

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MARCH 18, 2002
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting for March 11, 2002.

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

1. Public Building Commission (Camp/Seng) – **RESCHEDULED TO MARCH 19TH**
2. ISPC Meeting (Cook)
3. Multicultural Advisory Committee (McRoy)
4. C-SIP Steering Committee (McRoy/Seng)
5. Board of Health (Svoboda)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. MEETINGS/INVITATIONS

1. Survivors! Lincoln Poultry – Must attend Lincoln Poultry's .. 2002 Product Review on Wednesday, March 20, 2002 from 10:00 a.m. to 5:00 p.m. at the Lancaster Event Center, 4100 North 84th Street (See Invitation).
2. The Lincoln-Lancaster County Board of Health invites you to their **Annual Awards Banquet** on Tuesday, April 2, 2002 at 6:30 p.m. at East Campus Union, Great Plains Room (**Cost per person: \$17.00**) – **Community Health Partners Foundation Reception (Complimentary)** at 5:00 p.m. – Nebraska Room, Nebraska Center for Continuing Education – Please RSVP by March 26th on enclosed card (**See Invitation**).
3. To All State, County, City, Design, Engineering & Planning Personnel, Contractors, Engineering Firms, Academia & other asphalt related groups – One Day Training and Technology Transfer Seminar on Thursday, April 11, 2002 from 9:00 a.m. to 3:00 p.m. at the Embassy Suites, 1040 "P" Street (474-1111) – To help defer traveling and lunch costs, a \$15.00 pre-registration fee or a \$20.00 "at the door" fee will be assessed – RSVP by March 18th (See Invitation).

4. Aging Services Operation ABLE (Ability Based on Long Experience) – You are cordially invited to be our guest at the 14th Annual Aging Services Operation ABLE Awards Luncheon on Thursday, March 28, 2002 at 12:00 p.m. (Noon) at the Cornhusker Hotel – RSVP to Meldene at 441-6139 by March 22nd (See Invitation).
5. You are cordially invited to attend the dedication of Madonna Rehabilitation Hospital's newest outpatient clinic location Therapy Plus, 5445 South Street on Wednesday, March 20, 2002 – 11:30 a.m., dedication – Noon to 2:00 p.m., Open House – A buffer lunch will be served following the dedication – RSVP by March 18th to 486-8379 (See Invitation).
6. Lincoln-Lancaster County Health Department – Strengthening Our Public Health Preparedness - Bioterrorism, Communicable Diseases, Anthrax, Disasters – on Tuesday, April 2, 2002 from 1:00 p.m. to 4:30 p.m. – at Nebraska Center for Continuing Education, 33rd & Holdrege Streets, Auditorium – RSVP by March 26, 2002 or call 441-8045 — **RECEPTION:** You're invited to a reception hosted by the Community Health Partners Foundation following the Community Education Conference in the Nebraska Room – (Please return registration card by 3/26/02)(See Invitation for more details).
7. You are invited to a statewide celebration of Community Development Week April 1-7. This special event includes a community awards presentation and proclamation signing by Governor Johanns on Thursday, April 4th at 10:00 a.m. in the Governor's Press Chamber, located on the 2nd floor of the State Capitol. You are also invited to a reception in honor of the award winners, immediately following the presentation. The reception will be held in Room 1126. (471-2235) (See Letter of Invitation).
8. 2002 Mayor's Interfaith Prayer Breakfast - Honorary Chairperson: Mayor Don Wesely on Thursday, May 2, 2002 at 7:30 a.m. [doors open at 7:00 a.m.] at the Cornhusker Hotel – \$15.00 per person or Tables-of-Ten at \$150.00 per table – RSVP by April 15th – Please fill out & return sponsorship & reservation form (See Invitation).
9. You're Invited to a Healthy People Community Forum - 2010 Plan – Forum Dates & Times: March 28th, 7:00 to 9:00 p.m.; April 4th, 10:00 a.m. to 12:00 p.m.; May 2nd, 7:00 to 9:00 p.m. – The events and parking are free! – Please fill out registration form and send to them – Wende Baker at 441-8144 (See Invitation for more details).

