I. MINUTES


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

1. Homeless Coalition (McRoy/Werner)
2. Board of Health (Svoboda) - Carry Over from 10-15-01

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

1. Maria Diaz has resigned from the Library Board of Trustees. This resignation leaves a vacancy on the board for a period of approximately 10 months, through August 31, 2002. The Library Board discussed the vacancy and options that may exist for filling the vacancy. Rather than going through a full recruitment process for an appointment to a 10-month term, it is the Library Board’s recommendation that the City Council reappoint Ruthann Young to the Library Board through August 31, 2002. (See Letter).

IV. MEETINGS/INVITATIONS

1. On behalf of the Lincoln Action Program, they would like to extend to you an invitation to attend their Phoenix Award’s Breakfast Reception to be held on Saturday, November 3, 2001 at 8:00 a.m. at the Old Country Buffet, 23rd & “O” Street & Annual Meeting on Wednesday, November 14, 2001 from 11:45 a.m. to 1:00 p.m at The Cornhusker Hotel (See Letter of Invitation).

2. Lancaster Event Center - Invitation to Volunteer Appreciation Hog Roast - October 26, 2001, 6:00 p.m. New Small Animal Building at the Lancaster Event Center. (Please bring a guest)
3. Invitation to the Lake Street Senior Center’s 25th Anniversary - Sunday, November 4, 2001 - 2:00 p.m. - 4:00 p.m. - Lake Street Senior Center (2400 South 11th Street - St. James Methodist Church)

4. Freedom Breakfast - Honoring Reverend Dr. Martin Luther King, Jr. - Request for Co-sponsor - Event will be held from 7:30 - 8:30 am. (Doors open at 7:00 a.m. in the Grand Ballroom of the Cornhusker Hotel - Friday, January 18, 2002. (A sponsor promises to be responsible for purchasing and/or selling a minimum of two reservations for the breakfast at $15.00 per person. - Your name will be printed on the program. (Deadline for return form: November 19th, 2001)

5. Friends of the Mayor’s Committee for International Friendship invite you to a celebration of International Visitors Month - Thursday, October 25, 2001 - 6:00 p.m. - Cotner Center, 1540 North Cotner. There will be a Welcome by Mayor Wesely. The Program is on Medical Missions in Reynosa, Mexico by Dr. David Wyson and Marilyn Allen, R.N. - Come as our guest. RSVP by October 22 to Ken Johnson (489-1004)

6. Howard Johnson Inn & DaVinci’s Italian Sidewalk Caffe, 5250 Cornhusker Hwy – Invite you to celebrate a lavish new world of menus & venues – Join Us For An Italian Luau on Tuesday, October 23, 2001 from 3:00 p.m. to 7:00 p.m. – Please RSVP to 464-3171 (See Invitation).

7. You are invited to an informal open house on Thursday, October 25, 2001 to discuss Lincoln Electric System’s plans to build additional facilities North of Lincoln – Growth in the Lincoln area requires building a natural gas pipeline to the new Salt Valley Generating Station at approximately 70th & Bluff Road – at Waverly High School, 13401 Amberly Road, Family Consumer Science Classroom -- Anytime between 6:00 p.m. & 9:00 p.m. – (See Invitation).

V. REQUESTS OF COUNCIL FROM MAYOR - NONE

VI. CITY COUNCIL MEMBERS

VII. MISCELLANEOUS

1. Council Picture - Retake? - Diane Gonzolas thought the quality of the group Council photo was “grainy”. She indicated that she could and would re-take the picture if Council would like to have that done. (These pictures are for posterity & she wanted to maintain the quality thru the collection)

VIII. ADJOURNMENT
MINUTES
CITY COUNCIL MEMBERS’ “NOON” MEETING
MONDAY, OCTOBER 22, 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, Amy Tejral, Mayor’s Office; Dana Roper, City Attorney; Darrell Podany, Aide to Council Members Friendt, Camp and Svoboda; Tammy Grammar, Council Staff; Mark Andersen, Journal Star representative.

