

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, FEBRUARY 2, 2004
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

- **1. Minutes from Council Members' "Noon" Meeting of January 12, 2004.
- **2. Minutes from Directors' Meeting of January 12, 2004.
- **3. Pre-Council Meeting Minutes - RE: USAR Lease - December 1, 2003.
- **4. Pre-Council Meeting Minutes - RE: 2004 Street Construction & Detour Plan - January 12, 2004.
- ***5. Minutes from Directors' Meeting of October 20, 2003.
- ***6. Minutes from Directors' Meeting of November 3, 2003.

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

- *1. Lincoln Partnership for Economic Development Investors' Meeting (Camp)
- *2. Public Building Commission (Camp/Cook)
- *3. ISPC Meeting (Camp)
- *4. Joint Budget Committee Meeting (McRoy/Werner) - NO MEETING IN JANUARY
- **5. Special Meeting of the Parks & Recreation Advisory Board Meeting (Cook)
- **6. DEC Board of Directors Meeting (Friendt)
- **7. Mayor's Outdoor Dining Committee Meeting (McRoy/Svoboda)
- **8. Multicultural Advisory Committee Meeting (McRoy)
- **9. Homeless Coalition Meeting (Newman)
- **10. Citizens' Meeting (Newman)
- **11. Board of Health Meeting (Svoboda)
- ***12. Futures Committee Meeting (Cook)
- ***13. Government Square Project Meeting (Werner)
- 14. Internal Liquor Committee Meeting (McRoy/Newman/Svoboda) - **CANCELLED**
- 15. PRT Meeting (Newman)
- 16. Downtown Lincoln B.I.D. Association Board of Directors' Meeting (Werner) - **CANCELLED**

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. REQUESTS OF COUNCIL FROM MAYOR - NONE

V. MEETINGS/INVITATIONS

1. The Lincoln Chamber of Commerce invites you to attend the following Ribbon Cuttings: - Please RSVP to Jaime Henning at 436-2354 or E-Mail:
 - A.) Cellular One, 620 N. 48th Street, Suite 200 on Friday, February 13, 2004 at 11:00 a.m.
 - B.) Home Depot, 27th & Cornhusker on Wednesday, February 4, 2004 at 6:00 p.m. and - (Also received a personal VIP Invitation from Clyde Wilard, Store Manager & Jane Carmichael, HR Manager, The Home Depot inviting you to this ribbon cutting-(See Attached Invitation)
 - C.) Free My Time, 40th & Old Cheney (At Hy-Vee Williamsburg) on Thursday, February 12, 2004 at 2:00 p.m.

2. The Annual Meeting of the YMCA of Lincoln, Nebraska - for the election of new Board of Directors members and to celebrate the accomplishments of the Association on Thursday, February 5, 2004 at the Nebraska Club, 20th Floor, U.S. Bank Building, 233 South 13th Street - Social Time, 5:00 p.m. – Annual Meeting, 5:30 p.m. – RSVP by February 2nd to 434-9205 or by E-Mail. – (See Invitation)

3. First National Bank - Grand Opening of our new SouthPointe Pavilions location on Tuesday, February 3, 2004 - Ribbon/Cutting Ceremony at 5:15 p.m. — Open House from 5:00 p.m. to 7:00 p.m. - (See Invitation)

4. The Home Builders Association of Lincoln's Annual Installation Dinner originally scheduled for this evening (January 26th) has been postponed until Monday, February 2nd - Home Builders Association of Lincoln Installation Dinner & Awards Ceremony - 6:00 p.m., Social – 7:00 p.m., Dinner – at UNL Champions Club – Please RSVP to 423-4225. – (Council received their copies of this Meeting Postponement & it was placed on the Attend Sheet for 1/26/04) (See Invitation)

5. CenterPointe, Inc. cordially invites you to our 30th Annual Meeting and Luncheon - Honored Guest & Featured Speaker Governor Mike Johanns - on Thursday, February 19, 2004 from 11:30 a.m. to 1:00 p.m. - at Embassy Suites Hotel, Regents Ballroom - \$25.00 per person - Please RSVP with the enclosed card by February 13th - (See Invitation)

