

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, JANUARY 5, 2004  
Immediately Following Director's Meeting  
CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes from Director's Meeting of December 1, 2003.
- \*2. Minutes from Council Members' "Noon" Meeting of December 15, 2003.

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

- \*1. RTSD Board Meeting (Cook/Friendt/Svoboda) - **CANCELLED**
- \*2. PRT Meeting (Newman)
- \*3. Homeless Coalition Meeting (Newman)
- \*4. Citizen's Meeting (Newman)
- \*5. Downtown Lincoln BID Association Board Meeting - (Werner)
- \*6. GAIC (Camp)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - NONE**

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

**V. MEETINGS/INVITATIONS**

- 1. 80<sup>th</sup> Annual Meeting of United Way of Lincoln and Lancaster County on Thursday, January 22, 2004 from 11:30 a.m. to 1:00 p.m. at The Holiday Inn Downtown, 141 N. 9<sup>th</sup> Street - (Parking is available in the Holiday Inn Parking Facility) - Lunch is \$20.00 per person or \$190.00 per corporate table of ten - Please RSVP with the enclosed card by January 12, 2004. (See Invitation)
- 2. On behalf of the Rev. Dr. Martin Luther King Jr., Youth Rally and March executive planning committee we would like to cordially invite you to the 9<sup>th</sup> Annual Rev. Dr. MLK Youth Rally & March - The Monday, January 19, 2004 event is being held in conjunction with the national recognition of his birthday and is one of the few youth run local and national initiatives of its type. This years theme "THE DREAM. . .IT'S LEFT TO US!" - Beginning at 9:00 a.m. in

the Ballroom of the University of Nebraska-Lincoln, Student Union (14<sup>th</sup> & “R”) - At 10:00 a.m. there will be a march through downtown Lincoln - At about 10:30 a.m. a rally “program” will be held in the East Legislative Chamber of the Nebraska State Capitol- (Peter Ferguson at 441-4664 or by E-Mail) - (See Invitation)

3. The 2004 National League of Cities Annual Congressional City Conference in Washington, D.C., on March 5-9, 2004 - (Copy of brochure on file in the City Council Office) (See Brochure for more details).
4. The Lincoln Chamber of Commerce invites you to attend the following Ribbon Cutting: - Please RSVP to Tera Pugh at 436-2355 or E-Mail:  
A.) **CORRECTION DATE:** On The Go (Valentino’s new convenience store), 5240 S. 48<sup>th</sup> Street-Suite A, on ~~Monday, January 5, 2004~~  
**Wednesday, January 7, 2004** at 10:00 a.m.
5. The Lower Platte River Corridor Alliance (LPRCA) Meeting on Tuesday, January 13, 2004 at 9:30 a.m. at the Lower Platte South Natural Resources District, Conference Room, 3125 Portia Street - (Rodney Verhoeff, 476-2729) (See E-Mail)

#### **VI. MISCELLANEOUS**

1. Discussion on message from Diane Gonzolas - RE: The Lincoln Gridiron Show on April 26<sup>th</sup>, Monday evening, show starting at 7:30 p.m. – (Night Meeting for April -Unable to be changed, Move Night Meeting???) - (See Attached Telephone Message)
2. Discussion regarding Agenda Items for the next Joint Meeting of the Lincoln City Council, the Lincoln Board of Education, the Lancaster County Board, and the Mayor and please provide any Agenda Items by Tuesday, January 13<sup>th</sup>. Meeting is scheduled for Tuesday, January 20, 2004 at 7:30 a.m. at the Lincoln Public Schools District Offices, 5901 “O” Street. (Provide Agenda Items to Marilyn Lovelace at 436-1815 or E-Mail) (See Attached Letter)

#### **VII. CITY COUNCIL MEMBERS**

#### **VIII. ADJOURNMENT**

**\*HELD OVER FROM DECEMBER 22, 2003.**

**\*\*HELD OVER FROM DECEMBER 29, 2003.**

**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, JANUARY 5, 2003**  
*CONFERENCE ROOM 113*

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

*Others Present:* Mark Bowen, Ann Harrell, Cori Kielty, 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 from Director's Meeting of December 1, 2003.
- \*2. Minutes from Council Members' "Noon" Meeting of December 15, 2003.

