

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, AUGUST 24, 2020 AT 3:00 PM**

**ANNOUNCEMENT**

In addition to having public comment in the Council Chambers, there will be a Webinar that will be available for public comment for the City Council Meeting held on August 31, 2020.

For those who wish to testify by webinar, you must register with the City Clerk's Office to participate. Please contact the City Clerk's Office at 402-441-7436 or by email at [CityClerk@lincoln.ne.gov](mailto:CityClerk@lincoln.ne.gov). The City Clerk's Office must be notified by 12:00 p.m. the day of the meeting. In order to register, please provide your name, address, email address, and contact number.

If you have concerns you wish to express to the City Council, please email them to [councilpacket@lincoln.ne.gov](mailto:councilpacket@lincoln.ne.gov).

If you still wish to appear in person on an item on the agenda, you may come to the County-City Building, 555 S. 10th St. Limited seating is available in the Council Chambers or you may wait in the Bill Luxford Studio or the hallway until your item is called. Then you can enter the Council Chambers & come to the podium. After you are finished speaking, you can exit the chambers through the door to your immediate left.

You may view the meetings at <https://youtube.com/lkntvcity> or <https://facebook.com/lkntvcity>.

**PUBLIC HEARING - CONSENT AGENDA**

Anyone wishing to address an item on the Consent Agenda may do so at this time.

**1. REPORTS OF CITY OFFICERS**

- 1.a.** 20R-312  
Reappointing Sharon Busch to the Aging Partners Areawide Advisory Council for a term to expire June 30, 2023.  
[20R-312 Resolution.pdf](#)
- 1.b.** 20R-317  
Approving an Interlocal Agreement between the City and Butler County to define the mutual and separate responsibilities of each in the operation, management, support, monitoring, and evaluation of the Butler County Senior Services Program.  
[20R-317 Resolution.pdf](#)  
[ButlerInterlocal2020.pdf](#)
- 1.c.** 20R-318  
Approving an Agreement for Engineering Services between the City and The Schemmer Associates Inc. for the 40th Street from Yankee Hill Road to Rokeby Road Roadway Improvement Project, RFP 19-279, Project Number 705289.  
[20R-318 Resolution.pdf](#)

[19-279 Schemmer.pdf](#)

- 1.d. 20R-332  
Manager Application of Lindsey P. Bolander for Country Club of Lincoln dba Country Club of Lincoln at 3200 South 24th Street.  
[20R-332 Lindsey P. Bolander for Country Club of Lincoln app.pdf](#)  
[20R-332 Lindsey P. Bolander for Country Club of Lincoln den.pdf](#)  
[20R-332 Letter and Manager Application for Lindsey P. Bolander for Country Club of Lincoln.pdf](#)
- 1.e. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on July 20, 2020. (Placed on file)  
[Clerk's Letter July 20.pdf](#)
- 1.f. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on July 27, 2020. (Placed on file)  
[Clerk's Letter July 27.pdf](#)
- 1.g. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on August 3, 2020. (Placed on file)  
[Clerk's Letter August 3.pdf](#)
- 1.h. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on August 10, 2020. (Placed on file)  
[Clerk's Letter August 10.pdf](#)

## 2. PETITIONS & COMMUNICATIONS

- 2.a. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:  
Administrative Amendment 20043 to Special Permit 1629D, Wilderness Ridge, approved by the Planning Director on August 10, 2020, to Ridge to adjust the building envelope for the club house, add a pro shop and adjust the required parking, generally located at South 27th Street and Yankee Hill Road.  
Administrative Amendment 20044 to Special Permit 15069, Sievers Landing, approved by the Planning Director on Landing to allow a fence to be built instead of planting trees for screening along the south boundary, generally located at South 26th Street and Rokeby Road.

