

AGENDA
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 24, 2006
(Immediately Following Directors' Meeting)
COUNTY/CITY BUILDING
CONFERENCE ROOM 113

I. MINUTES

1. Minutes from Directors' Meeting of July 17, 2006.
2. Minutes from Council Members' "Noon" Meeting of July 17, 2006.

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

1. Public Building Commission (Camp/Cook)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MISCELLANEOUS -

1. Discussion regarding Council Paperless. (Requested by Patte Newman)
(See Attachment)

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS -

1. Lancaster County Agricultural Society cordially invites you to a VIP Luncheon to kick off the Lancaster County Fair on it's opening day, Wednesday, August 2, 2006 at 12:00 Noon - The luncheon will be held under the "Big Tent" located adjacent to Pavilion III - (See Invitation)

VIII. ADJOURNMENT



Jean L Walker/Notes
07/14/2006 10:59 AM

To Tammy J Grammer/Notes@Notes
cc Marvin S Krout/Notes@Notes, Kent R Morgan/Notes@Notes,
tbabb@netinfo.ci.lincoln.ne.us,
trstorer@netinfo.ci.lincoln.ne.us
bcc

Subject Council Paperless

History:  This message has been forwarded.

Hi, Tammy --

As you may recall, when we started linking the Factsheets, Ordinances and Resolutions to the Council agenda on the internet, we talked about going "paperless" with Council packets. However, at that time, we agreed to also continue providing the hard copies of Factsheets, Ordinances and Resolutions to the City Council, City Clerk and Mayor. (I don't believe Coleen was using a laptop computer at that time when she was a Council member).

While sitting through our budget meeting, the issue of the costs of advertising was discussed. We didn't bring it up during our budget session, but it occurred to us that now might be a good time to suggest to the Council, again, that we discontinue providing 13 copies of the Factsheets, Ordinances and Resolutions for their packets each week since everything is linked to the Council agenda on the Web site. Some of the Factsheets are quite voluminous and do contribute significantly to our photocopy budget.

Let me know what you think. Marvin Krout is willing to make the request to you in writing, if you would like.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

**MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JULY 24, 2006
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

Council Members Present: Patte Newman, Chair; Dan Marvin, Vice-Chair; Jonathan Cook, Robin Eschliman, Jon Camp, Annette McRoy, and Ken Svoboda.

Others Present: Mark Bowen, Rick Hoppe, Mayor's Office; Don Taute, Personnel Director; Steve Hubka, Finance; Dana Roper, City Attorney; Jean Walker, Planning; Deena Winter, Lincoln Journal Star Representative; interested parties; and Mary Meyer, City Council staff.

I. MINUTES

1. Minutes from Directors' Meeting of July 10, 2006.
2. Pre-Council Meeting Minutes - Executive Session - RE: Litigation Matters-Developmental Services of Nebraska v. City; Fire Trucks; Pay Lag Lawsuit - Friday, July 7, 2006.

Chair Patte Newman, by acclamation, approved the minutes.

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

Public Building Commission

Health Department

Camp stated at the Health Department meeting quite a few items were brought up. They have spent about 8.8 million. Essentially they have approximately \$600,000 left in their contingency fund, plus have not spent four fifty and in reserve two and a half million. There's about three million unspent out of the bond, so really looking good.

Camp said Cook and he were both surprised when they brought forward discussion on constructing a garage on the property, not for vehicles, but for snow blowers, animal cages, etc. with the estimated cost for the garage of \$50,000. Stated they do have left over brick, which they could match. Newman reiterated the price of \$50,000. Camp said this cost would provide a low income home, adding the garage has no plumbing, but within the fifty thousand is architectural. Camp stated when he spoke at the Health Meeting stated they could have a shed, or some other type of outbuilding. Do appreciate them taking care of the service equipment for the yard maintenance but probably not in a garage of this price.

Cook reiterated both he and Camp were stunned. Also, it was brought up that to go with a full size, a two car garage, which provides quite a bit more storage it's only a little more expensive, \$15,000. Cook also mentioned at the meeting they should go and look at a pre-fab shed and maybe it doesn't need to be in this particular spot.

