdivider to provide base flood elevation data for preliminary plats located within Zone A; and repealing Section 26.07.120 and 26.15.040 of the Lincoln Municipal Code as hitherto existing, the first time.

ORDINANCES - 3RD READING - NONE

MISCELLANEOUS BUSINESS

PENDING LIST -

SPECIAL PERMIT 1423C - APP. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS, & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA, ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84TH ST. & OLD CHENEY RD. - CLERK requested that Bill 00R-64 be removed from Pending for Public Hearing & Action on 8/13/01.

SENG So moved.

Seconded by Camp & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

CAMP Moved to extend the Pending List for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

RECONSIDER ORDINANCE NO. 17890

AMENDING CHAPTERS 5.34 AND 5.42 OF THE LINCOLN MUNICIPAL CODE RELATING TO PAWNBROKERS AND SECONDHAND JEWELRY AND WATCH DEALERS TO REQUIRE PAWNBROKER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED AND TO REQUIRE RECORDING OF SPECIFIC IDENTIFYING MARKS; TO ADD PAWNBROKER EMPLOYEE TO THOSE REQUIRED TO SUBMIT DAILY REPORTS TO THE CHIEF OF POLICE; TO REQUIRE SECONDHAND JEWELRY AND WATCH DEALER FORMS TO BE TYPEWRITTEN OR MACHINE PRINTED; TO CHANGE "RECORD OF TRANSACTIONS" TO "FORM FOR EACH TRANSACTION"; TO EXTEND THE TIME OF RETENTION OF SECONDHAND JEWELRY OR SECONDHAND WATCHES PURCHASED BY A DEALER FROM 72 HOURS TO 14 DAYS; AND TO MAKE REQUIREMENTS FOR PURCHASING SECONDHAND JEWELRY CONSISTENT WITH REQUIREMENTS FOR PAWNING GOODS - CLERK requested Bill No. 01-112, Ordinance #17890, to be reconsidered to have Public Hearing on 8/20/01.

CAMP So moved.

Seconded by Seng & **LOST** by the following vote: AYES: McRoy, Seng; NAYS: Camp, Friendt, Svoboda, Werner; ABSENT: Cook.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on August 13, 2001.

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

CAMP Moved to adjourn the City Council Meeting of August 6, 2001.

Seconded by Seng & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

So ordered.

ADJOURNED 8:13 P.M.

RECONVENED 8:38 P.M.

ONE & SIX YEAR STREETS & HIGHWAY PROGRAM

Chairperson McRoy opened the Public Hearing on the One & Six Year Streets & Highway Program.

Roger Figard, Public Works & Utilities Dept.: Annually the City receives approximately \$12,000,000 of State Highway User Funds that are supplemented by an estimated \$4,000,000 of Federal Highway Funds. These funds along with the Wheel Tax Funds pay for the City's Street Improvement Program. The One and Six Year Program that we're talking about tonight to make sure that no one is confused is the same program that is published in the City's Capitol Improvement Program book and is represented on pages 69 - 103 of this book. There isn't anything unusual or different being presented than what has gone through the Planning Commission and has been presented to date. So, for those folks that are interested it is in that book. The One Year Program lists projects that are proposed, again, for final design right of way acquisition, construction or study during the fiscal year 2001-2002. For folks that might be listening or watching that saw or feel that a project that they believe, such as the South 84th Street, fall off the list and not show up on the list I would remind folks this is a funding document not necessarily a construction document. The next piece south of 84th Street was funded last year and will be moved ahead and will go to final construction, but, so it hasn't been dropped or taken off. I would just, again, remind people for purposes of budgeting this program is a funding document not a construction document. Primary projects listed in the first year are O Street - 52nd St. to Wedgewood Dr. which also includes 66th St. from O to Q and 56th and the Cotner Blvd. between Randolph and R St. It includes Pioneers Blvd. from a quarter mile east of 70th St. to a quarter of a mile west of 84th St. It includes as a continuation of 84th St. from a quarter mile south of Pioneers Blvd. to a quarter mile south of Old Cheney Rd. and also a piece of Old Cheney Rd. from a quarter mile west to a quarter mile east of 84th St. The program also provides continued funding for the Antelope Valley Project Phase I Projects which includes the east-west & north-south roadways, channel bridges and other related community revitalization projects. The One Year Program also includes new and ongoing studies. Two of note certainly are the continued dollars available for a south & east beltway study and finishing the environmental document. The other is a study corridor called 70th St. & 84th St. It really studies, that includes 70th & 84th St. from Cornhusker Highway to O St. & the arterial cross streets at Havelock Ave., Adams St. Leighton Ave., Holdrege St., Vine