Chair Camp requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented. The motion was seconded by Glenn Friendt and the minutes were approved, as presented, by general consensus of the Council Members.

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

- \*1. RTSD (Cook/Friendt/Svoboda) - CANCELLED
- \*2. PRT (Newman) - CANCELLED
- \*3. HOMELESS COALITION (Newman) Ms. Newman commented that she had attended the meeting, but did not believe there was anything of note to report.
- \*4. CITIZEN'S MEETING (Newman) Ms. Newman reported that Carol Connor, [Library Director] came and talked about a variety of different things with which the Libraries are involved, including the very interesting results of their User Survey. It was kind of a "scoop" because they haven't officially released the results; but they had gotten a good idea of what was going on. It was a wonderful presentation and we had about 18 citizens attending.
- \*5. DOWNTOWN LINCOLN B.I.D. ASSOCIATION BOARD MEETING - (Werner) Mr. Werner reported that basically, the meeting had been spent with Kent Seacrest talking about Antelope Valley. Mr. Werner thought there had been no new information presented on that issue.

Ms. Harrell commented that there had also been an update on the redevelopment plan that is being readied. There wasn't a lot conversation on that. Mr. Camp noted that he had heard many rumors that there is a movement to try to get all the railroad track area changed and have the convention center there. He asked if there were something going on in the City in regard to those issues? Mr. Bowen noted that there has been plenty of talk, but that is why the Convention Study is being led by the Chamber of Commerce. There was a brief discussion on this issue, with no definitive point being reached.

\*6. GAIC (Camp) - No Report

OTHER MEETINGS - None

III. APPOINTMENTS/REAPPOINTMENTS - Mr. Bowen noted that the Mayor has an LES appointment selection. He did not believe he could say the name yet, but did believe that all the Council Members would be pleased with the name of the nominee. He noted that he would get the name to Council before the day was over. Council unanimously expressed amazement that the nominee would please ALL of the Members. [Laughter]

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen commented on the SRT Committee which would hold it's initial meeting on January 7<sup>th</sup> at 7:30 a.m. in the Mayor's Conference Room. He noted that all of the Council Members were invited to attend, adding that the meeting should not last more than an hour.

Mr. Bowen informed Council that the Budget Retreat is all set for Thursday, January 8<sup>th</sup>. He commented that there would be two additional items besides Steve Hubka's regular agenda. One would be Kent, Allan and Marvin giving a C.I.P. update. The second would be an update on the Police/Fire Pension. We have a final draft of that now which we will copy to Council so that you can look it over. Mr. Taute will review that for your information. Mr. Friendt asked if the unions would see the information before it was presented to the Council. [They would] Mr. Bowen felt these were issues that are directly related to the budget.

Several suggestions were made as to who would be catering the Retreat, but no definite decision was reached.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment.

VI. MISCELLANEOUS -

1. Discussion on message from Diane Gonzolas - RE: The Lincoln Gridiron Show on April 26<sup>th</sup>, Monday evening, show starting at 7:30 p.m. - (This will be an evening meeting and it is unable to be changed. Should Council move its April Night Meeting scheduled for the 26<sup>th</sup> in order to allow Council Members to attend the Gridiron Show?) After extensive discussion, it was agreed that re-scheduling the night meeting would be inappropriate. It was felt that changing the agenda schedule would not set a proper precedent. However, it was decided that the issue of Council's night/holiday meeting schedules be placed on the Retreat Agenda for further discussion.