V. REQUESTS OF COUNCIL FROM MAYOR - NONE

VI. MISCELLANEOUS

1. Discussion on the Council Budget. – **(HELD OVER FROM MARCH 11TH “NOON” AGENDA)**

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, MARCH 18, 2002
CONFERENCE ROOM 113

Council Members Present: Annette McRoy, Chair; Jonathan Cook, Vice-Chair; Jon Camp, Glenn Friendt, Coleen Seng, Ken Svoboda, Terry Werner; **ABSENT:** None

Others Present: Mark Bowen, Ann Harrell, Amy Tejral, Mayor's Office; Dana Roper, City Attorney; Darrell Podany, Aide to Council Members Camp, Friendt, and Svoboda; Joan Ray, Council Secretary; Nate Jenkins, *Lincoln Journal Star* representative.

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting for March 11, 2002.

Vice-Chair Jonathan Cook requested a motion to approve the above-listed minutes. Terry Werner moved approval of the minutes as presented. The motion was seconded by Ken Svoboda and carried unanimously by consensus for approval.

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

1. PUBLIC BUILDING COMMISSION (Camp/Seng) – Rescheduled to March 19th There was brief discussion regarding the PBC Agenda. It was noted that Anne Kissell who was conducting the space needs study would be contacting individual departments later this week with an update. She had indicated that she was waiting for a spot on the PBC Agenda for a further informational update at that time.
2. ISPC (Cook) No Report. Mr. Cook, after a brief Council discussion regarding the purpose and focus of the ISPC, determined that it would no longer be necessary to include this meeting on the Council's Reports portion of the "Noon" Agenda. Staff so noted.
3. MULTICULTURAL ADVISORY COMMITTEE (McRoy) Ms. McRoy was unable to attend the meeting. Mr. Bowen stated that the meeting had been quite brief - through the Agenda in 15 minutes. Ms. McRoy encouraged Council members to read the newsletter that MAC had sent out.
4. C-SIP STEERING COMMITTEE (McRoy/Seng) Ms. Seng reported that the group, whatever it will be called, is trying to come up with a name and purpose after C-SIP Steering Committee has been phased out upon the

completion of its own goals. United Way brought several models that are being used in other communities. These are public/private groups because there is public money involved as well as all the volunteer contribution money. Many times these groups are called Planning Councils. The name "Commission" has been proposed, but Ms. Seng indicated that she has tried to steer them away from that because of the inevitable confusion with that and the Planning Commission. She noted that no one is quite sure of the direction the group will be taking, but added that as soon as there is a direction taken, she will notify the Council. She did note that the group is large with many funders and agencies represented. She had great faith that it would all be worked out.

5. BOARD OF HEALTH (Svoboda) Mr. Svoboda reported that the meeting had been devoted to the body piercing/tattoo ordinance. He explained that the ordinance had been split so that body piercing and tattooing would be considered separately - primarily because of the different languages and the fact that the majority of the Board...Mr. Svoboda being the lone dissenter...wanted to prohibit all minors, even with parental consent from getting a tattoo. But, they wanted to allow all minors - with no lower age mentioned - to get a body piercing (excepting ear lobe, which is excluded from the ordinance) with parental consent and parent present. The age deletion from the language came about because it was felt enforcement of age-specific restrictions would be difficult. Mr. Werner was concerned that ear piercing was exempted. Mr. Svoboda explained that there is, apparently, no health issue with ear-piercing. Mr. Werner thought if there was blood and there were needles involved, it would pose a health concern. Mr. Svoboda stated that the language had been included that would prohibit the piercing of sexual organs, including the female breast, of a minor because of the concerns regarding the "fondling of a minor" issue. "Minor" was determined to be any age up to the 19th birthday, which would include 18 year olds.