and O St. We would anticipate that work being incorporated or as a minimum coordinated with the update of the Long Range Transportation Plan as part of the Comprehensive Planning process this year. Other major components that we don't want to take lightly that are listed in the One Year Program continue to include arterial and residential rehabilitation and intersection improvement projects. This years proposed program has over \$5,000,000 in that category which will continue to allow doing the 100 blocks of residential rehabilitation and other arterial resurfacing. Includes activities and dollars for repaving and paving districts, preliminary engineering and studies, upgrades within the built environment. It includes such things as traffic calming. Currently, we're working on a traffic diverter at 29th & N Street to assist in that activity. It includes money for emergency and safety projects such as the improvements going on at 56th & Vine St., and also, the proposed roundabout at 33rd and Sheridan. It also has dollars for traffic optimization management and the continuation of the growth of ITS, Intelligent Transportation System. For those that have noticed we did have new signs out on 84th St. north of A and south of A. That's the type of technology that can be bought with variable message signs to better warn the traveling public of changes in construction. There are dollars continued to do landscaping with street improvement projects and bikeways and trails in connection with street improvement projects. The 2nd through the 6th year of the program which are fiscal years 2003-2007 identify those projects which are in some phase of development or will enter the street planning process. These projects include continued funding and sources for the south and east beltway. Pine Lake Road from 40th to 56th Street. Continued resources to finish the construction effort on O Street that I previously mentioned. Dollars to continue on Antelope Valley Phase I Projects, and 84th Street from a quarter mile south of Old Cheney to a quarter mile south of Highway 2 and then 84th Street east and west of Pine Lake Road. It includes the construction from Pioneers Blvd. between 70th and 84th Street. Old Cheney Road from just east of 70th to just west of 84th Street. It includes 14th Street, Old Cheney Road to a quarter mile north of Pine Lake Road. It also includes finishing the study and making recommendations in working with the community on proposed improvements, if possible, at the 14th and Old Cheney and Warlick Blvd. intersections. Quotes dollars for 56th Street from Old Cheney Road to a quarter mile south of Pine Lake Road. Pine Lake Road from 56th Street to Highway 2. Fletcher Avenue from Highway 6 to a quarter mile east of 84th. Includes dollars for the conversion of Capital Parkway West and Highway 77 to a grate separated interchange. Pine Lake Road from 84th Street to a quarter mile east of 98th Street. And also, 10th Street from Sun Valley Blvd. to South Military Road. 27th Street from a quarter mile south of Pine Lake Road to Yankee Hill Road, and also, a piece of Vine Street from 21st to 26th Street. This One and Six Year Program and the Highway CIP and TIP Programs was presented on May 9th and approved by the Planning Commission. We do believe that this program that's been proposed by the Mayor and by the City Council represents a continued firm commitment by Public Works & Utilities to do those projects and take of those activities within the built environment and also the growing edge. That would conclude Public Works presentation.

Jon Camp, Council Member, asked if it is now the policy to acquire all of the right-of-way before starting the construction.

Mr. Figard, stated that is correct. This tends to slow construction down.

Mr. Camp, asked if there was anything that City Council can do to help assist in making the process flow more smoothly.

Mr. Figard, stated that they are short staffed and budget support for the provided positions in Public Works budget can help that. You can only manage so many projects. Council can encourage people to work with them and sign those right-of-ways.

Glenn Friendt, Council Member, asked why didn't the City get the right-of-way on that piece of road when it was platted or annexed.

Mr. Figard, stated that it takes more than a 100' of right-of-way for more trees and wider space and trails and sidewalks that aren't right on the curb. The 100' was originally platted with the County, but the other part as many of the subdivisions have come in and weren't necessarily graded to match an urban profile that is now being built. Streets have to be regraded and this is getting into people's backyards. Then permanent or temporary easements are needed & this can be as time consuming as buying the right-of-way from them.

Annette McRoy, Chairperson, read a statement.

Harlan Layton, 740 Skyway Rd., came forward with suggestions to eliminate all at grade crossings, put in an overpass over the railroad tracks on 70th Street, close Old Cheney west of Warlick Blvd., turn Warlick east into Old Cheney over to 14th Street, eliminate Warlick going north of Old Cheney, & make 14th St. & Old Cheney a 90% interchange with right & left turns. Anybody that's going west on Old Cheney would go down Warlick Blvd. or over to the Highway 77 bypass & use the light there & you don't need a light on the bypass & Old Cheney Rd.

Ed Patterson, 2108 Q Street, requested information about the cost of the overpass that has a separated grade on Capital Parkway.

Roger Figard, responded that it will be a coordinated project between the Nebraska Department of Roads and the City of Lincoln. He did not have any figures at this time, but 20% of the budgeted amount will be paid by the City.