I. MINUTES


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

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

1. HOMELESS COALITION (McRoy/Werner) No Report

2. BOARD OF HEALTH (Svoboda) - [Carry Over from 10-15-01] - Minutes not received. Copies of minutes will be given to Council Members upon receipt. Report will be made on the next meeting of the Board of Health.

OTHER MEETINGS REPORTS:

JOINT COUNCIL MEETING of Wednesday, October 17th. Ms. McRoy asked where the bunker was which had been mentioned regarding 911 and the EOC. She thought that it was in the Highlands, but had not wanted to say so with the media present. Mr. Svoboda asked if that was where the Council would go in case of disaster in order to run the City “afterwards”. [Laughter] Ms. Seng noted that it wasn’t really so funny, though; during the October, 1997 Storm there were a lot of contingencies that had to be made and made quickly.

Mr. Svoboda commented that since it is Lincoln’s turn to host the meeting next year, he would like to have some discussion of possibly doing a Spring and a Fall meeting. He felt there was a great deal of benefit to be had in holding conversations between the two entities. He was sorry that it was only a two hour meeting. He felt he could have asked a lot more questions, especially regarding
the budget issues. Mr. Svoboda explained that that was why he wanted to put this thought of a two-meeting schedule out for discussion with Council today.

Mr. Werner commented that if that was the case, there should be more detail in the discussions rather than such generic presentations. He also felt that there were some benefits from actually going to their site and their coming to our site rather than a location in-between.

Mr. Camp noted that the Public Building Commission had decided to go to Omaha rather than meeting on an off-site location. Ms. Seng noted that the Lincoln City Council had gone to Omaha before. Mr. Svoboda restated his desire for discussion on the location site of the future meetings between the two Councils. He felt if two meetings could not be agreed upon, they ought to at least have a longer meeting - perhaps 11:00 a.m. to 4:00 p.m.

The other thought that he had regarding that meeting was the extent to which he was impressed with the Lincoln City Council and not really so impressed with the Omaha Council. He was quite surprised that there were several new Omaha Council Members, (as three of us were brand-new Council Members); and the three of us had such a detailed information base when it came to property tax levies, and the budget itself. When we started talking budget and levies and such, two of their newest Council Members looked like ‘deer in the head-lights’. They had no clue what was being talked about. They relied on Lou quite frequently on answering any questions. Mr. Svoboda noted that that would be one disadvantage of having Staff - that you would rely so heavily on Staff that a Council Member would be a ‘ribbon cutter’ and that’s about it.

Ms. Mccoy noted that she deliberately tries to sit with an Omaha Council Member so they can do some networking between presentations. She explained that she had her notes on the budget which helped her through the budget presentations.

Mr. Friendt commented that since they are all District Representatives, they may spend more time in constituent response activities rather than over-all city issues. They didn’t seem to really be in touch with the whole budgeting process. It was noted that their budget process is in progress right now and Mr. Svoboda was surprised at how little they spoke about the budget and how heavily they relied on Staff.

Mr. Friendt asked if Omaha would be characterized as a Strong-Mayor form of government, as well? [Omaha does have the Strong Mayor form of government.] Ms. Seng noted that what really struck her as being of interest is that, where Lincoln meets with Directors every single Monday, she understood that the Omaha Council did not ever meet with their City Directors. The Chair of the Council meets every two weeks with the Mayor and that was apparently it.

It was noted that Lincoln clearly has a level of cooperation here that is much better than that which Omaha enjoys. That may make the level of Staffing they have there less needed here, though Mr. Cook still thought [Lincoln Council] needs additional Staff. However, Omaha may need it just to survive because they don’t have the communication they need.

Ms. Seng observed that Omaha has never had very good cooperation with the County side, either, noting that there was a real split there. They don’t even talk to each other where we have great cooperation. She noted the Joint Budget Committee which coordinates Human Services efforts in the community as just one example and our Common meetings as another. She felt that Lincoln could have a beneficial impact on Omaha’s governing process.