Council continued discussion with details of the ordinance being reviewed. Mr. Svoboda was against minors having tattoos at all, but, as has been pointed out to him, since that is not his decision to make, the ordinance coming to Council will state that no minor will be able to receive a tattoo (with or without) parental consent - a self-imposed limitation already in effect among the professional body art community. He stated that when the tattoo professionals come before Council during public hearing on this issue, they will discuss "alteration" of an existing tattoo. Mr. Svoboda briefly outlined the fees and licensure structure, as well as the training of the professionals. This ordinance will be based on the Health Issues involved and not the aesthetics of tattooing and piercing. Identification procedures and process for both the parent and minor were also discussed.

Mr. Svoboda asked if Council would like to have this issue open for public hearing at a night meeting. Council agreed that the evening meeting in April on the 29th would be the appropriate time for public hearing on this issue. That time frame would allow the Law Department to have the ordinance drafted and submitted for 1st reading on the agenda the week prior. Mr. Werner asked that

an amendment be drawn up that would allow tattooing for minors, with parental consent. It was determined that a pre-council be scheduled for April 22nd on this issue to allow Council and the public to be better informed prior to the evening discussion on the 29th.

OTHER MEETING REPORTS - Mr. Cook reported on the Mayor's Neighborhood Roundtable meeting. He noted that a number of Council members were there. They discussed the three-person rule [regarding tenant occupancy]. They made a motion and passed it stating that they believe it ought to be left the way it currently stands which would be the best thing for neighborhood protection.

The Stranski Park issue was discussed. If anyone has questions you might want to contact Lynn Johnson. The 'water feature' which we discussed last week is made up of fake rocks which look pretty real. It's a very impressive fountain and Mrs. Stranski has given a lot of money for the project. Ms. Seng was very pleased to have the fountain being installed. Mr. Friendt asked if maintenance funds were included in the bequest, expressing a concern that the project would have assured maintenance. Mr. Cook stated that the donation did include an endowment set up for that purpose.

Ms. Seng reported that in regard to the selection committee for the Planning Director, two meetings had been held last week. She noted that there had been an exit interview with Ms. Sellman with questions on how she viewed the interview process she had gone through when coming into Lincoln. Questions were also asked on her overview of what the state of the Planning Department is at this point. Mr. Kent Morgan also had been interviewed on his vision of the state of the Department.

Ms. Seng noted that the selection process is still open. There were several applicants, but not enough for a qualified candidate to be chosen. We will be attempting to hire the same firm that worked on the new Traffic Engineer position to bring in more applicants. Mr. Friendt asked who was on the selection committee. Ms. Seng reported that it was the same people who were on it the last time. Mr. Friendt commented that that was good. He didn't know who they were. Ms. Seng noted that the Mayor announced the list one Monday morning. Mr. Bowen indicated that he would have a list for Council sent down.

Mr. Camp commented, asking if there were a reason why there were so few people coming forward for the position? Ms. Seng stated that the problem is nobody knows where Lincoln is. She noted that the process last time had a lot of community effort involved. There were interviews of two-three at the Cornhusker. They had asked Ms. Sellman how she had viewed that process. Ms. Seng noted that we may or may not recommend the same process this time.

Mr. Friendt gave a summary of the Economic Summit held at Mahoney Park with Omaha and Lincoln Mayors and business communities. While it was called to address short term circumstances, it really turned out to be a positive meeting. Mr. Friendt indicated that he was impressed, because over the years he had seen, in dealing with economic development issues, attempts at putting these meetings together; and Omaha has always been a little "spotty" in their commitment to these kinds of things. But the selection of folks at this meeting brought together the key leaders that were needed to make the summit work. Both Chambers were represented; both cities had labor union movements represented; County personnel from each

county were present, as well as both Universities (Omaha and Lincoln). It was a great group and well attended. Because there was a bit of confusion, however, as to whether or not it was or was not a public meeting, there were some outside business persons there - and their presence was questionable. Mr. Friendt offered the thought that, except for observers, the attendance should be kept at an official public and professional level. He felt that made sense and suggested that Mr. Bowen take that thought back to be considered when other such meetings are being organized.

