

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 12, 2002 AT 5:30 P.M.**

The Meeting was called to order at 5:33 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, Seng, Svoboda, Werner. Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

MCROY Having been appointed to read the minutes of the City Council proceedings of August 5, 2002, reported having done so, found same correct.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PUBLIC HEARING

CHANGE OF ZONE 75HP - APPLICATION OF JOEL AND KATHY SARTORE FOR A LANDMARK DESIGNATION FOR THE HITCHCOCK HOUSE AT 2733 SHERIDAN BOULEVARD. (IN CONNECTION W/02R-161);

SPECIAL PERMIT 1981 - APPLICATION OF JOEL AND KATHY SARTORE TO USE A PORTION OF THE GARAGE OF THE PROPOSED LANDMARK HITCHCOCK HOUSE AS AN APARTMENT FOR AN EMPLOYEE OR EMPLOYEES ENGAGED IN THE UPKEEP OF THE PREMISES. (IN CONNECTION W/02-127) - Ed Zimmer, Historic Preservation Planning Dept., showed slides of the 1922 Colonial Style property at 2733 Sheridan Blvd. He stated he was in favor of the Change of Zone & the Special Permit brought forward.

Joel Sartore, 2733 Sheridan Blvd., stated that they are in the process of restoring the house & grounds back to the way it was originally. The apartment above the garage will be restored to be provided for an employee that will help care for the house & grounds.

Bob Ripley, 3022 William Street, President of the Country Club Neighborhood Assn., came forward in behalf of the Country Club Neighborhood Board in support of the Change of Zone & Special Permit applications.

This matter was taken under advisement.

ACCEPTING A DONATION OF 14.3 ACRES OF PROPERTY LOCATED SOUTHEAST OF 98TH AND ADAMS STREETS ALONG STEVENS CREEK FOR USE AS A PARK AND APPROVING THE PARK NAME OF "BURNSITE PARK." (REQUEST OF PARKS DEPT. TO DELAY P.H. & ACTION 1 WEEK TO 8/12/02) - Lynn Johnson, Director of Parks & Recreation Dept., stated this park will be named "Burns Park" instead of Burnsite Park. Discussion followed.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Ave., came forward to read from the City Charter under Finance, Section 15, "Funds & Inviolable" and under Bond of Councilman, Section 6. He suggested the Council Members read these two Sections.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING

APPROVING THE TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE WATER CONSTRUCTION FUND, SANITARY SEWER CONSTRUCTION FUND, LANDFILL REVENUE FUND, 1997 STORM SEWER BOND ISSUE FUND, STREET CONSTRUCTION FUND, VEHICLE TAX FUND, PARKING LOT REVOLVING FUND, AND PARKING FACILITIES CONSTRUCTION FUND - CLERK read an ordinance, introduced by Glenn Friendt, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects with the Water Construction Fund, Sanitary Sewer Construction Fund, Landfill Revenue Fund, 1997 Storm Sewer Bond Issue Fund, Street Construction Fund, Vehicle Tax Fund, Parking Lot Revolving Fund, and Parking Facilities Construction Fund, the second time.

CHANGE OF ZONE 75HP - APPLICATION OF JOEL AND KATHY SARTORE FOR A LANDMARK DESIGNATION FOR THE HITCHCOCK HOUSE AT 2733 SHERIDAN BOULEVARD - CLERK read an ordinance, introduced by Glenn Friendt, amending the City of Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the second time.

RESOLUTIONS

ACCEPTING A DONATION OF 14.3 ACRES OF PROPERTY LOCATED SOUTHEAST OF 98TH AND ADAMS STREETS ALONG STEVENS CREEK FOR USE AS A PARK AND APPROVING THE PARK NAME OF "BURNSITE PARK." (REQUEST OF PARKS DEPT. TO DELAY P.H. & ACTION 1 WEEK TO 8/12/02) - PRIOR to reading:

SVOBODA Moved to amend Bill No. 02R-159 on line 11, delete the word "Burnsite" and insert in lieu thereof the word Burns.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption:

A-81636 WHEREAS, through review of the Lincoln City-Lancaster County Comprehensive Plan and the Parks and Recreation Department Strategic Plan, the City has determined a need for additional park land in the rapidly expanding northeast quadrant; and

WHEREAS, the City is desirous of acquiring certain property located southeast of 98th and Adams Streets to serve as a park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the City of Lincoln does hereby accept a donation of approximately 14.3 acres of land to be used as a park which land is located southeast of 98th and Adams Streets along Stevens Creek. The land is more specifically described on Exhibit "A" which is attached hereto.