VI. MISCELLANEOUS

1. Discussion with Mayor Seng and Doug Ahlberg - Coordinating Mayor's Absences with City Council Office.
2. Discussion on Pre-Council Schedules. (See Attachment)

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

***HELD OVER FROM JANUARY 12, 2004.**
****HELD OVER FROM JANUARY 19, 2004.**
*****HELD OVER FROM JANUARY 26, 2004.**

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, FEBRUARY 2, 2004
CONFERENCE ROOM 113

Council Members Present: Jon Camp, Chair; Terry Werner, Vice-Chair; Jonathan Cook, Glenn Friendt, Annette McRoy, Patte Newman, Ken Svoboda; (Arrived Late - After Minutes Approval)
ABSENT: None

Others Present: Mark Bowen, Cori Kielty, Mayor's Office; Dana Roper, City Attorney; Joan Ray Council Secretary; Diane Gonzolas, Director, CIC (sat in briefly); Doug Ahlberg, Emergency Services Director; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative.

I MINUTES

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(**/** - Carried Over from January 19th and 26th "Noon" Meetings)

Chair Camp requested a motion to approve the above-listed minutes. Terry Werner moved approval of the minutes, as presented. The motion was seconded by Annette McRoy and carried by unanimous consensus of the Council Members present (6-0).

Chair Camp brought **Item 1 from the Miscellaneous Section** of the Agenda forward for Discussion in order to accommodate Mr. Doug Ahlberg's schedule. Mr. Camp had a concern that the City should have an established procedure in place for the notification of the Council Chair of any absence of the Mayor. He felt this should be done in order that there be an established and clearly defined chain of command in place should there be any sort of emergency that might require a response during the Mayor's absence. This issue was discussed at length with Mayoral staff indicating that the Mayor had agreed to notify the Chair and Vice-Chair of any impending absences.

Mr. Ahlberg noted that there is a procedure in place in contacting the Mayor and Council persons during emergency situations. He noted that there is a protocol check list for use anytime there is an emergency situation that could affect the City or County whether that would be flooding or severe weather conditions -any emergency situation. This list includes the necessary phone numbers for contacting every elected official that would need to be notified through the chain of command. He explained that notification would be well in advance of any event that is anticipated.

He added that he would be more diligent in notifying Council as well as the Mayor's Office when he himself would be out of town. Mr. Ahlberg informed the Council that during his absences, Kerry Eagan, the County Administrative Officer, was Mr. Ahlberg's "back-up" for any emergency situation that might arise. He added that the 911 Dispatch Center would also always know his whereabouts in case of an emergency situation.

It was determined, after considerable discussion, that Mr. Mark Bowen would draft a written policy on notification procedures which would be submitted to and reviewed by Council to ensure that an effective procedure is in place for notification of elected officials in the event of any emergency that might arise.

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

- *1. LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS' MEETING (Camp) No Report
- *2. PUBLIC BUILDING COMMISSION (Camp/Cook) No Report
- *3. ISPC(Camp) Mr. Camp did not attend, but had read the minutes. The one thing that he wanted to comment on was that there will be a \$115,000 contract for work to remodel the I.S. facilities. He supposed that that would come under the PBC Budget. But that is a major item that will be brought forward at Budget Time.
- *4. JOINT BUDGET COMMITTEE (McRoy/Werner) - NO MEETING IN JANUARY
- **5. SPECIAL MEETING OF THE PARKS & RECREATION ADVISORY BOARD (Cook) Mr. Cook reported this meeting had been held to discuss the Parks & Rec C.I.P., which will be presented at the Town Hall Meeting on March 1st (the re-scheduled snow-date). It was just an update to the Board on information that would be presented to the public at the C.I.P. meeting.
- **6. DEC BOARD OF DIRECTORS (Friendt) Mr. Friendt reported that the Board met at the new Salt Valley Generating Station and there had been a tour at that time as well. They had just gotten the occupancy permit the week before. Mr. Friendt passed out photos of the aerial view of the facility.