Mr. Friendt outlined the meeting agenda, noting that Mayor Wesely first reviewed the events of the last six months that had prompted concern. Mr. Friendt stated that, while Omaha can cite several [workforce] reductions or business closures that they've had, it generally has fared pretty well. The Omaha Mayor indicated that they thought they were doing pretty well. Mr. Friendt had received data (economic statistics) from the Omaha Chamber that would indicate that to be the fact. He felt that this reality put Lincoln and Omaha in separate boats, so the motivations for cooperation might be different for each city.

Mr. Friendt summarized the report from the State that revealed the number of actual business closings over the last 12 months and noted that it took ones breath away. Mr. Westrand, the State presenter, indicated that if this information had come to him 18 months earlier, he would have been really concerned; but he made the point about looking at what is called "lagging indicators" vs. "leading indicators". What we may be seeing is the tale-end of the "lagging indicators" that 18 months ago said that the economy is slowing down, the revenues have slowed down, there is going to be an economic slow-down. But as he talked about looking at "leading indicators", he explained that he feels that we've bottomed out and we'll back on the upside. The suggestion was, let's not do anything radical now when this has just been a part of an economic cycle.

What Mr. Westrand did point out though, which caused the most discussion and union involvement, is the fact that this slow-down has exaggerated or reinforced a trend which has developed over the last 10-15 years. In that time, the United States, and Nebraska now is no exception, has moved from about 25% of the work-force being hard manufacturing with unionized jobs, to 15%. Representatives of both the union movement (Lincoln and Omaha) indicated that they certainly didn't like hearing that.

Other speakers from other agencies reinforced that fact, stating that this is a magna-trend that Nebraska is not just going to be able to turn around on its own. If that is the trend, then, some suggestions were forthcoming about what should happen. There were general suggestions and the two key ones had to do with more cooperation and coordination at every level; specifically as it related to Omaha and the I-80 Corridor and the counties and communities that make up that area. We need to be thinking about ourselves as a metropolis area.

Omaha is already doing that. When they approach prospects, when they talk about business, they talk about a metropolis of 1,000,000 people. If Lincoln were to start seeing it that way and position ourselves as part of this metropolis area, we would benefit, as it seems to trigger almost automatic attention in growth.

Mr. Bowen noted that that is the way marketers look at our area. They look at Omaha and Lincoln as one population or market area. Mr. Svoboda asked if Council Bluffs was included in that metropolis setting of one million people, wondering about inter-state complicatons? Mr. Friendt answered that it is included. He noted the

friendly competition that Omaha has with Council Bluffs is much like that which we seem to have with Omaha. Mr Friendt felt we should find more areas in which to cooperate than not, offering the observation that our difference is exaggerated more by the fact that we have State government differences. But if you look around the country, you see many areas (Tri-City areas in Iowa/Illinois, The Dallas-Ft. Worth area in Texas, Minneapolis/St. Paul) - many areas have pulled it off. It just takes getting outside some very parochial thinking.

Mr. Friendt, concluding, noted that this had been the gist of the meeting. He then indicated that his next remarks would be a bit of editorializing on the event. It was apparent to Mr. Friendt 20 years ago and is even clearer now, when we talk about partnership between Omaha and Lincoln, we need them more than they need us. He was excited that they were at this summit meeting, stating that he thinks that while Mayor Fahey is offering this opportunity for cooperation, we should latch onto it and make the most of it that we can. Mr. Friendt warned that we should make no mistake about it - if it's going to be a partnership, they're going to be general partners and we're going to be limited partners. We have a tough time, egotistically, handling that. But, they will go their merry way and they will come. Mr. Friendt stated that he is not so sure Fahey is joking when he says 'someday we'll annex Lincoln'. Mr. Friendt felt that we need to be a part of that process and we need to get over our own egos about this. He noted that it's already happening with the Universities. He felt there is now a much greater cross-city, inter-regional cooperation in planning. He emphasized what Mr. Harvey Pearlman was quoted as saying in the newspaper....he's absolutely right...that after all these wonderful ideas and this wonderful potential vision...what's next? Are we going to leave, then hold another economic summit two months from now? NO! We need to put in place policies and structure that will move this forward and it needs to be super-governmental. It needs to be beyond Don Wesely's term, Mike Fahey's term, Glenn Friendt's term, Bob Workman's term..whomever. It needs to have a life that is longer than that, because the one thing that everybody seemed to agree on is that *economic development is a long-term process*.

