

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, AUGUST 13, 2001
CONFERENCE ROOM 113**

I. MINUTES

- *1. Minutes of "Noon" Council Members' Meeting for July 23, 2001.
- *2. Pre-Council Meeting Minutes - RE: Ambulance Billing Update - June 18, 2001.
- *3. Pre-Council Meeting Minutes - Executive Session - RE: Koziol litigation - July 23, 2001.
- **4. Pre-Council Meeting Minutes - RE: Ambulance Billing Update - June 25, 2001
- **5. Pre-Council Meeting Minutes - RE: Fire Equipment Lease/Purchase - July 23, 2001
- **6. Pre-Council Meeting Minutes - RE: Trunk Sewers - July 2, 2001
- **7. Pre-Council Meeting Minutes - RE: Administrations Proposed Changes 2001-02 Mayor's Recommended Budget - July 16, 2001
- 8. Director's Minutes for July 23, 2001.
- 9. Pre-Council Meeting Minutes - RE: EMS - Fire Report Times - July 16, 2001.

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

- *1. Star City Holiday Festival Board Meeting (McRoy)
- *2. Downtown Lincoln Association Meeting (Terry) - **NO JULY BOARD MEETING**
- **3. RTSD (Camp/Seng/Cook)
- **4. Community Development Task Force (Cook)
- **5. Wilderness Park Community Committee - Wetlands Tour (Cook/Werner/Friendt))
- **6. Internal Liquor Committee (McRoy/Svoboda/Werner)
- **7. Joint Budget Committee (Seng/McRoy)
- **8. Human Services Keno Prevention (Seng)
- 9. ISPC Meeting (Cook)
- 10. Parks & Rec. Advisory Board Meeting (Cook) - **CANCELLED**
- 11. Downtown Advisory Report (Seng)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

- *1. Letters & Resumes received by the Lincoln City Library Board of Trustees from twenty-two persons interested in being Appointed to the Library Board to fill the vacancy created by the completion of Ruthann Young's term (See material).

- **2. Appointments/reappointments of Council Members for Soon to Expire Terms on Railroad Transportation Safety District; (Terms Expire 08-31-01)
Appointment/reappointment of Council Member to Public Building Commission - new term thru 08-01-05 (Term to Expire 08-01-01)
Appointment/reappointment of Council Member to Joint Budget Committee (2 Year Term) (Old Term Expires 08-31-01) (See attached listing)**

IV. MEETINGS/INVITATIONS

1. Additional Planning Meeting on Saturday, August 25, 2001 - 9:00 a.m. to Noon at the LLWC Office, 440 S. 8th Street, Suite 100 – Dress casually - we'll have coffee available. Please bring a snack and/or a drink if you'll need a mid-morning pick-you-up! – Please RSVP to Karen at 441-7716 as to whether or not you can join us. (See Invitation).
2. Savannah Pines at Williamsburg Village - Savannah Pines is a new luxury retirement center located at 3900 Pine Lake road in Lincoln. We are planning our grand opening for Sunday, September 9, 2001 (the week end of the Notre Game Football Game at UNL). We would like to extend an invitation to you to attend our “Ribbon Cutting Ceremony” at 2:00 p.m. on September 9th. (See Invitation).
3. 2001 Lincoln Interfaith Council - Interfaith Leadership Award Banquet - Sunday, October 28, 2001 - And Honoring: Reverend Dr. Joel Gajardo “Devotion to Religion, Distinction of Career, and Dedication to Community” – Reception at 5:00 p.m.– Dinner & Program at 6:00 p.m., Coleen Seng, Mistress of Ceremonies - Seats at \$35.00 per Person – (See Invitation).
4. The Lincoln Chamber of Commerce will host its Celebrate Business Luncheon on Tuesday, September 11, 2001 at The Cornhusker Hotel. This event recognizes local business with such awards as fastest growing business, outstanding minority owned and woman-owned businesses, small business of the year & personal citizenship awards. They invite you to be their guest at this event. The reception will begin at 11:15 a.m. followed by the Noon Luncheon/Awards Program. Please call Tera Pugh with your attendance plans by Friday, August 24th (See Material).
5. The Snell Lecture Series Presents Dr. Susan Phillips - University of Nebraska - College of Business Administration - Snell Lecture and Luncheon - On Monday, October 1, 2001 at Noon at the Wick Alumni Center – Please respond no later than September 24th to Marilyn Hoskins at 472-3382 – \$5.50 per person (See Invitation).

