

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, SEPTEMBER 9, 2002  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes of "Noon" Council Members' Meeting for August 26, 2002.
- \*2. Pre-Council Meeting Minutes - RE: 84<sup>th</sup> Street Development - August 5, 2002.
- \*3. Pre-Council Meeting Minutes - RE: Infrastructure Financing Strategy - August 26, 2002.
- 4. Minutes of Director's Meeting for April 8, 2002.
- 5. Pre-Council Meeting Minutes - RE: Campus RFP Update - August 5, 2002.
- 6. Pre-Council Meeting Minutes - RE: Bond Issue For Sidewalks/Trails/Fire Stations - August 19, 2002.

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

- \*1. PRT Meeting (Seng)
- \*2. Internal Liquor Committee/Special Permit Subcommittee Meeting (Svoboda)
- \*3. Downtown Lincoln BID Association Board of Directors Meeting (Werner)
- 4. Lincoln Partnership for Economic Development Investors' Meeting (Camp)
- 5. Public Building Commission Special Meeting (Camp/Seng)
- 6. RTSD Meeting (Cook/Friendt/Seng)
- 7. Parks & Recreation Advisory Board Meeting (Cook)
- 8. Joint Budget Committee (McRoy/Seng) - **WILL NOT MEET IN SEPTEMBER**
- 9. CSIP Steering Committee (McRoy/Seng)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS**

- 1. Material from Joyce Quinn, Affirmative Action Director - RE: Boards and Commissions Upcoming Appointments (See Material).

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

## V. MEETINGS/INVITATIONS

1. Come Celebrate the One Year Anniversary of Aging Services WorkABLE Solutions - Please join us as we recognize those who have made WorkABLE Solutions a success in our community. Luncheon Celebration on Friday, September 27, 2002 at 11:30 a.m. at The Cornhusker Hotel - RSVP by September 23<sup>rd</sup> at 441-6177 (See Invitation)
2. You are Cordially Invited to Attend NAACP Annual Freedom Fund Banquet, 2002 - This year, the NAACP proudly announces as the 2001 Keynote Speaker, Claude M. Bolton, Jr. on Saturday, October 19, 2002 - Social at 5:30 p.m. – Program from 6:00 p.m. to 9:00 p.m. - at The Cornhusker Hotel - \$30.00 per person - Please send ticket RSVP form & payment by October 7<sup>th</sup> - Leola Bullock-464-2476 or call the office at 475-4700 (See Invitation)
3. Invitation from Julie Horne, Development Coordinator of Friendship Home – StarTran, Super Kmart, and Broadcast House are sponsoring an event called “Stuff the Bus” for Friendship Home on Friday, September 20<sup>th</sup>, Saturday, September 21<sup>st</sup>, and Sunday, September 22<sup>nd</sup> – A StarTran bus will be parked in the Super Kmart parking lot and community members will fill the bus with items needed by the battered women and children whom Friendship Home serves. Hours are Friday 10-7, Saturday 10-5, and Sunday 12-5 – One possible role for Council Members is to greet customers as they enter Kmart. If any Council Members would like to attend and they know the approximate time, would be helpful to Julie - (See Invitation)
4. Neighborhoods, Inc. Celebration of Neighborhoods - You are invited to attend the 2002 Celebration of Neighborhoods for free food and entertainment on Thursday, September 19<sup>th</sup> from 5:00 p.m. to 7:00 p.m. - at the Auld Recreation Center (3140 Sumner St.) - Mayor Don Wesely will be on hand as we discuss neighborhood issues. (See Invitation)
5. Letter & Progress Report from Mayor Don Wesely - RE: Please join me at the Town Hall Meeting on Monday, September 9, 2002 from 7:00 p.m. to 9:00 p.m. at the “F” Street Recreation Center, 1225 “F” Street. (See Letter of Invitation)
6. On behalf of the City of Lincoln, Kirkham Michael Consulting Engineers is conducting a Public Information Open House for the S.W. 40<sup>th</sup> Street Feasibility Study. On Tuesday, September 10, 2002 at Roper School, 2323 South Coddington Avenue between the hours of 5:00 p.m. and 7:00 p.m. (See Invitation)
7. Roper & Sons Funeral Services - You are cordially invited To be an Honorary Guest at “September Remembered: A Service of Remembrance and Healing” - 9-11 Tragedy Memorialized on Tuesday, September 10<sup>th</sup> at 6:30 p.m. at the Antelope Park Band Shell - Please RSVP by calling: 483-1111 (See Letter of Invitation)