Mr. Werner noted that there could be a benefit to discussing the I-80 corridor. Mr. Friendt agreed offering the Regional Planning effort as one thing that would be very helpful to both
Mr. Werner thought in that area, the meetings could be held in a similar situation as our Common meetings wherein we would meet on an even more regular basis for real issues of mutual concerns rather than on such things as their tax base.

Mr. Cook felt that at some of these meetings, we would need Staff to help us on such topics. Even the Planning Staff would be very helpful on the Regional Planning efforts. Mr. Friendt noted that was correct, explaining that the Joslyn Castle Institute is now connected to both of the Planning Departments. They have actually had some sessions together already. He thought that would be an ideal setting to have elected officials in attendance.

He added that he was interested in Ms. Seng's comments about perspective. He noted Mr. Chuck Sigerson's comment about "we'll just call it Omaha". That was one of those old tell-tale signs in terms of 'attitude' - one which Mr. Friendt had hoped was gone. He noted that unless they see a need, there won't be any cooperation.

Mr. Werner noted that the comments made at this meeting in the last few minutes might reflect an 'attitude' on our part - that we don't need them. The perspectives issue goes both ways. So, we need to overcome those attitudes in both camps.

Mr. Camp noted that Lincoln has an edge in the corporate draw. He felt Lincoln would develop into the corporate jet airport in Nebraska. Omaha will become an International Airport, but the corporations will be drawn to Lincoln. This will occur because of the lack of cooperation in a joint airport facility between the two cities.

Mr. Cook was afraid that security concerns might undermine the success of Duncan Aviation and the use of their facility. He hoped that that is not the case, but it is a possibility. Mr. Camp felt that with the National Guard in that area, the edge would be ours.

Discussion continued with Council agreeing to set up a Spring meeting. Mr. Bowen stated that he would work on that.

Mr. Cook reported briefly on the Parks and Recreation Board Retreat. The discussion had included Kuklin Pool. There are some who think it's just too costly to continue to operate. There are, of course, others who think it sends a terrible message to be closing down a pool in the core of the city that serves many underprivileged kids. The Board decided to support the basic direction in which we're heading now - which is funding for another year and looking for contributions for programming and so on. So for the next year it will remain open. What happens beyond that - there is certainly support for something in Antelope Valley. But, we don't have anything planned right now for Antelope Valley.

Ms. McRoy stated that we should start planning. Mr. Cook agreed. Several comments indicated that a "water beach" or a wading pool was being discussed for the Antelope Valley Development. Mr. Werner asked who would bring that forward. He asked if it would be JAVA? Ms. Seng stated that at the appropriate time the Mayor's Office would bring it forward.

Mr. Cook stated that there will be community meetings to try figure out where would be an appropriate site. Mr. Werner stated that he understood that, but felt that now is the time to get started. Mr. Cook agreed that it is the time to get started talking.
Mr. Friendt stated that, regarding Antelope Valley, he would like to hear from Mayor Wesely and Don Herz about what potential effect the Federal commitment of dollars to airlines and war and all of that means to Antelope Valley. He noted that there were also State shortfalls that would need to be taken into consideration. He asked if the funding for Antelope Valley is in jeopardy as we look at cuts and changes in priorities now? Mr. Bowen stated at this time Administration did not think so. He noted that they had done a real good job in moving on funding. He felt it was fairly well protected, though he could not say that they wouldn’t try to cut it; but he did not think that funding would be a target.

Mr. Friendt asked if the University of Nebraska has cash that is coming in to the Antelope till? He stated that most of their money comes from the State - so would their share of this project be jeopardize? Mr. Bowen stated that they had programed most of their money already. He noted that it would depend upon to what degree that the State cuts their budget. They may end up doing something different. He noted, however, that we are early enough in the stages that, planning-wise, there would probably be no budget effects on the Antelope Project.

Mr. Bowen remarked, as far as Federal monies, with the re-allocation of funds due to terrorism, there is going to be more money to pick up going into emergency preparedness and that type of thing. He noted that they had been in contact with the Congressional Offices to make sure our position is fairly secure. He noted that at this point, they seem to think we're okay.

