I. MINUTES
   1. Director’s Meeting of May 16, 2011.
   2. Organizational Meeting of May 16, 2011.

II. REPORTS ON BOARDS/COMMITTEES/COMMISSIONS/CONFERENCES
   1. Visitor Promotion Committee (VPC) - Pearce for Snyder
   2. Problem Resolution Team (PRT) - Emery
   3. Lancaster County Correctional Facility Joint Public Agency - Carroll
   4. Joint Budget Committee - Emery, Eskridge
   5. West Haymarket Joint Public Agency - Snyder

III. APPOINTMENTS/REAPPOINTMENTS - TBA

IV. REQUESTS OF COUNCIL FROM MAYOR

V. MISCELLANEOUS
   1. Meeting procedures.
   2. Budget meeting dates and times.
   3. Council assignments.

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS

1. Chamber Ribbon Cutting for Duo Shoes Boutique
   1309 O Street
   RSVP: khale@LCOC.com
   June 9, 2011 11:00 a.m. Thursday

2. Chamber Ribbon Cutting for Sam & Louie’s
   New York Pizzeria
   1501 Pine Lake Road, Suite 10
   RSVP: khale@LCOC.com
   June 14, 2011 11:00 a.m. Tuesday

3. Chamber Ribbon Cutting for Greta’s Gourmet
   5560 S. 48th, Suite 2
   RSVP: khale@LCOC.com
   June 16, 2011 10:30 a.m. Thursday
4. Christian Heritage “Celebration of Fatherhood”
   Embassy Suites
   RSVP: 402.421.5437 (Complementary tickets)
   June 16, 2011
   12:00 Noon - 1:30 p.m.
   Thursday

5. Chamber Ribbon Cutting for
   H.I.S. Extreme Performance Auto Care
   7000 Van Dorn Street
   RSVP: khale@LCOC.com
   June 21, 2011
   3:30 p.m.
   Tuesday

6. Chamber Ribbon Cutting for Cause for Paws
   5700 Old Cheney Road, #4
   RSVP: khale@LCOC.com
   June 28, 2011
   10:30 a.m.
   Tuesday

7. Chamber Ribbon Cutting for Sam & Louie’s
   New York Pizzeria
   4131 Pioneer Wood Drive, Suite 102
   RSVP: khale@LCOC.com
   July 12, 2011
   11:00 a.m.
   Tuesday

8. Chamber Ribbon Cutting for
   Members Own Credit Union
   33rd & A (NW Corner)
   RSVP: khale@LCOC.com
   July 26, 2011
   4:00 p.m.
   Tuesday

9. Chamber Ribbon Cutting for
   Leadership Resources
   8535 Executive Woods Drive, Suite 300
   September 15, 2011
   3:30 p.m.
   Thursday

VIII. ADJOURNMENT
Present: Gene Carroll, Chair; Adam Hornung, Vice Chair; Jon Camp; Jonathan Cook; Carl Eskridge; and Jayne Snyder

Absent: Doug Emery

Others: Rick Hoppe, Chief of Staff; Trish Owen, Deputy Chief of Staff; Denise Pearce, Senior Policy Counsel; Rod Confer, City Attorney; and Mary Meyer, Council Secretary

Chair Carroll called the meeting to order at 2:30 p.m. and announced the location of the Open Meetings Act.

I. MINUTES
1. Director’s Meeting of May 16, 2011.
2. Organizational Meeting of May 16, 2011.
With no corrections the above minutes were approved.

