

**AGENDA**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, NOVEMBER 6, 2006**  
**(Immediately Following Directors' Meeting)**  
**COUNTY/CITY BUILDING**  
**CONFERENCE ROOM 113**

**I. MINUTES**

- \*1. Minutes from Directors' Meeting of October 23, 2006.
- \*2. Minutes from City Council Members' "Noon" Meeting of October 23, 2006.
- 3. Pre-Council Meeting Minutes - RE: Fire Truck Investigation - October 30, 2006.

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

- 1. Parks & Recreation Advisory Board Fall Retreat (Cook)
- 2. Internal Liquor Committee (Marvin/McRoy/Svoboda) - NO OCTOBER MEETING

**OTHER MEETINGS REPORTS:**

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

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

**V. MISCELLANEOUS - NONE**

**VI. CITY COUNCIL MEMBERS**

**VII. MEETINGS/INVITATIONS -**

- 1. The Governor's I-80 Summit on Regional Growth and Development on Thursday, November 16, 2006 from 9:00 a.m. to 12:00 p.m. at National Guard Camp Ashland Memorial Hall, Ashland, NE - (See Invitation)
- 2. The Lincoln Chamber of Commerce - Executive Reception welcoming Wendy Birdsall as new Chamber and Partnership President on Tuesday, November 14, 2006 from 4:30 p.m. to 5:30 p.m. at The Nebraska Club, Top of the US Bank Building - RSVP by Nov. 13<sup>th</sup> to Kathy Dvorak by email - (See Invitation)

3. The Downtown Lincoln Association, Historic Haymarket and Updowntowners - Downtown Forum Luncheon "Is A New Downtown Arena In Lincoln's Future?" on Thursday, November 16, 2006 from 11:30 a.m. to 1:00 p.m. at The Cornhusker Marriott, Yankee Hill 3 - Cost: \$15 per person - RSVP by Nov. 13<sup>th</sup> to 434-6901 or by email - (See Invitation)
4. Citigroup SmithBarney - In honor of Veteran's Day The Lincoln office of Smith Barney invites you and a guest to a Private Dinner Reception with Leo Thorsness Lieutenant Colonel US Air Force, 357<sup>th</sup> Tactical Fighter Squadron Congressional Medal of Honor Recipient "These Colors Don't Run" on Wednesday, November 8, 2006 at The Cornhusker Marriott Hotel - 6:30 p.m., Dinner; 7:15 p.m., Speaker; 7:45 p.m., Recognition of Veterans; 8:00 p.m., Soloist; - RSVP by Nov. 3<sup>rd</sup> to Chasi Beckstrom at 474-2400 - (See Invitation)
5. The Lincoln Police Department's Citizen Academy Graduation & Awards Ceremony on Thursday, November 9, 2006 at 7:00 p.m. at Embassy Suites Hotel - Dessert Reception Following - (See Invitation)
6. Open House Deadmans Run Watershed Master Plan on Thursday, November 16, 2006 from 5:00 p.m. to 8:00 p.m. (Presentation at 5:30 p.m.; repeated at 7:00 p.m.) at Culler Middle School, 5021 Vine Street - (See Invitation)
7. Lincoln Chamber of Commerce - Business After Hours "Sponsorman" on Thursday, November 16, 2006 at the Cornhusker Marriott Hotel from 4:30 p.m. to 6:30 p.m. - Cost to attend \$10.00 per person - Please RSVP, Jaime Henning at 436-2366 or by email - (See E-Mail Invitation)
8. Fall 2006 Lincoln Police Department Academy Graduation and Awards Ceremony on Wednesday, November 29, 2006 at 7:00 p.m. at the Cornhusker Hotel, Grand Ballroom - Reception Following - (See Invitation)
9. Matt Talbot Kitchen & Outreach - 7<sup>th</sup> Annual Homeless Coalition Recognition Brunch, During National Hunger and Homeless Awareness Week - The Brunch & Program on Friday, November 17, 2006 from 9:00 a.m. to 10:30 a.m. at Matt Talbot Kitchen & Outreach, 1911 "R" Street - RSVP to Susanne Blue at 477-4116 or by email - (See Invitation)

## VIII. ADJOURNMENT

**\*HELD OVER FROM OCTOBER 30, 2006.**

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**MINUTES**  
**CITY COUNCIL MEMBERS' "NOON" MEETING**  
**MONDAY, NOVEMBER 6, 2006**  
**(Immediately Following Directors' Meeting)**  
**COUNTY/CITY BUILDING**  
**CONFERENCE ROOM 113**

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

**Council Member Absent:** Jonathan Cook

**Others Present:** Mark Bowen, Ann Harrell, Rick Hoppe, Mayor's Office; Dana Roper, City Attorney; Tammy Grammer, City Council Staff; and Deena Winter, Lincoln Journal Star Representative.

