

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 12, 2004
CONFERENCE ROOM 113**

I. MINUTES

- *1. Minutes from Council Members' "Noon" Meeting of June 21, 2004.

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

- *1. PRT Meeting (Newman)
- *2. Citizen's Meeting (Newman)
- *3. Downtown Lincoln BID Association Board Meeting (Werner)
- **4. Downtown Master Plan of Lincoln - Downtown Action Team (DAT) Meeting (Camp/McRoy/Werner)
- **5. Parks & Recreation Advisory Board Meeting & Tour (Cook)
- **6. Internal Liquor Committee Meeting (McRoy/Newman/Svoboda) - **CANCELLED**
- 7. ISPC Meeting (Camp)
- 8. Joint Budget Committee Meeting (McRoy/Werner)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MEETINGS/INVITATIONS - NONE

VI. MISCELLANEOUS

1. Discussion - Annette's Request:

Please add this topic to the council Noon agenda for discussion and action. You can just include the paragraph below so members will know what we need to discuss and why before hand:

Regarding the JBC recommendation to use the \$2500 unused funds that were originally earmarked for Daywatch to be transferred over to Star Tran for free bus rides to the mission shelter. I spoke with Steve Hubka, this afternoon and he said that such a transfer of General Funds to another department would require City Council approval via a resolution. HOWEVER he said if the Council majority signals this transfer is okay on Monday, he will go ahead

and transfer the funds and the actual transfer authorization language would be included in the final budget resolution. This way we can go ahead and signal our intent/approval of the use of funds and avoid having a delay and a separate item on our regular agenda this summer. If any one has questions prior to the Noon meeting please contact your friendly JBC representatives, Annette or Terry. Or questions can be directed to Kit as well.

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

***HELD OVER FROM JUNE 28, 2004**

****HELD OVER FROM JULY 5, 2004.**

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 12TH , 2004
CONFERENCE ROOM 113

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

Others Present: Mark Bowen, Ann Harrell, Corrie Kielty, Mayor's Office (all arrived late); Dana Roper, City Attorney; Joan Ray, Council Secretary (having been told that the meeting would be delayed while Members recessed between meetings, arrived late); Darrell Podany, Aide to Council Members' Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative

I MINUTES

- *1. Minutes from Council Members' "Noon" Meeting of June 21, 2004.

Prior to the arrival of the Council Secretary, Chair Werner requested a motion to approve the above-listed minutes. Mr. Werner reported at the end of the meeting, upon inquiry from Ms. Ray, that the minutes had been approved unanimously by the Council Members present. (Ms. McRoy had been absent for the vote)

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

- *1. PRT(Newman) Report presented prior to arrival of Council Secretary.

*2. CITIZEN'S MEETING (Newman) Ms. Newman was concluding her report as the Council Secretary arrived. She reported that Chief Spadt had been the guest speaker at the June meeting. Ms. Newman's final remarks regarding the meeting indicated that the citizens had presented Chief Spadt with a long list of needs, including two new fire stations, noting that it was a very interesting meeting

*3. DOWNTOWN LINCOLN BID ASSOCIATION BOARD MEETING (Werner) Mr. Werner had not attended this meeting, but indicated they had been given a report by the SRT Committee which was the basic content of the agenda. There had also been a "farewell" to Jerry Barns, who has left the Cornhusker.

**4. DOWNTOWN MASTER PLAN OF LINCOLN - DOWNTOWN ACTION TEAM (DAT) (Camp/McRoy/Werner) Mr. Werner reported that it had been a very basic, introductory meeting where members were getting to know one another and laying out the guidelines of what the committee will be doing. There was a sharing of everyone's thoughts on the issues. The consultants were not there. They've hired some consultants out of Portland (Mr. Werner believed) and everyone seems to think that this group is the "cat's meow" ... so, we'll see. Our next meeting is Thursday night.

Mr. Friendt asked if this was the committee that was doing the additional parking study? Mr. Werner answered that it was not, but was the Downtown Master Plan Committee. He added that there are a lot of people who are a little irritated by the fact that there was no one in 'Parking' or who had parking expertise, who was a part of this Plan. So, the parking study is a completely separate study - to go along with all the other parking studies. Mr. Friendt noted that it appears that we order another parking study every time we receive the results of an earlier study that are not what we wanted to hear.

Ms. Harrell commented that the issue is complicated because of all of the sub-elements of the parking problems. The issue goes beyond the space and facilities available and includes the management and administration of the overall parking operation for the downtown area. The duties and responsibilities for this administration are currently divided, in a somewhat "hodgepodge", compartmentalized manner among several agencies. These include PW (facilities maintenance and operation), Finance (monetary operations including tickets and fines), LPD (enforcement) and, UD (which attempts to use parking as an economic development tool). This study is to look at bringing all of those disparate elements together and make them function in the best possible manner [for the benefit of the City].

