

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, APRIL 19, 2004
Immediately Following Directors' Meeting
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes from the Directors' Meeting of April 12, 2004.
2. Minutes from Council Members' "Noon" Meeting of April 12, 2004.
3. Pre-Council Meeting Minutes - Executive Session - RE: Labor negotiations with IAFF and LPU - April 12, 2004.

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

1. Public Building Commission Meeting (Camp/Cook)
2. Multicultural Advisory Committee Meeting (McRoy)
3. Homeless Coalition Meeting (Newman)
4. Citizen's Meeting (Newman)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MEETINGS/INVITATIONS -

1. "Antelope Valley Public Art Workshop" - On Tuesday, April 20, 2004 - at Lincoln High, 2229 "J" Street - In the Johnson Gym from 6:00 p.m. to 9:00 p.m. - RSVP to 458-5999. - (See Invitation)
2. You and a guest cordially invited to the Grand Opening of the Phase I Expansion at BryanLGH Medical Center West - Community Leaders Reception - on Thursday, April 29, 2004 from 5:30 p.m. to 7:30 p.m. - at BryanLGH Medical Center West, 2300 South 16th Street - (Please mail the response card by April 21st - (See Invitation)
3. Foundation for Lincoln Public Schools - cordially invites you to a Gold Star Salute... recognizing students and staff in the Lincoln Public Schools - on Thursday, May 6, 2004 at the Pershing Center - 5:30 p.m., reserved seating begins - 6:00 p.m., dinner - Retirement Recognition: Superintendent Philip H. Schoo - Cost is \$18.00 per person - RSVP by April 29th - (See Invitation)

4. Lincoln Council on Alcoholism and Drugs, Inc. - Back On Track's 1st Annual Moment of Serenity - will be gathering at the North steps of the Capitol at 11:00 a.m. on Saturday, April 24, 2004 - (Then we will adjourn to Antelope Park Shelter #2 for a free picnic) - (See Letter of Invitation)

VI. MISCELLANEOUS -

1. Discussion on opening Council mail.
2. Discussion of the date in May for the election of new Chair and Vice-Chair.
3. Discussion on the Request of UNL students regarding the proposal of Covenant Marriage legislation (Jon Camp) (See Attachment)

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

A D D E N D U M
AGENDA
COUNCIL MEMBERS' MEETING
MONDAY, APRIL 19, 2004

**COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS
AND CONFERENCES - NONE**

MEETINGS/INVITATIONS -

1. Mayor's Infrastructure Committee Meetings w/Council Members. All currently scheduled meetings have been cancelled. The Committee has determined that further changes to the report are necessary and would like to reschedule the meetings with Council Members at the following Date(s) and Times: (See e-mail)
All of the newly scheduled meetings will be conducted by Jan Gauger and Dan Marvin here in C/C Building at a location to be determined (30-45 Min. ea mtg)
DATE(S) for 1-3 Council Members at each meeting
APRIL 28TH (Wednesday) OR APRIL 29TH, 8:00 am Breakfast
3:30 pm
4:30 pm
5:30 pm
The Mayor's Press Conference on the report will be held on Thursday, April 29th after Council briefings.

APPOINTMENT/REAPPOINTMENTS - NONE

MAYOR'S REQUEST TO COUNCIL - NONE

MISCELLANEOUS - NONE

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, APRIL 19, 2004
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, Mayor's Office; Dana Roper, City Attorney; Joan Ray, Council Secretary; Nate Jenkins, Lincoln *Journal Star* representative.

I MINUTES

1. Minutes from the Directors' Meeting of April 12, 2004.
2. Minutes from Council Members' "Noon" Meeting of April 12, 2004.
3. Pre-Council Meeting Minutes - Executive Session - RE: Labor negotiations with IAFF and LPU - April 12, 2004.

Chair Camp requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented, by acclamation. The motion was seconded by Terry Werner and carried by unanimous consensus of the Council Members.

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

1. PUBLIC BUILDING COMMISSION (Camp/Cook) Mr. Cook reported that they had discussed parking. They had a request from a real, live Planning Commissioner about the parking and whether or not Planning Commissioners could, perhaps, use the restrooms in the Council/County Board offices.

Regarding the parking, a decision was made to reverse the previous decision, which had been, Mr. Cook thought, rather harsh. Now parking will be provided in the lower parking area for Planning Commissioners at all times. That decision will be reviewed later if there is a parking shortage. But, since they come on different days than County Board and City Council Members, in most cases, there should be no conflicts. If they're here individually for meetings (and they do attend a lot of meetings), it gives them a better opportunity for adequate parking. Having closer parking is certainly a benefit to them.