## 3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

## 4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 20R-333  
Application of Great Plains Beef, LLC dba Certified Piedmontese Beef for a Class CK liquor license at 4841 North 84th Street.  
[20R-333 Certified Piedmontese Beef Class CK app.pdf](#)  
[20R-333 Certified Piedmontese Beef Class CK den.pdf](#)  
[20R-333 & 20R-334 Letter and Application for Certified Piedmontese Beef and Manager Application for Benjamin D. Maides.pdf](#)
- 4.b.** 20R-334  
Manager Application of Benjamin D. Maides for Great Plains Beef, LLC dba Certified Piedmontese Beef at 4841 North 84th Street.  
[20R-334 Benjamin D. Maides for Certified Piedmontese Beef app.pdf](#)  
[20R-334 Benjamin D. Maides for Certified Pietmontese Beef den.pdf](#)  
[20R-333 & 20R-334 Letter and Application for Certified Piedmontese Beef and Manager Application for Benjamin D. Maides.pdf](#)

**- VOTE ON LIQUORS -**

**5. PUBLIC HEARING - RESOLUTIONS**

- 5.a.** 20R-284  
A resolution to increase restricted funds authority by 1% per Neb. Rev. Stat § 13-519.  
[20R-284 Resolution.pdf](#)

**- VOTE ON RESOLUTION -**

**6. RESOLUTIONS - ACTION ONLY**

- 6.a.** 20R-266  
Approving the updated fees for open burning permits under LMC Chapter 8.06 Air Pollution.  
[20R-266 Resolution.pdf](#)
- 6.b.** 20R-267  
Approving the updated permit fees under LMC Chapter 5.41 Salvage, Recycling and Composting Operations, including salvage; recycling processing center; recycling center; consumer recyclables collection site; and commercial composting operations.  
[20R-267 Resolution.pdf](#)
- 6.c.** 20R-268  
Approving the updated fees under LMC Chapter 8.08 Body Art Establishments, including body art establishment permits; body art practitioner permits; and permit reinstatement.  
[20R-268 Resolution.pdf](#)

- 6.d.** 20R-269  
Approving updated fees under LMC Chapter 8.14 Child Care Programs, including plan review for new programs; certificate of compliance (initial and renewal); and reinstatement of suspended certificate of compliance.  
[20R-269 Resolution.pdf](#)
- 6.e.** 20R-270  
Approving updated fees under LMC Chapter 8.20 Food Code, including food establishments; mobile food units; food catering services; temporary food establishments; reinstatement fees; and food handler and food manager permit fees.  
[20R-270 Resolution.pdf](#)
- 6.f.** 20R-271  
Approving updated noise variance fees under LMC Chapter 8.24 Noise Control.  
[20R-271 Resolution.pdf](#)
- 6.g.** 20R-272  
Approving updated fees under LMC Chapter 8.32 Solid Wastes, including special waste permit fees.  
[20R-272 Resolution.pdf](#)
- 6.h.** 20R-273  
Approving updated fees under LMC Chapter 8.38 Public Swimming Pools; including swimming pool permits; new permit/plan review; renewal; additional spa; swimming pool operator; and pool water quality tester certificate.  
[20R-273 Resolution.pdf](#)
- 6.i.** 20R-274  
Approving updated fees under LMC Chapter 8.44 Water Wells, including water well construction permits; annual water well permits; water well repair permits; and variance applications.  
[20R-274 Resolution.pdf](#)
- 6.j.** 20R-275  
Approving updated fees under LMC Chapter 24.38 Onsite Wastewater Treatment Systems, including construction and repair of onsite wastewater treatment systems; cleaner permits; installer permits; and development area reviews.  
[20R-275 Resolution.pdf](#)
- 6.k.** 20R-276  
Approving updated permit fees under LMC Chapter 24.42 Regulation of Property Transfers with Onsite Systems, including review of property transfers with onsite wastewater or water systems.  
[20R-276 Resolution.pdf](#)

- 6.l. 20R-277  
Approving updated permit fees under LMC Chapter 28.02 Regulations for Illicit Discharges.  
[20R-277 Resolution.pdf](#)
- 6.m. 20R-278  
Amending Lincoln-Lancaster County Air Pollution Control Regulations and Standards, Article 1, Section 6 Fees to update fees for required services to business and industry.  
[20R-278 Resolution.pdf](#)
- 6.n. 20R-281  
Establishing a new rate schedule for the Lincoln Water System for purposes of covering operational and maintenance costs including debt service and the Capital Improvements Program for FY 2020-21.  
[20R-281 Resolution.pdf](#)
- 6.o. 20R-282  
Establishing a new rate schedule for the Lincoln Wastewater System for purposes of covering operational and maintenance cost including debt services and the Capital Improvements Program for FY 2020-21.  
[20R-282 Resolution.pdf](#)

