

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, OCTOBER 1, 2001  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes of Director's Meeting for August 27, 2001.
- \*2. Pre-Council Meeting Minutes - RE: Redistricting - September 17, 2001.
- \*3. Finalize 2000-01 - Mayor's Recommended Budget - August 9, 2001.
- 4. Minutes of Director's Meeting for September 17, 2001.
- 5. Minutes of "Noon" Council Members' Meeting for September 17, 2001.

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

- \*1. RTSD Meeting (Cook/Friendt/Seng)
- \*2. StarTran "Midtown" Sub-Task Force Meeting (McRoy/Werner)
- \*3. Homeless Coalition Meeting (McRoy/Werner)
- \*4. Board of Health (Svoboda)
- 5. Internal Liquor Committee (McRoy/Svoboda/Werner)
- 6. Star City Holiday Festival Board Meeting (McRoy)
- 7. PRT Meeting (Seng)
- 8. Downtown Lincoln Association Meeting (Werner)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - NONE**

**IV. MEETINGS/INVITATIONS**

- 1. President-Elect Rita M. Griess Invites you to the REALTORS Association of Lincoln 82<sup>nd</sup> Inaugural on Wednesday, October 10, 2001 at the Cornhusker Hotel - Luncheon at Noon – Please RSVP by October 5, 2001 to 441-3620 (See Invitation).
- 2. Mental Illness Awareness Week — October 8-18, 2001 — The Lincoln Mental Illness Awareness Week Planning Committee cordially invites you to attend the Mental Illness Awareness Week Breakfast to be held at BryanLGH Medical Center West, 2300 S. 16<sup>th</sup> St., 6<sup>th</sup> Floor-Nebraska Room on Tuesday, October 9, 2001 from 7:30 a.m. to 9:00 a.m. – Please call 481-8886 to RSVP (See

Invitation).

3. Prevention and Clinical Management of Low Back Injury and Carpal Tunnel Syndrome-Conservative Approaches to Corporate Health, Safety and Wellness –Educational Conference – SecureCare of Nebraska, Inc. cordially invites your complimentary attendance and participation at an exciting afternoon sharing of practical and useful information regarding the prevention and clinical management of back injuries and related neuromuskuloskeletal disorders – Thursday, November 1, 2001 from 1:00 p.m. to 5:00 p.m. at the Embassy Suites, Lincoln, Nebraska – Please RSVP, so that they may be sure to accommodate you and/or your staff (See Letter and Agenda of Conference).
4. The Lincoln Chamber of Commerce will host its second annual Business to Business Tradeshow on Tuesday, October 9<sup>th</sup> at The Cornhusker Hotel - Enclosed is an invitation and complimentary tickets for you. The event will take place from 10:00 a.m. to 6:30 p.m. including a networking reception from 5:00 p.m. to 6:30 p.m. – (See brochure for more details).
5. You are invited to a special unveiling of a new sculpture by Fred Hoppe courtesy of the Brehm Family on Tuesday, October 2, 2001 at 9:00 a.m. - Directly outside of Mayor Wesely's Office (See Invitation).
6. LPD & NU Directions sponsoring a downtown bar walk-informational evening on Friday, October 5, 2001 – A chance to walk through the liquor establishments 13-15, O to P Street to members of the City Council and the Mayor's Office starting at 11:00 p.m. ( See Letter of Invitation).
7. You are invited to a celebration marking the construction of Summer Hill Townhomes, 7500 Wisteria Place - on Tuesday, October 16, 2001 from 4:00 p.m. to 6:00 p.m. - Program at 5:00 p.m. - (See Invitation).
8. Building on the Strengths of our Neighborhoods - 8<sup>th</sup> Annual Neighborhood Recognition Conference where Nebraska's neighborhood associations share ideas, celebrate accomplishments and build partnerships for a better future. On Saturday, November 3, 2001 from 8:30 a.m. to 1:15 p.m.- Mahoney State Park Lodge (See brochure for more details).

**V. CITY COUNCIL MEMBERS**

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

**VII. MISCELLANEOUS**

1. Discussion on attached Resolution - 'The Council of The City of Lincoln Hereby Resolves As Follows': . . . . (Requested by Annette McRoy) (See Attachment).

**VIII. ADJOURNMENT**

**\*HELD OVER FROM SEPTEMBER 24, 2001.**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, OCTOBER 1, 2001**  
*CONFERENCE ROOM 113*

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

**Others Present:** Mark Bowen, Ann Harrell, Amy Tejral, 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 on his last City assignment.

