

**AGENDA for
City Council Members' "NOON" Meeting
Monday, April 10, 2000
Immediately Following Director's Meeting
Conference Room 113**

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting of April 3, 2000.
2. Pre-Council Meeting Minutes - Executive Session -
RE: Litigation (Sexual Contact) - March 27, 2000.

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

1. Community Development Task Force Meeting (Cook)
2. Joint Budget Committee (Johnson/Seng)
3. The Lincoln Partnership for Economic Development Investors Meeting (Report Optional)(Seng)
4. Mayor's Downtown Action Team Meeting (Seng)
5. StarTran Task Force Meeting (Seng)
6. Parks & Recreation Advisory Board Facilities Committee Meeting (Shoecraft)
7. Indoor Ice Skating Task Force Meetings (Shoecraft) -
Jerry Absent - One of the meetings held over from the "Noon" Agenda for April 3rd.
8. PRT Meeting (Shoecraft) - Jerry Absent - Held over from "Noon" Agenda for April 3rd.

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

1. Memo from Jennifer Brinkman - RE: Boards and Commission Appointments (See memo).

IV. MEETINGS/INVITATIONS

1. You are invited to the Homestead Expressway Dedication on

Wednesday, April 26, 2000 at 2:00 p.m. at Homestead National Monument of America. Homestead Expressway is 40 miles of Highway 77 between I-80 Interchange 397 and downtown Beatrice at 6th & Court Streets. We hope that the designation of Homestead Expressway will be a first step toward the establishment of Homestead Parkway, part of the recently approved General Management Plan for the Homestead National Monument. A short Dedication Program is being planned. We hope you will be able to participate in this event and look forward to the opportunity to share both the present realities and future possibilities of Homestead National Monument (See Invitation).

2. Swing into Spring with Central Dance Theater - Please join us at Howell Theater (Temple Building at 12th & R Streets) - on Thursday, April 13th at 7:00 p.m. for our premiere performance followed by a Champagne & Dessert Reception at The Spaghetti Works, 228 N. 12th Street - The performance features excerpts from Sleeping Beauty and a final accompanied by the Omaha Big Band. Don't miss this opportunity to meet Nebraska's new dance company - RSVP by April 7, 2000 (See Invitation).
3. University of Nebraska-Lincoln College of Business Administration - Alumni Awards Luncheon 2000 - You are cordially invited to a luncheon honoring the 2000 College of Business Administration Alumni Association Award recipients - University of Nebraska-Lincoln, Wick Alumni Center at 12:00 p.m. on Friday, April 28, 2000 - RSVP by April 24, 2000 (See Invitation).
4. This April will mark the 130th birthday of the Lincoln Chamber of Commerce. A special celebration will be held during the "Business After Hours" event on Thursday, April 27, 2000 at the Lincoln Country Club (3200 South 24th Street) from 4:30 p.m. to 6:30 p.m. - They would like to formally invite you to attend this event as our guest. It would be a privilege to have as many Lincoln City Council members, within the limits of the law, attend this anniversary event. An anniversary proclamation from governor Johanns and Mayor Wesely will be read at 5:30 p.m. - Please call Tera Pugh to RSVP at 436-2355 (See Letter of Invitation).
5. PUBLIC MEETING NOTICE - Olympic Heights Park Surplus Property Sale - On Wednesday, April 9, 2000 at 6:00 p.m. to 7:00 p.m. - At the AirPark Recreation Center, 3720 NW 46th Street (See Invitation).
6. Public Works & Utilities Advisory - Arterial

Rehabilitation - South 40th St. From Sheridan Blvd. to Clifford Drive - On Thursday, April 13, 2000 from 4:30 to 6:00 p.m. at Rousseau Elementary School, 3701 S. 33rd Street (See Advisory).

7. Deloitte & Touche - We are pleased to invite you to the second E-Commerce Seminar presented by Deloitte & Touche LLP - The second seminar will focus on secure e-business service issues with facilitator Bill Kobel, a Partner in Deloitte & Touche's e-business Technologies & Securities Practice. Bill currently focuses on enterprise network and systems security, electronic perimeter assessments and Internet security solutions. Please join us at Embassy Suites Hotel - downtown, 555 S. 10th Street - Omaha, Nebraska - On Wednesday, April 26, 2000 from 10:00 a.m. to 11:30 a.m. - RSVP by April 14, 2000 - This seminar is sponsored by the Deloitte & Touche Enterprise Risk Services Team - (See Invitation).