8. Updowntowners Award Dinner - on Monday, September 9<sup>th</sup> from 5:30 p.m. to 9:30 p.m. at the Holiday Inn Downtown - Dinner served at 6:00 p.m. - Program at 6:30 p.m. - RSVP by September 2<sup>nd</sup> with dinner choice - to 434-6507. (See Invitation)
9. You are invited to hear Mark Fenton speak on Thursday, September 12<sup>th</sup> at 6:15 p.m. at Roper Elementary School, 2323 Coddington Avenue - Please RSVP to Tracy at 441-6726. (See Invitation)
10. League Of Nebraska Municipalities - United We Stand 2002 Annual Conference - September 25-27, at the Holiday Inn, in Kearney - (See Brochure for more details)

**VI. MISCELLANEOUS - NONE**

**VII. CITY COUNCIL MEMBERS**

**VIII. ADJOURNMENT**

**\*HELD OVER FROM SEPTEMBER 2, 2002.**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, SEPTEMBER 9, 2002**  
*CONFERENCE ROOM 113*

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

**Others Present:** Mark Bowen, Ann Harrell, Kent Morgan, Mayor's Office; Dana Roper, City Attorney; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda.

**I. MINUTES**

- \*1. Minutes of "Noon" Council Members' Meeting for August 26, 2002.
- \*2. Pre-Council Meeting Minutes - RE: 84<sup>th</sup> Street Development - August 5, 2002.
- \*3. Pre-Council Meeting Minutes - RE: Infrastructure Financing Strategy - August 26, 2002.
4. Minutes of Director's Meeting for April 8, 2002.
5. Pre-Council Meeting Minutes - RE: Campus RFP Update - August 5, 2002.
6. Pre-Council Meeting Minutes - RE: Bond Issue For Sidewalks/Trails/Fire Stations - August 19, 2002.

Chair Jonathan Cook requested a motion to approve the above-listed minutes. Coleen Seng moved approval of the minutes, as presented. The motion was seconded by Annette McRoy and carried by unanimous consensus of members present, for approval.

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

\*1. PRT (Seng) Ms. Seng reported that the addresses under consideration by the PRT are located all over the City, south and north, but mostly in the older areas of town. She noted that Captain Srb is trying to clear the listings from the Agenda, but is not having much luck. Ms. Seng explained that the Police, Health and Building and Safety Departments all work together on these properties.

Ms. McRoy asked how a property could be placed on the agenda, noting a property that she felt should be included for PRT consideration.

\*2. INTERNAL LIQUOR COMMITTEE/SPECIAL PERMIT SUBCOMMITTEE (Svoboda) - Mr. Svoboda stated that he had given the report at the last Council Members' "Noon" Meeting and Council Members had received copies of the minutes.

\*3. DOWNTOWN LINCOLN B.I.D. ASSOCIATION BOARD OF DIRECTORS (Werner) Mr. Werner stated that he had not attended. Ms. Harrell noted that she had attended and the main issue had been a report from KMPG and Polly McMullen on Impact Fees. The report included conversations that they'd had with Kent Morgan and others who are working on the Impact Fee issue. They were comparing positions they've taken on impact fees as a Board to what has been going on and how those two positions match up. They didn't state any additional positions, but they seemed to feel very positive about how things were going and authorized their executive committee to take any further positions that they might need to - on short notice before the next Board meeting.

4. LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS' MEETING (Camp) - Hold Over

5. PUBLIC BUILDING COMMISSION SPECIAL MEETING (Camp/Seng) Ms. Seng reported that the meeting had been advertised this time and they were actually able to hold the meeting. The PBC sent the architect involved in the Space Needs Study back to re-design the area for the City Council and the County Board. That is probably the most important thing for Council members' information. She noted that PBC members were all in agreement that the office area ought to extend out from the current Council Office configuration to the stairwell.

Ms. Seng pointed out that she has been a real stickler in insisting that we need to keep the City Council and the County Board together if we're ever going to get consolidation to take place some years down the road. We need to set an example by having the Council and the County Board together. Ms. Seng reported that nobody wanted to move 5-CityTV out of their current location. They would either have had to be moved down below, or up to the third floor, neither of which would have been acceptable. Finally, it was just left alone.

Ms. Seng stated that the Health Department and their building effort were discussed at length. Time was also spent on the Emergency Management offices' space needs. It was decided that that could be moved to the new Health Building, or somewhere else. It was noted that it did not have to be right here in the County/City Complex; and it probably would be better if it weren't here.