The park will be known as **BURNSITE PARK** in accordance with the wishes of the donor.

Introduced by Glenn Friendt

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING MARGARET STINE TO THE CITY PERSONNEL BOARD FOR A FIVE-YEAR TERM EXPIRING JUNE 22, 2007 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81637 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Margaret Stine to the City Personnel Board for a five-year term expiring June 22, 2007 is hereby approved.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1981 - APPLICATION OF JOEL AND KATHY SARTORE TO USE A PORTION OF THE GARAGE OF THE PROPOSED LANDMARK HITCHCOCK HOUSE AS AN APARTMENT FOR AN EMPLOYEE OR EMPLOYEES ENGAGED IN THE UPKEEP OF THE PREMISES. (IN CONNECTION W/02-127) - PRIOR to reading:

SENG Moved to delay action on Bill No. 02R-161 for one week to 8/19/02.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF JULY 16 - 31, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81638 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated August 1, 2002, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED</u>	
Jamestown Association	NAS*	Jennifer Hatfield	\$ 630.22
Lillian Hekl	NAS*	Michael & Lori Herbolsheimer	155.63
Andrea Seuferer	\$177.00	Mary Lehmann	100.00
Dale Loos	332.22	Nebraska Safety Council	1,023.40
Dale Abel	54.61	Chris Nielsen	900.00
Chris Kurtzer	161.41		

*No Amount Specified.

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PETITIONS & COMMUNICATIONS

FORMAL ORNAMENTAL LIGHTING PETITION FOR ORNAMENTAL LIGHTING DISTRICT NO. 286 AT 27TH STREET TO 20TH STREET & VAN DORN STREET TO HIGH STREET SUBMITTED BY PHILLIP R & JUDITH L. STEPHENS - CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY APPROXIMATELY THE EAST 115 FEET OF THE FIRST ALLEY SOUTH OF "O" STREET RUNNING EAST/WEST BETWEEN 36TH & 37TH STREETS SUBMITTED BY AUSTIN REALTY INVESTMENTS - CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY L STREET FROM 9TH WEST TO THE ALLEY SUBMITTED BY RUSSELL BAYER - CLERK presented said petition which was referred to the Law Dept.

FORMAL ORNAMENTAL LIGHTING PETITION FOR ORNAMENTAL LIGHTING DIST. 286 FOR 27TH STREET TO 20TH STREET, VAN DORN STREET TO HIGH STREET SUBMITTED BY WILLIAM DUGAS - CLERK presented said petition which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

INVESTMENT OF FUNDS FOR JULY 29 THROUGH August 2, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81639 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR JULY 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

MAYOR DON WESELY'S VETO MESSAGE OF RESOLUTION NO. A-81626 RELATED TO SKYWALK PROJECT REDEVELOPMENT AGREEMENT UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW BETWEEN THE CITY AND ST. GEORGE L.L.C. FOR THE BUILDING LOCATED AT 1023 O STREET AND PROVIDING USE RESTRICTIONS, DUTIES AND OBLIGATIONS FOR THE REDEVELOPER CONSISTENT WITH THE LINCOLN CENTER REDEVELOPMENT PLAN AND THE GOLD'S GALLERIA BLOCK BALANCE SUB-PROJECT TIF

DISTRICT 9941 - CLERK presented said report which was placed on file in the Office of the City Clerk.