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

- **1. FINAL DISCUSSION - Reschedule the 911 Tour.
- 2. Discussion on Council's Media Release website (See Attachments).

VIII. ADJOURNMENT

* - From 07-30-01
**- From 08-06-01

CA81301/jvr/tjb

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, AUGUST 13, 2001
CONFERENCE ROOM 113

Council Members Present: Annette McRoy, Chair; Jonathan Cook, Vice-Chair; Jon Camp, Coleen Seng, Ken Svoboda, Terry Werner; **ABSENT:** Glenn Friendt.

Others Present: Mark Bowen, Ann Harrell, Mayor's Office; Dana Roper, City Attorney, Don Herz, Finance Director; Darrell Podany, Aide to Council Members' Friendt, Camp and Svoboda; Joan Ray, Council Secretary; Chris Hain, *Journal Star* representative.

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Mr. Jonathan Cook, Council Vice-Chair, requested a motion to approve the above-listed minutes. Jon Camp moved approval of the minutes as presented. The motion was seconded by Ken Svoboda and carried by the following vote: **AYES:** Jon Camp, Jonathan Cook, Annette McRoy, Coleen Seng, Ken Svoboda, Terry Werner; **NAYS:** None; **ABSENT:** Glenn Friendt

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

- *1. **STAR CITY HOLIDAY FESTIVAL BOARD (McRoy)** Ms. McRoy reported that the Events Coordinator whom the Updowntowners had hired to do the parade as well as some other downtown events, recently resigned her position. However, Michael Carpenter graciously volunteered to take over the parade coordination at this point. The Board had an emergency meeting because they are behind in their sponsorships. So, the sponsor list was divided among the Board Members for contacts, and things are back on schedule. They have advertised for a new Events Coordinator, looking for a local person who would have plenty of local contacts. The parade is on schedule and proceeding well.

Mr. Camp noted that the Haymarket area was down in event sponsorships due in part to some changes in ownership of some of the large financial institutions in the City; and secondly, just the economy - people are currently pulling back a little. He noted that the Star City Parade may experience some of this slow-down as well.

Ms. McRoy noted that the parade is in good shape, though they have experienced some minor set backs that no one had expected.

Mr. Cook asked if Mr. Camp's comments suggested that large national corporations are less generous than local ones? Mr. Camp responded that the comments he has heard indicated that local ownership tends to be more involved [in local events and concerns] than out of town ownership. It's just an observation and a fact of life that we need to be cultivating more local sponsors. Council Members agreed that the economy probably had a large impact on drop in sponsorship as well.

***2. DOWNTOWN LINCOLN ASSOCIATION (Werner) - No July Board Meeting**

****3. RTSD (Camp/Seng/Cook)** Ms. Seng reported that there was absolutely no public input at the RTSD Budget Hearing. No one came forward to speak! There is an approximate \$60,000.00 operating budget; but then there is also about \$7,000,000 worth of large upcoming projects.

The 3rd and "A" Street is the number one issue right now. The Antelope Valley project also has a great deal of money being put into the railroad crossings each year.

Mr. Camp reported that they passed a resolution to go with the maximum of \$.26 for the 2.6 mil levy. The County Board, though, has the final decision on that. Ms. Seng noted that she thought they had taken it back down, so she did not think it will be what was discussed at RTSD. Mr. Camp stated that they had to find \$.15 from somewhere. If they do that, the City could work with that. Ms. Seng noted that they do final budget approval in September or late August.

****4. COMMUNITY DEVELOPMENT TASK FORCE (Cook) No Report**

****5. WILDERNESS PARK COMMUNITY COMMITTEE - WETLANDS TOUR (Cook/Werner/Friendt) - CARRY OVER TO NEXT WEEK**

****6. INTERNAL LIQUOR COMMITTEE (McRoy/Svoboda/Werner)** Ms. McRoy reported that the major points covered at that meeting were on Studio 14 and the results of the Ultimate Fight Night decision. If they don't appeal the Commissions ruling, they close on the 24th or 25th of August. There was an update on the Fight Night and the number of citations that were issued for Studio 14.

Mr. Svoboda stated that he had been in contact with the owner of the building, and as of last week, there was a deadline of Friday for the operator of Studio 14 to take care of back [inaudible] financial obligations or not. Mr. Svoboda was not quite sure where we stand

on that, because if the operator did not meet that obligation, he would be evicted. If he met the obligation, he had a fairly lengthy list of things that he would have to do in order to stay open; these partly included his maintaining only employment, but *no ownership* in the establishment. This would change the liquor license over to a different party and he would be completely out of the ownership. Mr. Svoboda wondered if that would include his moving out, since he was currently living there. Mr. Svoboda stated that he had not heard if the operator had made his financial obligations at this time, or not.