**I. MINUTES**

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Chair Newman proposed a change in the Pre-Council Minutes of October 30, 2006. The change would state Mike Spadt advocated, instead of abdicated. She then called for other corrections to the three sets of minutes. With no other corrections the above three sets of minutes approved.

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

1. **Parks & Recreation Advisory Board Fall Retreat** (Cook Absent) (McRoy)  
McRoy stated she attended the meeting in Cook's absence. McRoy reported this was the joint meeting, and annual retreat, of the Parks & Recreation Advisory Board and the Lincoln Parks Foundation. They take this time to look at a list of major projects being considered for the upcoming year. McRoy stated we know they need \$1.3 million, with Parks looking to maintain its current infrastructure. She briefly listed future projects, prioritized for large term, which will likely involve fund raising activities which include:

- Antelope Valley, East Downtown Park, \$3.5 million within two to three years;
- Centennial Mall. As the Law Enforcement Memorial goes to Grand Island there are at least three different Master Plans for Centennial Mall, which includes how to renovate in a cost effective manner;
- Sherman Field Plaza with support facilities and approximately \$600,000 to complete, including new concession stands, better grand stands in entrance for the whole area;
- Discussion of Pinewood Bowl renovation, estimated just under a million but would be seven phases of improvement, which would be for future reference;

- With the Advisory Committee - Briar Park. Looking at how Pershing Auditorium operates, including special liquor licenses and to possibly have Pershing manage the liquor licenses.
- Antelope Park Band Shell. The band shell needs renovation, but do not have a master plan. Will work on a master plan and think about having a university intern to set costs and details.

Other items on the horizon include:

- 13<sup>th</sup> & 'P' Public Plaza. Part of the Downtown Master Plan, and about \$1 million needed in private fund raising;
- Wyuka Cemetery - Wyuka Park. Appears the Acklie family wants to help with \$1.5 million, plus another \$1.5 million endowment and turn into a park. McRoy stated there was quite a discussion, and confusion, on whether this is State property and who's responsibility it would be if the City takes the section over and it becomes a city park. She stated besides being very interesting, it was a divided conversation of how do you redevelop part of a cemetery into a private park, by private people.
- The Ice Arena is still being discussed. Lynn Johnson has been meeting with a group regarding Fleming Fields. The price of two sheets of indoor ice would cost about \$7.5 million;
- Salvation Army also talking about The Ice Arena. They think they possibly could raise \$2.5 million in a capitol campaign. The Scott Brothers have talked about making an substantial donation in the million dollar range.

## 2. **Internal Liquor Committee** (Marvin/McRoy/Svoboda) — **Cancelled**

### **OTHER MEETINGS REPORTS:**

Newman reported she attended the Lincoln College Partnership Meeting, NU Directions, which is a result of disorderly house meetings last year. They have continued meeting with SCC, UNL, and Wesleyan and call themselves the Lincoln College Partnership. They continue their educational efforts with students, trying to make them realize what the impact of wild parties in neighborhoods can be. Newman stated it is a great group, and now going to brain storm, developing ideas on how to get rental property owners to raise their standards and hold tenants accountable. Newman said she is excited that this has been one result of NU Directions, and a positive result of working together.

Svoboda reported the Innovation Zone Meeting was more of a pre-vision session. He stated with the subcommittees they are now focusing on meeting on the 9<sup>th</sup> at Camp Ashland, for a Visioning Session. This will pull all committees together to see where relations are and where focus is needed on completing the Governor's report in February. He stated they would look at a legislative package which they may want to support. Svoboda reported this took discussion of what it means to put together a legislative package, and unfortunately was not a unanimous vote as two individuals, who represent first class cities, could not vote favorably because of the measure on TIF financing for

counties. He believes it can come forward with supporting current legislation which is being proposed, or will be proposed. He stated the Visioning Session will be Thursday morning, open to the public, but more importantly is the Governor's Summit, the I-80 Summit, scheduled for November 16<sup>th</sup>, at Camp Ashland.

### **III. APPOINTMENTS/REAPPOINTMENTS**

#### **RICK HOPPE**

Hoppe distributed an updated memo regarding Boards and Commissions, Upcoming Appointments, and discussed with Council. Hoppe stated he did speak with Svoboda about the District Energy Corporation, expressing a willingness to continue to serve, and will take to the Mayor. He stated there are three LES appointments up at the end of December, one being Jerry Shoecraft, who has already resigned with the Mayor looking at options. Hoppe said they expect a decision shortly but want to consider the contacts/context of the entire reappointments since they are up fairly soon. *[See Attachment 'A']*

### **IV. REQUESTS OF COUNCIL FROM MAYOR**

#### **MARK BOWEN**

Bowen handed out an agenda draft for the joint meeting with the Omaha Council. He stated there may be previously talked about items listed and that he received the draft from the Omaha Council Office Friday afternoon. Bowen pointed out a new item listed of Ultimate Fighting which he questioned and was told, by Jack, the Omaha Council members requested on the agenda, without explanation. Bowen pointed out it is a draft agenda and subject to change, and if there is anything someone would like to see listed now would be the time to present.