Camp said he appreciates and respects the fact they want to keep the campus looking nice. Svoboda stated possibly give them a cap on the money, and who uses an architect to design a garage, a high school student could design in shop class. Camp said there's some design work already, and they have pictures but again very stunned. We know they're coming in under their budget but especially in this budget time we're going through don't agree. McRoy asked if this is

under their bond proceeds? Camp answered that we don't have to spend it. McRoy then asked if it can be used in the budget? Camp answered what it would do is translate in next year's to a lower amortization payment, with their rental payments, etc. Camp added he believes the County Board would adopt the same worry, a two car garage for \$50,000, they wouldn't agree on the price. Camp asked what his colleagues thought at which time Council agreed with him and Cook.

Courthouse Plaza and Jail

Camp said they talked more about engineering, talking about the District Energy Corporation and some options. We're kind of on hold there to see how some things progress. Cook mentioned they talked about basically (showing map) 9th Street. All of the lines from District Energy currently cross the street from over there to the County-City Building and then runs out the east side of the 9th Street Jail. There's the Hall of Justice and the Jail. DEC would run new lines down this side of the street, to serve the 9th and J Building and Courthouse Plaza, but actually the cost of doing that it may not be worth it, as it only serves those two buildings. Don't know what the County will do with the Jail. If they chose to expand the jail on this site, then it will make sense to run it on that side of the street and cross over. They want to have a loop so it actually would help serve their purpose. So, would serve these buildings if the jail were expanded, but if the jail is not expanded we probably won't do this because it would be cost ineffective. Now really waiting. The DEC have really low cost facilities for serving the public buildings here. And also have a separate facility serving other buildings.

County-City Deli

Camp said it appears that we've had one applicant, the vendor who serves the State Capitol Building. Cook said their name is "Main Street Deli" and they want to come up with items that could be served very fast. Want to serve a lot of people quickly and be open from 7:30 a.m. to 2:30 p.m. Offered would be hot dogs, meat sandwiches, salad bar, muffins, toast with them maintaining a microwave and deli slicer.

Newman asked this was advertised to the public? Cook said it was, and actually he's not sure anyone applied to the RFP. Really not a profitable location. But Main Street Deli serves the Capitol Building and they were asked if they were interested. McRoy said she talked to a downtown restaurateur who was interested in looking into this location. Cook said they definitely publically advertised but doesn't know if there was a flaw in the advertising. McRoy said after discussion with this person she told the party to go through purchasing. Possibly he didn't follow up but know he was mildly interested but didn't know the process. Cook said they would go to Don Killeen, but we did have someone come and look at the location. Camp said unfortunately this has been a challenge for years. We're open for ideas.

McRoy stated that CoHo's across the street seemed busy. Cook said they weren't interested. Camp said there were individual contacts made also. Eschliman asked if Southeast Community College still had a food service program and possibly we could get an internship kind of deli. Camp reiterated they're open for ideas. Cook said we could see how Main Street Deli goes but if they don't work out would have to be more creative.

Conceal and Carry

Camp said they also talked about conceal and carry, and are reporting to the City Council and County Board on the policy for the Public Building Commission. Cook said it isn't about conceal, but about weapons.

911 Corridor

Camp said the 911 corridor, in the garage is in process, and on September 1st should be installed, allowing use of a thumb print. Cook said possibly they may come by the Council office to arrange a time, or get a time set up for Council who want to be fingerprinted and go through the door. Cook said that Richard Dingle wants to make it easy. He is going around to departments for those who have signed up. If you want to get over to the City Attorney's office, this is a way to do it.

H Street Property

Camp said the PBC is negotiating for two (2) properties. One on H Street which they have been watching as the owner has passed away. Eschliman asked what are the plans if we purchase? Camp said it would fill out the rest of the block with Cook adding parking for future expansion. It's been a long standing PBC policy they would acquire for sale properties right on the edge of the campus. Camp said, for information, the PBC wouldn't go any further south than G Street. For example, if the County Jail does move, this would create additional parking.

9th & J Street Bldg. and Courthouse Plaza

Cook said for months they've been talking about the 9th & J Street Building and Courthouse Plaza. Was talk about adding an addition onto 9th and J for the Emergency Management Department and the PBC decided it would be too expensive. At this point, basically, think we've have tenants who are moving out of Courthouse Plaza. Believe we'll be able to start renovations fairly soon on the building and then would want to put the Public Defender there. Consolidate the Public Defender's office and there would be room for considerable expansion and be a more permanent location. Then, possibly consolidate Personnel, which really needs to be done, and ultimately the County Human Services and the Drug Court would be relocated into this building. The building now, the 9th and J Building, once renovated would become the Community Corrections base. So, this is a much cheaper plan. This is the plan the PBC decided to go ahead with, had a lot of other ideas but were just too costly. Camp mentioned the bonds with Cook adding the bonds have to be paid off.