MAYOR DON WESELY'S VETO MESSAGE OF RESOLUTION NO. A-81627 RELATED TO SKYWALK MAINTENANCE AGREEMENT, ACCEPTING A PUBLIC USE EASEMENT, AND PROVIDING TERMS AND CONDITIONS OF USE RELATED TO THE SKYWALK PROJECT IMPROVEMENTS FOR THE LINCOLN BUILDING AT 1001 O STREET, THE LINCOLN SENIOR CENTER BUILDING AT 1005 O STREET AND THE ST. GEORGE BUILDING AT 1023 O STREET - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON JULY 29, 2002 EXCEPT RESOLUTION NOS. A-81626 AND A-81627 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON AUGUST 5, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

ORDINANCES - 1ST READING

CHANGE OF ZONE 3368 - APPLICATION OF PIONEER WOODS, L.L.C. FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 70TH STREET AND PIONEERS BLVD. - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 3369 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND THE STATE OF NEBRASKA DAS/STATE BUILDING DIVISION ON BEHALF OF HEALTH AND HUMAN SERVICES FOR A SUBLEASE OF SPACE AT 1010 N STREET TO PROVIDE JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Annette McRoy, accepting and approving a Sublease Agreement between the City of Lincoln and the State of Nebraska DAS/State Building Division on behalf of Health and Human Services for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through December 31, 2006 whereby the City of Lincoln is subleasing space to Health and Human Services at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the first time.

ORDINANCES - 3RD READING

AMENDING SECTION 17.10.110 OF THE LINCOLN MUNICIPAL CODE RELATING TO WATER CONNECTION FEES TO PROVIDE FOR A CONNECTION FEE REIMBURSEMENT TO A PARTY WHO HAS CONSTRUCTED A CITY WATER MAIN PURSUANT TO THE EXECUTIVE ORDER PROCESS AUTHORIZED BY SECTION 26.11.038 - CLERK read an ordinance, introduced by Jon Camp, amending Section 17.10.110 of the Lincoln

Municipal Code relating to water connection fees to provide for a connection fee reimbursement to a party who has constructed a city water main pursuant to the Executive Order process authorized by Section 26.11.038, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered #18055, is recorded in Ordinance Book 25, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

SVOBODA Moved to extend the Pending List to August 19, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS; None.

UPCOMING RESOLUTIONS

SVOBODA Moved to approve the resolutions to have Public Hearing on August
19, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS; None.

ADJOURNED 5:55 P.M.

RECONVENED 5:55 P.M.

ONE & SIX YEAR STREETS & HIGHWAY PROGRAM

Chairperson Cook opened the Public Hearing on the One & Six Year Streets & Highway Program.

Virendra Singh, Public Works Dept., as stated earlier by Chairperson Cook this Public Hearing is held each year to fulfill the statutory requirements which insure that an integrated system of public roads is provided for the general welfare of the State, the counties and the municipalities. The program is administered by the State Board of Public Roads Classifications and Standards. The proposed One & Six Year Streets & Highway Program and the Capitol Improvement Program for fiscal years 2003 through 2008 reflect an average annual expenditure of approximately \$63,000,000. This annual expenditure is comprised of \$18,000,000 of city revenues, which include wheel tax and gasoline tax, \$35,000,000 in federal aide, which it must be noted approximately \$27,00,000 are federal demonstration funds for projects like the Beltways. Funding has to be applied for and approved by the House and the Senate in Washington. In addition to that we're looking at an additional \$10,000,000 in other funds which generally come from RTSD, OTMT of the train mile tax. The One Year Program for Fiscal Year 2003 list projects proposed for final design, right-of-way acquisition, construction or engineering study. We have a map which basically some of you already have seen of the Capitol Improvements Program and basically it highlights in color those projects which are identified for Fiscal Year 2003 and that which is for 2004 and so on. Jim will basically point out those projects as I read those off. Starting with the South and East Beltway this project will come through the entire six year period. The next one is Pine Lake Road, 40th to 56th. O Street - 52nd Street to Wedgewood Drive; 66th Street - O Street to Q Street; 56th Street & Cotner Blvd. between Randolph Street and R Street - which all of you are aware, is under construction currently will come to you through the first year as well as the next two years. Again, these are the funding elements. Antelope Valley Phase I Projects, 84th Street, 1/4 mile south of Old Cheney Road to 1/8 of mile south of Amber Hill Road which is a roadway south of Highway 2; Old Cheney Road 1/4 mile east of 70th to 1/4 mile west of 84th Street; 14th Street Old Cheney Road to 1/4 mile north of Pine Lake Road, this is to finish out the portion of south 14th, as well as the intersection of 14th & Old Cheney and Warlick Boulevard. Southwest 40th Street at west O to West A. This is a railroad crossing study that we're undertaking to determine the overall impact what occurs if you were to close that particular roadway at the railroad crossing. The project at Harris Overpass, rebuilding that, it's actually a bridge replacement from 3rd to 9th Streets. In addition we've got A Street, Salt Creek Bridge that needs to be redone. And of course, the last project which we've identified on there is sidewalk repair program which we are proposing to go for some GO Bonds. The One Year Program also includes projects which come to you through the entire six year duration. The arterial rehabilitation projects, for example like 84th Street, Vine to A. Subsidy for paving projects like Alvo & Arbor Road, 14th to 27th and West Fletcher Avenue, Northwest 20th & Northwest 13th. In addition there are projects which are undertaken on the preliminary design and studies, emergency and safety projects, signal optimization, and Intelligent Transportation System (ITS). The reason I bring that up is