Ms. Seng noted that there is also concern on the Beltway dollars as well. Mr. Camp added there is bound to be something coming down shortly regarding the budget priorities, noting that we'd just have to assess our priorities when we learn where we stand.

Mr. Cook continued his report, stating that other things discussed at the retreat were whether or not to have any new pools in the light of the fact that pool usage has fallen even as the city has grown; neighborhood and community parks were discussed with the thought that these parks should be down-sized. We want to make sure the parks are designed for neighborhood use rather than outside groups. The cost of maintaining the trails and parks was discussed with the notation that the Planning Department was working on that. It was determined that new impact fees posted by new developments should be utilized.

Ms. Seng commented that she found it hard to believe that Southeast Lincoln did not need a pool. She felt that was an area that has been under-served in the pool department for a long time. She stated that she knew that the Star City Shores was supposed to serve both Southeast and Southwest Lincoln, but there is a lot of new development and new neighborhoods to the southeast. There is nothing quite like the neighborhood pool - much the same as the neighborhood school. Especially for the younger kids. It wouldn’t have to be a huge development; she noted that she understood the financial side of the issue, but felt we would be selling Lincoln short if we don’t really do a push for southeast Lincoln. Mr. Camp thanked Ms. Seng for her comments.

Ms. Seng commented that northeast Lincoln has been blessed with pools and she had encouraged the Parks & Rec Advisory Board to leave northeast Lincoln alone and get out south because there is nothing in that area. She felt if we believe in family and believe in trying to provide services for the younger children - then we need to get those pools into the neighborhoods.

Mr. Cook noted that finances were a major concern, but he indicated that he would take these comments back to the Board.
Mr. Friendt was concerned with the costs as a waste due to the increasingly sedentary lifestyle of the young people; he wondered what the actual use of these parks might be. Mr. Camp asked, as we deal with Parks & Rec, is there a future vision of where the trends are going? Are there other Parks & Rec activities? For example, we didn't have trails years ago...we just rode in the streets. Now we're developing trails; will the “new widget” down the road be skate parks or some other specialty park?

Mr. Cook stated that we will all have input into this because it will go into the Comp Plan. He added that there had been discussion even about indoor pools and sharing them with schools; and finding a way to make that work. Of course, the response from the school representative is that the school pools are busy all year around. Mr. Friendt asked if that might not be one of the explanations about attendance at the public pools. Maybe we're already doing that sharing now.

Discussion continued briefly with no consensus of commitment reached.

III. APPOINTMENTS/REAPPOINTMENTS -

1. Maria Diaz has resigned from the Library Board of Trustees. This resignation leaves a vacancy on the Board for a period of approximately 10 months, through August 31, 2002. The Library Board discussed the vacancy and options that may exist for filling the vacancy. Rather than going through a full recruitment process for an appointment to a 10-month term, it is the Library Board’s recommendation that the City Council reappoint Ruthann Young to the Library Board through August 31, 2002 - Council voted 7-0 to approve the nomination of Ruthann Young to the Library Board to fill the vacancy left by the resignation of Maria Diaz. The term will run for approximately 10 months and will expire on August 31, 2002. The letter to the Library Director requesting notification to the Board and to Ms. Young, and the Resolution Request to the City Clerk have both been sent as of 10-23-01.

Ms. Tejral reviewed some upcoming appointments that would be coming before Council in the next few weeks for the Community Development Task Force, and the StarTran Advisory Board. Mr. Werner stated that he would have a hard time voting for a StarTran Advisory Board member who did not even ride the bus. He noted that the issue had been brought up that no one on the Advisory Committee even rides the bus, adding that he agreed that that does not make sense. Ms. Tejral explained that two of the new appointees do ride the bus. Mr. Werner requested that that criteria be kept in mind when new appointments to the StarTran Advisory Board come up.