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Mr. Jonathan Cook, Council Vice-Chair, requested a motion to approve the above-listed minutes. Coleen Seng 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, Glenn Friendt, Coleen Seng, Ken Svoboda, Terry Werner; NAYS: None; ABSENT FOR VOTE: Annette McRoy.

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

- \*1. RTSD (Cook/Friendt/Seng) Mr. Cook reported that the budget had been reviewed, with no changes made. Ms. Seng noted that the operating budget is \$60,000.00 and then there are seven million dollars on the projects. Mr. Cook noted that the agreement with Antelope Valley had been approved and will be coming before the Council, too. He noted that they had **not** voted to bump the RTSD authority to spend more on the operating budget by 1%, which has been done for a number of years. Mr. Friendt mentioned the financial audit report, noting that in terms of approving additional authority, we currently have about one million dollars worth of authority right now; we're spending \$60,000.00. Mr. Cook noted that one never knows how other governmental subdivisions will allocate funds. He stated that the RTSD may take on responsibilities they aren't expecting now.

\*2. STARTRAN "MIDTOWN" SUB-TASK FORCE (McRoy/Werner) Mr. Werner reported that they had met - and for the last time. A new route was decided upon going from 70<sup>th</sup> & Pioneers all the way up to the K-Mart/WalMart area. Mr. Werner indicated that the Task Force had pretty much taken the suggestions of the bus drivers in combination with other things. They made some suggestions for promotion and the proposed route will go forward. The route will begin functioning on November 1<sup>st</sup>.

\*3. HOMELESS COALITION (McRoy/Werner) - No Report

\*4. BOARD OF HEALTH (Svoboda) Mr. Svoboda reported that he had arrived a bit late to the rescheduled meeting and so had missed a few of the earlier agenda items. They had received a report on the City's preparedness on bio-terrorism from Scott Holmes. A number of those matters were discussed. That was about the extent of the meetings.

Mr. Werner asked if there was preparedness in the community if, for example, a crop duster infested us with anthrax? Mr. Svoboda answered that Lincoln/Lancaster County would be prepared. He noted that smallpox is the one that most scares those in public health because there is limited vaccine for that. Ms. McRoy asked if the discussion had included informing the public that buying gas masks is a waste of money unless they were worn all of the time? Mr. Svoboda stated that they had not discussed that.

5. INTERNAL LIQUOR COMMITTEE (McRoy/Svoboda/Werner) Ms. McRoy reported that the SDLs had been discussed and had been the main point of study. They began by looking at the history of the ordinance that is now in place, and where the City wants to go. The Police Department has a couple of recommendations that we are currently reviewing. Some of the options there are that the site be adjacent to the building of the liquor establishment and that it not be on an arterial street. They saw that that would take out several large establishments that *are* on arterial streets, and so, made modifications.

Mr. Joel Pedersen is going to draft ordinance changes between now and the next meeting which we'll bring to Council via a Pre-Council meeting before anything is done. Ms. McRoy noted that she would like to have public hearings before passage of any legislation.

Mr. Friendt stated that he had one reaction to what had just been said. He said that it sounds as though you're trying to figure out how to handle some exceptions and grandfather them in. Ms. McRoy stated that this is a whole new policy - we don't have one right now. Mr. Friendt stated that he understood that, but please, what he would say is let's not start by creating exceptions. He stated that he was looking for some guidelines that are pretty firm that we will stick with. If that means there are some folks who have benefitted before, that will not benefit, that's ... You may get some calls.

Mr. Werner stated that he had made that same point at the meeting. He felt he would have a hard time supporting anything that would call on Council to make exceptions. Ms. McRoy indicated that she was just trying to give the Council a flavor of what went on.

Mr. Friendt stated that this would be the forum where we would get the early reactions to the proposals. Ms. McRoy stated that she would like to do some more studying.

Mr. Svoboda stated that he did not believe the arterial issue will be one that flies. It will more than likely be a consideration as to whether they have direct access off of a public street, or if it is behind a building and the SDL must be adjacent to that property. So, we'll look at all of these issues and Dana will draft several sample ordinance changes.

Mr. Cook stated that he had asked Mr. Roper about what can and can't be done noting that there are already court cases regarding the gas pump issue. Can we say 'if you sell gas, you can't sell liquor'? The attempt there some years ago was to address drinking and driving - especially near the interstate. The courts struck that down and said that there was no relationship between the two. Mr. Cook noted that the courts have not been friendly to us on a lot of issues and he didn't know how they would react today. Mr. Cook stated that he was interested to see how the issue progressed, not knowing what road-blocks might be encountered during the process.