Glen Cekal, 1420 C Street, commented that the intersection at 9th & 10th Street & Van Dorn needs to be improved due to the increased traffic.

Roger Figard responded that part of that property is park property & there were severe restrictions as to what they could build in there. If the South Beltway is approved that will take about 90% of the truck traffic away from this area.

Maijas Burdic, 2005 L Street, stated she believed by increasing the convenience, affordability & visibility of the bus service would save money in the area of Public Works because the city is growing & that means more cars. This in turn means more wear & tear on the roads & less parking. Discussion followed.

Mike Stroup, 6921 Orchard, expressed his concern with the dangerous intersection at 70th and Cornhusker Highway. Discussion followed.

ADJOURNED 9:15 P.M.

RECONVENED 9:16 P.M.

**2001 - 2002 MAYOR'S RECOMMENDED ANNUAL OPERATING BUDGET
& CAPITOL IMPROVEMENT PROGRAM 2001-2007**

City Clerk: As part of the Mayor's proposed budget, the budget also proposes to take the following action allowed by LB 989 as passed by the 1998 Nebraska State Legislature. 1. The Mayor's Recommended Budget anticipates the use of allowable growth in the tax base above the 2.5% already provided by LB 989 for improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation, and any personal property valuation over the prior year. This increase is estimated at 3.87% pending certification of final valuations from the County Assessor's Office. It is the City's intention to utilize the final percentage increase in growth, as provided by the certified final valuations, to increase the restricted funds base and to utilize various other lid exemptions provided in LB 989. 2. The City intends to carryover all unused restricted fund authority from prior and current fiscal years as well as any unused restricted fund authority from the 2001-02 Budget to future fiscal years. This unused restricted fund authority is estimated at up to \$13,000,000 but depends upon final completion of lid documents to be filed with the State Auditor's Office. It is the City's intention to carry over all unused restricted funds authority as determined by final completion of the forms.

STARTRAN

Janet E. Doulas, 210 Bruce Dr., came forward to request; 1. Keep the night handivan, 2. Keep Midtown #18, 3. Make every route run the entire route every day, 4. Advertise the bus system, 5. Don't balance the budget on the bus department.

Cy Miller, 3311 S. 54th St., requested better bus routes.

Bill Crawford, 105 N. 8th St., stated he felt there is no reason any citizen should have to wait 1 hour 5 minutes & he asked if there was another way other than that tax levy, such as a grant, would the City Council propose that as opposed to raising the taxes.

Ms. McRoy stated that StarTran uses a number of Federal funds.

Discussion followed.

Glen Cekal, 1420 C Street, felt that if the City can have all the hiking & biking trails it seems their should be a fairly decent bus service. Another way to raise money would be to tax the duplex & single family rental properties.

Lisa Blakey, stated that a better bus system would improve ridership and feels that DUI's would decrease if the bus service ran until 2:00 a.m.

Joy Patton, 6320 Madison Avenue, member of the StarTran Advisory Board, recommended adjustments of the StarTran fare structure submitted. Discussion followed.

Pam Mikkleson, driver of the ATU, proposed new bus routes. Discussion followed.

Toni Burress, bus driver, expressed her concern about the handivan service, Lux Middle School route & the Midtown route proposed to be eliminated.

Lois Newman, regular bus rider, suggested that the Mayor cut his budget & save the bus routes.

Bernice Thompson, stated she was dependent upon the handivan. Discussion followed.

Bob Valentine, 2660 Park Avenue, expressed his opinion about Mayor Wesely & his budget.

Delores Cole, addressed the proposed cuts to the StarTran & Aging budget. She suggested banning the StarTran Advisory Committee because not one of them rides the bus or at least put people on the committee that actually rides the bus. Discussion followed.

Cathy Johnston, stated she needs the Midtown bus to get to her doctor at 70th & Pioneer, especially in the winter and that increasing the bus fare would be a burden on many.

Paul Moore, 3900 Prescott Avenue, stated he needs the handivan to get where he needs to go & asked them not to eliminate it.

Laura Moore, 3900 Prescott Avenue, requested the handivan not be eliminated & to change the hours that the bus runs.

Ruth Jensen, South 17th, suggested that if the fares were lowered maybe there would be more ridership or give incentives to ride the bus.

TOOK BREAK 10:50 P.M.

RESUMED 11:00 P.M.

GENERAL COMMENTS

Lisa Blakey, stated she felt the suggested budget cuts were a scare tactic if the occupation tax isn't passed.

Dan Alberts, Director of Budget Monitoring Committee of Independent Business Association, gave his business perspective of the budget. Discussion followed.