II. REPORTS ON BOARDS/COMMITTEES/COMMISSIONS/CONFERENCES

1. Visitor Promotion Committee (VPC) - Pearce for Snyder
Pearce stated the VPC had 9 - $10,000 grant applications, she then listed the agencies applying. This will go to the County Board for their consideration. The VPC had questions on two grants and they will review before action. At last week’s meeting the VPC audit was reviewed and will provide a copy to Council. At mid-May’s meeting learned John Chapo is no longer serving on the Board, but received a recommendation Darin McFee with the Children’s Museum may want to serve. The Board also recommended approval of two funding requests. One with the Lancaster County Event Center, about $275,000 for a number of improvements, and will also go to the Board for consideration. The VPC then recommended approval of the City’s application for the arena. Previously discussed that a portion of the Visitors Improvement Fund be used for the arena, and we initiated the process. Recommended approval which will be $3.5 million over a 5 year period. Snyder asked how the money could be used? Pearce responded they will be meeting with the County Board on Thursday. The VPC did not have any specific requirements as long as it is used in connection with the statutes. The County Board may want to chose projects. Camp asked how much does the VPC receive a year on the occupation or hotel tax? Pearce replied 2% which goes to the Visitors Promotion Committee Fund and 2% which goes to the Visitors Improvement Fund. The 2% going to the Visitors Improvement Fund is about $1.2 million.

2. Problem Resolution Team (PRT) - Emery
Councilman Emery absent.

3. Lancaster County Correctional Facility Joint Public Agency - Carroll
Carroll stated it was short meeting, and listed some expenditures.

4. Joint Budget Committee - Emery, Eskridge
Councilman Eskridge was unable to attend the meeting. Councilman Emery absent.
5. West Haymarket Joint Public Agency - Snyder

Snyder stated the discouraging information is that the Burlington Northern Santa Fe Railroad would like $3.4 million to make up for what they claim is time lost in 2010, and need additional funds in order to catch up and secure equipment for us to be done in a timely manner. We really have no options at this point. Confer agreed and added we are putting funds in escrow and BNSF will draw the funds quarterly. Snyder said the JPA is quite concerned with this activity and as Chair do know a lot of delays have been related to the railroad’s legal papers, not the City. Right now if we want to move forward we have no choice.

Cook said it’s interesting to clarify, there was talk about how the City Council may have held up progress, which isn’t correct. There was extra time spent on legal documents, and when it was ready for the City Council we took care of it. Confer stated there was work done before the contract was finalized but as soon as the contract was finalized we had it approved by the City Council.

Hornung asked Confer to describe the contractual provision requiring us to pay this amount. Confer stated their contract is quite luminous and descriptions of Burlington Northern work. There are two provisions, one is BNSF included work and then a provision called, Burlington Northern Santa Fe additional work. The included work sets forth moving their tracks, reestablishing their signals, telecommunications, electrical systems, a couple of buildings, all with the cost work which has been put into escrow of $44 million. Towards the end of the provision is says in the event they’re not able to complete their grading work in 2010 it will then become additional work in 2011. And this occurred because we were not able to get the contract approved, and finalized, in time for them to have their full, or contemplated, construction season in 2010, which we thought would occur. The additional work provision makes very clear if delay is caused by the City, or the JPA, that becomes additional work and the railroad is entitled to charge additional money. Also a provision that if the delay is caused by the railroad it becomes additional work and the City is also required to pay. So, it doesn’t make any difference who’s fault it is but the City is required to pay the difference. Camp asked who reviewed the contract with the City? Confer replied we did, when you don’t have the ability to walk out of a negotiation you end up in a difficult position. We told the railroad we wanted their property and when we had to have it done. We didn’t have much to negotiate.

Hornung added it’s true you can’t walk away from the contract, but you could adjust the amount of money being paid. Was there a consideration of some additional benefits to BNSF to cap some of our liability under this contract? Perhaps worth $500,000 for an agreement saying the City is not going to have to pay more than X for additional work? Possibly deal as there are other benefits BNSF is receiving in the contract in order to cap our liability? Confer replied he doesn’t recall all items discussed in negotiations, and personally wasn’t involved in some. But, the railroad’s position was basically they were willing to move and not require the City to condemn their property. Would cooperate, but the caveat was it would not cost them anything. Whatever occurred the railroad was fine with as long as it didn’t cost them, and they would get paid for everything they did, and not a risk.

Hornung asked if we will have additional contracts with the BNSF over this process? Other negotiations with Burlington Northern on other contracts? Confer stated there could be additional work as things develop. Hornung asked pursuant to the existing contracts with Confer agreeing. Hornung stated if there are other contracts, or contract amendments, or any other item contemplated which would be additional to the Burlington Northern, please send to the entire City Council. Snyder stated it’s on the web. Hornung added please email directly to him.
III. APPOINTMENTS/REAPPOINTMENTS
Pearce stated Council received a letter from Pat Leach, Library Director, regarding the Library Board, which has a vacancy. Does Council wish to follow the procedure as in the past? The Library Board would review the candidates and forward recommendations to Council. Carroll agreed.