**- VOTE ON RESOLUTIONS -**

**7. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS**

- 7.a. 20-215  
Change of Zone 17030B - Application of Lanoha Lincoln WC, LLC to amend the existing Planned Unit Development (PUD) to include a waiver to reduce the required parking on property generally located at 88th Street and Bobtail Road.  
[20-215 Ordinance.pdf](#)  
[CZ17030B - SUMMARY REPORT.pdf](#)
- 7.b. 20-216  
Change of Zone 20024 - Application of Aaron and Loni Burd for a change from H-3 Highway Commercial District to R-4 Residential District and from I-1 Industrial District to H-3 Highway Commercial District, on property generally located at North 27th Street and Old Dairy Road.  
[20-216 Ordinance.pdf](#)  
[CZ20024 - SUMMARY REPORT.pdf](#)

**- END PUBLIC HEARING -**

**8. ORDINANCES - 3RD READING & RELATED RESOLUTIONS**

- 8.a.** 20-104  
Amending Chapter 5.04 of the Lincoln Municipal Code relating to Alcoholic Liquor by amending Section 5.04.125 to deposit the server/seller permit fees into the Health Fund; to remove the requirement for a segregated Responsible Beverage Server/Seller Fund by repealing Section 5.04.126 in its entirety; and repealing Section 5.04.125 of the Lincoln Municipal Code as hitherto existing.  
[20-104 Ordinance.pdf](#)
- 8.b.** 20-106  
Amending Section 8.32.150 of the LMC to increase the occupation tax on the refuse haulers from \$12.15 per ton to \$17.15 per ton, effective January 1, 2021.  
[20-106 Ordinance.pdf](#)
- 8.c.** 20-102  
An ordinance to temporarily suspend provisions of Chapter 3.06 of the Lincoln Municipal Code to allow the City to adopt an annual budget rather than a biennial budget as is provided for in Lincoln's municipal Charter.  
[20-102 Ordinance.pdf](#)
- 8.d.** 20-103  
Amending Section 4.24.070 of the Lincoln Municipal Code to remove the cap on the dividend for utility ownership received from the Lincoln Electric System and repealing Section 4.24.070 of the Lincoln Municipal Code as hitherto existing.  
[20-103 Ordinance.pdf](#)
- 8.e.** 20-105  
Amending Chapter 2.80 of the Lincoln Municipal Code relating to Social Security to remove the creation of a separate property tax levy line to fund the City's Social Security obligations by repealing Section 2.80.090 in its entirety.  
[20-105 Ordinance.pdf](#)
- 8.f.** 20-213  
Approving the transfer of unspent and unencumbered appropriations between certain capital improvement projects within the Parking Facilities Construction Fund for the Urban Development Department; within the Keno Funds for the Parks and Recreation Department; and within the Health Fund for the Health Department.  
[20-213 Ordinance.pdf](#)
- 8.g.** 20-214  
An ordinance to amend Ordinance 20927 to correct the legal description of property to be annexed near North 105th Street and Century Lane.  
[20-214 Ordinance.pdf](#)

**9. BUDGET RESOLUTION - ACTION ONLY**

- 9.a.** 20R-283  
Adopting the 2020-21 City of Lincoln Operating Budget & Capital Improvement Program (CIP); One & Six Year Street & Highway Program.  
[Mayor Resolution 20August19.pdf](#)  
[2020-21 Budget Resolution SUBSTITUTE Final Revised 20Aug21.pdf](#)  
[Attachment 20R-283.pdf](#)