Ed Patterson, 2108 Q Street, stated there's a problem not only with physical sprawl in Lincoln, but sprawl in spending of government sponsored programs.

Danny Walker, 427 E St., asked if the budget cuts are a repercussion from the \$10,000,000 for the baseball park. He suggested the procedure on the budget needs to be looked at.

Bob Valentine, 2660 Park Avenue, stated that our country is coming onto hard times & this isn't the time to increase the budget.

Mike Stroup, 6921 Orchard, encouraged the City Council to prioritize and to be fiscally responsible.

CITY COUNCIL

Janet Doulas, 210 Bruce Dr., expressed her disgust that Jonathan Cook is on vacation at the time of the Budget Hearing.

Bob Valentine, 2660 Park Avenue, approves the discretionary funds proposed in the City Council budget for research capability to handle the complex problems of the City.

Mike Stroup, 6921 Orchard, supports the \$10,000 discretionary funds for each City Council Member.

FINANCE

Danny Walker, 427 E St., commented on the emergency communication system & Pershing Auditorium.

FIRE

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Jeff Gottbrecht, 5901 Earl Drive, President of Firefighters Assn., requested that money for the Automatic Vehicle Locators not be cut from the CIP. Discussion followed.

Bob Valentine, 2660 Park Avenue, commented on the ambulance problems.

Mike Stroup, 6921 Orchard, asked that the AVL systems not be in the budget for 2001-2002 due to budgetary constraints.

Marcy Gale, 2109 Q Street, a graduate student, studied the AVL system and considers the benefits to be fleet management practices, more efficient dispatch & automation of dispatch processes. Discussion followed.

Danny Walker, 427 E St., disagreed with the suggestion of pulling the paramedic off the apparatus & placing them on the ambulance. Discussion followed.

LIBRARY

Curt Donaldson, 2860 R Street, was in favor of raising the occupational tax to support marginal or new services in the Library & Parks. He supports the whole package.

MAYOR

Bob Valentine, 2660 Park Avenue, stated he felt that the position of Affirmative Action Officer & the Women's Commission are unnecessary due to other programs offering the same services.

MISCELLANEOUS BUDGETS

Ken Svoboda, Council Member, handed out a list of items he felt could be eliminated from the budget totaling \$219,500.00.

Mike Stroup, 6921 Orchard, stated he agreed with Councilman Svoboda's suggestions.

PARKS & RECREATION

Danny Walker, 427 E St., stated that Park Middle School has a complete recreation center and would not have needed the F Street Recreation Center. Discussion followed

Mr. Camp, asked Lynn Johnson, Parks & Recreation, as to his flexibility to work with the Council to help them to save tens or maybe hundreds of thousands of savings that will help them prioritize & avoid tax increases.

Lynn Johnson, Parks & Recreation, stated he felt that he could and offered a couple of suggestions, but is concerned about getting behind. He also stated he was not aware of the Parks Middle School Recreation Center.

PERSONNEL

Jon Camp, Council Member, questioned Georgia Glass, Personnel Director, about paper items that could be cut from the budget.

PLANNING

Glenn Friendt, Council Member, expressed a concern that this department was not showing an increase with all the projects that are underway and the way the city is growing. He asked if all that needs to be done can be done with the staff currently.

Kathleen Sellman, Planning Department Director, stated they could continue to do what they've been doing, but could not absorb any increases in the work load. Interns through the University are used to do the leg work for getting information for the Council & other projects. The University shares the cost.

Danny Walker, 427 E St., suggested that the \$280,000 to \$300,000 spent on the Chamber of Commerce to help manage development in the City of Lincoln be used for the Planning Department.

POLICE

Mr. Camp, asked Chief Casady if he had other places to cut his budget to keep the three officers subjected to being cut if the

occupational tax is not passed.

Chief Casady, Police Dept., stated that outside training could be discontinued for \$50,000, discontinue Child Advocacy Center contract for \$25,000, but didn't think it would be wise because equipment, training, contractual services & supplies are necessary. Discussion followed.

PUBLIC WORKS

Glen Friendt, Council Member, asked if the 4.5 full time employees for the Flood Plain Study was required by FEMA.

Nicole Fleck-Tooze, Public Works, stated that these positions will be dedicated through NPDES permanent requirements from EPA & through the State of Nebraska. The NPDES permit will be received this fall & will have 11 programs managed under this permit. Further discussion followed.

ADJOURNMENT

1:14 A.M.

WERNER Moved to adjourn the City Council Budget Hearing of Aug. 6, 2001.
Seconded by Camp & carried by the following vote: AYES: Camp, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; ABSENT: Cook.

Joan E. Ross, Deputy City Clerk

Judy Roscoe, Office Assistant III

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