The purpose of the meeting was to elect officers for the year 2004. Mr. Friendt was elected President of the Board. Mr. Bernie Heier was elected Vice-President; Steve Masters will continue as Secretary-Treasurer; Shelly Sahling-Zart will continue as the Assistant Secretary. The financial report was reviewed. The year ended on a positive note, even though we were behind the curve in November, because the Fall had been so nice, but December brought everything up and we had \$19,000.00 in net revenue over budget.

We're still struggling with natural gas costs because we're using more and more natural gas as part of our energy mix. The new Salt Valley Generating Station will be gas fired because basically, the turbines are modified 747 jet engines. This is a second generation in a combined cycle plant. They burn gas in the jet engines, which turns the turbines and

creates electricity. But then, they use the heat coming off the jet engines to actually heat steam and get additional energy from the same output, so, it should be pretty efficient. We also discussed the design & how the jet engines could be taken apart and repaired and replaced.

Sometime soon, Mr. Friendt believed it would be in April, there will be an opportunity for an open house. He highly recommended that any one who could, should go out and take a look - noting that it's pretty "cool" state of the art stuff.

Mr. Friendt continued his report, noting that they had also discussed the fact that the DEC and the City entered into a joint project to run fiber optics from this building through to the "K" Street Complex at 8th & "K" Streets, but with a stop along the way at the DEC sub-station generating station on the southwest corner of 9th and "K" Streets. Now they are able to control the heating and cooling of this building from that building with fiber optics technology.

**7. MAYOR'S OUTDOOR DINING COMMITTEE (McRoy/Svoboda) Ms. McRoy stated that they had special meetings to see how the recently revised Outdoor Dining Committee Recommendations would jibe with the Smoking Ban Ordinance proposals. She did not get to both of the special meetings, but the recommendations have been forwarded to the Mayor's Office. The e-mails on these updates should be sent to all of the Council Members. [Staff indicated that this would be done] Ms. McRoy decided to continue this report next week so she could offer a more thorough discussion on the interdependence between the Smoking Ban and the Outdoor Dining Committee's concerns. Ms. McRoy requested that all the Council Members receive the Outdoor Design e-mail from Jeff Cole. Ms. Ray indicated that she would send each Council Member a copy of that e-mail.

Mr. Camp took this opportunity to ask Mr. Roper if there was something being drafted by the Law Department regarding the smoking ban which would address technical corrections to that ordinance. He noted that the preamble was one point with which he particularly had a concern. He asked Mr. Roper if something might be put together in the next month or two for a technical corrections bill. Mr. Roper stated that if that was Council's wish, it would be done. Mr. Camp felt some fine-tuning might be necessary. It was decided that this might require further discussion.

Mr. Roper reported that the item the Committee dealt with was to adopt a definition comparable to the smoking ordinance on bars....there would have to be 60% of income from food, because they didn't want bars just being on the sidewalk - the establishment would have to be a restaurant. So, they were making a distinction between bars and sidewalk cafes, and were trying to coordinate those definitions.

**8. MULTICULTURAL ADVISORY COMMITTEE (McRoy) No Report

**9. HOMELESS COALITION (Newman) Ms. Newman reported that the Coalition had met on January 15th. She stated that Matt Talbot is doing another vision screening, which is filling up quickly. They're also actually offering yoga classes now with grant monies they obtained for that purpose.

There was a question about DayWatch. Apparently there is a Task Force and they're looking at two options: One being keeping it 'as is'; the other would be to "divvy" everything

up among other agencies. Ms. McRoy noted that those meetings had been held on Monday, the same day that Council had their formal Council Meetings....she wondered if this wasn't deliberately done to make sure that no Council Members would show up. She noted that she had, however, had the opportunity to discuss this at the Matt Talbot Board of Directors' Meeting (since she is a member of that Board). It was discussed at the meeting and they agreed, as a Board, to explore options of taking some of the services from DayWatch. It appears that that is what the community wants and is asking for. The Director of Matt Talbot was asked to do that. We can't offer showers and laundry at Matt Talbot, but we would be taking over the management of the DayWatch program and hire new staff and manage it under the auspices of the Matt Talbot organization. Nothing is set in stone; we'll be talking about it at our Board Retreat in March.

