

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JUNE 21, 2004
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes from Directors' Meeting of June 7, 2004.
2. Minutes from Directors' Meeting of June 14, 2004.
3. Minutes from Council Members' "Noon" Meeting of June 14, 2004.
4. Pre-Council Meeting Minutes - RE: North 48th Street/University Place Plan - May 17, 2004.
5. Pre-Council Meeting Minutes - Executive Session - RE: Litigation - June 7, 2004.

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

1. Homeless Coalition Meeting (Newman)
2. ISPC Meeting (Camp) - **HELD OVER FROM THE "NOON" AGENDA FOR JUNE 14, 2004.**

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MEETINGS/INVITATIONS -

1. Public Information Meeting & Open House - Pine Lake Road-84th To 98th Street - on Wednesday, June 23, 2004 from 5:00 p.m. to 7:30 p.m. - at Maxey Elementary School, 5200 South 75th Street (Entrance at the Gym on the Northeast side of the building) - (See Invitation)
2. E-mail invitation from Rodney L. Verhoeff, Coordinator of the Lower Platte River Corridor Alliance: Annual LPRCA Air boat Tour - July 23rd (Tour of lower Platte River from Ashland to Plattsmouth. Time Tentatively set for 9:00 a.m. on the 23rd of July (Meet at launch site north of Louisville on Highway 50) and concluding at 3:00 p.m. (or earlier) - Rain or Shine. (See E-mail)

VI. MISCELLANEOUS - NONE

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JUNE 21 , 2004
CONFERENCE ROOM 113

Council Members Present: Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp (arrived after minutes approval), Jonathan Cook, Glenn Friendt (arrived after minutes approval), Annette McRoy (arrived after minutes approval), Patte Newman; ABSENT: None

Others Present: Mark Bowen, Corrie Kielty, Mayor's Office; Dana Roper, City Attorney; Tammy Grammer, Joan Ray, Council Office; Darrell Podany, Aide to Council Members' Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative

I MINUTES

1. Minutes from Directors' Meeting of June 7, 2004.
2. Minutes from Directors' Meeting of June 14, 2004.
3. Minutes from Council Members' "Noon" Meeting of June 14, 2004.
4. Pre-Council Meeting Minutes - RE: North 48th Street/University Place Plan - May 17, 2004.
5. Pre-Council Meeting Minutes - Executive Session - RE: Litigation - June 7, 2004.

Chair Werner requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented, by acclamation. The motion received no second, but in accordance with "*Roberts Rules of Order-Newly Revised*" [301], the minutes were approved by general consent of those Council Members present (which did represent a quorum).

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

1. HOMELESS COALITION (Newman) Ms. Newman had not attended. But she reported that she had attended the Health Care for the Homeless meeting and they do have their recommendations ready to roll. Ms. Newman noted that they should probably be ready within two or three weeks.
2. ISPC (Camp) - *Held over from the "Noon" Agenda of June 14, 2004.* Mr. Camp was not yet at the meeting when this report was called.

OTHER MEETINGS - Ms. Newman reported that she had attended the Stevens Creek Meeting at Walton. They had discussed the Flood Plain Regulations and had also discussed the importance of encouraging people to attend the upcoming informational meetings.

III. APPOINTMENTS/REAPPOINTMENTS - Ms. Kielty reported that Scott Frogge has represented LCEA on the Personnel Board, but his term is up this month. So, the Mayor has asked all of the unions if they'd like to suggest someone else. Mr. Frogge will probably have to stay on with an extra month added to his term while we see if any of the other unions have an interest in having a representative on the Board. Mr. Frogge has done a really good job, but he's been on the Board for five years now.

Then, Ms. Kielty reported, the Personnel Board had a member resign because she's taking a job in Iowa...Kathy Tabor. This just happened last week, so if Council Members have any suggestions for Personnel Board appointments, we're looking for appointees.

Ms. Kielty noted that they still have an opening on the Community Forestry Advisory Board. Mr. Svoboda asked if there wasn't a lot of interest in membership on this Board? Ms. Kielty indicated that, surprisingly, there was not.