Regarding the use of restrooms, there was an issue, just as there has been with Council, about long public meetings and the public tending to "catch" them where they can.

The customized validation coupons - they're adding information to the tickets to indicate that it is only good for a limited amount of time. Right now, they expire at the end of each month, so someone could store a few up. There is currently nothing on the ticket indicating the exact date of expiration. There will also be lot signage with information on the validation tickets.

The validation cancellation by the Council at a recent "Noon" meeting had caused Mr. Larry Hudkins to become a bit miffed that the Council would choose to go off on its own and decide not to hand out validations when the PBC had made a general policy for all departments (County and City) to follow. The PBC decided that our current policy is a reasonable one - \$5.00 to get out without the validation coupon.

Monitors for the dais were discussed. The company that has given us the bid on the monitors for the dais will bring in models for us to examine prior to any decision being made. Any other votes on such things as a projector for Room 113 were postponed. Mr. Luxford had decided there was no need for expensive monitors in this room, so the plasma monitor item was deleted.

The question of whether our government buildings were "smoke free" or "tobacco free" was raised. It was determined that they are "smoke free". [Yes - Chaws allowed, with no spittoons!]

Mr. Camp added that the PBC Parking Committee had held a meeting last Thursday. He reported that one of the interesting things that was noted at that meeting was that they're actually collecting reasonable amounts with the \$5.00 fee, having collected a couple of thousand dollars last month. This might help us on our bond rating - to get things paid off. Mr. Cook noted that the question is - are these monies from those who will pay \$5.00 once, but now that they've learned their lesson... or will that money continue? Mr. Camp did not know.

Mr. Werner asked if there will be signage to tell people that the [validation tickets] are available? Mr. Cook answered that signage had been discussed. Mr. Bowen stated that they had also discussed putting additional signs on the front doors [of the government buildings] that would remind the public to get a "Coupon" from the Department they've visited before leaving the Building. Mr. Camp noted that there had also been discussion about non-validation with no free parking, - as is the case in Omaha, but first we're going to see how things go with this current system.

Mr. Camp continued, noting that right now there is no motorcycle parking except in the South Lot, but we're looking to see if we can have some in the garage underneath this building. They will also be looking around the "campus" here to see if there might be some concrete strips that can be used for that. We talked about temporary parking in the Orange Lot for Law Clerks and outside agencies. There is a great deal of transition here with this new garage and that is being reviewed

He noted that there was a rumor that bus passes were going to be discontinued. That is not true - as far as providing them. The City currently pays half whereas the County provides totally for the pass. The County is also looking at discontinuing "double issuing" of both parking and bus passes, as is currently done with some employees at the Lancaster Manor. We're trying to look at that.

There had been a complaint about fleet vehicles in the North Garage. There was a question as to whether or not they should be required to park farther away. That is something that needs to be watched...because [a possible ban] on such vehicles would also save some wear-and-tear on the facility.

2. MULTICULTURAL ADVISORY COMMITTEE (McRoy) No Report

3. HOMELESS COALITION (Newman) Ms. Newman commented that David Traster of the Peoples City Mission is retiring April 29th, and they were sorry to see him go. One of the things discussed at the meeting was the combining of two committees. There is a Continuum of Care Committee and a Homeless Committee. (They broke apart originally because Continuum of Care was grant based) By re-combining the two committees, we hope to make one less meeting for people who attend both meetings. That is being discussed right now.

4. CITIZEN'S MEETING (Newman) Ms. Newman reported that Mr. Lynn Johnson of Parks & Rec Department had made a presentation with about 14 people in attendance at her monthly meeting. Mr. Johnson told us about the different parks and what is happening up in Northeast Lincoln. She noted that they may get a new "Tour de Lincoln" bike up at the McAdams Park at 44th and "Y" Streets - she felt this was kind of exciting. Ms. Newman reported that what Mr. Johnson didn't say today was that it appears the "crime of the season" for the Parks & Rec Department is fires in restrooms in the parks. He requested that if any neighborhood folks in the district see anything to let authorities know.