**5. PARKS & RECREATION ADVISORY BOARD MEETING & TOUR (Cook)
- Mr. Cook reported that the Tour was apparently cancelled because of rain.

**6. INTERNAL LIQUOR COMMITTEE (McRoy/Newman/Svoboda) -
CANCELLED

7. ISPC (Camp) - No report.

8. JOINT BUDGET COMMITTEE (McRoy/Werner) Ms. McRoy reported that the Council had probably covered this issue earlier this morning [at the Pre-Council with Ms. Boesch]. But the Council needs to signal their intent to the budget office in order to transfer the funds that we had originally approved last year for DayWatch over to the StarTran Budget. Once we do this, the final, legal paperwork would be done within the 2004-05 Budget Resolution.

Mr. Werner commented that the JBC had recommended that this transfer be made [in order to assist those in need of transportation to the City Mission after the closing of DayWatch]. Ms. McRoy stated, in response to Mr. Friendt's inquiry as to the possibility of addressing this under the Council's Budget recommendations, that this motion of 'Council Intent' needed to be done prior to the budget process in order to get the funds transferred immediately - as the need is immediate.

Mr. Roper stated that he would only need an indication that there were four Council Members who would agree that this would be the Council's intent. The formal action would be taken at the approval of the Budget Resolution. Council indicated that there would be at least four who would agree to this recommendation.

OTHER MEETINGS - Ms. Newman reported that the Community Services Initiative group met and they think they may be able to get an unduplicated count of the homeless population in Lincoln. So, we're looking forward to that. Ms. Newman asked Ms. Kielty if the Council needed an update on the Salvation Army, noting that this was exciting news. Ms. Kielty had talked to the CSI group about the potential for some money coming in for a community center.

Ms. Kielty went on to explain that the Salvation Army can apply for lots of money to get a community center. She noted that they also need to raise some matching funds as well; but they are, right now, in the process of looking at an area near Peter Pan Park. Their vision and their hope would be to build something larger than would fit into the area of Trago Park that we were looking at for a central Lincoln Community Center.

They actually have three Tiers in their plan. What they've done, with the help of community members, has been to prioritize their needs. In Tier One, we basically have what we Need in order to have the programming; Tier Two are the options we'd Like to have; and Tier Three would be our Dream List, which includes an in-door ice hockey rink and an Olympic size pool. It would be, for size-comparable sake, the size of Peter Pan Park...including parking. So, what they're doing is looking in that area of town - for a number of reasons. They're meeting with several commercial landowners in that area of town right now.

They have met with neighborhood leaders from the Malone area over to the East Campus. These neighborhoods were very favorable to the idea of building over there. They liked the concept a great deal.

Mr. Werner suggested that the plan go to the Parks & Rec Advisory Board if they intend to use park land for the project. Ms. Harrell noted that there would be a lot of processes that would be required if that determination were to be made. .

Ms. Newman asked Mr. Werner if he would like to update everyone on the Multi-modal issue. Mr. Werner commented that we did report on this last time. He noted that the final report is not completed yet. He expected it to be out in four to six weeks. He reported that he and Patte, David Cary and Kent Morgan (who were involved with the study) had met with Marvin Krout, Allan Abbott and the Mayor. We made a presentation and looked for direction as to where the project would be going. One of the primary recommendations that came out of the study is that there be a person...an advocate...who will be out there going to bat for this concept and these ideas. It shouldn't be lost in Public Works or the Planning Department. Mr. Werner stated that the Planning Department and the Mayor have agreed to a half-time position. Mr. Werner assumed that it would be filled by David Cary.

Ms. Newman commented that the recommendations would be coming forward after Council is done with the budget, but there will be some changes and some ideas out there.

III. APPOINTMENTS/REAPPOINTMENTS - Ms. Kielty reported that she would have a list for Council next week. She added that she had not been able to reach many of the people whose appointments are coming up. She stated that it looks as though there will be an opening on the Cable Advisory Board and definitely one for the Aging Advisory Council.

She reported that they did have the person who has been the labor representative on the Personnel Board going off. Council Members will see in their packets this week that the Mayor has brought forward Patrick Borer to replace Scott Frogge. There was also a resignation from this Board as Kathy Tabor, who is moving to Des Moines and will also be leaving. So, the Mayor is forwarding Holly Burns name to replace Ms. Tabor on the Personnel Board.