V. COUNCIL MEMBERS

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

1. Continue Discussion with Paul Malzer regarding the Restructuring Update Information and the City Council Agenda Public Forum Procedure.

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS "NOON" MEETING
MONDAY, APRIL 10, 2000
CONFERENCE ROOM 113

Council Members Present: Coleen Seng, Chair; Jeff Fortenberry; Vice-Chair; Jon Camp, Jonathan Cook, Annette McRoy, Jerry Shoecraft; **ABSENT:** Cindy Johnson.

Others Present: Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Paul Malzer, City Clerk; Karen Shinn, Darrell Podany, Aides to Council Members Fortenberry and Camp, respectively; Joan Ray, City Council Secretary; and Chris Hain, *Lincoln Journal Star* Representative.

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting of April 3, 2000.
2. Pre-Council Meeting Minutes - Executive Session - RE: Litigation (Sexual Contact) - March 27, 2000.

Ms. Seng, Council Chair, requested a motion to approve the above-listed minutes. Jerry Shoecraft moved to approve the minutes, as presented. The motion was seconded by Annette McRoy, and carried by the following vote: **AYES:** Jon Camp, Jonathan Cook, Annette McRoy, Coleen Seng, Jerry Shoecraft; **NAYS:** None; **ABSENT FOR VOTE:** Jeff Fortenberry; **ABSENT:** Cindy Johnson.

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

1. **COMMUNITY DEVELOPMENT TASK FORCE (Cook)** Mr. Cook reported that it had been a good meeting, actually shorter than anticipated. They went over some of the proposed subcommittee changes such as changing from the every-other-year rotation of payments by application type to equal amounts each year for all the applications. That was the major change from the subcommittees and Mr. Cook felt it was a better way of handling the disbursements.

Mr. Shoecraft asked Mr. Cook if he would find out how much money the CDTF allows annually for the development of businesses being set up by minority women. He requested a listing of how much money had actually been loaned for that use in the last two-three years. Out of the entire pool of monies set aside for new business development, the criticism is that Zero amount has gone to minority women. He noted that there has been a lot of talk and no action. Ms. Seng said that Council had just received a report from SELF Director, Rick Wallace, but noted that that is not the same money pool with which Mr. Shoecraft is concerned.

Ms. McRoy pointed out that there are two programs that were developed to help women establish businesses in the fast-track and these were initiated three years ago. Mr. Shoecraft emphasized to Mr. Cook to not let the Task Force confuse this funding with the SELF funding.

Mr. Cook agreed to do so. He noted, too, that Mr. Wallace had indicated in a memo that this would be the last year that money would be provided for the SELF program explaining that he feels it will not be needed after next year.

Mr. Cook reported that there was some discussion on redevelopment planning for business districts. He stated that the hope was that money could be provided for the South Street Blight Study from that funding. A portion of the money has to come from the businesses and neighbors that are involved, so that is being worked on. There will be a meeting at the end of this week to discuss that. If the City can come up with one-third to one-half, the rest can come out of the CDBG money and that would allow us to qualify for the TIF funding. Ms. Seng asked if that would include locations such as University Place, Downtown or Haymarket, and all such small commercial areas.. Mr. Cook said that was correct.

2. JOINT BUDGET COMMITTEE (Johnson/Seng) Ms. Seng reported that at the next Common meeting, there will be a presentation made on the Human Services Comprehensive Plan. After that, we may want to have a Pre-Council meeting as well. At this time, however, Bob Workman has this on the April 21st Common Meeting Agenda - for a 15-20 Minute Presentation.

She reported that they went over the Keno applications status and what is happening with the Nebraska Aids Project. That legislation is being introduced today. Mr. Shoecraft commented that he had visited with Kit [Boesch] and noted that in the whole, entire proposal there were some concerns by various Council Members of certain aspects of the Nebraska Aids Project. Mr. Shoecraft explained that he also stressed to Ms. Boesch that everyone felt there was some good information in the material as well; but there was some information that could use some refining.

