

AGENDA
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, DECEMBER 18, 2006
(Immediately Following Directors' Meeting)
COUNTY/CITY BUILDING
CONFERENCE ROOM 113

I. MINUTES

1. Minutes from Directors' Meeting of December 11, 2006.
2. Minutes from City Council Members' "Noon" Meeting of December 11, 2006.
3. Minutes from City Council Members' "Noon" Meeting of July 10, 2006.
4. Minutes from City Council Members' "Noon" Meeting of May 1, 2006.

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

1. Public Building Commission Meeting (Camp/Cook)
2. Railroad Transportation Safety District Meeting (Eschliman/Marvin/Svoboda)
3. Multicultural Advisory Committee Meeting (McRoy)
4. Board of Health Meeting (Svoboda)

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 - NONE

VIII. ADJOURNMENT

**MINUTES
LINCOLN CITY COUNCIL
“NOON” MEETING
MONDAY, DECEMBER 18, 2006
COUNTY/CITY BUILDING, ROOM 113**

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

Council Members Absent: Jonathan Cook

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

I. MINUTES

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Chair Newman called for any changes to above minutes, none forthcoming, and minutes approved by acclamation.

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

Public Building Commission Meeting (Camp/Cook)

Camp said the PBC participated in the dedication of the Health Department and business conducted on the building change orders, having a request from the architects to increase the fee, asking for additional payment of approximately \$30,000, with the architects admitting to mistakes. Svoboda questioned their making mistakes, billing us, and we pay? Camp stated while asking for the additional \$30,000 in fees they admitted to still owing for their mistakes and after those deductions the PBC would pay a net of \$15,000. Camp did question why they didn’t come forward earlier, with some mistakes dating back to the underground system installed. He thought there had been conversation with Killeen about extra time but it would have been better to communicate to the Public Building Commission, as this has been a two year project. Camp didn’t believe architects would work for a percentage fee but that resulted with these hours. The fee was approved leaving the PBC point 048 of one percent within budget, which would be approximately \$43,000 below budget and with nothing into our contingency budget.

Marvin asked about the left over funds. Camp said this is probably the first time this had happened and depending on the bond, can start pay back, or pay down. Camp said to date spent \$8,957,000 with few items still to come. He stated it’s under nine million but believed there was a twelve million dollar bond, with interest payments needed on certain accounts. Acknowledging the need to have some reserve he said he would bring up the topic next meeting in order to start in that direction, but do also have a \$6,000 invoice on debt, repairs needing to be paid.

On the Courthouse Plaza Camp said they okayed an interim move for Boesch's group, Human Services, over to 1115 "K" Street and later they will go to Courthouse Plaza, the only agency having to do a two step move. Eschliman asked if the "K" Street property was City with Camp responding no, only short term. The PBC had looked at rent schedules and this was the least expensive option. McRoy added the location also had handicap facilities for clients and was within walking distance of the Court House for Boesch's staff.

Camp said the PBC obtained prices on the HVAC system, and had looked into joining DEC, the District Energy Corporation, as it appears the County will put the jail off-site/campus. An estimate of \$300,000 to run the HVAC system further south very hard to justify. Camp said the PBC did want cost estimates on the heating and air systems before going out and doing a conventional unit and also to use the existing duct work rather than go with the DEC. With the jail dynamics change and Camp stated a real concern was talk of an estimate amounting to \$28 a square foot for heating and air, which is extraordinarily high, with considering they have the duct work in place. Camp stated he thought it should be at least half that amount, or less. He stated there will 39 square feet to do, with a ground pump and feed pumps and would be \$50 a square foot to do with the DEC, and now waiting on the figures.

On the "K" Street expansion the State is taking over the 4th floor with the Secretary of State taking over Health and Human Services. Eschliman asked if the leases will be extended with Camp answering there was no discussion of that, just being State space.