ITS is a very critical component of our entire roadway improvement project and it is imperative that we at least accomplish the architecture necessary prior to April 8, 2005. We are also undertaking landscaping projects as they come up for the street improvement programs, bikeway and trails and, of course, final design projects, easements and right-of-way acquisitions. The second through six year program I will identify those projects that are in some phase of development or will enter the street planning process. These projects include 56th Street from Old Cheney to 1/4 mile north of Pine Lake Road; Pine Lake Road, 56th to Highway 2; Fletcher Avenue, Highway 6 to 1/4 mile east of 84th; Capitol Parkway west and Homestead Expressway Interchange that's Highway 77; Pine Lake Road, 84th Street to 1/4 east of 98 and 98 Street 1/4 mile north and south of Pine Lake Rd; 10th Street, Sun Valley Boulevard to south of Military Rd.; South 27th Street to 1/4 mile south to Pine Lake to Yankee Hill Road; Vine Street, 21st Street to 26th, this is the Urban Development Initiative Project; West Fletcher Avenue, Northwest 31st to Northwest 27th; Adam Street, 75th to 84th; and then West Adams, Northwest 63rd to Northwest 48th and Northwest 56th from West Adam to 3/4 miles south. And, the last one is Sun Valley Boulevard, Cornhusker Highway to West O. This Fiscal Year 2003 through 2008 Streets and Highway Program which is also the C.I.P. and the T.I.P. was earlier approved by the Planning Commission on May 27, 2002. With that I'll request Jim to basically address the construction program that we propose to undertake in the next two years.

Jim Visger, Public Works Dept., You have a second map before you that's labeled 2003 - 2005 Projects. This is an attempt to try and show you what is realistic to get built in this coming two year period. You notice that one of those first items on South 84th Street was the piece from Amber Hill back up toward Old Cheney. That is what is being funded in this coming C.I.P. But, you can't fund and build, usually, in the same year. There is a natural lag in that, so what I'm showing you is that we will build that section from just south, 1/4 mile south of Old Cheney down through Amber Hill beginning as early as this coming February when we start the water main work. Then following that will be the project between Montello and Kathy Lane which would be the northern most one on 84th and then the center one is listed given a year range of 2003 - 2004 as is the one above. One of the unknown in any paving project is the ability to acquire right-of-way and right-of-way determines when you will go to construction so that is one of the concerns that we have on any project. You notice, also, that further down we have a project on Yankee Hill Road that goes between 27th and 40th and will extend the gap in 40th Street so that we have not that short piece of gravel between the two paved sections, one in the County and one in the City. And then, as Virendra mentioned we'll be continuing the East O project. The experience that we've had on the East O project is it's moving along at a goodly pace, but it represents only 35 to 40% of the total construction. Most of the construction will be occurring next year. We have a project that will be getting underway in about December. That will be the 3rd and A overpass that has gone through a lot of public testimony and design and we're now ready to go out to bid on that one. Then moving up to the north we would be looking at beginning a project on Vine Street between 21st and 25th in the year 2004 and completing, we hope, the project on Northwest 27th from just north of the westbound ramp at 34th & down south to a section just past the trackage that goes into Kawasaki. Additionally, there would be a couple of traffic signals that are necessary in the coming year, one is to convert the present school flasher that is at Old Cheney just west of Tipperary and make that a full intersection signal at Old Cheney and Tipperary and to install a signal at Folkways & 27th Street. There are, of course, other projects that we could list. I think what we've attempted to do here is to give you what can best be constructed in this coming next two years. And, of course, there are always opportunities to attack more of those that are listed in the One and Six. The thing that we are always working toward is improving the built environment and we will continue to attack vigorously residential and arterial rehabilitation programs. We're able to do about 3 1/2 to 4 miles of arterial work each year and about 100 blocks or residential rehabilitation. That's running at an average cost of \$5,500,000 a year. Some of the candidates in the next two years are going to include South Street from 9th to about 46th Street. It will include sections of A Street once we are complete on O Street. There are several streets in the downtown that are beginning to need attention. I think you'll see a number of projects occurring across the city.