IV. MEETINGS/INVITATIONS - Noted Without Significant Comment

V. REQUESTS OF COUNCIL FROM MAYOR - Noted Without Significant Comment.
VI. COUNCIL MEMBERS

JON CAMP - No Further Comments

JONATHAN COOK - Mr. Cook asked if there were any comments from Council regarding the Red Star Auto vote which would be on the Agenda for a vote today. Mr. Camp stated that he was curious to see what the public will have to say. Ms. Seng stated that she would like to declare in front of everybody that his mother had not called her and cried on her shoulder this time around, as had happened last time. Mr. Svoboda stated that he had received a lot of calls on the issue.

Discussion continued with the Council commenting on the fact that the issue was substantially the same thing that had been turned down previously. The setting of precedence was also mentioned for consideration. The fairness to other businesses in the area and the undesirability of continual exceptions were also discussed. Consistency was also a concern for Council Members in allowing or disallowing the request. Zoning requirements should be consistent even in Special Permit cases.

GLENN FRIENDT - No Further Comments

ANNETTE McROY - No Further Comments

COLEEN SENG - Ms. Seng noted that she would be taking the rest of the week off, except for the Flood Plain Meeting which she would attend Thursday morning.

Ms. Seng stated that she had asked Mr. Roper to look at the letter she had received from Sertoma requesting an endorsement of a play and the selling of flags. All of the Council Members had received a copy. Mr. Roper stated that Council could endorse it if they wanted to. He asked if the request had been made to them in their capacity as City Council Members. Ms. Seng stated that it was. Mr. Roper determined that he would check with the State Accountability and Disclosure Office. Mr. Werner asked Mr. Roper, if it was not okay, to send the requesting group a letter explaining the situation.

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

AMY TEJRAL - Ms. Tejral asked about Council's request for a Pre-Council Update on the Fire Department's USAR experience in New York City. Ms. McRoy indicated that she had requested the Pre-Council be set up whenever the Fire Department was ready. Mr. Tejral stated that they were ready. Ms. Tejral stated that she would have the Fire Department call the Council Office to make the arrangements for the Pre-Council.

MARK BOWEN - No Further Comments

DANA ROPER - No Further Comments
VII. MISCELLANEOUS

1. Council Picture - Retake? - Diane Gonzolas thought the quality of the group Council photo was “grainy”. She indicated that she could and would re-take the picture if Council would like to have that done. (These pictures are for posterity & she wanted to maintain the quality thru the collection) It was agreed to have the re-take done on November 5th immediately following the “Noon” Council Members’ Meeting. Council requested a reminder. Ms. Gonzolas was notified of the Date & Time on 10-24-01.

2. The issue of Mr. Werner’s Resolution to authorize the Lincoln City Council to request the Federal and State governments to place a moratorium on the death penalty was discussed, though it had not been a “Noon” Meeting Agenda Item.

   Mr. Friendt felt this was the wrong venue and therefore the wrong thing to do. He stated that he would not want to ask the Mayor to take a position on this and now we’re being asked as a City Council to take a position. He stated that he would want to know what the Mayor, as leader of the City, has to say about it. He stated then that Council should be prepared. Other issues such as support of the “family first” constitutional amendment; ordination of gays and lesbians; concealed carrying of guns; hiring of minorities (in our own City Departments, if you look at the percentages); the abortion issue - are these the kind of things we want to be debating as elected officials?

   He did not believe this was right and it was not what the citizens have asked the Council Members to do in this position on the Council. Certainly, whatever you do in your church, in your civic groups, on the street, is okay. But he was very upset about bringing this forward in the Council venue.

   Mr. Cook commented on the Channel 5 issue. He stated that there are no “standards of content” on the programming they present. He stated that he did not think we should start judging that. Mr. Cook stated that in the past, Ms. Johnson and others may have presented controversial issues that might not have been clearly “city issues”. He stated that he felt making such judgments is dangerous territory to wade into. If we want to set guidelines, fine. But, we need to discuss those guidelines. Right now we don’t have guidelines and he did not feel we should be judging what others are doing on Channel 5 programming at this point.