Ms. McRoy commented that she had a name for consideration for appointment. Someone who just moved here has contacted her and they are interested in being on some type of public service board.

Ms. Kielty commented that that reminded her that there is an opening on the Multicultural Advisory Committee, too. She noted that the woman who resigned, thus creating the vacancy, was a Native American -the only Native American we had on that Committee- so we would be interested in looking at Native American applicants. She added that they do have someone under consideration who was recommended by another board member.

Mr. Werner stated, that while the discussion was on the Multicultural Advisory Committee, he would like to add that he had talked to the President of the Asian Center and they are looking for Board Members who were bankers, or would, at least, be good at fund raising - a criteria, of course, that every board is looking for. Mr. Werner asked if the Administration knew of anyone that might fill that request.

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen reported on the Mayor's response to the Video Services letter. It references a conversation that occurred between the Purchasing Division and Mr. Shrader. Mr. Bowen noted that, based on Vince's [Mejer] conversation, most of Mr. Shrader's questions have been answered. Mr. Bowen felt Mr. Mejer was very comfortable that all of the questions have been answered satisfactorily and Mr. Shrader now has the knowledge necessary to submit a bid in proper format. Mr. Bowen explained that one of the reasons Mr. Shrader was not awarded the bid was because he did not have some of the products that the City was looking for. And that was one of the reasons his proposals were discounted ...[Here, Mr. Bowen's comments were inaudible]. Mr. Werner noted that the bidder also did not have the service the bid specifications required.

Mr. Camp commented that, just going off what the gentleman wrote, especially for a local versus out-of-state contract.... Mr. Werner noted that there will be another RFI response. He asked Mr. Bowen to clarify that this wasn't the final response to the RFI. Mr. Bowen stated that he was thinking it might be, unless they would like Vince to write another one...we could do that. Mr. Werner stated that Bill [Luxford] had called him and had given him a rather detailed explanation. Perhaps Bill could offer a more detailed response - or Vince, if he would. Mr. Werner felt something a little more detailed would be appropriate.

Ms. Newman asked how the company in Minnesota would be providing service? Mr. Bowen noted that they contract with somebody locally. Mr. Werner stated that they would have to talk to Bill about it, but the reason for this bid award was simply a service issue.

Mr. Bowen commented that the second thing he wanted to share with Council was a copy of the Mayor's veto letter on Ordinance 03-17683 [The December, 2003 Veto of the Ordinance Amending Title 8 of the Lincoln Municipal Code relating to Health and Sanitation by creating a new Chapter 8.48 entitled the Lincoln Smoke-free Air Act]. Mr. Bowen commented that he just wanted to remind Council that, as they go through and do whatever they plan to do at the meeting, this is why the Mayor vetoed the legislation last time; and she would stand on the same principles as submitted in this veto message.

Mr. Bowen further commented on a Press Release that was being issued today regarding the formation of the Council Compensation Committee. He noted that it identifies the time-frame under which they will be acting. He stated that [inaudible] we still need to have a number from them by the end of July so we can plug it into the budget. In talking with Bill Austin, we do know that they do plan to meet very quickly.

The SRT is wrapping up its report. Mr. Bowen had seen e-mails from the members wherein they are doing their fine-word tuning on the final document. He expected that it would be prepared and sent to the Mayor on Thursday. Mr. Werner asked if they met today? Mr. Bowen answered that they had not, due to the Angelou Breakfast. They were talking about trying to get one more meeting scheduled, in order to look over the final wording on everything as a package, but he hadn't heard if that had been arranged or not.

Mr. Bowen stated that those were the official items that he had to present to the Council. He did want to add some information on the number of calls they had all received regarding Vice-President Cheney's visit...and the ensuing traffic issues experienced last Friday. Mr. Bowen noted that there had been a number of traffic issues. The Administration had been trying to calculate the costs involved in the visit, because a number of callers had asked about that. At this point, a rough calculation is a \$31,000 cost to the City for additional Police personnel costs and PW's work with barricades, street closings, etc; and the Fire Department had an ambulance traveling with the Vice-Presidential motorcade. Fire Command Stations had been set up at both hotels as well. Mr. Bowen didn't know if there would be any reimbursement on those costs, or not.