Thirdly, we've learned a long time ago, that whole issue of cooperation and coordination is so right. Nobody [no single entity] has enough resources to do what needs to be done. When companies that we would like to attract really are looking beyond particular governmental borders, it is critical. We have experienced the benefits ourselves with inter-local agreements and cooperation between the City and County. Mr. Friendt noted that this leads him to his final editorial comment.

He stated that he was very concerned that the mayor's move to add an economic development person does not become "counter-cooperative", "counter-coordinating", because Mr. Friendt believed that the City took that step with LPED. So, we need to be sure that we continue that kind of philosophical approach.

Mr. Cook asked who attended the summit from the Counties? Mr. Friendt indicated that Bob Workman was representing Lancaster County; he was not sure who was representing Douglas County. Mr. Cook asked about the counties in between? Mr. Friendt indicated that he did not believe they were included. Mr. Bowen stated that it was really the two Mayor's calling for a gathering of the Counties and our own entities to see if we can get together. Mr. Cook stated that ultimately all of those people between will also have to be included. Mr. Bowen agreed.

Mr. Friendt stated that the Lincoln/Lancaster County Planning process, where we go out and involve all the small communities in the county, would logically extend

so that Omaha and Lincoln, probably the most sophisticated planners in the region, should be reaching out and embracing other counties who will have impact on this corridor - or who will be impacted by the corridor development.

Ms. Seng noted that Mr. Cecil Steward was the Staff representative of the Joslyn Foundation, whose jurisdiction of influence includes more of the southeast Nebraska area than just the I-80 corridor. Mr. Bowen added that the thrust of the meeting was aimed at, not a physical merger of the two communities, but, an economic merger of Lincoln and Omaha. He felt we all went to the meeting with pre-conceived notions that we all have - our own vested interest for our own towns; but down the road, we're going to become more and more economically linked and it will benefit us if we can actually realize and work on that.

Regarding the second point, relating to LPED and the economic development position for the City, Mr. Bowen stated that the position is being set up to work directly with LPED. He stated that Administration is viewing this as an extension...and expansion of the Partnership. Mr. Friendt stated that if it is an expansion and an addition of resources, then he supported it. Mr. Bowen stated that he mentioned it because, for the first time, it truly brings the County and LES into that partnership.

Ms. Seng asked if there would be minutes of the Summit Meeting? Mr. Bowen stated that he had some notes that he would write up. Mr. Friendt indicated that there wasn't an appointed scribe, which would have been a very good idea. Ms Seng agreed, stating that it would be nice if we had real minutes for review.

Mr. Friendt stated that Mr. Charles Lamphere had a very specific recommendation, based on some economic data that he's been collecting for 10 years. Mr. Ernie Gross also had some specific, almost legislative suggestions, that would foster and encourage more cooperation. You heard about the Lamphere idea....he hoped it would be looked into more thoroughly. The concept is called "Trans-shipment". It's an economic study showing that S.E. Asia is going to be delivering billions of dollars in goods to the U.S. for distribution. Bulk is brought in in massive quantities, broken down into small amounts, then shipped out - Trans-shipment. Lincoln could, with our central location, close to everywhere...our location becomes an advantage. We could be that focal point, or hub, that receives, divides and distributes to different markets around the country. Mr. Lamphere also solved one of the big problems - the back haul. What do we do with all these containers? Return them full of grain! Import/Export. What a compelling idea.

