

**AGENDA FOR  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, MAY 2, 2005  
CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes from Directors' Meeting of April 18, 2005.
- \*2. Minutes from Council Members' "Noon" Meeting of April 18, 2005.
- \*3. Pre-Council Meeting Minutes - Executive Session - RE: Litigation Settlement- Tufts v. City - April 11, 2005.
- \*4. Pre-Council Meeting Minutes - Executive Session - RE: Settlement -CMHC, Inc. - April 11, 2005.

**II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES – NONE**

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced**

**IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced**

**V. MISCELLANEOUS**

- \*1. Continue discussion on attendance & expenses for the "Fly-In Conference". - (Please note attached letter from Jon Camp regarding this issue.)
- \*2. Discussion on arraignments for the 'Farewell' breakfast/luncheon/dinner?
- 3. Discussion on Lincoln Chamber of Commerce membership. (Requested by Terry Werner)
- 4. Discussion on Memo from Lori Seibel, Community Health Endowment of Lincoln invites a member of the Lincoln City Council to give welcoming remarks (2-4 minutes) and assist in the presentation of awards at their 5<sup>th</sup> Annual Meeting with the Community on Wednesday, June 8<sup>th</sup> from 3:00 p.m. to 4:00 p.m. (See Attached Memo)

## **VI. CITY COUNCIL MEMBERS**

## **VII. MEETINGS/INVITATIONS -**

1. Jim Huff is Retiring! - Please join us in saying congratulations and goodbye after 37 ½ years of service with the City of Lincoln on Friday, May 20, 2005 from 2:00 p.m. to 4:00 p.m. at Engineering Services Training Room, 531 Westgate Blvd., Suite 100 - (See Invitation)
2. Lincoln Parks & Recreation staff will be present at the next Witherbee Neighborhood Association Meeting to discuss a potential park site near 40<sup>th</sup> & Randolph on Thursday, May 5, 2005 at 7:00 p.m. at Hawthorne Elementary School, 300 South 48<sup>th</sup> Street - (See Invitation)
3. On behalf of the Board of Trustees of the Community Health Endowment (CHE), invites you to attend our 5<sup>th</sup> Annual Meeting with the Community on Wednesday, June 8, 2005 from 3:00 p.m. to 4:00 p.m. - at The Cornhusker Hotel - (See Invitation)
4. Lincoln Action Program - Join Hands Day event, highlighting the need for disaster preparedness, is a National Day of Service that unites young people and adults in an effort to make changes in their community. On Saturday, May 7, 2005 from 1:00 p.m. to 4:00 p.m. at Lincoln Action Program, 210 "O" Street - (See Letter of Invitation)

## **VIII. ADJOURNMENT**

**\*HELD OVER FROM APRIL 25, 2005.**



**joncampcc@aol.com**

04/28/2005 12:18 PM

To: TWernerLNK@aol.com  
cc: jray@ci.lincoln.ne.us, gwinters@journalstar.com,  
dwinter@journalstar.com  
Subject: Requisition of City Funds

Terry:

Please see the attached letter.

Jon

Jon Camp

Office: 402-474-1838

Home: 402-489-1001

Cell: 402-560-1001



Email: JonCampCC@aol.com Werner Terry 4-28-2005.d

**JON A. CAMP**  
**Lincoln City Council**

**(402) 474-1838**  
**(402) 560-1001 (Cellular)**  
**(402) 474-1838 (FAX)**

April 28, 2005

Terry Werner  
c/o Lincoln City Council  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

via email

Dear Terry:

At the Lincoln City Council Noon Meeting on Monday, April 18, 2005, I asked the Council to consider reimbursing part or all of my expenses for the upcoming Lincoln Chamber of Commerce Federal Fly-In, May 8-11, 2005. Action was deferred until the next Noon Meeting, which will be May 2, 2005.

However, on or before April 22, 2005, you unilaterally requisitioned \$1,584.80 of City of Lincoln funds to pay for your participation in the Federal Fly-In. You lack authority to requisition funds, other than from your discretionary account balance, without prior approval of the City Council. The decision to fund my participation last year was done by a vote of the council and was opposed by you.