   Mr. Camp responded noting that he had appreciated Ms. Gonzolas comments regarding Channel 5 broadcasts. He stated that if somebody has concerns on what he has done [regarding programming on Channel 5-TV] he would be more than open to hear and discuss those concerns. He felt there was a time and a place for everything.

   Mr. Werner stated that on his program, and he was very clear about this, many times throughout the program, his e-mail address and his phone number were displayed, saying “please call and let us know what you think”. He stated that he had not received one e-mail or one phone call regarding this. He thought, perhaps, nobody watches - but it’s on five times a week.

   He stated that he did not agree that it is not a City issue. That’s why he brought it forward. He felt it was very much a City issue. He felt the dialogue at the City level is very important. We’re very much involved with our Police force, with our County attorneys and so on...not to mention the executions taking place. He stated that he just had to disagree with Mr. Camp and Mr. Friendt - and if it opens up further discussion on other issues, so be it. He stated that he was happy to discuss
what people think is important. There will be some that I will be against, and it would certainly hurt me politically. But, I'm not afraid to discuss it. Mr. Werner stated that if somebody thinks it's important to talk about concealed weapons... he thought he would be able to agree that it might be important to talk about concealed weapons at the local level. He felt it was not inappropriate for us [City Council] to say to the State that we don't want people to be running around our City with weapons... we don't want the “wild west” back. He reiterated his belief that this [death penalty] is a City issue.

Mr. Camp noted that the Council does not have jurisdiction over any legislation [regarding this issue]. That is a critical criteria in our discussions. An individual can belong to organizations [that express his or her views] but to pull the whole Council into something like this is wrong. Mr. Werner noted that the Council is constantly passing proclamations. He noted that the former Mayor had a proclamation for Jesus.

Ms. McRoy stated that the resolution last week can be traced back to a City Ordinance - stating that there is a “Hate Crime” ordinance in our Municipal Code. Mr. Camp agreed. Mr. Werner stated that it has a very big impact - he noted that maybe that will be his next focus - concealed weapons.

Mr. Svoboda stated that he and Mr. Werner had discussed the issue [death penalty] and they agreed philosophically; but Mr. Svoboda also did not feel that this was the proper venue. He stated that he actually did not appreciate being put on the political pedestal. There were about 8-9 e-mails and letters about this issue and it’s one of those issues that is so volatile and so many people on either side of the fence, it alienates the community again. Now, for the next couple of weeks the press will have a field day with who on the Council is for the death penalty, and who on the Council is against the death penalty.

Mr. Svoboda noted that he and Mr. Werner had had that discussion, but unfortunately everybody has that perception that [for example] if you are pro-choice, you’re pro-abortion. And that is obviously not the case. He stated that he would speak against this moratorium [on the death penalty] because it is currently our law. But Mr. Svoboda stated, that doesn’t mean that he was for the death penalty, but felt that he can’t express that perspective adequately to the public. He stated that no matter how many times he has that discussion with the cameras in front of him, so few people are going to see that - that when it comes down to the vote, the perception will be that “Ken’s for the death penalty”.

He stated that he did not care if anybody thinks that he is for the death penalty, but unfortunately, it puts us in a position of making political statements that he did not feel were appropriate to the City function... or why I was elected to serve. Because you and I went through the same campaign process and there was not one question on anyone’s mind regarding the death penalty. Very few even questioned the abortion issue, which is somewhat related because the City does some public funding. Other than that, it was a political statement.

Ms. McRoy stated that we are politicians, but because of other issues of importance currently before the Council, she didn’t have time to see where everyone stands on the death penalty. She wanted to spend her time with the Council Members in productive discourse on issues that are already on the Council’s plate. We have issues we need to discuss and bring forward. Though the issues Mr. Werner wants to bring forward are worthy ones, she felt the issues the Council discusses should be those that we are here for.
Ms. Seng stated that she felt what Mr. Werner was saying was that this was the appropriate venue. Some of the rest of us have problems with this view. Whether it is or is not appropriate, he is saying that he feels it is.

The Council agreed that they could support Mr. Werner in the right to his belief that it was appropriate to bring the issue forward.

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