Ms. McRoy noted that the Board is attuned to explore possibilities. The Board voted to continue to allow staff to explore any options, because we want to be of service to the community.

Ms. Newman noted that one thing that was brought to the Board's attention was that a lot of people had not paid their dues for last year (including the last City Council representative). Mr. Werner (the last City rep) apparently had not given the billing to Council Staff to be paid. Ms. Newman indicated that she would get the current billing to Staff. Ms. Ray indicated that she would pay dues for both years if she had the billing for those years. Ms. Newman thanked Ms. Ray.

**10. CITIZENS' MEETING (Newman) Ms. Newman reported that they had a small crowd - about a dozen people. She had learned something new...they apparently have a workshop for crime free multi-housing. So, it's not just neighborhoods, but it's also for landlords with tips on how they can keep their rentals crime free.

**11. BOARD OF HEALTH (Svoboda) Mr. Svoboda indicated that the meeting had been mostly a "Cry In Your Soup" event and he had no report.

***12. FUTURES COMMITTEE (Cook) Mr. Cook reported that the topic at this meeting had been de-accessioning community art. What do we do when someone has given art to the City when that piece of art is no longer something that we want. What is the process that we go through to get rid of it? Do we give it back to the donor; do they get "first dibs" on it? Do we auction it off in a certain way...what is our process? We don't really have one, but there are galleries and other institutions that have policies and so the City is going to put in place a more formal policy on this matter.

Of course, what brought this up is the bicycle sculptures. That whole process was not done in a very formal way. We put them out there on City right-of-way and now that they've gone through the auction, there are some people who are offering them back to the City. Then the City Council will have to go through a process of accepting them if they're given to us. But, what if they are loaned to the City? Then there is a different process that requires City Council approval also. What happens then, at the end of the loaned time period, what happens to the art work? It's a lot more complicated than many people initially thought. So, we're working on a formal procedure to answer these questions.

- ***13. GOVERNMENT SQUARE PROJECT MEETING (Werner) Mr. Werner had no idea what this meeting was called to address and requested further information from Staff. [This was an extension of a DLA Committee - an informational meeting. The area referenced covers the downtown block which formerly housed government buildings including Old City Hall and the Old Federal Building]
14. INTERNAL LIQUOR COMMITTEE (McRoy/Newman/Svoboda) - CANCELLED
15. PRT (Newman) Ms. Newman reported that several areas on Cornhusker are being cleaned up. and had been discussed
16. DOWNTOWN LINCOLN B.I.D. ASSOCIATION BOARD OF DIRECTORS' MEETING (Werner) - CANCELLED

OTHER MEETINGS - Ms. Newman reported that on January 13th she had gone to the Lower Platte River Corridor Alliance Meeting at the NRD. This was interesting. They had NRD Directors from Saunders, Sarpy, and Cass Counties and from all around the area. One of the things that they discussed was that they wanted to get an area Regional Water Utility Board which would include Cass County and the NRD/South Bend/Louisville. She noted that in her mind, a little red flag went up as they were talking about copper corrosion and talking about water supply and wastewater and that they may have to access some of Lincoln's water. It is something that we should keep an eye on.

Mr. Bowen stated that this has been an on-going issue for a number of years now. They have water quality problems and one of the things they've talked about off and on many times is the option of just buying Lincoln's water.

Ms. Newman commented that this was a very interesting meeting and she volunteered to be the Council liaison for these quarterly meetings. Council agreed to her offer.