The County has met with all of their agencies, all of which are headed up by elected officials. Ms. Seng stated that Mr. Bowen and the Mayor have met with the City Directors, but they need to have another meeting, after which there will need to be a Council meeting with the Mayor. So, at some point, after the architects have re-designed the County Board and City Council Space and the Directors have met again, we will need to have a pre-council on this issue. Mr. Bowen stated that, in terms of timing, the architect thought they might have that re-design ready by this coming Friday. The Directors would see it a week from Wednesday...then there would be a pre-council the following week. That pre-council would be about two weeks away. He noted that the other thing which Sinclair-Hille is making a recommendation on is the issue of whether or not the third floor should be completed, or delayed in anticipation of another [civic government] building being built. Their recommendation was to finish the 3<sup>rd</sup> Floor.

Also discussed was the rumor that the Mayor had wanted to move his office to the 3<sup>rd</sup> Floor. She noted that was not true and all, but that the architects had felt the Mayor's Office should be on the top floor, so that idea probably came from them.

The Food Service area in the re-design will most likely be in the basement and take up three parking spaces. The access would be via the back stairs with the eating area there at the entryway with a few tables for "opportunistic seating". ( It was felt that this probably meant "first come-first served") There would be as much room there as there is currently in the 1<sup>st</sup> Floor cafeteria area. Mr. Bowen stated that there would have to be a loading area for a future cafeteria style catering service. The question of how soon this would take place was raised. Ms. Seng noted that it will have to be done soon because Valentinos will be gone by the first of the Year 2003. If they pull vending carts in, or if they unload trucks with a different catering service each day, the location will have to be completed. We'll eventually have a pre-council with the architects talking us through the whole plan.

Mr. Bowen noted that also, tied to this issue, is the question of Aging and Urban Development space. The question has been asked as to why the City isn't looking at any public space for those two agencies. Having gone through that 'coal raking' process, he told the committee that it had been suggested to the Mayor that he take even another look at public space so there would be two recommendations on that issue.

Ms. Seng explained that it had also been proposed that not a lot of dollars should be put into the "233 Building" (the old Police Station). It's down a ways in the phasing timetable, but the architects felt it would be unwise to invest a great deal of money into that building. It was asked if that was an historic building. The determination was that it was not, but should be sold and placed on the tax rolls.

Mr. Cook noted that he liked the changes that the architects had brought back. Ms. Seng explained that no plans have been finalized and the study would continue before any decisions are made.

6. RTSD (Cook/Friendt/Seng) Ms. Seng reported that final approval had been given to the budget. The audit had been approved as had the 3<sup>rd</sup> & "A" Street construction contract. (This project had even come in below bid.) Also approved was the Olsson & Associates' continued work on the construction phasing of the project. They have done a marvelous job. The next time the RTSD will meet will be on December 2<sup>nd</sup> from 10-11:00 a.m. [*Since this would eliminate the possibility of Pre-Council's for that date, the RTSD will be moved to Monday, December 9<sup>th</sup> at 9:00 a.m.*]

Ms. Seng reported that an emergency ramp for South Salt Creek was discussed by Roger Figard. The election of officers was held. Ms. Seng reported that she was still the Chair; Jonathan is the Secretary and Ray Stevens is the Vice-Chair. Mr. Cook confessed that he did not know what the Secretary does, with Ms. Seng responding reassuringly, "not a whole lot". Mr. Cook offered that State Law requires there to be a Secretary, noting for all that he will not be taking minutes.

Mr. Cook reported that there was a change in the way budgeting was done this year. The entire amount for the 3<sup>rd</sup> & "A" Street Project had to be included in this years budget, even though it won't be all spent in this fiscal year. Mr. Cook stated that it had formerly been a certain amount each year as the project went forward. But, apparently, in order to sign any contracts, we have to show that we can allocate the entire amount right up front; and since RTSD has no bonding authority, we have to have the cash in our account. We do have that money in this case, but it will make it tough to do projects in the future. We'll have to accumulate millions of dollars in our bank account and then go out for the projects. It probably isn't the most efficient way to do things.

Ms. Seng asked that all the Council members drive out to Southwest 40<sup>th</sup> Street to look, because there are several railroad crossings there. It is a situation that RTSD may be dealing with at some point.

7. PARKS & RECREATION ADVISORY BOARD (Cook) Mr. Cook reported that the Board had discussed the golf courses, with some discussion of alcohol on the golf courses. Many of the Board Members feel that there is value in trying to be competitive by providing alcohol full time on golf courses, which is just the opposite of what some Council Members believe - that we shouldn't be competitive in this area. There was some discussion of the SDL situation. The Board noted that the Council approvals have been passed 4-3. Mr. Cook told the Board that he had no idea how alcohol full-time on the golf courses might go over with the Council Members. That may be coming forward for our consideration.