In addition you have made disrespectful comments regarding members of the Lincoln Chamber's sister organization, the Lincoln Partnership for Economic Development (LPED). You referred to LPED members as "Old", "Gray-Haired" and "Dead". You have rarely attended LPED and Chamber meetings and have criticized Chamber efforts to improve the Lincoln economy and business atmosphere.

Prior to my request for reimbursement you were totally unaware of the fly-in and appear to be using this as an opportunity for self-promotion.

I would also note the following:

1. When you became Chair of the Council, you requested that you be the Council representative to the Chamber's LPED meetings; you have attended only one meeting during the past year.
2. You have been disrespectful of LPED members, referring to them as "Old", "Gray-Haired" and "Dead".
3. You claim that the chair should attend the Chamber's Federal Fly-In. However last year when I was chair you voted against my participation and reimbursement. As Ken Svoboda noted, I did not participate last year as Chair; I was the only Council member to volunteer.
4. The council should vote on this as you insisted last year. This involves the expenditure of tax dollars and your unilateral requisition, without City Council approval, is totally inappropriate, if not illegal.
5. Your requisition for \$1,584.80 included \$434.80 for airfare, an estimated \$600.00 for the hotel and \$550.00 for registration. Your airfare cost is nearly 40% greater than my airfare, which is only

\$315.30, and I am not a travel agent.

6. Your actions are presumptuous, since you may not be re-elected on May 3<sup>rd</sup>.

All-in-all, Terry, I question your ethics, integrity and credibility. Your present actions appear self-serving as opposed to representing the citizens of Lincoln and the Lincoln City Council.

Sincerely,

JON A. CAMP  
Member  
Lincoln City Council

Cc: Members of the Lincoln City Council  
Gordon Winters, Lincoln Journal Star  
Deena Winter, Lincoln Journal Star

Community Health Endowment of Lincoln



## Memorandum

**To:** Members of the Lincoln City Council  
**From:** Lori Seibel, Executive Director  
**Date:** 04-28-05  
**Re:** Annual Meeting with the Community

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On behalf of the Board of Trustees of the Community Health Endowment (CHE), I am pleased to invite you to attend our **Fifth Annual Meeting with the Community** on June 8, 2005, 3:00 – 4:00 pm, at the Cornhusker Hotel. This will be an opportunity for CHE to review the activities of the past year in a special video presentation, release our Annual Report, present our *Community Horizon Award*, and announce the children/youth winners of Lincoln's Health Challenge. Each member of the City Council will be receiving a personal invitation to our Annual Meeting in the near future.

The purpose of this memo is to invite a member of the Lincoln City Council to give welcoming remarks (2- 4 minutes) and assist in the presentation of awards. Others who will provide welcoming remarks at the Annual Meeting include Mayor Coleen Seng and CHE President Christi Chaves.

I will be in touch with staff in the City Council Office soon regarding representation from the City Council. Thank you for your willingness to consider this invitation and we look forward to seeing you on June 8, 2005.

MINUTES  
CITY COUNCIL MEMBERS' "NOON" MEETING  
MONDAY, MAY 2, 2005  
CONFERENCE ROOM 113

*Council Members Present:* Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Glenn Friendt, Patte Newman; *ABSENT:* Annette McRoy

*Others Present:* Mark Bowen, Rick Hoppe, Mayor's Office; Dana Roper, City Attorney's Office; Coby Mach; Bruce Bohrer, Chamber of Commerce; Joan Ray, Council Staff; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Phil Walker, KFOR; Deena Winter, Lincoln *Journal Star* representative; three unidentified media representatives.

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Mr. Werner requested a motion to approve the above-listed minutes. Patte Newman moved approval of the minutes by acclamation. Ken Svoboda seconded the motion, which carried by unanimous consent of the Council Members present.