Ms. McRoy asked that she be made aware of circumstances as they became known. Ms. McRoy indicated that she did not feel even a change in ownership would alleviate the present concerns. It is generally hoped that everything can be settled prior to the start of this School Season. Mr. Svoboda stated that every avenue is being investigated to get the situations resolved. Ms. McRoy indicated that Studio 14 was the largest capacity night club in Lincoln which added to the problems.

Mr. Svoboda noted that the final discussion at the meeting had involved looking at following a different set of procedures for the liquor resolutions on the Formal Council Agenda by not holding the applicant's hands and walking them through the process unless it is a first time, non-profit applicant. Some of these people who are coming forward on a regular basis and who are doing liquor resolutions and requests routinely, are having to be walked through the process and do not have the proper information for the Council to make a decision. The general consensus was 'let's stop this' and require the applicants to become adults and do this in a professional manner - or just be denied until they get it right.

If they hold a current liquor license, and they're doing this for a living, they ought to know the rules. Mr. Svoboda felt if they miss the public hearing meeting - he'd like to say Council doesn't vote on anything unless they are there to actually answer questions. Mr. Werner noted that since they are not required to be at the meeting, he could not support a denial simply because they weren't at the meeting. Council agreed that this was true, also noting that if Council merely deferred a license for an upcoming event which was just a week away, that would essentially deny the license and the event.

**7. JOINT BUDGET COMMITTEE (Seng/McRoy)

**8. HUMAN SERVICES KENO PREVENTION (Seng) Ms. Seng requested that she be allowed to make her report on Items 7 and 8 jointly. Ms. Seng, reporting on the Keno Prevention Fund meeting first, informed Council that there were 21 requests totaling \$130,000 for the \$50,000 Keno Funds available. Obviously, some were told "no" and all had their requests lowered, except for two continuations. The most any group could apply for is \$7500.

Concerning the JBC meeting, the Common meeting discussion under the JBC Budget designation regarding the Willard Community Center's busing concerns have been resolved. Ms. Seng noted that the busing situation did get approved at the School Board level. She thought they were getting some relief there.

She reported that they had spent some time with the C-SIP process. This is the group from the University that is running the process; they're meeting on a very regular, fantastic schedule. Ms. Seng noted that the next meeting of the JBC would be held on October 5th at 8:15 a.m.

9. ISPC (Cook) No Report - Schedule conflict with Budget Vote

10. PARKS & REC. ADVISORY BOARD Meeting (Cook) - **CANCELLED**

11. DOWNTOWN ADVISORY REPORT (Seng) Ms. Seng noted that the Mayor had gone over most of that. There were three proposals that had come through [on the Old Federal Building]. The Downtown Advisory Group went through those three proposals and made a recommendation to the Mayor. It is in the Mayor's hands right now. There was an article in the paper on this which Ms. Seng believed Council Members had probably read.

Now, there will be a meeting coming up where the Advisory Group will be meeting jointly with the Mayor and with one Group that has made application on the proposal. She noted that all of the three that were reviewed were very concerned about the Court Room and all dealt with housing in one form or another. Some dealt with Commercial in the lower level. The Building Commission will have to take a look at it, but this is the City's building, so the final decision and responsibility lies with the Mayor.

Mr. Camp asked what type of subsidies the three proposals offered. Ms. Seng answered that they were all a little bit different, because it depended upon what they're doing; and they're talking about Tax Increment Financing. The thing that bothered Ms. Seng is that the same architectural firm is winding up with the group that is from out of town. When we started we had four proposals and we had two of the firms involved with it, being on two different proposals at the same time. She surmised that that was just the way it is in the real world.

Mr. Camp asked which was the fourth group that had pulled out. Ms. Seng noted that she believed it was the Arter Group that had pulled out, adding that there would be a more in depth report on this at the Public Building Commission meeting.

OTHER MEETINGS REPORTS: -

PUBLIC BUILDING COMMISSION Ms. Seng noted that the Building Commission met once for a very short meeting and was willing to give approval on getting involved in a relocation study for the North Block. She noted that they had really given a lot of direction to Don Killeen to work with the 'Bone Appetit' owners. She noted that this is a state program which the City is required to follow; so they were [inaudible] moving forward.

