CITY COUNCIL ORGANIZATIONAL MEETING
MONDAY, MARCH 7, 2011
IMMEDIATELY FOLLOWING DIRECTOR’S MEETING
555 S. 10TH STREET, ROOM 113

I. MINUTES
1. Director’s Meeting of February 14, 2011.
2. Organizational Meeting of February 14, 2011.
5. Pre-Council, Legislative Briefing, February 14, 2011.

II. REPORTS ON BOARDS/COMMITTEES/COMMISSIONS/CONFERENCES
1. District Energy Corporation (DEC) - Camp
2. West Haymarket Joint Public Agency - Snyder
3. Visitors Promotion Committee - Pearce (Snyder)
4. Downtown Lincoln Association (DLA) - Carroll
5. Problem Resolution Team (PRT) - Emery
6. Lancaster County Correctional Facility Joint Public Agency - Spatz
7. Internal Liquor Commission (ILC) - Hornung, Snyder, Spatz

III. APPOINTMENTS/REAPPOINTMENTS

IV. REQUESTS OF COUNCIL FROM MAYOR - TBA

V. MISCELLANEOUS

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS

1. Chamber Ribbon Cutting for Burger King
   84th and O Street
   RSVP: Kathy Hale khale@lcoc.com
   Thursday March 17, 2011 9:00 a.m.

2. Chamber Ribbon Cutting for Outpost 12
   1033 O Street, Suite 12
   RSVP: Kathy Hale khale@lcoc.com
   Friday April 1, 2011 3:30 p.m.

3. Clinic with a Heart
   6th Annual Rx for Hope Fundraiser
   Country Club of Lincoln
   3200 S. 24th Street
   RSVP: Reservation card by 04.04.11
   $60/Person
   Friday April 15, 2011
   5:45 p.m. Registration and Silent Auction
   7:15 p.m. Dinner, Program, Live Auction
VIII. ADJOURNMENT
Present:  John Spatz, Chair; Gene Carroll, Vice-Chair; Jayne Snyder; Adam Hornung; Doug Emery; Jonathan Cook; and Jon Camp

Others:  Rick Hoppe, Chief of Staff; Trish Owen, Deputy Chief of Staff; Rod Confer, City Attorney; and Denise Pearce, Mayoral Aide

Chair Spatz opened the meeting at 2:15 p.m. and announced the location of the Open Meetings Act.

I. MINUTES
   1. Director’s Meeting of February 14, 2011.
   2. Organizational Meeting of February 14, 2011.
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II. REPORTS ON BOARDS/COMMITTEES/COMMISSIONS/CONFERENCES

1. District Energy Corporation (DEC) - Camp
   Camp stated the direction of the meeting was to locate the new DEC facility in the West Haymarket. After the study of the complete area for the distribution of pipes, the recommendation was to locate to one of two blocks, probably a parking lot towards the north, south of the arena. He stated there is 7th Street, the north parking lot, which will be a plaza, and Canopy Street. (The future Canopy Street will be west of Lincoln Station and approximately where 6th Street would be if it existed) There should be 2 -1500 stall garages, or 700 staff garages. The idea is much like the state office building, where DEC has a facility in the parking garage.

   Cook stated the first location discussed was further south and not a good choice, with long lines. Camp agreed and added Hudkins wanted on the west side of the tracks but the concern was the cost of going under the tracks. They looked at who will actually purchase energy through the DEC, knowing they have a base with the arena. They do bill back into that cost over 20-25 years. Discussed a hotel on Lot 21 which would use window units, and far enough away from the north location making it too expensive to dig up the streets and carry the pipes with all insulation. DEC is hoping the office, retail, residential coming into the West Haymarket area will use, and not on the Ice Skating arena. Snyder commented the public may ask why are we doing our own energy versus what is available in the City. Camp stated the DEC concept is to have your central heating-cooling in one spot so the individual properties would have heating and air, with the utility rates, over time, resulting in savings on overhead, capital costs. This is paid back by the various users, not a hand out. For DEC this is a $20 million cost, and they have received some federal energy funds.

2. West Haymarket Joint Public Agency - Snyder
   Snyder stated everyone should be assessing the agendas and minutes available on line. Also available now is a summary page of all JPA bills, numbers, and subject. The JPA is moving fast and this summarizes the actions taken, the date action taken, and if further information is needed one could go to the minutes. The good news is the JPA is under budget, and moving ahead on time, and is why it is important to pass the resolutions. Snyder added she also has attended the Master Calendar meeting. If one resolution is not passed, not approved by the JPA, then further action cannot be taken. Trying to sequence all the resolutions which need to be completed
Snyder commented as seen in yesterday’s newspaper we are using approximately 88% of local companies on contracts signed so far. We do not expect to always remain this high as there are numerous contracts to complete. On time, under budget, and using local people. Hornung added in conversation with a person in construction it was noted not everything to be done can be done by local people. There are situations where local construction companies will not bid because of the time, and eliminating other contracts. Appreciate using local when possible but there are complications and need the willingness and expertise. Snyder said an example of not local was the liability insurance.

3. Visitors Promotion Committee - Pearce (Snyder)
Councilman Snyder is unable to attend this meeting due to the conflict of monthly meeting times. Mayoral Aide Pearce usually attends but was busy at the State Legislature this month.

4. Downtown Lincoln Association (DLA) - Carroll
Carroll stated they received a presentation on the Dairy House Redevelopment.