Mr. Werner inquired if the City hasn't traditionally been reimbursed by the Secret Service for security costs for such a visit. Mr. Bowen noted that this had not been an official State Visit, but was a political appearance, so he did not know how the Secret Service would be handling that. Mr. Bowen noted that there were also some casual costs such as the revenue lost from the 211 parking meters that had been hooded for security along the motorcade route.

Mr. Friendt asked if the Administration could not check what the precedents might be in other communities in recouping such expenses incurred by Presidential visits -Republican or Democrat? Mr. Bowen said they were trying to do some checking to see what precedents there were, not only in Lincoln's history, but in surrounding communities as well, noting that the City was just trying to recover some of the costs.

Discussion continued on this issue briefly with comments regarding the financial responsibilities of the various political parties involved in such visits being looked at in the reimbursement process.

Mr. Bowen added, in relation to costs recovery, that they were also investigating how to best work with the Federal Agencies to recoup the City's expenses incurred during the help given to the County and the City of Hallam during the May 22nd Storm aftermath. This was discussed briefly with a final note that the costs would be tallied in order to submit those costs to FEMA for reimbursement at the Federal level - with no costs being assessed directly against the storm-stricken areas.

V. **MEETINGS/INVITATIONS** - Noted Without Significant Comment. [An Addendum with Additional Requests for Ribbon Cutting Appearances by Council Members from the Chamber of Commerce were included on the 'Attend' Listing]

VI. **MISCELLANEOUS** - None

VII. **COUNCIL MEMBERS** -

JON CAMP - Mr. Camp had two issues he wished to discuss. One was regarding the smoking act with a request for clarification on the procedural process Council would follow when the issue came forward for public hearing. This process was discussed briefly. Dana Roper commented that Council could handle the issue in anyway they would find appropriate. Mr. Camp wanted to have the Ordinances split with a definite vote of repeal on the original ordinance with a separate vote on the substitute ordinance. Mr. Roper explained that new legislation always has a built-in "repealer" clause which repeals any legislation that it supercedes. It was determined that the two would be addressed separately if Mr. Camp wanted to so move during the voting session at the Formal Council Meeting next week, when the ordinance would be voted upon. It was also agreed that the Chair would explain, prior to the public hearing today, that the original ordinance would be withdrawn and, therefore, would not be at issue for discussion; but that the new ordinance should be the focus for public input for those who wished to speak on the smoking ordinance today.

The "under 18-years of age" issue was not included in the new ordinance. This was noted, and discussed briefly with the thought expressed that amendments could certainly be brought forward for consideration and added to the new ordinance (and this could certainly be one of them) during the voting session next week. But, it was agreed, it would be best if everyone were working from the same ordinance which should be the final draft - Legislative Bill #04-123.

Mr. Camp asked for a list of the changes to the ordinance. Mr. Roper stated that last week he had given Council the only thing he knew that exists - which was a comparison of the LMC Chapters.

JONATHAN COOK - No Further Comments

GLENN FRIENDT - No Further Comments

ANNETTE MCROY - No Further Comments

PATTE NEWMAN - No Further Comments

KEN SVOBODA - No Further Comments

TERRY WERNER - Mr. Werner announced that CARD -a citizens group for the elimination of racism and discrimination- had contacted Mr. Werner and explained that for the past year, they have been approaching businesses to sign a pledge to support fairness, justice and equal opportunity and to eliminate racism and discrimination in the organization. Mr. Werner noted that the Chamber of Commerce has unanimously endorsed this and has passed a resolution. The group has a lot of businesses such as Alltel, Bryan/LGH Medical Center, several radio stations, Ameritas, and others, who have all signed on and made this pledge. CARD has asked Mr. Werner if he would bring it to the City Council as a resolution and he agreed to do that. He wanted all of the Council Members to be informed of his intention. Mr. Werner is proposing the resolution for public hearing on July 19th.

MARK BOWEN - Mr. Bowen commented that he had talked with the Lincoln Chamber of Commerce regarding a State Fair Resolution. Mr. Werner stated that is already on the Agenda.

CORRIE KIELTY - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 12:04 p.m.

cm062104