Tomorrow we have another Public Building Commission meeting and there will be a lot more to report after that one.

THE MOBILE HOME PARK MEETING - Ms. McRoy reported that there had been a meeting with City Departments and the developer/owner of the Mobile Home Park. They met with about an 80 person over-flow crowd at the motel right there.

The project is before the Planning Commission right now and Ms. McRoy had received several phone calls from constituents in the Park before, so they called to see what she could do. The Planning Commission had delayed it at the time and encouraged the architect and developer to meet with the residents. Their main concern was how long a time would they have 'til they had to move out.

Ms. McRoy reported that the developer had platted 12 units, but only has commitment for one building. Right now that is the only plan he is doing. And this would not involve moving any currently occupied mobile homes. It is an on-going concern for a lot of elderly and low-income people who have been living there for thirty years or so. They understand that he can do whatever he wants within the zoning ordinances, but are just wondering about the length of time they'll have before the development impacts their homes. They're having their own meetings.

Urban Development doesn't do a lot of work with mobile home units unless it's an emergency; so there are CDBG Funds available, but only on an emergency basis. (Those are grants and not loans, but money for basic needs.) The Housing Authority was there and explained the process of how to go about getting help and the waiting list and etc. Ms. McRoy thought the best bet for some people would be to go to the Housing Authority for resolution of some of these issues.

Ms. McRoy felt that the developer seemed to be very honest and truthful. He couldn't give a commitment, but if he doesn't have any building plans himself, we can't really press him for something he doesn't have. He noted that the land had been in his family for 50 years or so and he had no intention to sell it to an outsider. He stated that he might trade it to a family member for business reasons, but would never sell to an outsider.

Ms. McRoy explained that this is just an update on an issue that is in the news quite a bit.

Mr. Werner noted that the tenants are on a month to month lease now. He observed that if the Housing Authority has a waiting list, it really kind of leaves these people in a difficult position.

Ms. McRoy said that she felt badly for them, but.... Ms. Seng noted that they have always been vulnerable, isn't that right? Ms. McRoy and Mr. Werner agreed. Ms. McRoy stated that the developer could only assure plenty of time -all the time that was wanted- to the resident of Lot #1. That's on the very end. If he's going to develop, he'll start at the other end, so that resident could see it coming.

Ms. McRoy indicated that she had talked with Building and Safety Department personnel, who said that the newspaper article is totally inaccurate. The facts are that there is not an ordinance that says you can't move a mobile home park that is past 15 years old. He checked it out and discussed it at length.

Mr. Camp stated then, the only issue is the cost of moving the unit. To do it, you just have to pay the costs. Ms. McRoy stated that she would get information out to the residents to give them the correct information.

Mr. Cook asked if there were openings in any other mobile home parks? Ms. McRoy stated that that had been discussed, noting that the owner of this park also owns Mark IV. She also noted that the owner was from Overland Park, Kansas.

III. APPOINTMENTS/REAPPOINTMENTS -

*1. Letters & Resumes received by the Lincoln City Library Board of Trustees from twenty-two persons interested in being Appointed to the Library Board to fill the vacancy created by the completion of Ruthann Young's term (See material). - *It was determined that this issue should be held over until next week to allow for more information gathering before a final decision was made.*

2. **Appointments/reappointments of Council Members for Soon to Expire Terms on Railroad Transportation Safety District; (Terms Expire 08-31-01) Appointment/reappointment of Council Member to Public Building Commission - new term thru 08-01-05 (Term to Expire 08-01-01); Appointment/reappointment of Council Member to Joint Budget Committee (2 Year Term) (Old Term Expires 08-31-01) - *After a brief discussion of each appointment, the decision was made that the positions would be **Re-appointed** unless Mr. Friendt, who was absent for this meeting, had input that should be considered before making a final determination. This will be brought forward at the next "Noon" Meeting for Mr. Friendt's considerations, and Council's decisions.*

IV. MEETINGS/INVITATIONS - Noted Without Significant Comment

V. COUNCIL MEMBERS

JON CAMP - Mr. Camp requested that at some future "Noon" meetings, Council have more discussion about procedures with public hearings. He noted that with the recent public hearings in memory, he would like to review how much time Council allows people to spend on an issue. He noted that he has received comments from constituents who point out that it is always the same six people or so, over and over. Council agreed that this should be discussed and some determinations made. It was agreed to have this concern placed on the upcoming "Noon" agenda.

JONATHAN COOK - Mr. Cook shared with Council various materials he had brought from his travels in Sweden, including some art renditions, (not to mention some very fine chocolates.)