2. Discussion regarding Agenda Items for the next Joint Meeting of the Lincoln City Council, the Lincoln Board of Education, the Lancaster County Board, and the Mayor. Please provide any Agenda Items by Tuesday, January 13<sup>th</sup>. Meeting is scheduled for Tuesday, January 20, 2004 at 7:30 a.m. at the Lincoln Public Schools District Offices, 5901 "O" Street. (Provide Agenda Items to Marilyn Lovelace at 436-1815 or E-Mail)

Rather than addressing this request, discussion ensued on scheduling the Special Liquor Permit issue for review and consideration by Council at an appropriate forum. A final determination was that this issue be placed on the January 12<sup>th</sup> "Noon" Agenda for an in-depth review with Marvin Krout, Chief Casady and Joel Pedersen in attendance to answer questions and offer expertise. [These gentlemen were notified on January 5<sup>th</sup> of the request for their attendance at that meeting.]

Discussion did reveal that some Council Members would prefer to be included in the legislation process at the beginning rather than at the end, after everything has been decided. Several Council members noted that the Mayor's stance on the issue would be to maintain the 100 foot set-back and eliminate "mitigation" from the permit process. It was noted that Council has the authority to command another committee to review it, or the Council could bring people in for pre-councils on the issue.

Discussion continued on the procedure for changing/amending a proffered ordinance. Council agreed that there were enough questions to warrant further discussion at an appropriate forum. Mr. Svoboda noted that this truly isn't an ILC issue, but a zoning concern. It was at this point that the January 12<sup>th</sup> "Noon" meeting was chosen as the appropriate forum for further discussion.

## VII. COUNCIL MEMBERS -

**JON CAMP** - Mr. Camp noted that the Joint LPS/City/County meeting, scheduled for January 20<sup>th</sup>, has been moved from the Boy Scout Camp to the LPS Administrative Office - Time and date remaining the same. [Tuesday, January 20<sup>th</sup>, 7:30 a.m.]

**JONATHAN COOK** - Mr. Cook noted that at the Council's Formal Meeting on January 22<sup>nd</sup>, there had been a break-down in what we should be doing during our voting session. We should not be calling staff forward and asking questions while trying to make points through that process. We are at a time of voting. We can make our own statements and our own cases - but that should be it. The time for testimony is during the public hearing. We should try to ask our questions then and get everything out at the public hearing. If we have staff questions during the week, we should contact the appropriate staff. But, we should not turn our voting session into an additional public hearing time. Mr. Friendt and Ms. Newman concurred with Mr. Cook's comments. Ms. Newman noted that this is a problem that the Council has condoned for years. She thought the Council needed to pay attention to those formal meeting rules of order. Mr. Werner asked Mr. Roper if it was inappropriate for a Council Member to get a clarification from a Department Head during the voting session. Mr. Roper stated that it is a choice the Council can make.

Mr. Cook stated that it's one thing to ask for a clarification.... Ms. Newman noted that the difference between clarification and questioning staff is that once staff gets up during a voting session, nobody can rebut that. It is unfair to whomever the proponent might be and is, basically, out of order. It is better to have all those things covered in the public hearing phase of the meeting. Once we've gone into voting session, unless it's a very, very serious procedural question, staff should not be called up, because no one then has the opportunity [to rebut].

Discussion continued with a final consensus of agreement that the rules should be enforced with Council members disciplining themselves to avoid such circumstances in the future.

A continuing discussion regarding Council's role in drafting and proposing legislation ensued briefly with no final stance being adopted, though some believed that the current process has worked well for the City of Lincoln. It was pointed out that the City Charter presents the Council as a policy making board with some over-sight in terms of operation, but that Lincoln has adopted a Strong Mayor form of government. The thought was expressed that Council should spend more time on policy issues.

GLENN FRIENDT - No Further Comments

ANNETTE McROY - No Further Comments

PATTE NEWMAN - No Further Comments

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

MARK BOWEN - No Further Comments

ANN HARRELL - No Further Comments

CORI KIELTY - No Further Comments

DANA ROPER - No Further Comments

**VIII. MEETING ADJOURNED** - Approximately 12:25 p.m.

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