Ms. McRoy answered that any Council Member would be more than welcome to stop in and review the issues. Mr. Bowen stated that it was a public meeting, but he did not know if it was advertised. Ms. McRoy noted that they did go into executive session when sensitive issues were discussed. Mr. Camp asked if it would be easier to have a pre-council at some point on the issue? Ms. McRoy stated that she would like to do that when we get to a point where we have our road map in place & have issues that we'd like to discuss. Mr. Camp stated that he would like to have that meeting at a point that precedes the draft of legislation, because it gives us a chance to think about the issue and have some input. Ms. McRoy stated that they would schedule a pre-council on this prior to the next ILC meeting in October.

Ms. McRoy stated that Studio 14 had received a Stay. At the ILC meeting we were hoping that Wednesday would be their last night, but it didn't happen. So, they're still open.

Ms. McRoy reminded everyone of the Bar Walk this Friday night at 11:00 p.m. at "Solid Ground" - 14<sup>th</sup> & "O" Streets. There was a question as to whether or not the 11:00 p.m. meeting, as well as the Midnight meeting, would be at 'Solid Ground'. *[It was determined through contact with the Police Department that that was the case and the Council received this confirming information from Council Staff after the Formal Council Meeting of this date. Capt. Joy Citta of the LPD was notified that all of the Council Members planned to attend]*

6. STAR CITY HOLIDAY FESTIVAL BOARD (McRoy) - No Report

7. PRT (Seng) Ms. Seng reported that quite a few items had been taken care of and were being removed from the list of troubled properties. But she noted, the items that are being looked at are nothing in comparison to what it used be. That is because we have the PRT and problems do get cleared up quickly. The problem properties are scattered all over town.

One area which Ms. Seng found of interest was the property where they had been holding rooster fights. An Urban Development employee had someone report this to them and they've been trying to get pictures for verification of the information.

Ms. Seng noted that other problems cover such issues as structures being torn down and the building being unsecured allowing for the possibility of the homeless dwelling there in unsafe conditions. She noted that the problem solving is a good cooperative effort by all of the various departments involved along with the State Social Services office.

8. DOWNTOWN LINCOLN ASSOCIATION (Werner) Mr. Werner reported that they met and had a presentation by NuStyle Development on the re-developing of the Old Federal Building. He believed everyone was pretty up-to-date on that. He added that they were planning 43 up-scale units with some commercial and retail on the bottom floor. There will be a restaurant off of that. He felt it looked like a good project, noting that they will have parking underneath.

Mr. Werner observed that it will be coming before the Council and asked if there would be a pre-council on that? Ms. McRoy noted that none had been asked for at this time. Ms. Harrell explained that ultimately the City Council would have to approve a re-development agreement for the project. The building has already been declared surplus property many years ago. But, whether there will be a pre-council on the agreement, or we get together with Council Members individually, or we just stick it in the mail - we haven't negotiated it yet. Mr. Cook noted that the price and cost of the project still needed to be worked on. Ms. Harrell agreed noting that there would be a lot of meetings that would have to occur between attorneys and Urban Development and the developers before we're finished with the agreement. Ms. Harrell noted that certainly, they would go over the re-development agreement with Council before you're asked to vote at some point.

Mr. Werner noted that, assuming all goes well, they're talking about a January, 2003 start and Spring of 2004 completion. Mr. Friendt noted that he would assume that no developer is going to invest a whole lot of assessment time until they know that they are the developer. So, is there still the opportunity for NuStyle to do engineering and whatever they do as part of this negotiation and still back out? Ms. Harrell stated that, she supposed, in theory, though she couldn't think of a project where that has happened. Mr. Bowen felt the possibility would be remote. Mr. Friendt asked, then if things that neither party knew are discovered, you just work it out as part of the agreement? Okay.

Mr. Werner reported that this was the beginning of the Fiscal Year for the DLA. He felt it was interesting that they talked about their marketing report which centered a lot around their website, though he didn't believe that was their only marketing tool. They did hand out a new map which is more user friendly. But they have about 75,000 hits per month on their website, which Mr. Werner thought was pretty incredible. It's about 1200 per day, which is good news.

He noted that the Annual Meeting for the DLA is the day of the Joint Omaha-Lincoln Councils meeting, but he thought everyone could make it on the 17<sup>th</sup> of October.

Mr. Werner further reported that the Association had also announced the disagreement on the University Club building. They'll be working on that.