Jon Camp, Council Member, asked what can be done to expedite the acquisition of right-of-way process & still be respectful of our citizens property?

Mr. Visger stated that when looking at the project a realistic time line for that project needs to be looked at. If we go after a mile of arterial roadway that's on a fringe we are necessarily going to be buying right-of-way. Then we have to look at all the other projects that Urban Development may be involved in at the same time so, it can take from 6 to 9 months and up to 27 months sometimes.

Mr. Singh stated he needed to clarify that on the South 14th project the goal is to use that during the 2003 - 2004 time frame even though the map is identifying it on the 2004 schedule.

ADJOURNED 6:13 P.M.

RECONVENED 6:13 P.M.

**2002-2003 MAYOR'S RECOMMENDED ANNUAL OPERATING BUDGET
& CAPITOL IMPROVEMENT PROGRAM 2002/03 - 2007/08**

City Clerk: As part of the Mayor's proposed budget, the budget also proposes to take the following action allowed by LB 989 as passed by the 1998 Nebraska State Legislature.

1. The Mayor's Recommended Budget anticipates the use of allowable growth in the tax base above the 2.5% already provided by LB 989 for improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation, and any personal property valuation over the prior year. This increase is estimated at 3.76% pending certification of final valuations from the County Assessor's office. It is the City's intention to utilize the final percentage increase in growth, as provided by the certified final valuations, to increase the restricted funds base and to utilize various other lid exemptions provided in LB 989.

2. The city intends to carryover all unused restricted fund authority from prior and current fiscal years as well as any unused restricted fund authority from the 2001-02 budget to future fiscal years. This unused restricted fund authority is estimated at up to \$20,000,000 but depends upon final completion of lid documents to be filed with the State Auditor's Office. It is the City's intention to carryover all unused restricted funds authority as determined by final completion of the forms.

Steve Hubka, Budget Officer for City of Lincoln, stated they have been working with the Labor Unions since December to look for ways to control personnel costs since personnel costs amount to about 71% of the tax funded budget. Through those efforts savings have been achieved with the Labor Unions & the unrepresented groups: NAGE which represents 475 employees negotiated savings of \$818,000; Fire Fighters representing 270 employees offered to amend a signed contract saving about \$413,000; unrepresented groups including directors & management are taking less compensation, as well, amounting to about \$300,000. Therefore, about a million and a half was saved in the budget that was proposed to you. Three other unions voted not to amend their existing contracts. There's no increase to the property tax rate. There's only 2.2% increase in spending in the tax budget. There was a proposed reduction of 35 staff positions throughout the city. The Council voted to utilize more than \$500,000 of health care savings to reduce the appropriation of fund balances for next year. A couple of project that had street construction and Keno revenue associated with them, \$335,000 was cut which freed up general revenue to restore all the current hours of services at the city swimming pools, the hours at South Branch Library, restore the 48th Street shuttle bus route and the Antelope Senior Center. In addition a

prosecutor was added in the City Attorney's office & a statement of intent was signed to restore six police officer positions if personnel savings can be achieved with the Lincoln Police Union.

Jeff Altman, 5120 Pawnee Street, came forward representing the Nebraska Commission for the Blind & Visually Impaired to thank the Council for restoring StarTran 48th Street Shuttle #18 as it is a vital link in the transportation system.

Janet Doulas, 210 Bruce Drive, came forward to state that she thinks the Lincoln sidewalks are deplorable & the curb cuts are bad. She stated she has fallen at 13th & L Street. She also requested that the snow not be piled over the curb cuts or in the middle of the street & to remove it in a timely manner. She also thanked the Council for retaining StarTran Shuttle #18.