5. Problem Resolution Team (PRT) - Emery
Emery stated this the PRT’s quiet season. Attorney Connolly is working on a strategy for one of the most problem properties, with a trial date set in April. We had asked for an injunction for clean up, which we did not get. A change but this is the worst of the worst.

6. Lancaster County Correctional Facility Joint Public Agency - Spatz
Spatz stated they approved on going bills and discussed the wrong sized holes drilled. There will not be an expense to the JPA. They deliberated on whether they could use the pipes since they’re already on location? The proper sized wells will be drilled and with these possibly could make more efficient.

7. Internal Liquor Commission (ILC) - Hornung, Snyder, Spatz
Spatz said they previously met every 3 to 4 months and now meet every month. Completed the project of a volunteer bar doing a Bar Self Assessment, which was a questionnaire completed by the bar owners, managers, employees, patrons looking at policies and procedures. Everything from bathroom cleanliness to over serving customers. Reasonably successful and now will ask two bars to participate. The bars selected will be bars which had Cornhusker Detox high numbers. Hopefully they will voluntarily agree to participate in this effort to obtain better compliance with some of the problem bars.

In March will have a meeting with information on the mandatory server training with a Pre-Council in April.

Spatz added now looking at certain parking funds to use in alternatives to ticketing cars at 8:00 a.m. if left overnight. Possibly a way to prevent people thinking they have to drive home at night if parked at a meter. The University is unveiling a designated drivers program and working with cab companies to possibly meet some of our requests.

III. APPOINTMENTS/REAPPOINTMENTS
None.

IV. REQUESTS OF COUNCIL FROM MAYOR
Hoppe stated the Active Network will visit on Friday, March 25th at 10:00 a.m. Want to make sure Council feels they have input in the process. If you want a report or if a Council Member would want to attend? Discussion which resulted in Councilman Carroll attending. Will have an update for Council on April 4th.
Hoppe added an Executive Session on labor negotiations for the coming year will be on March 14th, 1:00 p.m.

V. MISCELLANEOUS

DOUG EMERY

Emery stated three weeks ago discussed the voluntary compliance with the Mayor’s Gift Policy. Now would like back on the agenda for discussion and an end result.

Snyder stated in preparation would request definition of gifts. Hoppe will send the Gift Policy final version to Council. Hornung asked if there could be a check into any preemption by the State NADC gift disclosure department? Confer replied yes, adding the State NADC essentially prohibits bribery.

VI. CITY COUNCIL MEMBERS

Hornung Asked for an O Street update in front of the burned building. Know discussions in progress to have the involved parties resolve as soon as possible. Connolly added the City is moving to take over the project. The parties, who may or may not, reach agreement will receive a Notice of a Dangerous Building. Then will have ten days to repair or demolish. If they do not then we can hire our own contractor. For us the risk in taking the building down is it may cause more damage. We do not want to do damage to other buildings. Dealing with a wall with virtually no support.

Camp said heard the Gorley building, what about the Sidetrack to the east? An impairment to the wall? Connolly replied there’s another Romantix building east of the one which burned, part of their complex, and the west wall is fine. Very little debris on the side left, but mostly in the southwest corner of the lots. The concern is the debris pile may be the only thing holding up the east wall of the Gorley Building. They will not send in their people as they think too dangerous. Camp asked who pays for the Sullivan building, a claim against us, or the owner’s insurance? Connolly stated we will send the Notice of a Dangerous Building and they will have 10 days to repair or demolish. If they don’t do it in the 10 days then the city would. We can assess a lien against the property for costs. He can appeal the Notice of Dangerous Building but believe there’s little to no chance that building isn’t dangerous.

Emery asked if the City would assess them or make a claim against their insurance company? Connolly replied probably both. Emery thought more likely to recoup the loss from the insurance company versus a lien. Connolly stated the property has value and think we would want a lien against the property and pursue the owners.

Cook thought the number one concern is O Street continuing to be closed. Is it closed in two lanes because of the collapse potential? Connolly replied the Gorley Building, not the Romantix Building. The north wall, and if wanting to brace from outside apparently it would extend into O Street. Bracing from inside is part of the investigation, but told it would be very tricky. The rest of the building in bad shape. Cook stated if it falls it could collapse into O Street and both lanes would have to be closed. Spatz asked if Lincoln Fire completed their investigation with the reply being as the debris is removed they will look for evidence. Completely done? No. But will effect their investigation and the demolition and debris removal.

Hornung asked if we have charged people for the inability to use our streets? MacLean stated it depends on the nature of the closure. We’ve done preliminary calculations and O Street is probably about $150/day. Hornung stated this is 3 months. First, it is a state highway and a primary street,
with numerous city events. Connolly stated they were hoping to receive more cooperation from the parties. MacLean added the notice of ten days should mean progress.

Camp stated Sullivan is somewhat an innocent bystander, is there insurance, or what liability type? This building is unsafe, are we going against Romantixs? Connolly reiterated the due process is if we give a warning they have to act. If he fails to act we will assess his property, making claim for our costs. Our expenses for tearing down, plus the risk of causing damage to other buildings. We know there is insurance on Romantixs, and for Sullivan, but don’t know how much on either, with discussions if this has been fully paid out.

Snyder asked if a lien would be filed against both properties or only one? Related to the fact of the insurance. Connolly replied we probably would file a lien against both properties as we do suspect we will be cleaning up both areas.

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VII. MEETINGS/INVITATIONS

See invitation list.

VIII. ADJOURNMENT

Chair Spatz adjourned the meeting at 2:46 p.m.