OTHER MEETINGS - Ms. Newman reported that the first Stevens Creek Advisory Committee Meeting was also on the 15th, but she missed it due to the conflict with her Citizens' Meeting. They did take a bus tour of the area, which was approximately a two-and-a-half hour trip. Ms. Newman noted that the Committee had originally scheduled the meetings on the same day as her Constituents' meetings, so, they've changed their meeting dates to the 4th Thursday of the month, in order to avoid this conflict.

Ms. Newman reported also, on the Multi-Modal meeting. She stated that the Task Force was approaching the point of getting their recommendations in place. One of the interesting things that we did do was have everyone in the group say what their number one priority was. It looks like most peoples' priority is having one point person, probably in the Planning Department. (The term "pedestrian/bike advocate" was used before, but it looks as if now it will be a more general position). That person might be looking at such things as land-use planning and that sort of thing to make sure that the pedestrian and bicycle type amenities are there....even things like a transit hub.

Mr. Werner added that there would be a draft of the final report by May, and after a full review, a final report would be submitted in June or July.

Mr. Werner reported on the Warlick Boulevard Meeting. He stated that there had been plenty of activity there. The neighbors were in line to yell. [Laughter] He modified his comment noting that he was sure the speakers had had only the best intentions for positive input. What the neighbors wanted to share was all of the things they felt were good or bad about the project. There was a lot of concern about drainage; the church is losing its parking to the east. The church group is concerned about that because they want to expand at some point and that would be a problem for them to find parking. There was also concern expressed about a street where the buses stop and pick up kids right on Warlick Boulevard at this intersection and they wanted a right-turn there. There were lots of suggestions.

Mr. Werner commented that he did not know if the open house forum is a productive way to hold these meetings. He thought the State meeting on the Expressway and the way they handled it seemed to be more productive, because they had a presentation and then they had two microphones for people to come forward to give suggestions rather than having people all over the place. It seemed to create a more focused discussion. This might be something to consider for future meetings.

Mr. Friendt commented that he felt the State's meeting format did keep people focused on the subject. He noted that he and Mr. Cook had also been at the meeting - mostly providing body-guard services for Roger Figard. [Laughter] He related to Council that the discourse had gone from this particular issue to a myriad of other issues ranging from drainage to all the past mistakes that have ever been done in that area. It was out of control. Mr. Friendt commented that we don't pay Roger enough to take that kind of abuse - it was pretty bad. He, too, felt that a different approach - one other than an "open house" - makes a lot of sense.

Mr. Friendt continued, commenting that there were also too many "stories"... too many people from Public Works at too many locations trying to explain what was going on, and the information they were giving wasn't always consistent. Controlling the message and controlling the focus on the questioning would definitely be a big help.

He did believe that a couple of good points had been brought forward. One was the issue of drainage. He heard Roger Figard answer that drainage was *Not* something that had been talked about in the planning phases of this project, but the fact is, if you do this to the intersection and increase the amount of concrete and hard surface, it would be no different than some private company putting in a big parking lot.

Mr. Werner was amazed that they had not discussed drainage in the planning stages of this project! Mr. Friendt, noting that Mr. Figard had been being pretty honest, commented that Mr. Figard had stated that drainage was something that hadn't been a part of the planning process. Mr. Werner reiterated his feeling that it is shocking that this issue would not have been a part of the planning process. Mr. Friendt agreed that this was important.

Mr. Friendt noted that another important thing is to keep an open-mind. This is not a [done-deal]. Roger avoided the attitude of "here's our plan, thank you very much for being ticked-off, but we're doing it anyway". Certainly there was encouragement for those who had specific ideas to be submitted for consideration to put those ideas in writing. Hopefully there is some open-mindedness about how to solve this issue.

Mr. Camp asked about the correspondence from Mr. Duden which had included observations based on his former position as a police officer. Was any of that discussed? Mr. Werner commented that the fire fighters were there and expressed some concern about quick access to all of the areas. They didn't seem overly concerned, but wanted a left access at a certain intersection and believed that could be achieved just by lowering the median so they can just zoom right over it. Mr. Werner didn't, however, talk to any police officers.

Discussion continued on this issue briefly with other concerns and input reviewed. One of these was the semi-truck traffic that would circumvent the area and take Old Cheney east to 56th Street to Highway 2. It was felt that the issue of dumping semi-traffic on Old Cheney was a serious safety issue to be considered.