Robert Baldwin, 4130 Southgate Blvd., Vice Chairman of Advisory

Board of the Veterans Memorial Park, came forward to plead retaining the position of Larry Group, Landscape Architect with the Parks & Recreation Dept. He has done extensive work in maintaining & making improvements of the Veterans Memorial Garden

Les Helms, President of Transportation Transit Union at StarTran, came forward to state for the record that the Union had offered up PEP & 3.5 months of no wage increase and one position not being filled but this was rejected. This came to \$118,000. He also stated that if the system is made convenient there will be riders.

Donna Baddeley, 2211 Harrison Avenue, came forward to thank the Council for restoring the hours of South Branch Library & Irvingdale Swimming Pool. Since August 4th 3000 people have used the Irvingdale pool.

Claire Young, 2211 Harrison Avenue, stated that it was important to her that South Branch Library & Irvingdale Pool open next year. These give the neighborhood kids a fun, safe, healthy & intellectually stimulating environment.

Bob Valentine, 2660 Park Avenue, stated the biggest issue right now is police protection. He feels that the Women's Commission, Human Rights Commission & the Affirmative Action Officer should be eliminated. This money could be used for three additional police officers. He suggested that any hearing on the budget be postponed until we know what the bottom line of the ambulance is & an independent audit is done.

Jon Camp, Council Member, asked how he prioritized Police & Fire Protection.

Mr. Valentine stated that the purpose of government is to build roads, protect the citizens & educate the populace. The City of Lincoln has 1.34 Police Officers per 1000 citizens. Other cities have 2.09 Police Officers per 1000 citizens. Resources need to be shifted to Police protection. Lincoln is no longer a safe place.

Dan Williams, 2020 South Cotner Blvd., came forward to express his appreciation of restoring the hours of the South Branch Library. He also supports the Women's Commission & the Human Rights Dept.

Angeline Stransky, 805 S. 18th Street, asked the Council to retain the services of Larry Group of the Parks & Recreation Dept.

Ken Davis, 5550 Pioneer, came forward representing the Lexington Assisted Living at 56th & Pioneers specializing in serving moderate income residents & works with the Life Center considerably. He asked that the position of counselor that is proposed to be cut from the Life Center budget be retained.

Pam Mikkleson, 916 Hartley Street, Driver Steward for ATU Union, thanked the Council for restoring Route 18. She said many don't know they can make a connection with Route 18 at Bryan Hospital to go to Gateway. She feels there needs to be a promotion to the public to inform them of this route & what it services. She feels there needs to be a reorganization of the system. It was also mentioned that with the North High School coming in a bus will need to service this high school & #18 can do that which will bring in more revenue.

Jeff Stump, President of NAGE Union, came forward to state that the contract for concessions proposed by NAGE was signed on August 2, 2002. There will be no layoffs in NAGE during the next fiscal year.

Larry Gawel, 6320 Fairfax Avenue, stated that he & his wife were asked to be on a committee to redesign Antelope Park. Larry Group of the Parks & Recreation Dept. is helping with the design of the project, so he is asking that the Council reconsider keeping this position.

Dana Fritz, 6320 Fairfax Avenue, asked that the Council retain Larry Group as an employee with the Parks Dept. as they feel the redesign of Antelope Park can't be completed properly without him. The project is funded by the Lincoln Arts Council & the Nebraska Arts Council of which the City benefits from.

Alene Swineheart, 1834 Ryons Street, asked that Larry Group be retained as an employee of the Parks Department.

Alison Stewart, 2127 Park Avenue, came forward to retain the 48th Street bus route, the hours at the South Branch Library & the Irvingdale Swimming Pool. She is afraid that the libraries & swimming pools are being eliminated & the money going to the outer edge of town.

Dan Alberts, representing the Lincoln Independent Business Association representing 800 businesses, feels the budget from one year to the next shouldn't go up more or as much as the growth of the City (1%) plus the rate of inflation (2.5%) being a total of 3.5%. He presented these suggestions: 1. Don't borrow from one time sources for ongoing costs. 2. Don't shift dollars from one category to another such as the transfer of Keno funds from a designated to a general fund expenditure. 3. Bringing the general fund balance down to any level is a reflection of

borrowing onto the future. It's better to make the cuts. 4. Have independent audits. Discussion followed.