Ms. McRoy asked when the next meeting would be held. Mr. Cook reported that it would be held October 3<sup>rd</sup>, from Noon to 4:00 p.m. at the Highlands. This will be the Retreat and not a Regular meeting. Ms. McRoy stated that she had a park naming issue that she would like placed on the next regular meeting agenda. Mr. Cook stated that Mr. Lynn Johnson should be contacted. Mr. Johnson would then make the decision whether it was appropriate to be placed on the agenda for the Retreat or for the Regular Meeting in November.

Mr. Cook noted that the Board had discussed the Pool Report, but the greatest amount of time had been spent on the Sidewalk Space Ordinance revisions. There are a diversity of opinions on this issue. It was a final consensus that some changes need to be made, with a great deal of concern focused on the aesthetics. Mr. Cook remarked the the Urban Design Committee had expressed general support of the approach Mr. Cook had taken thus far. He noted that the UDC members were worried about aesthetics, but did not want to become the "Aesthetics Review Committee". Now, Mr. Cook will continue to work on the specific ordinance changes and then going back before the Board at the Retreat to give them some more material and they can take action at that time. He noted that this issue will also be discussed at the Neighborhood Roundtable this Thursday.

There is a Sunken Garden's Afternoon Tea Planning meeting which will be held on September 10<sup>th</sup> at the Parks Administration Building. The actual Tea will be on September 22<sup>nd</sup> from 3:00 - 5:00 p.m. (with rain date of September 29<sup>th</sup>). The tea is for Park & Rec Board Members, and other sub-committee members. Mr. Cook thought Council Members should be invited and requested Staff to contact Mr. Johnson and remind him to send Council an invitation to the event. *[This was done on September 9, 2002]*

In reference to alcohol sales on the golf courses, Mr. Svoboda commented that he has no issue at all with "competition" between the private/public golf courses. He stated that we would just exempt all private golf courses from sales tax and property tax and then we'll be on a level playing field and the City can do whatever they want. Mr. Cook commented that some would question why we're in the golf course business at all. In that discussion, it was mentioned that there was a time when nobody wanted to build private courses for ordinary folks. One would have to buy a country club membership. So, the City provided golf courses for "the masses". Now, those private investors have gotten into it and have decided to provide golf courses for "ordinary folks" (North Forty, Cripple Creek)

Ms. Harrell commented that one of the issues regarding the public vs. private courses, in terms of competition, is that the public courses need to make a profit in order to support the Chet Ager Junior Course, which is not a profit-making entity. So, if we want to have

that amenity for our young people, other courses must support it. Mr. Cook asked if Council thought we should sell off all our golf courses, which is where this line of thinking might eventually lead. He mentioned that the new libraries are serving coffee, which would put them in competition with Barnes & Noble. Mr. Svoboda stated that with the golf courses, it was more than competition, the issue of alcohol in the City Parks was also an important underlying concern.

**8. JOINT BUDGET COMMITTEE (McRoy/Seng) - WILL NOT MEET IN SEPTEMBER (See Remarks for C-SIP Steering Committee)**

9. CSIP STEERING COMMITTEE (McRoy/Seng) Ms. Seng reported on both Committees under one heading. She noted that the meeting with the C-SIP Steering Committee (which is a little larger than the JBC), had lasted 4-1/2 hours. She reported again to Council that they are trying to re-design the Human Services efforts. Ms. Seng reported that the Committee had asked Kent Seacrest to go through a process that eventually will go from the Steering Committee to the Advisory Committee. We cannot get ourselves together enough to get the information to the Advisory Committee. We're trying to do a Comprehensive Planning effort for Human Services. It's very complicated with a lot of different self-interests to over-come. We aren't quiet there yet, so we set up another meeting.

Setting as JBC, members made two motions to approve. One was the Malone Center Contract so Cedars could get their final money; and the other was JBC approval of a support letter for St. Monicas.

**OTHER MEETINGS:**

Ms. McRoy had a question regarding another meeting. She asked Ms. Harrell about the meeting that had been scheduled to address the situation with the trailer court that was having problems with the sewage. The meeting with City Officials had been scheduled for the Friday before Labor Day. She asked if that meeting had taken place? Ms. Harrell answered that it did take place and she would discuss the meeting with Ms. McRoy now or later, whichever Ms. McRoy would prefer. Ms. McRoy indicated that it didn't matter....she had just been checking to make sure the meeting had occurred.

Ms. Seng reported that the Public Works Department was following through with a Storm Sewer Bond Issue that was passed several years ago. It's in the hopper now for Northeast Lincoln from Cotner up to 70<sup>th</sup> Street on both sides of Bethany all the way up into Meadowlane....a very large area. Public Works had a public meeting on that. Everyone who would be effected by the project was notified of this meeting.