IV. **REQUESTS OF COUNCIL FROM MAYOR** - Mr. Bowen commented that he had a few things to bring forward for consideration. He noted that there would be first reading [introduction] on the Bond Resolution in the Council Packets today. The public hearing and action will be on Monday, the 19th. He explained to Council that this was just an FYI for them.

Regarding the Budget, Mr. Bowen noted that the earlier Council Members can think of their amendments, the better. If you need Steve to do any calculations - we'd appreciate it if you got them to him earlier than later. As for the Budget Schedule - we'll be doing the same format as last year. We'll have the same space for changes - on the backside, under Council's picture. Mr. Bowen stated that Diane will be down in a little while to take the Council's picture for this year's publication.

Mr. Bowen went on to explain the schedule we'll be following - Council will make amendments and vote on the 19th. On the 20th we have copy due to the printer...so, your changes will be included in this as they were last year. On the 31st of July, we'll distribute it as part of the "Neighborhood Extra" [a section of the *Journal Star*]. On August 3rd, the legal tab will be printed in the regular edition of the *Journal Star*. It will ... consist of a formal legal notice. That is the schedule. The cost of printing is about the same. Last year it was about \$6800 - this year it will be close to \$7,000, because the cost of printing has gone up.

The other thing Mr. Bowen wanted to discuss with Council was the Home Builders appeal filed on the lawsuit on the impact fees. Mr. Roper indicated that the story, as printed in the newspaper, had been pretty self-explanatory. Mr. Bowen noted that the City would take a "wait and see" stance on this issue.

Mr. Cook requested an expected time-line on the process. Mr. Roper chuckled enigmatically, but indicated that it would depend on whether or not the Supreme Court "pulls it up". He noted that was a possibility. But, he felt the process time-line could be two years in a long scenario; or a year in a short scenario and indicated that this is a ball-park estimate.

Mr. Bowen had one other issue to discuss. He noted that the Mayor would be out of town on Wednesday and requested one of the Council Members to stand in for a proclamation delivery on that date for the "Journey of Hope" at 3:00 p.m. at the State Capitol. It's a national bike event. Mr. Svoboda (in Mr. Werner's absence) volunteered, as Vice-Chair of the Council, to represent the City at this event.

V. **MEETINGS/INVITATIONS** - Noted Without Significant Comment - other than the fact that Council had not received any invitations for several weeks.

VI. **MISCELLANEOUS** -

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ADDENDUM:

1. Requested Ordinance Change - Patte Newman (Changing LMC 5.14 RE:

Bowling Centers) Mr. Newman requested help from City Attorney, Dana Roper, on explaining this issue. She noted that a bowling alley called and wanted to have “teen nights”. It’s not as easy as it could be, so this legislation is to help that facility to get a special permit for “teen nights”. The legislation was worded in such a way as to prevent problems down the road. If there are problems at this location, the special permit can be revoked.

The other request was for changes in the language - specifically (in the industry) the term “bowling alley” is outdated. It connotes a dark, horrible thing. The person requesting this legislation asked that the language be changed to indicate “bowling centers” rather than “bowling alleys” in the Lincoln Municipal Code.

Ms. Newman explained that she had wanted to present this request to the Council before having it put on the Agenda for 1st Reading so everyone can review it and make sure no “red flags” go up in anyone’s mind before we bring this forward.

Mr. Werner asked if this was about allowing teens to smoke? Mr. Roper stated that the City has an ordinance that says that if a person is not 16 years of age, that person cannot be in a place where liquor is served after 9:00 p.m. That is the problem with the bowling alleys. So, they are seeking to have a “teen night” where liquor would not be served so that [young people] would be able to come in.

We also have new terms requested, because “bowling alleys” is out-dated. They are public bowling centers - and they do not have ‘alleys’ they have ‘lanes’. So, we’re also correcting these out-dated terms.

Mr. Friendt indicated that he would be more disposed to support this if it were being brought forward by a group of bowling centers rather than just trying to accommodate an individual. Ms. Newman commented that she could ask the petitioner if he will bring the industry into the picture. Mr. Friendt thought that he would like to have other centers look at this for a consensus.

Ms. McRoy commented that when the bowling centers hold a state tournament here in Lincoln, these facilities bring in quite a bit of money. So, it would be good economically for the community to up-date the Code.

Ms. Newman commented that she doesn’t know how they’ve gotten around it, but the centers have held all-night graduation parties that the City’s high schools organize. A lot of these functions do take place at bowling centers. This is something that timely and needs to be addressed.

VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

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 the Council would have a picture-taking session in the Chambers with staff from CIC.

MARK BOWEN - No Further Comments

ANNE HARRELL - No Further Comments

CORRIE KIELTY - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 11:52 p.m.

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