## **10. RESOLUTIONS - 1ST READING**

- 10.a.** 20R-326  
Accepting and approving the report of new and pending claims against the City for August 1 through August 15, 2020.  
[20R-326 Resolution.pdf](#)  
[20R-326 Claims Report.pdf](#)
- 10.b.** 20R-327  
Reappointing Dan Marvin, Eric Buchanan, and Janice Walker to the Community Health Endowment Board of Trustees for terms to expire September 1, 2023. (Consent)  
[20R-327 Resolution.pdf](#)
- 10.c.** 20R-328  
Appointing Jacqueline Ostrowicki to the Lincoln City Library Board for a term to expire August 31, 2027. (Consent)  
[20R-328 Resolution.pdf](#)  
[Ostrowicki Jackie.pdf](#)
- 10.d.** 20R-329  
Appointing Peter Hind to the Urban Design Committee for a term to expire February 1, 2022. (Consent)  
[20R-329 Resolution.pdf](#)  
[HInds, Peter application.pdf](#)
- 10.e.** 20R-330  
Appointing Lee Kreimer to the Aging Partners Areawide Advisory Council for a term to expire June 30, 2023. (Consent)  
[20R-330 Resolution.pdf](#)
- 10.f.** 20R-335  
Appointing Tammy Burton-Fikar to the Aging Partners Areawide Advisory Council for a term to expire June 30, 2021. (Consent)  
[20R-335 Resolution.pdf](#)

## **11. ORDINANCES - 1ST READING & RELATED RESOLUTIONS**

- 11.a.** 20-111

Approving a Fifth Lease Addendum between the City and Silver Properties, LLC for a three year term.

[20-111 Ordinance.pdf](#)

[20-111 Attachment A.pdf](#)

**11.b.** 20-217

Approving a Fourth Amendment to the Agreement for Tower and Appurtenances between the City and Celco Partnership dba Verizon Wireless to install conduit and fiber optic line in Van Dorn Park along the trail right-of-way.

[20-217 Ordinance.pdf](#)

[2020 Fourth Amendment Conduit Extension, Verizon.pdf](#)

[2020 SIGNED Verizon Conduit Extension Drawings.pdf](#)

**11.c.** 20-218

Annexation 20001 - Application of Sundance, LLC, to annex approximately 49 acres on property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)

[20-218 Ordinance.pdf](#)

[20-218 Attachment A.pdf](#)

[AN20001 - SUMMARY REPORT.pdf](#)

**11.d.** 20-219

Change of Zone 20002 - Application of Sundance, LLC, for a change from AG Agricultural District to R-5 Residential District Planned Unit Development and from AG Agricultural District to O-3 Office Park District Planned Unit Development with associated waivers, on property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)

[20-219 Ordinance.pdf](#)

[CZ20002 - SUMMARY REPORT.pdf](#)

**11.e.** 20R-331

Approving a Conditional Zoning and Annexation Agreement for 40th and Rokeby Road between the City, Bryan Medical Center, and Sundance, LLC for the annexation and development of property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)

[20R-331 Resolution.pdf](#)

[20R-331 Attachment A.pdf](#)

**11.f.** 20-220

An amendment to Ordinance 20931, Shared Mobility Device Pilot Program, to reincorporate provisions erroneously eliminated in prior amendment.

[20-220 Ordinance.pdf](#)

[20-220 Attachment - Memo to Council.pdf](#)

**12. PENDING LIST - DATE CERTAIN**



- 12.a.** 20-112  
Amending Section 2.04.010 of the Lincoln Municipal Code relating to Rules of the Council to add “Rule 3-33. Signs Prohibited.” to prohibit signs in Council Chambers during meetings. (8/17/20 - Action delayed two weeks to 8/31/20)  
[20-112 Ordinance.pdf](#)  
[20-112 Motion to Amend No. 1.pdf](#)  
[20-112 MTA #1 Ordinance.pdf](#)