IV. REQUESTS OF COUNCIL FROM MAYOR
Hoppe stated for Council’s information the first meeting of the Medical System Oversight Authority is today at 5:30 p.m. We’ll review the rules, and the search for a medical director will begin.

V. MISCELLANEOUS

1. Meeting procedures.
Carroll stated in the past some Council members had to wait on other members to arrive. At this time, as Chair, stating if you’re late for a meeting, or if you leave a meeting, you can still request or discuss the topic but you’ll be one of the last people to be called upon. This is to make sure we don’t run out of time, and to be respectful to the people we ask to be here on time. Will follow this for time constraints and to move meetings forward. Snyder added everyone has times when they can’t arrive on time but for those of us who are on time it is very irritating when questions are asked on a topic previously covered, and we go over again because the person didn’t arrive on time.

2. Budget meeting dates and times.
Carroll stated Hubka sent a list of dates and times for budget hearings. Review and as we get closer we can make adjustments, but these are pre-fixed dates for items to be completed. Hubka added the Monday, July 11th, it will be released, but the Commons Meeting is set. The meetings on July 13th, July 18th and July 22nd are more up to the Council. We took last year’s dates and meeting times and adjusted to the calendar year 2011. This list is for Council’s review, realizing scheduling of vacations is occurring and would like the schedule set as quick as possible.

Cook stated he sees the Common Meeting date is July 12th. Hubka responded the County Board agreed to the date. Cook asked on the 13th, have we changed the procedure? Maybe it didn’t work. We didn’t have specific time slots but larger slots with the departments ready. Camp commented Council took them on call. Hubka would call two events ahead. Hubka stated his office typically does call, if you’re running ahead or behind, but do not recall setting up a block of time. Carroll commented just so departments understand it is going to be fluid on July 13th. Hubka replied they’re make this clear.

Carroll asked if other questions on the dates and times? Hornung stated it seems as if we always run out of time. Can we start earlier, or is there a reason not to? Hoppe stated he thinks the reason we run out of time is many times because of follow up questions. Would it be worth the time to hear presentations, get thoughts pulled together and then email your thoughts and questions, and we could email back information to Council? Not sure Council will necessarily get all answers. Hornung commented most of the time we don’t have time to ask questions. By the time we’re running behind, after the first two or three, a department comes in with a huge budget. By the time they tell us about all the great things, their five minutes is over. Carroll stated the hearings could start at one o’clock and go until done. Hornung stated it would not make a difference to him, if early or late. Cook stated we also could call additional meetings for departments we want to spend more time with between the 13th and the 22nd.

Camp asked if Council could have a document, an executive summary, from each director which
would pinpoint on one page, the substantial elements of their budget? Possibly highlight items. Hoppe asked if talking about having in advance? Camp replied it would be nice in advance. Cook commented to highlight changes, as sometimes it’s spread over a number of pages. Hornung thought this time is one of the few opportunities certain departments have to tell their story/what they do. But sometimes the discussions can get to be a little long. We’ll meet for a half a day to discuss the entire City budget, and we should probably get right to the nuts and bolts of the budget’s major changes, and then questions. If people want to know more about a certain department we can set a meeting. Hoppe suggested perhaps need to think about a mid-year meeting to talk about what we hope to accomplish, our goals, and the indicators which show progress. Some changes are not clear unless you have the background. Will suggest we talk about the budget changes in relationship to the items mentioned. Carroll added if they could submit ahead of time it would be a great help. In agreement on dates and times.

3. Council assignments.
Carroll asked if there were any questions on Council assignments? Camp appreciated the list and asked that next year when we decide on assignments to discuss ahead of time. Carroll stated we’ll approve this list of assignments.

VI. CITY COUNCIL MEMBERS
No comments.

VII. MEETINGS/INVITATIONS
See invitation list.

VIII. ADJOURNMENT
Chair Carroll adjourned the meeting at 2:48 p.m.