III. APPOINTMENTS/REAPPOINTMENTS

Chairman Newman asked Bowen if there were any appointments or reappointments? Bowen replied none at this time.

IV. REQUESTS OF COUNCIL FROM MAYOR - None

V. MISCELLANEOUS

Discussion regarding Council Paperless

Newman stated there were discussions about going totally paperless, with Council members using laptops, or having computers. Newman asked how much paper is wanted in the reports from the Planning Department? Have talked about this before and does everyone read the paper copies, or is it read on line? What can you live with, or live without?

Camp said he likes the Executive Summary, just to know what items are there and then can reference what we have in a PDF on the computer and have access, saving paper. Newman said that's how she feels and has always scribbled notes on the Executive Summary. Marvin said he looks at his packet on line and if all paperwork were eliminated believes he would be just fine. Can look at everything electronically, for the most part. Cook agreed. He stopped bringing in the giant stack of reports as it's available on line and just sets up the computer. The only time is if

something goes wrong with the Web page and then would be in trouble. So far it's been working well and there hasn't been items missing that he's noticed. Marvin said his computer has the same problem, periodically reboot. Mostly in the middle of Council it suddenly likes to reboot. Cook agreed that's true with his laptop but they can work with that.

Svoboda agreed saying the Executive Summary in paper is great. Newman asked Jean Walker if she could just give the Executive Summary on paper. Would it make your life easier? Walker said there still needs to be a complete record for the State Clerk and the Law Department, but now are sending 9 copies to the Council office. Newman said to try it and then we can talk about it again if it doesn't work, but let's save a little money.

Cook asked if the on line fact sheet will be just what it is now? Walker answered exactly. Newman asked when it that sent out? Walker replied it goes out whenever the Council agenda goes out. Newman asked if on Thursday night they would be able to click into it? Walker said as soon as they get them done and copied, they're scanned. Newman said let's try it and if any trouble we'll talk about it again.

Pre-Council Discussion

Bowen said Newman and he had talked about when to hold a pre-council and talked about either next Monday, or the following Monday, or a chance to do one on an off day, depending on how everyone wants to do it. The 31st is a night meeting, and didn't know if you wanted to hold a pre-council on the day of a night meeting, but could meet on the 7th.

McRoy said she wanted to discuss with Council the idea about the two to one pension plan. She wants to look at it, not ready to make a decision after a twenty minutes discussion, which doesn't give her a comfort level. But definitely would like to explore it. Don't have much time, will do this through the budget. Believe we're all in agreement on the new hires, starting in January, which will be a little easier to do. But the other two to one, 1.7 million potential savings, needs to have more information. Possibly along with Don Taute we could hire a couple of consultants to get us on the fast track? To make a decision in time for the final vote in the budget. Understand this is not budgeted but we need to figure out where to this money to hire consultants. McRoy said she met with Bill Harding, on another issue, and in discussing understood he has consulted with the City before and is familiar with our compensation and personnel issues. And also possibly Bill Austin, the former City Attorney. Would be a blend of in-house and out-house. This way everything is up front as it is a major decision affecting personnel. Possibly need to spend some money to stay blended. The private sector plus public sector input will give us information to make our decision as there are so many questions, such as can we do it? Or is it in the contracts? McRoy continued saying she wants answers from a wide variety of sources. Don't want to discuss back and forth on the airways. Want the Council to make a decision together with information everyone has.

Marvin said he supports McRoy's idea stating he thinks when the two to one match is thrown out to the public the reaction is they don't agree. But our charge is to do what's legal, which the public has elected us to do. Marvin would support McRoy's idea saying clarification is needed to know what the legal options are and consultants could point out quickly.

Camp concurred adding while doing this possibly look at the workmen's compensation element as well. What modifications might be possible there as we looking at the contract and provisions.

Now paying out million or a million and a half per year in workmen's compensation claims. If we went for two-thirds reimbursement and one week delay, should be able to save hundreds of thousands of dollars.