Regarding Conceal and Carry signs Camp stated there is sample language Roper got off the Internet, being the universal circle with a knife and pistol in it. Camp said there will be credit to the web site but people can use at no charge. He stated Roper had language put together with Cook offering an amendment but basically it would be the universal sign, about handguns, and referred to both City and State statutes. Roper stated it would be no weapons on the premises. Marvin asked if it would be placed on all doors? Roper said the PBC is ordering signs, at a dollar each, and whoever wants them can order from the PBC to post. He said the Building Commission is planning to put them on buildings they control here, including the County-City Building. He thought the outlying buildings were left to the departments to decide on whether they want to post. As an example Roper mentioned the Rec Center not being comfortable posting, thinking it might possibly send the wrong message. Camp added it would be a red circle with one side for the Lincoln code, and the other having both City and State, with the latter being approved. Camp said on leased space believed they figured out how to mark. Marvin thought to be compliant with the law you would post at every entrance, doorways, the garage below, anyplace the public could enter the building. Roper said for State law, yes, public entrances. Svoboda asked if it included parking garages such as any city owned parking garage. Bowen answered yes saying it has been planned close to the garages. Marvin thought it had been discussed to allow people to leave their hand guns in their parked cars, not wanting them to pull into a parking garage and then having to carry a pistol around town, as they felt they couldn't leave it in the car. Roper stated he didn't think it would be a problem unless the gun is displayed within the vehicle.

On the Mattice property Camp said members would recall the home was bought some time ago and the PBC had been trying to relocate the building. He stated the relocation wasn't working and the house is going to be demolished. Camp said Killeen made efforts to give away or have somebody recycle and it was just too small, and the foundation was going to be torn out also.

Camp stated they had the usual approval of vouchers. A concern raised on the jail passenger elevator in the Hall of Justice. The County attorneys use the elevator, which is the old jail passenger elevator, to exit out of their office and apparently is now in deteriorating condition. Discussion held on whether to post “ride at your own risk”, or spend the money to fix, or tell the County attorneys to use the stairwell or other elevators with the Public Building Commission choosing the later.

Railroad Transportation Safety District Meeting (Eschliman/Marvin/Svoboda)

Marvin said meeting centered mostly on the quiet zone with other business consisting of the amount of balance, 8 million dollars in the cash balance of the RTSD and voting.

On the quiet zone Marvin said studies were done by Rick Haden, who gave a presentation. Also while visiting with people who call regarding the quiet zone, it’s amazing the public knows how this is accomplished. Marvin said certain areas, like 70th & Cornhusker, just need to add concrete to the medium making a height of eight inches. With this in place plus arms which come down basically have a quiet zone per federal standards. Camp asked if a curb is approximately five inches? Marvin answered with 70th Street being resurfaced a few times, which resulted in a rise, all they would do is put a little more concrete on the medium, up to 8 inches, and figured it could be done for under \$10,000 to turn into a quiet zone. This would be a low end.

Marvin stated on higher estimates were going to test wayside horns having sounds up and down the street, but shouldn’t be in neighborhoods. Svoboda said they blast parallel to the streets, and would be on hold pulling the direction of the sound down each street. Marvin said it would dramatically cut down on the amount of bleed into the neighborhoods, but these are expensive. Did the test on 44th Street with only people testing present. Will do a more formalized test having neighborhood people and seeing if it would be an improvement. Marvin had an understanding this would be the cheapest option on 44th Street. He said one estimate on 44th Street was just under \$100,000 but closing a street would be \$72,000 making it a trade off.

Camp asked if they could do a medium? Marvin replied they could not as 44th Street is too narrow. He stated 33rd Street doesn’t have a medium at the tracks but is a wide enough street that they could put a medium there, with the cost around \$45,000.

Marvin said looking at these solutions it would create a quiet zone starting almost outside of Lincoln, and have no horns blowing until close to the downtown area. He stated people living on South 14th Street called and were knowledgeable about the different rules and regulations. Marvin said 14th Street does have a raised medium and there would be little additional cost to create a quiet zone. He stated Figard is looking into a quiet zone by the South Salt Creek Neighborhood, working with Senator Schimek, with \$20,000 authorized for an additional study of those tracks. For a quiet zone need the apparatus and electronic capability on tracks and not all are equipped. Marvin said if tracks are equipped it would be an inexpensive process.