Ms. Newman reported that she also went to a meeting on January 24th - The Community Services Initiative. What Council should know is that they did get a grant to have an informational referral. It's like the IRA system. It's a computer system that the different Human Services agencies can tap into. The benefit of this is it does not violate any HIPPA Standards. What they can do is put the data in so that we have a good number on what the Human Service needs of the community are, including the needs of homeless. With this system, we are not double-counting people and resources can be most efficiently used while maintaining the privacy of the individuals being served.

Mr. Friendt reported that the Affordable Housing Steering Committee had met at what was billed as sort of it's final meeting before the report. He did not think that he was the only one on the Steering Committee who was a little perplexed because we spent 12-14 months getting input and weighing options and using stickers and surveying people - then at this meeting, the stated that they weren't actually going to use the priorities or look at the prioritization of the challenges of affordable housing, but were going to write a narrative type report.

Mr. Friendt stated that they provided some data which he passed out to Council Members. He added that they spent most of the meeting trying to figure out what this information meant, because it doesn't appear to be comparative, so, it was hard to deduce what this data actually said. ,

and there were disagreements on that. He added that he would be intrigued to see the report. He said he felt it would end up being an Urban Development Department report on affordable housing.

Ms. Newman asked if they had discussed lot prices? Mr. Friendt answered that in the course of a year or so, they had. They had talked about a lot of things. The list had been so extensive that was why (or so he had thought) they had gone through the prioritization process. He did not know how the City could attack the problem unless we can get focused on a few things that we can address.

Mr. Werner commented that you have to love those committees that go for a year and then do nothing. Mr. Friendt commented that he sensed a lot of frustration at that meeting.

Ms. Newman asked what “affordable housing” actually meant? Mr. Friendt stated that he did not see that the Committee had ever come to a clear-cut consensus on that - whether we were talking about “low-income housing” (because that is where it seemed most of the data indicated a need) versus “affordable housing”. Mr. Cook asked if they were talking about owner-occupancy or rentals? Mr. Friendt stated that both were included in the discussion. He stated that some of the committee members were looking for this data in comparison to benchmark cities, which we did not do, even at the very end when we were discussing being a university town and how that would affect the data. We felt like we could compare to other university towns, but this was not done. Council will see the data in the report.

III. APPOINTMENTS/REAPPOINTMENTS - None

IV. REQUESTS OF COUNCIL FROM MAYOR - [FYI - *Historical Update*: This portion of the Agenda used to include requests from the Mayor’s Office for Council Members to speak at or attend functions at which the Mayor could not be present. It might be noted that any scheduled out-of-town engagements that would result in the Mayor’s absence would/could be noted here. Legislative Updates used to be presented at Pre-Council Meetings with the Mayor’s Office providing Minutes coverage].

Mr. Bowen commented that he had a number of things to mention. First the Street/Roads and Trails Committee has had a couple of workshops. Members from that committee will be contacting various Council Members to discuss some of those workshops. Their Steering Committee will be meeting this week. We’ll know a lot more how they will proceed after that meeting. Be prepared for someone from that group to be contacting you individually.

Mr. Friendt asked if they had new or different ideas about this infrastructure problem versus what we got before? Mr. Bowen answered that what they are trying to put together is a menu of selections for Council to consider. They’ll have a group of different types of packages to present to see how you feel about the different options.

Mr. Bowen commented that about two weeks ago, Council received in their packet a memo on Fire Leasing. He hoped everyone had had an opportunity to look that over. He asked what they would like the next step to be. Is the memo enough? Would you like a pre-council? What is it that you would like to do? Mr. Friendt stated that he felt it was time to have the conversation in the Chambers. He noted that the Council has been talking about it, or at least it’s been on the backburner, for some time. He did have one question regarding a budgeting point: where, if we agree to go ahead at any level, does that fit in to the coming years budget? Usually leasing would be in the

Operating Budget vs. this being a C.I.P. expenditure. Mr. Bowen stated that that is correct and that is what they would like to determine. He added that when this discussion on leasing began about two years ago, they had identified money at that time for leasing. But that is what they want to get a feel for - how we will plan for that.