Terry Werner, Council Member, stated that budgeting is a lot about prioritizing & asked what are LIBA's top five priorities that the City should be funding.

Mr. Alberts listed 1. Security, Police. 2. Infrastructures, roads & those core services that relate to roads. 3. Fire protection 4. What is the affect of encouraging people to want to be here with us. Further discussion followed.

Jon Camp clarified that his proposal of an independent auditor be employed by the City. An internal auditor could go in and independently audit a department or division. The outside auditors said it would be a good financial move that could save some outside auditor fees. Discussion followed.

Jim Swineheart, 1834 Ryons, came forward to request that Larry Group's position with the Parks Department be retained. He feels Larry Group is a value to the City beyond just the position. He's brought a real compassion & a passion for his work.

TOOK BREAK 7:30 P.M.

RECONVENED 7:50 P.M.

Danny Walker, 427 E St., came forward to request the completion of the Salt Creek Bridge, the 3rd & A Street Overpass, and the emergency tunnel for emergency vehicles be given priority. Referring to a comment made about the Parks Department giving assistance to Project Youth, Mr. Walker commented that his neighborhood has a youth group that needs assistance as well.

A QUESTION & ANSWER SESSION OF CITY COUNCIL TO STAFF FOLLOWED.

Coleen Seng, Council Member, asked for information on the Life Counselor & the financial figures involving Larry Group of Parks Departments position.

Steve Hubka responded that Larry Group's position is \$75,064.00.

Glenn Friendt, Council Member, asked that of the number of positions eliminated how many persons would lose their jobs?

Mr. Hubka answered two positions, but they are looking for employment within the City. There were 49 eliminated, 13 or 14 added for a net of 35. Through attrition & the hiring freeze a lot of lay offs were avoided. Larry Group is one of the two remaining.

Mr. Friendt asked if the projection of 4 to 4 1/2% increase in sales tax revenue was based on our actual collections this past year.

Mr. Hubka stated yes that's based on the collections of this year. He feels that the City will end up the year between 2 & 2 1/4% increase over where we're at and absorbed record high refunds.

Mr. Camp asked Lynn Johnson, Director of the Parks Department to talk about Larry Group's position.

Lynn Johnson, Director of Parks Department, explained that he is a Senior Level Project Manager which is one of four positions in that section. They are responsible for managing Capitol Improvement Projects within the department. Last year there were nearly \$14,000,000 completed and of those Larry's projects in process are less than a \$1,000,000. The Parks & Recreation Capitol Improvement Program has been halved this year & the next budget year because of the reduction in General Revenue Funding to that program. This tied to the fact that there are fewer Capitol Improvement projects to manage. This is a budget issue. The cost of this position is essentially the operating cost of two neighborhood pools, 10,000 hours of seasonal labor, more than the entire budget for planting trees in parks & streets in an average year.

Mr. Camp asked if this position, Landscape Architect, was shared with another department if this position could be maintained.

Mr. Johnson said they talked about it, but the question would be if there would be work for Larry starting August 15th.

Mr. Friendt asked if fund raising is part of his job description?

Mr. Johnson stated it was not fund development or fund raising. There are people hired to do fund raising so there shouldn't be a loss of revenue to the department.

Terry Werner, Council Member, asked with the current staff being proposed can you continue to do things with other departments?

Mr. Johnson stated they already do some of that. The position of Planner I is to coordinate between Public Works & Parks & Recreation to review & develop projects of roadway medians & to oversee the maintenance of these areas.

Mr. Werner asked without the Landscape Architect can the Parks

Department still help out the other departments?

Mr. Johnson answered yes.

Annette McRoy asked in reference to the assistance given Project Youth wasn't that part of the Antelope Valley Grant?

Mr. Johnson answered yes. A \$82,000 grant was received to assist with the development of a baseball field in the Northeast Community Park Project. The Baseball Tomorrow Program is intended to be a capacity building grant program by building the facilities and then develop the programs related to those. In order to get that grant the Parks & Recreation Department had to show that they are working with youth in this community who probably would not have access to baseball activities if it weren't for the grant. We were going to partner with Project Youth to do this, but heard that they were folding. So, they chose to hire Joe Ballard as a seasonal employee to run a summer softball program which provided 700 youth the opportunity to participate in softball programs. It was intended as a citywide program.