Marvin said to expedite the process would like to work with other Council members, but realizes the Council does have the vote on a quiet zone. He said discussion was on trying to do things in tandem. The RTSD may work on studies, figuring the best way to finance and we could work in tandem bringing forward the legislature which would be voted on by the Council. Marvin stated as we have to apply to the Federal government to create a quiet zone, could work on both at the same time. He believes there are a number of options very reasonable in cost and should pursue.

Marvin said otherwise we would meet again with the RTSD providing the financing and would not be able to put in place because legislatively we haven't applied for quiet zone approval. Will meet again in about six weeks, in March.

Camp asked how long it takes to determine if tracks have the capability? Marvin replied first the tracks need the electronics, then it's about identifying streets on width and seeing if a medium could be installed. At that time determining what strategy would work in the area and implementing in the most cost effective manner. He stated on South 14th Street would be inexpensive with a medium but on South Salt Creek doesn't know what strategy will work.

Svoboda said they were caught off guard with the additions of 14th Street and South Salt Creek, with Rick Haden visualizing what a study would look like without delaying other projects. Svoboda added the additional costs on the original study included a traffic study of 44th and Cornhusker, letting us know what direction people traveled, using what intersections at what times. He stated was very interesting as most people were leaving the neighborhood, crossing Cornhusker to get to Superior Street with a number of options available to do that in a given time frame. He said in the industrial area traffic obviously depends on given days. Svoboda did say a strip of land that use to be the northwest corridor along the tracks is being purchased for private development of storage units and would put a completely different spin on closing 44th Street. The developer would want access to 44th Street, going both directions. Marvin said Public Works had an alternative plan to put in side roads on 48th and 40th Streets, and believes those would cost hundreds of thousands, if not a million, dollars, with other alternatives phenomenal in cost. Marvin said they have taken money away from certain studies, or things they would not do, but stated these are actual things that can be done.

Newman stated she has heard from numerous people over the last two years about train horns, and asked if it's because of the increased time trains have to blow, or a lot more trains, as it has become a problem now for people in North Lincoln. McRoy said the area around North 22nd Street has long time residents who knew about the trains when they moved in. She said the ones on 33rd Street seem louder when you get close to Holdrege and 22nd Streets and is where the complains came from this last summer. McRoy said it isn't bad in the North Bottoms but thinks closer to 14th Street. Newman thought the County Board was hearing from residents in the far south of Lincoln as well. Camp asked if anyone investigated other cities experiences? Marvin replied Haden had worked in Texas and is giving direction to the City on proceeding. Camp stated he thought of towns like Columbus or Kearney. Newman said she thought they had a quiet zone in Kearney.

Marvin stated one resident tracked the train noise throughout the day and night and knew exactly how long the horns were blowing. McRoy said you could tell who's doing the noise and they don't seem to care, doing longer than others. Svoboda stated the engineers are now personally responsible for any inconsistency in the law. Newman asked if there would be a pre-council on quiet zones and how to proceed? Svoboda stated they are having a special meeting of the RTSD to finalize studies of 14th Street and 3rd and D Streets, and will decide on which direction they want to go, making recommendations to Council at that time. Marvin reiterated he thinks the Council will have to apply for a quiet zone and would be an action to vote on.

Multicultural Advisory Committee Meeting (McRoy) -

McRoy said it was the last meeting of the year and was mostly updates. Also wished a long time member who had surgery well and thanked him for all his work.

Board of Health Meeting (Svoboda)

Svoboda said first the Board of Health thanks all Council members and staff who attended the ribbon cutting. It was a great opening and tour.