Mr. Cook mentioned Oriental Trading, a company in Omaha, that is involved in this now. Mr. Bowen stated that this idea has been discussed for a number of years. It used to be called Intermobile Transportation Centers. He noted that it had been hard for any given area of the country to get such a program off the ground. Mr. Camp reported that they do it in Asia, and successfully. Mr. Friendt defended the idea, stating that the system is working in other areas of the country.

III. APPOINTMENTS/REAPPOINTMENTS - Noted Without Significant Comment, except for another brief review of the process. It was noted that there are only a few names for consideration in May.

IV. MEETINGS/INVITATIONS - Noted Without Significant Comment

- V. **REQUESTS OF COUNCIL FROM MAYOR** - Ms. Tejral reported that LB932 passed on Consent Calendar - this was the bill regarding council meeting requirements. She noted that it had passed, but not with Mr. Cook's amendment. That amendment would have required the Council to meet only twice per month. The committee did not accept that amendment stating that they did not like the flexibility that Mr. Cook's amendment provided. So, it was advanced and passed in its original form which allows Council not to meet on weeks when there is a Federal or State Holiday. Some Council members made comment about the 90-day session to which our State Senators are bound, with an implied comparison of that relatively short time period vs. the entire year without break. Mr. Cook asked if the amendment couldn't still be adopted later. Ms. Tejral answered that it could not. The bill had been on Consent Calendar and has been passed. There is no amendment process after it has been passed and sent to the Governor for signature. Possible lobbying of the Governor, as a former Council member, was mentioned, but only in jest.

Mr. Werner asked if the Mayor had taken any action on LB384 - the legislation regarding the right of cities to invoke the condemnation process when dealing with utility companies. Mr. Cook indicated that he would get to that issue later in the meeting, but would like to finish coverage of the other meetings before that.

Mr. Werner, later in the meeting, asked if the Mayor had changed his position about actively supporting this bill. Mr. Bowen stated that the Administration had supported the League's efforts, but had not overtly pursued it on our own. Mr. Werner was concerned that with no active lobbying, only the League would know of the City's support. Mr. Werner pointed out that the Senators have the votes - they should know that the City of Lincoln opposes it. Mr. Svoboda asked if they wouldn't get a report from the League, or from the City's Lobbyist? It was noted that they would.

Mr. Werner asked if the League put out the information that the City is opposed to the bill? Ms. Tejral did not believe so. Mr. Werner stated then, that unless someone has told them, the Senators do not know that the City opposes that bill. Ms. Tejral stated that whenever our lobbyist is asked about it, the Senators are told the City's position. Mr. Werner pressed his point, asking then if the lobbyist didn't actively lobby against it, but only if it's brought up, will he state our position? Mr. Werner explained the importance of this bill, noting that it minimizes the ability of the City to enact condemnation against the gas company's properties. They are portraying it as a reporting issue, but it is really an issue of local control. Mr. Cook felt the option should be available to local communities if it is ever necessary. He agreed with Mr. Werner and would like to see a more active stance on this from the City as the bill continues through the process. Mr. Tejral stated that she had heard that there is a compromise in the works, but she was not aware of where that stood at the moment.

Mr. Cook asked about another Legislative Bill - Nebraska Visitors Issue which would change the City and County responsibilities and funds under the Nebraska Visitors Development Act. It would move the taxing authority from the Counties to the Cities. Originally it was directed at communities of 100,000 and has been changed now to 300,000 population.

Council requested that Ms. Tejral give a weekly update on the Legislative Bills during the Unicameral's session. She agreed to do so.

VI. MISCELLANEOUS

1. Discussion on the Council Budget. – (*Held over from March 11th "Noon" Agenda*) Council did not have time to discuss this issue and Mr. Werner, who had originally requested the discussion, indicated that it should be removed from the Agenda.

VII. 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

AMY TEJRAL - No Further Comments

MARK BOWEN - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 1:15 p.m.

CM031802/jvr