He said that in talking with Kit, he had stated that he would support the work force education legislation being brought forward and support the funding for the work force education materials. He noted that that was what was coming before Council now. He stated that he had explained to Kit his concerns about the language they had included regarding minorities. Mr. Shoecraft told Council that Ms. Boesch had agreed with him that that was probably inappropriate wording. He noted the other issues the Jeff had brought up, but felt the work force educational materials were appropriate and had encouraged Kit to bring that legislation forward. Council will be voting on that specific issue next Monday.

Ms. Seng commented that they JBC also went through the allocations book, noting that a month from now, JBC will be going through the book determining which agencies will receive dollars through JBC.

3. THE LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT INVESTORS (Report Optional) (Seng) - **Ms. Seng did not attend this meeting.**

4. MAYOR'S DOWNTOWN ACTION TEAM (Seng) - Ms. Seng reported that she had referred to this earlier today. Part of the presentation was the concern about Pershing Auditorium and the various other entities involved.

The Embassy Suites opening was discussed with dates set out: The Ribbon Cutting will be May 1st; May 15th will be the Journal Star/Embassy Suites Open Houses; on May 23rd there will be a luncheon and a dinner culminating the festivities. Ms. Seng was not sure which date the rooms would be opened, but thought Council might receive invitations for an over-night stay. Ms. Harrell stated that she assumed Council would be invited to all of the functions.

Ms. Seng reported that they had also received a quick update on the Old Federal Building process and where we are right now in that process. The Leland Group is back in town working with Urban Development and DLA Staff members. The Leland Group will continue to report whenever they can on the progress being made. Ms. Seng commented that Ms. Harrell was part of the group along with Polly McMullen, Ed Zimmer, Dallas McGee and Don Killeen.

5. STARTRAN TASK FORCE (Seng) - CANCELLED Mr. Camp asked if there had been any further discussion on that Task Force regarding the Downtown routing. Ms. Seng answered that the last meeting held had covered information on the efficiency study. There had been no meetings since then.

6. PARKS & RECREATION ADVISORY BOARD FACILITIES COMMITTEE (Shoecraft) Mr. Shoecraft reported that he had been on the Injury Reserve List for most of his meetings last week. He was unable to attend this meeting.

7. INDOOR ICE SKATING TASK FORCE (Shoecraft) - Mr. Shoecraft reported that he had been briefed on this meeting. They had looked at State Fair Park as a location for the rink, but that had been discounted after consideration. The AG Facility had been discussed and graded and was discounted after consideration. The final two locations now under consideration are Seacrest Field and the Star City Shores pad site at 27th and Highway 2. Mr. Shoecraft stated that he believes the Committee will finally select Seacrest Field, but he felt either location would be adequate. Seacrest provides a little more parking and the Beals Slough issue would not be of concern there.

Ms. Seng asked if a building would be put up there? Mr. Shoecraft indicated that a building would be built. He noted that the Chair of the Task Force and Jim [Morgan] would be meeting with Kent Seacrest this week. He felt that the Task Force recommendation would be Seacrest Field, which would be a good central location.

8. PRT (PROBLEM RESOLUTION TEAM) (Shoecraft) - Was unable to attend. He did arrive for the last few minutes and reported that the Team would wait until Mr. Shoecraft was back to full health and could attend the meeting before Mr. Merwick of Building and Safety would give his presentation on used car lots which abut residential areas and would present the recommendations that had been made.

Ms. McRoy asked if refrigerators in back yards would be a PRT issue. Mr. Shoecraft noted that that would just depend. If it's just one refrigerator in someone's back yard, that probably wouldn't be enough to warrant a PRT investigation. But if it is a great deal of junk and is in full view to the point of being unsightly, then it would be something the PRT would look into.

Ms. McRoy asked about couches on the front porch and wondered if that fell under the quality of life ordinance. Mr. Shoecraft commented that such a situation seems borderline, but it could be looked at to determine if it might be a PRT case. He encouraged Ms. McRoy not to hesitate to give the Team an address if she had concerns about it. They would make a determination. If it didn't warrant PRT involvement, they could refer it to the proper department for action, whether that might be the Public Works Department or the Health Department or Building and Codes or Urban Development.

Mr. Cook asked if it was still required to have refrigerator doors removed if it is being stored somewhere...as a safety precaution. Mr. Roper commented that he believed so, noting that if Building and Safety were contacted, they would go out and investigate the situation right away. Ms. Seng noted that the concern was the possibility of children being trapped inside a stored or abandoned refrigerator.