### **13. PENDING LIST**

- 13.a.** 20-19  
Annexation 19006 - Application of Hoy Prairie South, LLC to annex approximately 9.30 acres of property generally located at South 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69) (3/2/2020 Placed on Pending, No Date Certain)  
[20-19 Ordinance.pdf](#)  
[20-19 Attachment A.pdf](#)  
[AN19006 - SUMMARY REPORT.pdf](#)
- 13.b.** 20-20  
Change of Zone 19015 - Application of Hoy Prairie South, LLC for a change of zone from AG Agricultural District to R-3 Residential District on property generally located at South 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69) (3/2/2020 - Placed on Pending - No Date Certain)  
[20-20 Ordinance.pdf](#)  
[20-20 Attachment A.pdf](#)  
[CZ19015 - SUMMARY REPORT.pdf](#)
- 13.c.** 20R-69  
Approving a Conditional Annexation Agreement between the City and Hoy Prairie South, LLC for property generally located south of S. 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69) (3/2/2020 - Placed on Pending - No Date Certain)  
[20R-69 Resolution.pdf](#)  
[20R-69 Attachment A.pdf](#)
- 13.d.** 20R-245  
Appeals by Nancy Selzer, et al., (24 appeals submitted) of the Planning Commission's conditional approval of Special Permit 20013 to allow for a Community Unit Plan (CUP) with associated waivers to setbacks, lot area, block length, and the sanitary sewer design standards on property generally located at South 46th and Hillside Streets. (7/20/20 - Action delayed one week to 7/27/20) (7/27/20 - Action delayed 2 weeks to 08/10/20) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 - Placed on Pending, No Date Certain)  
[20R-245 Resolution.pdf](#)

[SP20013 -APPEAL - SUMMARY REPORT.pdf](#)

- 13.e.** 20-99  
Comprehensive Plan Conformance 20009 - Declaring approximately 0.26 acres of City owned property generally located at 2510 South 48th Street as surplus. (Related Items: 20-99, 20-100, 20-101) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 - Placed on Pending, No Date Certain)  
[20-99 Ordinance.pdf](#)  
[20-99 Attachment A.pdf](#)  
[CPC20009 - SUMMARY REPORT.pdf](#)
- 13.f.** 20-100  
Approving a Real Estate Purchase Agreement between the City and Antelope Park Center Company, LLC for the sale of a small area of the Antelope Creek Greenway to the adjoining property owner at 2510 South 48th St. (Related Items: 20-99, 20-100, 20-101) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 - Placed on Pending, No Date Certain)  
[20-100 Ordinance.pdf](#)  
[Final Signed Real Estate Agreement Packet \(2\).pdf](#)  
[20-100 Motion to Amend No. 1.pdf](#)  
[20-100 AMENDED Executed Purchase Agreement, 8.13.20.pdf](#)
- 13.g.** 20-101  
Change of Zone 20020 - Application of the Parks and Recreation Department Director for a change from P Public District to B-1 Business District of approximately 0.47 acres on property generally located at 2510 South 48th Street. (Related Items: 20-99, 20-100, 20-101) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 - Placed on Pending, No Date Certain)  
[20-101 Ordinance.pdf](#)  
[20-101 Attachment A.pdf](#)  
[CZ20020 - SUMMARY REPORT.pdf](#)

## **PUBLIC COMMENT**

For those who wish to address the council on a matter not on this agenda, and not planned to appear on a future agenda, may do so at the open microphone session. For the month of August, open microphone sessions will be held on August 10th and August 31st in the Council Chambers & by webinar.

For those who wish to testify by webinar, you must register with the City Clerk's Office to participate. Please contact the City Clerk's Office at 402-441-7436 or email [CityClerk@lincoln.ne.gov](mailto:CityClerk@lincoln.ne.gov). The City Clerk's Office must be notified by 12:00 p.m. the day of the meeting. In order to register, please provide your name, address, email address, and contact number.

If you have concerns you wish to express to the City Council, please email them to [councilpacket@lincoln.ne.gov](mailto:councilpacket@lincoln.ne.gov).

## **ADJOURNMENT**

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The Lincoln City Council meets every Monday at 3 p.m. except for the last Monday of the month which begins at 5:30 p.m. All City Council meetings are aired live on LNKTV City and re-aired later. For a schedule, visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTV). LNKTV City can be found on all three cable television systems: ALLO Channel 2; Spectrum Channel 1300; Kinetic Channel 1005. Meetings are also streamed live at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTV) and available later at [youtube.com/LNKTVcity](http://youtube.com/LNKTVcity).

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The City Council Agenda and Action Sheet may be accessed on the Internet at: [lincoln.ne.gov](http://lincoln.ne.gov)

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### **ACCOMMODATION NOTICE**

*The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at (402) 441-7624 as soon as possible before the scheduled meeting date in order to make your request.*