## II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES - None

**OTHER MEETINGS:** Ms. Newman reported that at her Monthly Constituents' Meeting there had been 33 people in attendance. She noted that this was an all-time record attendance with folks coming to hear Marvin Krout discuss the Wal-Mart Issue. There were ten new faces there to hear this presentation.

Ms. Newman further reported that the PRT will hold an election for a new Chair this upcoming month. They've done a lot to get the Building & Safety and Police Departments working together. What was not brought up this morning was the 48<sup>th</sup> & "O" Street Redevelopment. After, there had been a 48<sup>th</sup> & "O" Street Widening Public Forum - she did not know how many attended. Mr. Bowen noted that about 200 attended the 48<sup>th</sup> & "O" Street forum.

Ms. Newman and Ms. McRoy had both attended the Council woman Leaders Event at the Holiday Inn which was organiaed by the Lincoln/Lancaster County Women's Commission. It was very nice group of about 60 people attending.

III. APPOINTMENTS/REAPPOINTMENTS - Mr. Hoppe distributed a list of up-coming Appointments/Reappointments to the Council Members. [Attached]

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen stated that the Mayor has visited with most of the Council Members regarding Budget. There will be some follow-up work as she starts the process of assembling the budget package. The Mayor did announce the Events facility coordination last week. That meeting probably won't occur for a while as we're at the point of getting organized. The Event Operators and leadership from them will be involved in some fashion. The County will, obviously, be involved either through the Visitors Promotion Facility, or the Board itself. We'll keep you updated as we proceed; but we don't expect anything to occur prior to the Planning Commission's Public Hearings on the Comp Plan.

Mr. Bowen noted that the Joint Public Agency that was discussed at the Common Meeting this morning is on our list for a pre-council meeting. This will cover both the JPA and the RUTS - especially focusing on the financial portion of the projects.

Mr. Werner added that we're not just looking at the JPA, we're looking at other alternatives as well. We need to look at the bigger picture. Ms. Newman stated that it would start with what we discussed this morning, and then we would move forward from there to look at the big picture. Mr. Bowen stated that the focus could be broadened.

## V. MISCELLANEOUS -

\*1. Continued discussion on attendance & expenses for the "Fly-In Conference". Mr. Werner noted that Mr. Camp had written a letter expressing his concern about Mr. Werner's going on the fly-in. He guessed that in the effort to save tax payers money, he had gone ahead and booked [arrangements]. However, he had given Joan a check this morning before the meeting and taken care of that. He had known that if he waited until tomorrow, it [the cost] would have been triple the amount. So, his only concern was to save the taxpayers money. He acknowledged that Mr. Camp was right in his letter - Mr. Werner was pre-mature in doing that and he apologized to the Council for doing it. He stated that he had talked to some of the Council members and felt that he had had some consensus for his action.

Mr. Camp stated that he would like to bring up the fact that...while it's great that the money was refunded...addressing Mr. Werner, he asked on what authority did you proceed to requisition and have the money advanced out to you. Mr. Cook responded by noting that he did not understand why discussion on this would be continued if Terry has repaid the amount of money..so he has paid for the trip. Mr. Cook noted that if the Council chooses, at a future meeting, to reimburse him, that would be a choice we could make then. But, it's a choice we can make at a time when it's not caught up in some political issue. He noted that he appreciated what Terry had done [in refunding the money] and did not see what else there would be to discuss on this point.

Mr. Werner stated that he was not going to allow this to turn into an inquisition. Mr. Svoboda asked Mr. Roper if there is any loop-hole in the Council's current system. Should we be looking at our system to make sure that Council Members make an appropriate use of funds; when they do it...is there anything in our rules - or is it the City Charter that dictates how and when [appropriations can be made]. Mr. Svoboda wondered if this is

something that we should investigate and then have Mr. Roper report back to us in a couple of weeks?

Mr. Roper answered that Mr. Hubka was in attendance and requested him to comment. Mr. Roper did note that if they so chose, Council could put into their rules an exact procedure to allocate Council appropriations. It's up to the Council to spend the money that has been appropriated to it. If you want to put down some rules, that is certainly within your authority.