Svoboda said the majority of the meeting was spent talking about the draft report, Pandemic Flu and influenza and response plan the Health Department has put forward as to how the City would respond, both privately and publicly. He stated the Department is doing public service announcements, as well as meeting with businesses who have a number of employees. Svoboda reminded everyone when the Secretary of Health and Human Services was in Lincoln he said to not expect the Federal government to assist cities when it reaches pandemic as they'll be working at their level. He said in a normal flu season between 5 and 20 percent of the population are affected, over a number of months. In a pandemic approximately 30 percent in a very short time frame. Svoboda said looking at a third of the population having flu for whatever length you would be talking about different City department and how to keep essential City government surviving on a daily basis. He said the draft report is trying to identify who receives shots and the vaccines, which are short lived. He stated the Health Department decided they would not buy any stock up front as we didn't know the where and when and why invest as it might not be the right strain of vaccine when it does reach the United States, or if it does. Svoboda did give a recommendation from the CDC of coughing into your sleeve, as opposed to coughing into your hand. Hoppe added his eleven year old has been taught to do this with Svoboda saying the first few times he saw it being done didn't realize the medical community and the CDC are promoting.

Camp said he's noticed on cruises everywhere one went they had dispensers with waterless hand cleanser, asking if that's usable in a pandemic? He questioned if we would see at establishments to encourage people to use? Svoboda replied he thinks most of the pandemic would be airborne and not through touch, adding it wouldn't hurt, but haven't been briefed on the use on hand sanitizers. Newman added that grocery stores have disinfectant wipes to use on the shopping cart and people do use.

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

Hoppe said the Council would be voting on LES, Aging Advisory Board and the Women's Commission, and in January will have the Pension Advisory Board. Hopped stated there are a number of EO's needing to be completed for the tech positions in Building and Safety. He said, as everyone knows, there are a number of committees who serve Building and Safety which tend to be specific in nature, and he is working on this now, trying to get ahead before he completes his City service.

Newman asked when was his final day? Hoppe said December 29th, was the 31st but that is a Sunday. Hoppe said this was his last Noon Meeting and he wanted to state the respect he has for everyone, saying he has really has learned a great deal from each and every Council member and will be taking the experiences to the next position.

Hoppe said Chief Wright approached him on alerting Council when there was a fatality in the City. He thought Council members were receiving notification from the Fire Chief, and asked if a member/s want to be notified when a fatality occurs when it actually happens or wait until the next day? McRoy said only the Chair would be notified. Newman said probably the next day would

be sufficient, with Eschliman adding the fire department has enough to do at that time. Discussion of receiving notification after the media, who would constantly monitor accidents, with the consensus being the Chair would receive the next morning, as quickly as possible.

Council again thanked Hoppe for his service to the City.

IV. REQUESTS OF COUNCIL FROM MAYOR - None

V. MISCELLANEOUS - None

VI. CITY COUNCIL MEMBERS

Annette McRoy - None

Ken Svoboda - None

Dan Marvin - None

Jon Camp - None

Robin Eschliman -

Eschliman told a holiday charity story consisting of three churches on 84th Street joining and having their Christmas program at one time, raising money for charity. They called the City and someone recommended LLCHD. The County Health Department. Eschliman said this would include families who had needs, and also decided to be a Santa to a senior and to raise money for the People's City Mission. The program was presented to 3,000 people, giving away 7,000 cookies. She said individuals could buy gifts and they were selling 3.66 gifts every minute on Saturday night, selling out of the allotment the agencies could handle. As a result they solicited other agencies over the weekend, getting in touch with the Good Neighbor Center and the Crisis Pregnancy Center, adding them to the list. The program raised \$5,769.00 over the weekend for the agencies. Eschliman said one common thing heard is the Churches are leaving the neighborhoods, going far away from the inner cities and not in touch with what's going on, and so really appreciated telling of this success. Happy holidays and Merry Christmas.

VII. MEETINGS/INVITATIONS - None

VIII. ADJOURNMENT

Newman wished everyone Happy Holidays. Meeting adjourned at noon.