

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, SEPTEMBER 23, 2002  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

1. Minutes of "Noon" Council Members' Meeting for September 16, 2002.

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

1. Homeless Coalition (Werner)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - NONE**

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

**V. MEETINGS/INVITATIONS**

1. Please join the Downtown Lincoln Association at our Annual Meeting and Recognition Ceremony as we celebrate 35 years of progress in downtown Lincoln - on Thursday, October 17, 2002 - Doors open at 11:30 a.m. - Luncheon and Awards Ceremony at Noon - \$18.00 per person - At Embassy Suites Hotel Ballroom - Please RSVP by Monday, October 7<sup>th</sup> - Please fill out RSVP card & send in with money. (See Invitation)
2. You Are Invited! And A Guest (s) - Annual Dinner on Thursday, September 26, 2002 from 6:00 p.m. to 9:00 p.m. - Indian Center, Inc., 1100 Military Road - Please RSVP by September 20, 2002 to 438-5231. (See Invitation)
3. You and your guests are invited to attend a Community Leadership Briefing regarding the Child Guidance Center's relocation to 2440 "O" Street and the "Moving Forward for Children" Capital Campaign on Tuesday, October 1, 2002 from 5:15 p.m. to 6:30 p.m. at The E11even Club, Wells Fargo Center, 13<sup>th</sup> & "O" Streets - Please RSVP by September 25<sup>th</sup> by contacting Shirley Halpern at 475-7666. (See Invitation)

4. You Are Cordially Invited To: Lincoln Southwest High School Dedication on Sunday, September 22, 2002 at 1:30 p.m. - at Silver Hawk Plaza - Reception will follow in the Commons. (See Invitation)
5. President-Elect Darlene A. Starman Invites you to the REALTORS Association of Lincoln 83<sup>rd</sup> Inaugural & Awards Ceremony on Wednesday, October 2, 2002 at the Nebraska Champions Alumni Club, 707 North 10<sup>th</sup> Street (West of Memorial Stadium) - Free parking at the door, Use South entrance - 6:00 p.m., Hors d'oeuvres Buffet and Cocktail Reception - 7:00 p.m., Program - Please RSVP by September 27, 2002 to 441-3620. (See Invitation)
6. Lights On Lincoln! Luncheon on Thursday, October 10<sup>th</sup>, 2002 from 11:30 a.m. to 1:00 p.m. at The Cornhusker Hotel - Please RSVP to the Lincoln Public Schools Foundation at 436-1612 no later than October 6<sup>th</sup> (See Letter of Invitation from Mayor Don Wesely)
7. Invitation from Jon Carlson, President, Near South Neighborhood Association - extend to you an invitation to attend the Near South Neighborhood Associations Annual Meeting & potluck dinner - The meeting will be held on Monday, October 7, 2002 beginning at 6:30 p.m. at the First Plymouth Congregational Church, 2000 "D" Street. (See Invitation)

## **VI. MISCELLANEOUS - NONE**

## **VII. CITY COUNCIL MEMBERS**

## **VIII. ADJOURNMENT**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, SEPTEMBER 23, 2002**  
*CONFERENCE ROOM 113*

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

**Others Present:** Mark Bowen, Kent Morgan (arrived late), Mayor's Office; Dana Roper, City Attorney; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda, Nate Jenkins, Lincoln *Journal Star* representative.

**I. MINUTES**

1. Minutes of "Noon" Council Members' Meeting for September 16, 2002.

Chair Jonathan Cook requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented. The motion was seconded by Coleen Seng. Mr. Terry Werner voiced a wish for amendment at the point of discussion in which it was indicated, facetiously, that he had made a comment that he, in fact, had not made. [See Council "Noon" Minutes for September 16, 2002 at Page 4, VII. COUNCIL MEMBERS - JONATHAN COOK, Lines 8-9] Those minutes were approved, as amended, by unanimous consensus.

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

1. HOMELESS COALITION (Werner) - No Report (Mr. Werner was out of town)

**OTHER MEETINGS:** Ms. Seng mentioned the Planning Commission's Public Hearing on the Impact Fees - Many of the Council Members had watched. Mr. Svoboda shared with the Council Members that the 5 VHS Tapes in the Council Office were recordings of that meeting. He had taken them and viewed some of the meeting. He noted if no other Council Members wanted to take the tapes for review, he would take them home again to finish viewing the meeting (which had run from 1:00 p.m. to 10:00 p.m.) The possibility of having the meeting available on CD Rom was mentioned. It was determined that they would check with 5-City TV Staff to see if that were possible.

Ms. Seng noted that Neighborhoods, Inc. held their annual meeting on Thursday evening. She reported on some hand-out material that she had received regarding an annual tour.