In a final comment by Mr. Cook, he noted that on all of these re-design packages, the issue is always money. This intersection will cost 3.8 million dollars. If you add the sweeping changes suggested, the cost might be bumped up to twice as much - or even more than that. That's the real problem here. Mr. Friendt commented that this may be one of the issues that has to be addressed. To solve the traffic issues and to address the concerns of the corporate citizens that are contributing

mightily to our tax base, whether we can just say “we’ll take the cheapest solution” may not be *the* answer in terms of compromise. Two of these companies located there a while back based on a certain set of criteria, certain design standards. Who should pay for changing the rules after the fact?

Mr. Camp asked where the process would go from here. Mr. Werner explained that the written comment would be analyzed and come back to the table. Mr. Friendt added that that was impression he had gotten as well. He felt that was the impression the meeting attendees had gotten...that Public Works would digest the input received and then there will be more public presentation on their conclusions.

III. APPOINTMENTS/REAPPOINTMENTS - None

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen noted that the pre-council that was scheduled for this morning on Urban Development Department’s Uni Place Redevelopment on 48th Street was postponed because the Planning Commission delayed their action. We’ll wait ‘til after they’re done which means we probably won’t have the pre-council until sometime in mid-May.

He stated that a pre-council has tentatively been scheduled on the Flood Plains for next Monday, April 26th That’s in anticipation of Council holding the public hearing on the 3rd of May at the Night Meeting.

He informed Council that the Mayor’s meetings which had been scheduled with Council Members on the 26th will be rescheduled to the 3rd of May to accommodate the Night Meeting Schedule.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment.

VI. MISCELLANEOUS -

1. Discussion on opening Council mail. After a lengthy discussion (which covered such issues and concerns as: trust and accountability, with some members indicating that they, as elected officials, are sworn to abide by public disclosure laws and feel that they have done so during their terms; having a consistent procedure in place to insure that public records laws were being met, and the fear that the public record laws may have been circumvented under the current procedures; and micro management by Council when they should be addressing other, more important issues) Mr. Roper gave a brief review of the legal opinion he prepared regarding the proper procedural position Council should assume on this issue - (see attachment) [Attachment on File in Council Office]. After this discussion and review, the Council took the following action:

Terry Werner moved that a consistent procedure be established that would have Councils’ City Staff open all correspondence received in the Council Office [excluding advertisements and greeting cards] and record that material for the public record. This motion was seconded by Jonathan Cook and LOST by the following vote: AYES: Terry Werner, Jonathan Cook, Patte Newman; NAYS: Ken Svoboda, Annette McRoy, Jon Camp, Glenn Friendt.

2. Discussion of the date in May for the election of new Council Chair and Vice-Chair.(Requested by City Clerk) It was agreed that the election of new Chair and Vice-Chair of the City Council would be held on Monday, May 17th, 2004 [City Clerk was so notified on 04-19-04]

3. Discussion on the Request of UNL students regarding the proposal of Covenant Marriage legislation (Jon Camp) Mr. Camp explained to Council Members (all of whom had received a copy of the e-mail request) that he felt this was not an issue under Council Jurisdiction. Council Members agreed and it was unanimously decided that the Lincoln City Council would not address this issue. Mr. Camp requested that Staff prepare a brief response indicating this decision to the students who had requested Council's consideration of this proposed legislation. [E-mail sent on 04-20-04]

ADDENDUM:

1. Mayor's Infrastructure Committee Council Meetings - Rescheduled: Will meet at the County/City Building in a yet-to-be determined conference room. After Discussion, it was determined that the Council Members would meet at the following times:

Wednesday, April 28th

3:30 p.m. - PN, KS

4:30 p.m. - TW, JCamp

5:30 p.m. - AM

Thursday, April 29th (Breakfast)

None

Jonathan Cook (JCook) will attend at a time most convenient for him on the newly scheduled date, choosing either to attend one of the meetings, or not, depending upon his availability.

Though he had planned to attend the originally scheduled meeting, due to previously scheduled trips and meetings, Glenn Friendt (GF) will not be able to be in attendance at any of the re-scheduled meeting times or dates [Jan Gauger notified of Council Members' attendance intentions on 04-21-04]

VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

JONATHAN COOK - Mr. Cook requested Council Staff to contact the PBC to insure the replacement of Conference Room 113 light bulbs that were burned out. Mr. Friendt suggested that a certified electrician be included in the replacement processes since the required frequency of bulb replacement seemed to indicate that there may actually be a bad ballast problem that needs to be addressed. Ms. Ray stated that she would contact the Property Management Division of the Public Building Commission with this request. [Request submitted 04-21-04]

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

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 12:30 p.m.

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