Ms. McRoy mentioned a house at 3037 Starr on which she will be sending an RFI, but wondered if it might not be a PRT case instead. She just wanted to make sure she was proceeding through the proper channels and not going through the process only to find that it should have been directed to another agency. Ms. Harrell noted that if the problem goes through on an RFI, all the departments would have a chance to review the situation and the department that should handle it will proceed and the others will back away.

OTHER MEETINGS - NONE

III APPOINTMENTS/REAPPOINTMENTS :

Memos from Jennifer Brinkman Re:

Lincoln-Lancaster County Board of Health

Betsy Palmer (Reappointment) Term to Expire 4/15/03

Randy Ross (Replacing Jim Hulse) Term to Expire 4/15/03

Ed Schneider, O.D. (Replacing Mary Helen Elliott) Term to Expire 4/15/03

Lincoln-Lancaster County Planning Commission - Not attached to 4-10-00 "Noon" Agenda. = Announced at 4-10-00 Directors' Meeting regarding the resignation of Barb Hopkins.

IV. MEETINGS/INVITATIONS -- Ms. Harrell noted in reference to the baseball stadium ground breaking invitation, that Council might want to look at the baseball stadium site explaining that there have been some significant changes. She reported that there has been work on the tow lot, which has been fully moved; sewer lines and the removing of the UP tracks are being worked on as well as some of the grading. The project is moving fast.

Ms. Seng asked Ms. Harrell to be sure that Tom Casady knows about the Community Forum on False Identification Use in Nebraska. That is this Wednesday afternoon, conflicting with the baseball groundbreaking. She noted that she wanted to be sure that Chief Casady was aware of this Forum.

V. COUNCIL MEMBERS

JON CAMP -Mr. Camp noted that he had received a constituent call on the Nebraska Sign Company's O-3 Zoning District request. He commented that it was an awkward situation, but basically the signage permit would allow building signs, as well as monument signs in O-3. The feeling was that it is opening the door to a lot more signs and the constituent wanted Council to fully understand the implications.

Mr. Cook stated that he was concerned about this issue as well, noting that he would like to protect O-3 Zoning as a transitional district...an Office District that is put next to Residential Districts. He thought that it wasn't clear if this change would be harmful, but the question is, as with every change, what is the incremental impact? He stated that he did not know if this is an appropriate change or not.

Mr. Fortenberry noted that the Planning Staff recommended approval and they are familiar with the intricacies of the situation and so we should rely on their judgement.

JONATHAN COOK - No Further Comments

JEFF FORTENBERRY - No Further Comments

CINDY JOHNSON - Absent

ANNETTE McROY - No Further Comments

COLEEN SENG - No Further Comments

JERRY SHOECRAFT - No Further Comments

ANN HARRELL - No Further Comments

DANA ROPER - Mr. Roper inquired if Council would like to have a Pre-Council on the Nudity Ordinance next Monday. Council agreed to a 30 Minute Update on this issue.

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE.

VII. MISCELLANEOUS -

1. Continued Discussion with Paul Malzer regarding the Restructuring Update information and the City Council Agenda Public Forum Procedure. Clerk Malzer presented Council with the **attached** information ("City Council Agenda Public Forum Procedure 4/10/00") and reviewed the procedural outline for Council. Ms. Seng had compiled this information as a compromise on the "open mike" procedures as discussed last week.

Discussion ensued with Council Members reiterating their concerns of City liability vs. the Public's right to Council access and free speech. It was suggested that Council only **recommend** to the public that they notify the City Clerk prior to appearing before the Council rather than **requiring** such notification; but leave the "open mike" policy as it stands, with strict enforcement by the Chair.

Mr. Roper noted that in determining what would constitute an "emergency", Council would undoubtedly hear the entire presentation in the explanation for request of hearing.

After further discussion, a final decision was made to continue this matter until next Monday at the "Noon" Council Members' meeting. Mr. Fortenberry requested a confirmation that next week the Council would reach a unanimous consensus on this issue in order to avoid the appearance of politicizing an issue that should not be made political. He noted that this has become a great symbolic issue which was certainly not the original intent. The point was made that this issue evolved out of attempts to streamline Council efficiency, not out of an effort to limit public participation in the Council's meetings. There was no agreement for unanimous consensus before the meeting was adjourned.

VIII. MEETING ADJOURNED - Approximately 12:57 p.m.