OTHER MEETINGS REPORTS: Ms. McRoy reported that she and Ms. Seng had gone to the Multi-Cultural Dialogue Saturday morning from 9:00 am to 1:00 pm. She noted that Ms. Tejral

was also there. She thought the meeting was very interesting. She noted that they had brought back treats from Poland for the Council Members. [*These were passed out at the Formal Meeting*] She noted that this meeting had been planned for several months and was not a re-action to the September 11<sup>th</sup> events. She noted that a multitude of different things and different food and cultures were represented. Some of the countries represented were Iran, Iraq, Nigeria, Poland, Russia, Armenia, as well as African-American and Native-American cultures. The luncheon included food from all of these countries. There were some desserts left and we brought some for you. Mr. Friendt asked if the Health Department had cleared these treats? [Laughter]

Mr. Werner added that he had also attended the Comp Plan and the Pedestrian/Bike Way Forum at the Auld Rec Center on Saturday morning, as did Ms. Seng. He commended the City Employees who were there on their own time representing the City. He noted that some of these people really, really work hard. He did not know if we ever recognize them, but felt it would be a good thing sometime in a joint letter from the Council to recognize their efforts.

It was explained by Mr. Bowen that these were salaried employees and attendance at these meetings was an expected part of their job duties. Mr. Friendt asked if they got some sort of comp time to make up for this. It was believed that they did at the discretion of the department director.

**III. APPOINTMENTS/REAPPOINTMENTS** - Ms. Tejral passed out the upcoming Appointment/Reappointments List to Council Members. Noted Without Significant Comments.

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

**V. COUNCIL MEMBERS**

**JON CAMP** - No Further Comments

**JONATHAN COOK** - No Further Comments

**GLENN FRIENDT** - No Further Comments

**ANNETTE McROY** - No Further Comments

**COLEEN SENG** - No Further Comments

**KEN SVOBODA** - No Further Comments

**TERRY WERNER** - No Further Comments

**ANN HARRELL** - No Further Comments

**MARK BOWEN** - No Further Comments

**DANA ROPER** - Mr. Roper briefed the Council on the Cell Tower at Antelope Park. He stated that the City had gotten the land from the developer. He knows of no restrictions. If Council wants to put a cell tower there, it can be done.

**VI. REQUESTS OF COUNCIL FROM MAYOR** - Mr. Bowen explained that the Council Members should have received the official invitation from the Omaha Council for the Joint Meeting for October 17<sup>th</sup>. He noted that they asked for any items for the Agenda. He informed Council hat Mr. Cecil Steward would be making a presentation. He added that the Omaha Council already has a couple of agenda items.

Mr. Friendt asked if Mr. Steward's presentation was at the Lincoln Council's invitation, or the Mayor's invitation or Omaha's invitation? Mr. Bowen answered that Mr. Werner had brought that up. Mr. Friendt asked if Mr. Steward would be speaking for the Planning Commission. Mr. Bowen answered that he would be speaking on behalf of the Joslyn Institute, which is a Joint-Planning group for the corridor between Lincoln and Omaha. He'll be doing a presentation for all of the new Council Members who may not be familiar with the group and what they've done in the past since first organizing; and where they are now. There will be a time for questions & answers.

## **VII. MISCELLANEOUS**

Discussion on Resolution urging citizens to refrain from hostile acts against Arab and Muslim Citizens in a backlash to the September 11<sup>th</sup> terrorist attacks on New York City and Washington, D.C. - *After discussion, it was determined by Council to have Mr. Roper draft a resolution calling for the people of Lincoln to refrain from associating citizens of Arab or Muslim decent with the Islamic extremists responsible for the terrorist attacks in New York City and Washington D.C. on September 11<sup>th</sup>. The resolution, for Council action at the next Council Meeting, would also propose the avoidance of hostile acts against Arab or Muslim citizens based on rumor and judgmental condemnation by association. Mr. Roper indicated that he would have something prepared for Council's consideration as soon as possible.*

In Discussing the use of the CD Agendas which CIC has been providing Council Members for each Council meeting, it was determined that just one could be cut, rather than one for each member since none of the members were using them. If, as the scenario had been initially presented, the system went down, Council would stop the meeting and have CIC cut CD's for the entire Council.

Mr. Don Herz, Finance Director, gave the Council the EMS Cash Receipts/Expenditure Data for FY 2001-02 to date. *(Attached)*

**VIII. MEETING DISMISSED** - Approximately 12:30 p.m.

CM100101/jvr