Mr. Camp asked Gina Dunning to explain the Life Program & the position proposed to be eliminated.

Gina Dunning, Director of Aging, explained the Life Program is set up to help individual elderly & their families in making decisions about how the rest of their life is going to be. Information & referrals to other needed programs can be provided. There are four counselors who do this work.

Ken Svoboda questioned the \$126,700 savings projected, but the position is only \$35,000.

Ms. Dunning stated the projection of one counselor position is being eliminated.

Mr. Friendt asked if there are other agencies that provide this type of resources for families with elderly?

Ms. Dunning said the State Health & Human Services would steer people to the services that they have. She stated that Lincoln & Lancaster County have services that aren't available to other seniors in the State of Nebraska.

Mr. Werner asked what dollar amount could be saved if Aging were located in the Saint George building next to the Senior Center?

Ms. Dunning answered it would be an estimated \$20,000 in staff savings. In the next five years there could be two positions that won't be necessary which would be \$110,000 savings over the five year period.

Mr. Werner asked if Ms. Dunning has looked at cutting administrative costs instead of services for the elderly.

Ms. Dunning stated she had proposed a \$56,000 administrative cut earlier.

Mr. Camp asked if there was savings achieved by the Saint George proposal how would that be factored into the budget?

Ms. Dunning stated it would be factored in by cost savings in the future.

Ms. McRoy asked Mr. Hubka to review the concessions by M Class.

Mr. Hubka stated that the M Class is about 130 people. They are unrepresented. They don't have a union or they don't negotiate with City. The Mayor makes a recommendation as to what their pay plan should reflect for the next year & that goes before the City Council for approval. Every other union did have a 4% increase for next year & typically the M Class has reflected what has gone on with the other bargaining groups. The M Class will get 2% the start of the fiscal year & then another 2% the very last pay period of the fiscal year. So, it's going to be just a shade over 2% of an increase for the year & that will be \$250,000 to \$270,000 that is saved. Directors are also unrepresented. They are getting a 2% increase. He said that management class, if you're not at the top of the pay range, get a 4% increase, but you're not eligible for a merit increase. The people at the top of the range will fall under that 2% & then 2% at the end of the fiscal year.

Jonathan Cook, Council Chair, asked how does comparability factor into M Class? The CIR isn't a factor?

Mr. Hubka said that all public employees are subject to the comparability laws. Just because you're in the M Class versus the Union doesn't mean that you're exempt from the comparability laws. It's just that the M Class is not an organized bargaining unit, doesn't negotiate with the Personnel Department & doesn't have a contract.

Mr. Cook asked how would action be taken to the CIR by someone in the M Class?

Mr. Hubka stated that the M Class would have to organize in some manner to effectively take a case to the CIR.

Mr. Cook asked when we have an RFP where the outcome is unknown is it budgeted by the amount thought to cover it?

Mr. Hubka answered yes.

Mr. Cook said then if there was a savings does that go back into the General Fund into fund balances? Can that be reallocated?

Mr. Hubka stated that it could be reallocated in that department or division's budget through fiscal impact statement by the Mayor.

Mr. Cook asked if any new positions be created as a result of there being more funding?

Mr. Hubka said there could be, but typically the fiscal impact statement is not used to do that.

Mr. Cook asked then if the Mayor could create those positions or does it have to go before the Council?

Mr. Hubka stated it could be done by the Mayor.

Mr. Cook asked Public Works about the 3rd & A overpass and the Salt Creek Bridge being coordinated.

Jim Visger, Public Works Department, answered yes and that the emergency access is about to be a reality. They have heard from the contractor that they will be starting within a week to ten days on that. The bidding process has been started on the 3rd & A project & has been completed on the demolition. The pre-construction conference was held. Advertising for bids will be done in October for the 3rd & A overpass. They are working with a consultant on the Salt Creek bridge plans.

ADJOURNMENT

8:31 P.M.

CAMP Moved to adjourn the City Council meeting of August 12, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None; None.
So ordered.

Joan Ross, City Clerk

Judy Roscoe, Office Assistant III