**III. APPOINTMENTS/REAPPOINTMENTS** - Mr. Cook noted that the listing of Appointments/Reappointments Council had received was quite extensive and asked if it was inclusive to the end of the year? Mr. Bowen stated that that was the case. Mr. Cook asked why it had come from the Affirmative Action Director? Mr. Bowen stated that when Amy left, there were some temporary changes and the Director ended up with it, noting that Joyce had actually been involved for quite some time, making sure that we have broad enough representation of minorities under certain categories. So, when Amy left, she took over full-time. Mr. Cook asked, then, if Council members had concerns about these individuals, or if they wanted to suggest others, should the call Joyce? Mr. Bowen stated that they could either call Joyce, or Kent or himself.



The format of the appointment information was discussed briefly regarding the eligibility of *and* interest expressed by the appointees. Mr. Bowen explained that other criteria such as attendance at the meetings was also considered by the Mayor when making selections. Mr. Bowen, upon request by Council, agreed to provide information on those who had expressed a willingness to serve on these committees.

Mr. Werner noted that he would like to make a request to have someone who actually rides the bus be appointed to the StarTran Advisory Board.

Mr. Cook added that, if the information of an appointee's willingness to serve would cause discomfort or embarrassment to the appointee, he would waive that request for information. Mr. Bowen offered to relay the information verbally to the Council Chair as an "FYI" to the Council. Mr. Cook felt this would be adequate notification.

**IV. REQUESTS OF COUNCIL FROM MAYOR** - Mr. Bowen passed out maps to the Patriots Day Celebration in Pioneers Park which was scheduled for Wednesday evening at 7:00 p.m. The map was discussed briefly with questions as to whether or not the Council Members would be announced. It was determined that the introductions would be low-key.

Mr. Bowen reported that the Mayor's Office has continued to have discussions with groups and individuals regarding Impact Fees. The Community Group, which the Mayor has mentioned a number of times, is in the process of being brought together. A lot of people have volunteered names of those who would be interested in serving. We haven't made any recommendations to the Mayor on a final size or make up for the committee yet though. The committee will be putting together a business plan for the Impact Fee study, rather than utilizing a consultant on the issue. The basic goal is to try to keep the committee a small, community group and make sure that it is a workable size. There may be some sort of Advisory or Technical Committee to work with them, to serve as a base of knowledge for various aspects involved. We'll keep you posted on these committee developments.

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

**VI. MISCELLANEOUS** -

Mr. Cook noted that he had a number of items for discussion under Miscellaneous.

The first issue was the Council Office Budget. He noted that over the past several years the over-time costs incurred had not been budgeted. The Budget continued to balance because the Discretionary Funds which hadn't been used would show a surplus, even though the line items were over the yearly budgeted amount. If we were to spend all of the Council's Discretionary Funds at one time, there would be trouble, because there is, over a three-year period, an approximate \$15,000.00 short-fall.

Mr. Cook's question was whether or not Council would like to fix that in this years budget by transferring money from the City's Contingency Fund to the Council Budget (to make up the short-fall and officially balance everything with a transfer by Resolution), or shall we just wait until the need arises to do that, understanding that it is unlikely that the Discretionary Funds would all be spent at one time. If that did occur, we could allocate the funds from the Contingency Fund at that time. Or, we can fix it now and have it all done.

Discussion ensued and the final consensus was, as long as the Mayor and the Budget Office would concur, that Council would wait until the following years budget to make the correction. It was agreed that Staff would keep track of the Discretionary spending and the Chair would continue to monitor the budget outlay for over-time and there will be review of Monthly reports showing the proper posting of funds. If problems seem to be developing, adjustments can be made then.

Mr. Cook discussed schedules for upcoming Night Meetings. His concern was that there were several high profile issues that would be coming before the Council soon. These would be the Impact Fees, a Neighborhood Zoning Issue and the Sidewalk Space Ordinance. He noted that there would be night meetings on September 30<sup>th</sup>, and on October 28<sup>th</sup>. His question to Council would be whether or not the Council is interested in having another night meeting either in October or November to accommodate these issues?? No final decision was made, but that Council would re-visit this issues soon.

Mr. Cook also reviewed several up-coming Pre-Council requests with Council.

## VII. COUNCIL MEMBERS

JON CAMP - Absent

JONATHAN COOK - No Further Comments

GLENN FRIENDT - Absent

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

KENT MORGAN - No Further Comments

MARK BOWEN - No Further Comments

DANA ROPER - No Further Comments

## VIII. MEETING ADJOURNED - Approximately 1:03 p.m.