Mr. Hubka stated that the money was appropriated for Schools and Conferences. It is up to the Council to decide what the procedure would be for the requisitioning of money for a specific thing. He noted that there are bills paid for services, rent, and those types of operating costs, that Joan probably handles routinely. It is up to Council.

Mr. Werner stated that this money was appropriated for trips and Council passed that. Shall we move on. Mr. Camp wanted to say a few words. Mr. Werner stated that he was not going to allow this to become a circus. Mr. Camp stated that he had a right to speak.

Mr. Camp explained that what has concerned him in this whole situation is there was an amount budgeted for Schools and Conferences. It was not appropriated. Two weeks ago at our "Noon" meeting, we specifically said we would hold over discussion until the next "Noon" meeting. During that time, Mr. Werner went ahead, requisitioned and got payment for an amount of over \$1584 ... flying in the face of what this body had decided. What concerned Mr. Camp was the distrust and mistrust by the public of elected officials. This has done nothing but perpetuate that attitude. The checking account is not a playground for City Council Members.

Mr. Cook felt this had become a political issue. Mr. Camp said "no". Mr. Cook stated that Mr. Werner had paid for the ticket with his own money now and he had admitted that Mr. Camp was correct in stating that he had 'jumped the gun' and that we need to have official Council approval before the allocation is made. Mr. Cook thought that was only right. At this point, he did not understand what the problem was. He did not want to bring the politicking from the outside world into this body today. We're going to do Council business. We're going to show respect for one another and act in a professional manner and not bring politics into this body. He felt the issue had been handled appropriately. He was not sure what more needed to be discussed about this now that Terry has taken care of it.

Mr. Camp stated that it concerns him. Mr. Werner stated that Mr. Camp was out of order, noting the Mr. Svoboda had the floor. Mr. Svoboda agreed that this discussion had probably gone past what it needed to be. He suggested that Council move on. He did not think there was an intent to have this turn into a political event. He stated that it was more of a timeliness issue on this because we were to discuss the reimbursement and how that would be handled today at this "Noon" meeting. He agreed that this discussion had gone on far enough.

\*2. Discussion on arrangements for the 'Farewell' breakfast/luncheon/dinner? Mr. Bowen stated that they had been looking at a brunch. He noted that the noon time-frame was taken with the Police memorial service beginning at Noon. We've scheduled no pre-councils that morning. Anytime between 8:00 a.m. and 11:00 there could be a brunch, which is an option that Mr. Werner and Mr. Bowen had discussed. Mr. Werner asked what everyone thought. He commented that we could not have the Directors meeting. Mr. Bowen stated that we could

have the Directors meeting at 11:00 a.m. Mr. Cook asked when the Law Enforcement ceremony was being held? He had not been sure that he could attend because of Council business. He noted that he had wanted to go, so if that is at "Noon"...we could skip Directors' Meeting and have that time for an earlier lunch - and then we could attend the memorial service. Mr. Bowen stated that we could simply make it a breakfast, which is an option, too. Mr. Svoboda asked what time frame was being suggested for the breakfast. Mr. Bowen stated that anytime between 8:00 and 11:00 a.m. would be under consideration.

Mr. Bowen stated that they had booked the Nebraska Club just to have a place reserved for the morning. We did not set a specified time, waiting for Council to determine their preference. After some discussion it was determined to hold the Farewell gathering as a 9:30 a.m. Breakfast on May 16<sup>th</sup> at the Nebraska Club.

Mr. Friendt asked if the retiring Council Members were still to be at that days Council session. Mr. Roper stated that there are two meetings held. The old "lame-duck" Council holds a meeting cleaning up old business, then adjourns; the swearing in of new Council Members takes place -then the New Council sets at a newly convened, usually abbreviated, meeting.

3. Discussion on Lincoln Chamber of Commerce membership. (Requested by Terry Werner) Mr. Werner noted that, apparently, the \$250,000 that the City contributes to LPED does not count towards a membership and the accompanying membership rates. Mr. Werner wondered if Council would like to buy a membership for the Council Chair in order to get the membership rates on future events of this sort. After brief discussion, Council agreed that this would start a less than desirable precedent and decided against the membership.