Mr. Friendt was asked if he had remained through the entire Public Hearing on the Impact Fees. He noted that he had attended only to make the point that impact fees are an important tool and he was glad that we're looking at it. We all recognize that there is a problem. He felt it was hard to believe that Council could make a decision on something that will solve 10-12% of the problems, without having the other pieces also available to look at and to consider - so there is a total package for review. He noted that he had not spoken in favor or against the fees....but had merely requested a total picture.

III. **APPOINTMENTS/REAPPOINTMENTS** - Mr. Camp asked for some general information regarding the Health Endowment Appointments. Mr. Bowen gave a brief response.

IV. **REQUESTS OF COUNCIL FROM MAYOR** - Mr. Bowen requested the re-scheduling of two Pre-Council meetings. After a brief discussion, the Pre-Council Schedule was re-vamped for the months of September and October.

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

VI. **MISCELLANEOUS** - The Coffee Pot Bill was discussed. Some members chose to pay personally and some chose to pay out of their discretionary funds since coffee made in this pot would be available to the public at the Council meetings.

VII. **COUNCIL MEMBERS**

**JON CAMP** - No Further Comments

**JONATHAN COOK** - No Further Comments

**GLENN FRIENDT** - Mr. Friendt asked Mr. Bowen how things were going in the putting together of a televised discussion on Impact Fees. He noted that Council had indicated that that would be a very good idea and had requested a meeting to be televised and open to the public. Mr. Bowen stated that a couple of weeks ago, the Mayor had decided that he would have a program to discuss impact fees....a program by CIC. This would not necessarily be the same format, or the same kind of thing that was done at the Auld Center, but a program to discuss the Fees. It would probably involve most of the same people, but it wouldn't be in the body of study, it would be a program produced by CIC.

Mr. Friendt stated that his only concern would be that, so far, Planning and Public Works and the Administration, seem to have presented a view that supports impact fees. Mr. Friendt stated that he would like to make sure that this is a fully disclosed discussion - a public meeting - that would allow all points of view to be presented. So, if other public entities wanted to go ahead with another public forum, that would be another opportunity [for community input]. Mr. Bowen responded that anyone out there that wants to organize something on their own, they're free to do that. The last time we had this discussion, it was why have it on CIC - on Channel 5. He stated that unless it's sponsored by the City, that would still be a problem.

Mr. Friendt stated that he had thought the Council, by and large, had a consensus of going to the same players, re-host a very similar kind of thing that would be reasonable and balanced and courteous and it would be a way to get it televised [and out to the public.] Ms. Seng noted that she felt the discussion was past that point now. She had been in favor of doing something along those lines, but now felt that the discussion had passed that point since the public hearing had been held with the Planning Commission. 5City-TV will probably be running the re-play of the Planning Commission meeting, which really does cover a lot of the concerns including pros and cons of the issue. She felt that public hearing had afforded a sufficient information opportunity.

Mr. Bowen stated that the Planning Commission had put out 30 minute blocks “pro/con - pro/con” at the beginning of their meeting. So, he understood Ms. Seng’s feeling that the discussion had proceeded beyond the benefit of another public forum.

Mr. Svoboda stated that it had been his understanding that the Council had determined that they would attempt to organize, with the Administration, a public forum that we could condense. He noted that he understood Ms. Seng’s comments in light of the fact that there has been a lot of information put out there. But, he didn’t know how many people who are interested in the topic could set through the eight-hour meeting. It’s much too long. Whereas, the forum done at the Auld Rec Center (that we opted not to endorse and pay for taping), was the perfect length and addressed the issues. He thought that was what we would attempt to do in a repeat situation. Even if they [The Planning Commission] vote in favor of the Impact Fee Structure on October 17<sup>th</sup>, that doesn’t mean they’re adopting the fee structure or anything else. We could still have, in late October or early November, this same type of format, with almost the same exact spin on it. Mr. Svoboda stated that he was still in favor of moving forward with something that is a little more condensed than the public hearing meeting of the Planning Commission.

Mr. Friendt stated that ... we’re also starting to see a little more refined presentation of data that most people can agree on. It seems that if we have a discussion, it would offer an opportunity to have a civil, organized discussion with facts that seem to be more refined and more agreed upon, which would contribute to the decision making process.

Ms. McRoy stated that she realized that Mr. Seacrest had some amendments that he had brought forward that need to be discussed. It would be worthwhile to discuss those amendments and decisions regarding them. Mr. Friendt stated that he felt that made a lot of sense, because he had heard that the charge to the Planning Commission was that they were not even supposed to consider detail, but now we have Mr. Seacrest offering specific amendments. If we start looking at the ordinance itself, there are many unresolved issues.

Ms. McRoy stated that she had heard Mr. Abbott saying that the only charge to the Planning Commission was “does this conform to the Comp Plan”. It surprised her how stern he had been in posing that charge. She felt since there were many things that remain to be discussed, she would not mind another forum. She added that if it can be held closer to the time that it would be coming to the Council that would be better for Council Members and for the public. She felt it would serve the community well to have the forum held sometime between the Planning Commissions action and the time that the issue came before Council.