McRoy said she would agree if it's worth one point seven million but is this something we could look at later? Camp said it is a personnel item and keeping the consultants longer would not be a major task, and they could look at it at the same time. McRoy said this might cost Council more but stated the pension plan is important at this time. Camp answered they're all important with a third item of Health Insurance. We're self insuring our Health Plan, with modifications. Stated he doesn't know what the modifications are, and possibly there are more which we could make. Again, deals with personnel but this way might help us save more. Within the last four or five years Health Insurance costs have gone up dramatically. Might be a potential area for savings for the millions we pay. Camp reiterated those are the three things having the potential to be big savings.

Cook said he liked the idea of having outside people, consultants, but a little concerned with the time frame. We really want an answer back by the end of next week, if possible, which is a pretty short time frame. With these other issues not sure how many items we can ask consultants to work on because of the limited time frame. Possibly prioritize and give the other items as well, which we would like answers to, but the most important is to get an answer now on the pension issue, particularly what is legal.

Camp said he didn't disagree but thinks they're looking at almost a black and white answer, asking if it is legal? If you're looking at Union contracts, it's yes or no. Cook reiterated he didn't know how long it would take. McRoy said she hoped that it would be accomplished by the public meeting so we could get it out. Newman asked if this is construed as terms or conditions of employment, does it have to be a negotiated thing? Whether it's workmen's comp or whether it's the retirement match, so maybe it would be a simple request we could add. Newman addressed Hubka, Roper, Taute asking what needs to be done to make this happen? Do we have the money and how do we move forward?

Hubka said normally it would be taken out of Council contingency, which is always done off the resolution, it's impossible to get a resolution on the agenda, passed in time to do this. Would have to cover out of general expense and believes there's enough room to do this. We've looked at the year end position of general expense and know somewhere in their budget is enough to cover these consultants. Presume the two attorneys wouldn't charge an overly amount of money. McRoy said she hasn't asked the two people mentioned but was thinking of who knows this area and can get us answers fast. Newman asked if it was unanimous? Newman asked if Hubka or Roper would be able to find out if Harding and Austin would be available?

Bowen said it sounds as if Council is asking for a legal opinion, the legality, or the risks of making change as there will be plans for current employees. Looking for an opinion by no later than a week from Friday? Do you want this to be tied to a pre-council?

Cook asked if we also wanted to ask about the other two items? Bowen said Part B and C would also be legal on those items? Cook said Workmen's Compensation and Health Insurance would be secondary but need an answer on the pension question, but if they're able to provide information on the other items it definitely would help.

Roper said he assumes what we will be asked is, does this have to be negotiated? When the answer comes back yes, the question is can we impose it if they won't agree to what we want? That's the real issue.

Newman said there's a third issue as well and that is, can we have a two-tiered system? When we have new hires? Stated one of the Unions said no, the retirement is one of the reasons we take a lower percentage increase because our people depend on the very nice retirement two to one match.

Roper asked, at some point in time are you coming back with something for them to approve this hire? Or would this be it? Camp said this would be it. Roper stated a motion should be made and have a roll call. Marvin said the contingency fund will be reimbursing the general fund regarding this. Hubka said we do this and the year end resolution is where a lot is squared up.

McRoy made motion. Move that Council direct staff to negotiate the hiring of outside consultants to provide an opinion of law regarding the City's pension plan, workmen's compensation, and City's health insurance. With the priority being the pension plan and to direct Hubka to find appropriate source of funding. Camp seconded motion.

Discussion on motion. Camp had a question saying someone mentioned whether it would have to be negotiated or not. There could be a couple of different pigeon holes in which the answer could come in. Whether it's legal or not, or if it's negotiated.

Cook stated on the discussion of a pre-council, Camp will be away the 31st but back on the 7th, with the budget public hearings at 4:30pm and therefore could potentially have a pre-council at 3:00 pm. Possibly we would actually have some answers and maybe a pre-council could be at that time.

Bowen said a pre-council would be held on August 7th, starting at 3:00 p.m.

Role call taken with Newman, Marvin, Camp, Cook, Eschliman, McRoy, and Svoboda voting yes. Motion passed unanimously.

Newman asked if there would be a cap on consultants fee? Roper said they would attempt to negotiate a flat fee.

Meeting adjourned.