Marvin questioned why the issue on the wheel tax, the extended wheel tax outside the city limits was not listed, as it was supposed to be. Bowen asked Council if they would like to have it on the agenda? Newman commented Roper would explain shortly.

Bowen continued saying Camp had mentioned inviting the newly elected State Senators. He stated after discussed with Jack, who stated he would invite, but not until Wednesday morning, thinks it's unlikely many will attend.

Bowen stated he needed to know the date today for the Budget Forecast meeting in December, possibly on the 13<sup>th</sup> or 14<sup>th</sup>. Bowen commented it was previously done in the afternoon, so possibly 1:00 to 5:00 p.m. or 2:00 to 5:00 p.m.? Following discussion, it was decided the Budget Forecast Meeting would be held on Wednesday, December 13<sup>th</sup> from 1:00 to 5:00 p.m.

Newman stated City Attorney Dana Roper would report on the wheel tax. She asked if everyone realized Omaha passed a wheel tax into their 3 mile limit, and that our attorney believes that wouldn't be legal here? Newman said Roper had copies, and would give an explanation.

Roper reported Omaha is doing this pursuant until authorization, or what they believe is authorization, under State statute for Metropolitan Class Cities. He stated they'll have the power to require this for a person using any vehicle in the city. Roper said in speaking with the Omaha assistant there is an affidavit, not completed yet, which would allow a person to exempt oneself out of the wheel tax by saying they don't use a vehicle in Omaha except on very limited occasions, i.e., to take my aunt to church, etc. Roper said he's not quite sure how it will be worded but if you sign the affidavit you don't pay the wheel tax. Newman asked if you get a sticker, some identification, on your car so police in Omaha see you're driving a car which shouldn't be on the Omaha streets? Roper answered supposedly all this will transpire at the County Assessor's when you pay your taxes. He stated it will be interesting to see what the enforcement level is, if any. Roper said our State Statutes all speak to our Charter, in two sections. Our two State Statutes dealing with wheel tax, and licensing tax, speak to the fact you can tax property in the city limits, within the corporate limits, and this is where we think there are issues. Roper said they have been trying to figure out an answer for this problem, for primary place of business. He stated some places have had dual locations. Where they answer the phone and where they store their vehicles. He said if vehicles are stored immediately outside the city limits, and they answer the phone there, their presence is in the city limits. We could look at redefining if that is the desire.

Newman responded she thinks he's saying it's taxation without representation in Omaha, and for some of the people in the county. Another member stated going to the system of having a bar code on every vehicle, and have scanners, like you see at Target, and as the car drives through it is registered, and if we register a hundred trips we send you a bill. Marvin asked if they do this system with animal control? The cars?

Marvin asked on Metropolitan Class, if Lincoln was primary? He requested the definition for Metropolitan, and if it was 300,000? Roper said he would get the numbers, but thought this number correct. Marvin said if we are metropolitan class, are cities of the metropolitan class also required to provide residential garbage service too? Roper was not aware of that requirement. Marvin said now he didn't know if there were disadvantages, but would like to know what the disadvantages and advantages of Metropolitan Class might be. He added we did try to enter into a JPA with the County. In that case they could have agreed to the JPA and we could have lent them our wheel tax taxing authority and they could have imposed a wheel tax in the county. Marvin said the county chose, on a two to three vote, to turn the opportunity down, and asked if it was clearly legal? Roper replied yes. Marvin said it would have raised over a million dollars which could have been used to pave roads, like Yankee Hill, or other roads which are currently gravel. Roper said 90% of the population, of the county population, is inside the city. Marvin said the representation of the Lancaster County Board chose not to do.

Newman asked if there was anything else on the wheel tax and then thanked Attorney Roper. Bowen asked if the Council would like this topic on the agenda, or not, for Wednesday? Marvin said he wouldn't mind sharing with them our failed method of trying to get a wheel tax. Newman added when we have time, after we go through these 12 items and the tour. Eschlman asked if this was until 9? Newman responded 3 to 5.