Ms. Newman noted that the Council does pay dues to the Homeless Coalition, sharing this least Council think she was hiding something. Mr. Werner asked who authorized that? Ms. Ray explained that this was a standing obligation that previous Councils had assumed in order to show and offer support to the Homeless Coalition. She asked if this Council would you like to "unassume" that obligation? Mr. Svoboda noted that it could be discussed at budget hearings under the Council's budget.

Mr. Werner commented on the Federal Fly-In to Washington D.C., noting that the Chamber has requested (from the people who will be attending) issues that were important to them that they might bring up with the Congressional representatives. He asked that Council Members e-mail their thoughts or concerns to him by Friday, noting that he would then bring those concerns forward at the conference. Mr. Werner stated that one issue for him would be the multi-modal transportation issue and its funding. Mr. Cook suggested that an obvious issue is one with Cities everywhere which is CDBG money.

Mr. Bowen reported that the Administration has a Federal priority list, which Council members had received earlier in the year, listing the issues that the Chamber has for the City as a whole. He noted that CDBG funding, beltway money, Antelope Valley and medicare rates were included on that list. Mr. Werner asked if it included multi-modal transportation issues. Mr. Bowen stated that it does as part of the transportation package.

Mr. Friendt stated that we wouldn't want to have separate lists. He thought the City would want to put forward a united front - unless there is something concerning which we're absolutely and completely on opposite sides. He stated that he had looked at that list and it seemed that it would make a good basis for presentation. Mr. Bowen stated that they have a priority "ear-marked" list that we're actually seeking special money for; then we have our issues

list which is a two page document. Mr. Friendt requested that copies of those lists be given to Council to afford Members a quick look at what is being proposed for consideration. Mr. Werner agreed that Lincoln needed to put forward a united front and noted that we can't be bringing up our own personal issues....even though, he noted, he had a couple. He thought that he could present those personal issues on the side.

Mr. Werner noted that he was leaving Sunday for the conference, so if Council Members had any concerns that they wanted considered to e-mail him before Friday. And, in the spirit of "transparent" government, he requested that we include everyone with any of these concerns. Ms. Newman commented that the only thing she would add to the list would be the issue of storm water/floodplain funding. Mr. Bowen stated that it is included on their list.

Mr. Bowen noted that the Chamber was planning a pre-meeting for this trip tomorrow, suggesting to Council that if they have issues to bring forward, to get them to Jon and Terry today. Mr. Werner noted that he would not be able to attend that meeting tomorrow. Mr. Camp stated that he would be there tomorrow. Mr. Werner added then that if any members had concerns to get them to Jon before then.

Ms. Ray asked, since the issue of the fly-in had been placed on the "Noon" Agenda to discuss funding for Mr. Camp's attendance, if that would still be coming out Council Budget. She commented that she hated to continue this discussion under such a sensitive circumstances, but she needed to know these things in order to conduct the business of the Council office. Mr. Svoboda stated that it was yet to be decided. If anything, it would be a reimbursement after the fact and would be dealt with in a couple of weeks.

4. Discussion on Memo from Lori Seibel, Community Health Endowment of Lincoln invites a member of the Lincoln City Council to give welcoming remarks (2-4 minutes) and assist in the presentation of awards at their 5<sup>th</sup> Annual Meeting with the Community on Wednesday, June 8<sup>th</sup> from 3:00 p.m. to 4:00 p.m. - It was agreed that the Council Chair should make those remarks on behalf of the Council.

## VI. CITY 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 - No Further Comments

MARK BOWEN - No Further Comments

RICK HOPPE - No Further Comments

DANA ROPER - No Further Comments

VII. MEETINGS/INVITATIONS - Noted Without Significant Comment

VIII. ADJOURNMENT - Council adjourned at approximately 11:53 a.m.

cm050205/jvr