Mr. Werner stated that the Auld Center forum had been a great experience and wished the City could have televised it. But, now he was wondering what sort of reaction we would have to something like that being done again. Mr. Friendt stated that, regarding over-kill, the participants that have vested interest in this, given the general public knowledge on this issue,...[might favor additional coverage]. Mr. Werner noted that he was always in favor of more public disclosure and information, so he would certainly be in favor of such a broadcast. What can it hurt?

The Council, after further discussion, agreed to investigate the airing of a public forum on the impact fees after the Planning Commission’s action and that body’s debate. Mr. Bowen stated that there may be a difference between the original and the second forum. He felt there might be difficulty in duplicating that original format and discussion. The Mayor’s notion was “that’s been done”. So, why not just produce a program with the same types of people laying those issues out there.

Mr. Svoboda stated that, with all due respect, the Council recognized that the Mayor's Office wants the impact fee structure to go forward. The Administration has been very vocal about that fact and which side of the issue that they're on. We, as a Council, are somewhat divided on this issue. Not to say that the Mayor's Office would put together something that was slanted towards their position....but something coming from the direction of the Council, (primarily because we were the ones who voted to say "no" we weren't going to tape and air it)....under that structure [would likely be viewed as less biased] We as a Council could very easily act and say that Jonathan as the Chair could attempt to put together a public forum that will be televised and we do the leg work on it along with the partners.

Mr. Friendt noted that the question of "we already did it" is answered in that it was done for the 125 people at the Auld Rec Center. We're saying, that given how that unfolded, with our concern that we could not or should not sponsor or pay for it, we now feel it was a valuable situation that more people should have a chance to see. Producing a program suggests an element of control. Mr. Friendt felt that the kind of format we saw at Auld was one that seemed balanced and open.

Ms. Seng noted that the hearing at the Planning Commission had been open, too. Mr. Friendt answered that the Auld forum had been open with some structure. Mr. Friendt indicated that he would still like to have a public forum such as the one done at the Auld Rec Center and have it televised. That was the original intent of the Council. It was determined that it should be held after the Planning Commission vote on the 17<sup>th</sup>.....not just a show, but an actual public forum event. The timing and coordination with the Council's hearing on the impact fees at a night meeting was discussed. The agreement to include the League of Women's Voters as the hosting body, and the participants and the costs involved were also discussed briefly. It was agreed that Mr. Cook and Mr. Bowen would work with the 5City-TV personnel to set up such a forum event which would be paid for equally from each of the seven Council Members Discretionary Funds. It was agreed that the opportunity for community discussion was worth the attempt at a re-enactment of the Auld format and the cost to the Council. The logistics, such as location, time and date were further discussed briefly with no final decision being made.

**ANNETTE McROY - No Further Comments**

**COLEEN SENG** - Ms. Seng commented that she felt the Council had been very negative at this morning's Pre-Council meetings. She felt if Council expected to have any private partnerships involved in projects with the City, she didn't know how we would get them now. She noted that questions could be asked in a better way instead of being done with such a negative slant. That's the name of the game now - public/private partnerships. We have to have the private sector involved and we were really going after them this morning.

Mr. Svoboda stated that he did agree that there was a certain amount of negativity in every single pre-council we had this morning. But, some of us were standing in line at lunch and saying "this is what City government is all about". This Council and the individual members will never be accused of not asking the right questions or of rubber-stamping things that come through. Mr. Svoboda thought the discussions this morning were great! He thought that was the kind of discussion that should be held in the Council Chambers where more people watch it, because he thought hardly anyone watched the Pre-Council meetings. Other Council Members thought that assessment of viewership wasn't accurate. Mr. Svoboda stated that he appreciated and even enjoyed the discussions this morning, because it brought out the same things that we as individuals were elected to do...and that is ask the tough questions. He did agree, however that it did appear negative.

Mr. Friendt indicated that he was in awe of Coleen's style, in being able to ask insightful questions in a very positive way. Council agreed that none had intended to be negative or uncivil in their questioning, but had perhaps been too intent on the questioning and less intent on their presentation than would be considered polite. Ms. Seng reiterated that Council should be conscious of their presentation at these meetings.

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

ANN HARRELL - Absent

KENT MORGAN - No Further Comments

MARK BOWEN - No Further Comments

DANA ROPER - Mr. Roper passed out copies of a letter of response he had written to an attorney for a liquor license applicant. The letter explained the State Statute that provided local authority only a recommending authority over liquor license applications, and further explained that the State Liquor Control Commission is the ruling authority on approval or denial of all liquor licenses in the State of Nebraska, including the approval of any conditions imposed by the local governing bodies.

**VIII. MEETING ADJOURNED** - Approximately 1:00 p.m.

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