**ANN HARRELL - NO COMMENTS**

**DANA ROPER, CITY ATTORNEY - NO COMMENTS**

**V. MISCELLANEOUS - NONE**

**VI. CITY COUNCIL MEMBERS**

**JON CAMP - NO COMMENTS**

**JONATHAN COOK - ABSENT**

**ROBIN ESCHLIMAN - NO COMMENTS**

**DAN MARVIN - NO COMMENTS**

**ANNETTE McROY - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

**PATTE NEWMAN - NO COMMENTS**

**VII. MEETINGS/INVITATIONS - Listed on the Attend Sheet for November 6<sup>th</sup>.**

**VIII. MEETING ADJOURNED - Approximately at 11:53 a.m.**

**\*HELD OVER FROM OCTOBER 30, 2006.**

MEMO

**TO:** City Council

**FROM:** Richard D. Hoppe  
Aide to the Mayor

**DATE:** November 6, 2006

**RE:** Boards and Commissions Upcoming Appointments

<u>Name</u>	<u>Board</u>	<u>Eligible for</u> <u>Reappoint</u>	<u>Desires</u> <u>Reappoint</u>	<u>Mayor will</u> <u>Reappoint</u>
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**COUNCIL VOTE November 6th**

David Fikar	Human Rights Comm'	Yes	Yes	Yes
Sitaram Jaswal	Human Rights Comm'	Yes	Yes	Yes
Lori Lopez Urdiales	Human Rights Comm'	Yes	Yes	Yes
Joe Tidball	Parks & Rec Board	NEW APPOINTMENT		

**EXECUTIVE ORDER APPOINTMENTS, submitted 10/31/06**

Al Maxey	Ped/Bike Adv Board	NEW APPOINTMENT		
Christina Perry	Ped/Bike Adv Board	NEW APPOINTMENT		
Brian Kruse	Water Conservation	NEW APPOINTMENT		
Butch Lottman	Water Conservation	NEW APPOINTMENT		
Cale Underberg	Water Conservation	NEW APPOINTMENT		
Mark Jobman	Water Conservation	NEW APPOINTMENT		
Matt Minchow	Water Conservation	NEW APPOINTMENT		
Roger Breitbarth	Water Conservation	NEW APPOINTMENT		
Jeremy Hunt	Water Conservation	NEW APPOINTMENT		

**EXECUTIVE ORDER APPOINTMENTS, submitted 11/2/06**

Jason Albers	Ped/Bike Adv Board	Yes	Yes	Yes
Dalyce Ronnau	Ped/Bike Adv Board	Yes	Yes	Yes
Jayne Snyder	Ped/Bike Adv Board	Yes	Yes	Yes
Neal Thomas	Ped/Bike Adv Board	Yes	Yes	Yes
Ken Vice	Ped/Bike Adv Board	Yes	Yes	Yes

**COUNCIL VOTE November 13<sup>th</sup>**

Gil Trevizo	Police Advisory Board	Yes	Yes	Yes
Candice Batton	Police Advisory Board	Yes	Yes	Yes
Martin Ramirez	Multi-Cultural Advisory	Yes	Yes	Yes
Modesta Putla	Multi-Cultural Advisory	Yes	Yes	Yes
Gary Krieser	Board of Zoning Appeals	Yes	Yes	Yes
Peter Woolman	Parks & Rec Board	Yes	Yes	Yes

## OCTOBER/NOVEMBER

Brittani Olson	Air Pollution Adv Comm	Yes
Wayne Heyen	Air Pollution Adv Comm	No
Sitaram Jaswal	Air Pollution Adv Comm	Yes
Rick Gardner	Air Pollution Adv Comm	Yes
Carol Swigart	Air Pollution Adv Comm	No
Kevin Horne	Air Pollution Adv Comm	Yes

## DECEMBER

Jill Miller	Workforce Investment Board
Tate Lauer	Workforce Investment Board
Paula Luther	Workforce Investment Board
Terry Adair	Workforce Investment Board
Kristine Brennan	Workforce Investment Board
Dan Hile	Workforce Investment Board
Kal Lausterer	Workforce Investment Board
Laura Williams	Workforce Investment Board
Victoria Rasmussen	Workforce Investment Board
Gary Targoff	Workforce Investment Board
Federico Torres	Workforce Investment Board
Rick Williams	Workforce Investment Board
Lori Hein	Workforce Investment Board
Jason Joe Sunday	Workforce Investment Board
Alan "Dave" Masilko	Workforce Investment Board
Ken Svoboda	District Energy Corp
Jerry Shoecraft	LES Board
Kathy Campbell	LES Board
Michael Ayars	LES Board

## JANUARY

Patricia Owen	Gov Access & Info Comm'
Michelle Zuhlke	Gov Access & Info Comm'
James Lamphere	Gov Access & Info Comm'
Rita Cox	Gov Access & Info Comm'
Meredith DeCory	Women's Commission
Connie Schmidt	Women's Commission
Gloria Aron	Women's Commission
Jeff Searcy	Capital Environs Comm'
Patrick O'Donnell	Capital Environs Comm'
Tom Laging	Capital Environs Comm'