Mr. Camp commented that he would still like to have a review of the whole system before we start adding more fire trucks. He thought that before you buy equipment, you should have a plan on how to deploy it. If we send an ambulance instead of a fire truck on QRTs - will we need as much heavy equipment? He wanted a review the Fire Stations system. He would like to have better Fire Prevention instead of focusing on Fire Fighting. Mr. Camp still wanted the study.

Mr. Svoboda stated that he had appreciated the cost analysis that Council had received from Finance and the Fire Department. He was quite pleased with the way it was put together...it clearly explained exactly where the needs were and when that vehicle becomes an expense as opposed to an appreciable item. He liked the format.

Mr. Bowen asked about the Police-Fire Pension issue. He had talked with Don Taute who, last Friday, had met with a union attorney to review the proposed language. Mr. Bowen had given Council a draft of the contract. The union attorney had a few minor corrections that he explained to Mr. Taute. Mr. Bowen asked if the whole Council would like a memo on the issue, or would they like a pre-council? Or we can go before the full Council at meeting since we have had the public hearing. Mr. Friendt noted that it would be good to have a summary memo which Council could review. Then, based on that, we could determine whether or not we'd like further conversation on it. Right now, he felt he would like a pre-council on the issue. It was agreed to provide Council with a summary memo and then they would decide if they would like further information at a pre-council.

Mr. Bowen then passed out for review the Legislative Session Bill listing. This was discussed briefly and it was decided to review this at a future "Noon" Meeting. [A copy of the listing is on file in the Council Office]

V. MEETINGS/INVITATIONS - Noted Without Significant Comment.

VI. MISCELLANEOUS -

1. Discussion with Mayor Seng and Doug Ahlberg - Coordinating Mayor's Absences with City Council Office. [See discussion above on Page 1. Mayor Seng addressed this issue at the Directors' Meeting and was not in attendance at the "Noon" Meeting]
2. Discussion on Pre-Council Schedules. This discussion was engaged briefly by Council, as shown above under Requests of Council from Mayor.

VII. COUNCIL MEMBERS -

JON CAMP - None

JONATHAN COOK - Mr. Cook noted that most of the Pre-Councils on the Upcoming Pre-Council list could probably be deleted. He spoke briefly to the proposed Council Meeting Schedule. He made a motion to accept the schedule as it had been adopted at the Budget Retreat, but, after concerns voiced by other Council Members, withdrew the motion. It was determined to address this further at another "Noon" Meeting when Council would have more time for consideration and discussion.

GLENN FRIENDT - No Further Comments

ANNETTE McRoy - No Further Comments

PATTE NEWMAN - No Further Comments

KEN SVOBODA - Mr. Svoboda asked, noting the Federal grant that the Lincoln Fire and Rescue just received (\$468,000 for Communications Equipment), where does that sit, then with the budgeted amount that Council gave up in discretionary funds last year. That money had been allocated towards the purchase of radios, yet the \$468,000 will more than cover the \$412,000 that they had originally asked for to replace the radios. To where does that money get re-allocated? Or has it been used?

Mr. Bowen answered that he would have to find out as he did not know. Mr. Svoboda indicated that he could do an RFI on the question, if that would help. Mr. Friendt commented that he had a follow-up to that question after talking to Doug Ahlberg a few weeks ago. Mr. Ahlberg had stated that the FEMA grant would cover the radios for Police and Fire. Ms. McRoy asked if that was the same grant just announced? Ms. Newman added that they've also been hearing about a State-wide system to make all of the radios compatible.

Mr. Bowen indicated that that was one of the bills on the legislative list that they have a number of concerns about. Mr. Friendt stated that he thought the grant that Mr. Ahlberg was talking about was different than the one just announced. He stated that he needed some assurance that we're not paying for these radios three times over or having the money sent off somewhere. Mr. Bowen stated that he would get some information on that question, and that he could bring the information back to the Council next week.

TERRY WERNER - No Further Comments

MARK BOWEN - No Further Comments

CORI KIELTY - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 1:10 p.m.

cm020204/jvr