Mr. Cook added that, in regards to downtown development, what is being done in Gothenburg, Sweden is that they are constructing a tunnel. It reminded him of Antelope Valley a little bit, though this project is a \$700,000,000 and ours is just \$250,000,000.

He noted that he was not excited about the road going through the middle of downtown Lincoln, but what *they're* doing is eliminating the roads along the waterfront, turning that into parkland, making the are pedestrian friendly; and putting a giant tunnel underneath that part of their City. The tunnel goes down 30 meters deep, in the rock. Ms. Seng asked if that wasn't a conduit! [Laughter] Mr. Cook affirmed that it was a tunnel for traffic. He also noted that Gothenburg also has an outstanding mass transit program, stating that they rode trams all the time during their stay there.

GLENN FRIENDT - Absent

ANNETTE McROY - Ms. McRoy stated that she had gone to the Rib-fest this week-end and she wanted to report that the events staff had been very helpful and considerate. She felt they had done a good job in handling some situations that she had observed personally. Mr. Herz commented that there had been over 35,000 people attending, which was 10% more than the record attendance of last year.

COLEEN SENG - Ms. Seng wanted to express her appreciation to Mike DeKalb who came to her Citizens Meeting this morning to discuss the Beltway, the Comp Plan and Stevens Creek issues. She noted that Mr. DeKalb did a marvelous job explaining the need and reasoning behind these issues. He went out of his way to come down to the County/City Building and get the maps and visuals for the presentation. Ms. Seng wanted to be sure that her words of appreciation reached the Planning Department. Ms. Ann Harrell indicated that the message would be forwarded.

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

ANN HARRELL - No Further Comments

MARK BOWEN - No Further Comments

DANA ROPER - No Further Comments

VI. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen announced that Mr. Herz would have the Ambulance Report for Council by Thursday Packet Deadline. He also stated that the billings are through August 3rd and that is the point at which the reports will continue - 10 days behind. *[Mr. Herz passed out a summary of the report (see attachment) before the meeting adjourned]*

Mr. Bowen noted that -for the Beltway Hearings- the County has ordered a court reporter to transcribe the hearings - verbatim. They believe they'll have the first transcript ready by the time the second hearing is held, so you will be able to see those comments. Mr. Bowen continued noting that the County does want to split the cost. Or the alternative is, if we don't split the cost, they'll charge us if we want a copy of it. Mr. Camp thought since it was televised, there would be no need for a formal transcription, noting that if a verbatim transcript was needed, it could be taken from the video. Mr. Svoboda noted that this had been discussed at the [Beltway Public Hearing Planning Meeting]. If they've ordered it, Mr. Svoboda felt the City really doesn't have a choice.

Ms. Seng asked if the County was concerned about possible litigation. Mr. Cook agreed that the video would be available if transcription was required, though if they believe there will be litigation, it might be good to have a head-start on it. It was noted that Public Works had volunteered to pay the City's share. It was agreed that the City would pay their share, though they would have liked a little more input into the decision.

VII. MISCELLANEOUS

1. FINAL Discussion on when Council would like to reschedule their 911 Tour. - *After a brief discussion, it was determined that it will be scheduled as a pre-council at the next opportunity - probably within the month. - (Now scheduled for September 10th, 9:00 a.m. - per Doug Ahlberg)*

2. Discussion on Council's Media Release Website. *After a brief discussion, which included the concern that a posting might be mistaken as a "Council Action or Release" rather than something from an individual Council Member, and/or the possibility of political posturing during campaigns by Council Members, it was determined that Dana Roper would provide guidelines for the posting of such media releases and materials by Council before that category was added to Council's Web Page. Mr. Roper's concern was that a "Public Forum" not be created where **all** postings would be allowed.*

Mr. Cook brought up several other issues not listed on the Agenda for Discussion:

3. Mr. Cook reminded Council Members of the open mikes which were on before and after both Formal Council Meetings as well as the Directors and Council Members' "Noon" meetings.

4. Discussion resumed from the Directors' Meeting regarding the calling of Items 6 and 11 on today's Formal Council Agenda together [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) **and** Special Permit 1909 - Application of Leonard Stolzer to allow the temporary storage of construction equipment on property generally located at 5400 S. Folsom Street. (In connection w/01-129)]. It was decided to call the two items together to expedite the proceedings with the notation that the vote would be called separately on each item.

VIII. MEETING DISMISSED - Approximately 1:05 p.m.