

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, NOVEMBER 02, 2020 AT 3:00 PM**

ANNOUNCEMENT

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.

DUE TO VETERANS DAY, THE CITY COUNCIL WILL NOT MEET ON MONDAY, NOVEMBER 9, 2020

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-475
Manager Application of Roger D. Pettigrew for Robert Flansburg Unit 7 DAV dba DAV Robert Flansburg Chapter 7 at 3901 North 70th Street.
[20R-475 Roger Pettigrew for Dav Robert Flansburg Chapter 7 Class C app.pdf](#)
[20R-475 Roger Pettigrew for Dav Robert Flansburg Class C den.pdf](#)
[20R-475 Letter and application Roger Pettigrew Manager Class C.pdf](#)
- 1.b.** 20R-476
Manager Application of Terri L. Todd for Risky Inc. dba Risky's Sports Bar & Grill at 4680 Leighton Avenue.
[20R-476 Terri Todd for Risky's Class C app.pdf](#)
[20R-476 Terri Todd for Risky's Class C den.pdf](#)
[20R-476 Letter and Manager application Terri Todd.pdf](#)
- 1.c.** 20R-493
Affidavit of Mailing for Board of Equalization Meeting for Downtown Management B.I.D., Downtown Management Core Overlay District, Downtown Maintenance District, and West Haymarket Maintenance District to be held on Monday, November 23, 2020, at 5:30 p.m.
- 1.d.** 20R-496
Resolution setting the hearing date of Monday, December 14, 2020 at 3:00 p.m. for the assessment of weed abatement costs incurred by the City of Lincoln for the period of January 1, 2020 through December 31, 2020.
- 1.e.** 20R-497
Application of Swig LLC dba 9 South Chargrill to temporarily expand its Class IK

liquor license to temporarily add an additional outdoor area measuring 16 feet x 19 feet x 35 feet at 844 South Street.

[20R-497 9 South Chargrill - LB1056 app.pdf](#)

[20R-497 9 South Chargrill - Dine Out Lincoln den.pdf](#)

[Application - 9 South Chargrill - Dine Out.pdf](#)

- 1.f.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on October 19, 2020. (Placed on file)
[Clerk's Letter.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 20R-477
Setting the hearing date of Monday, November 16, 2020, at 3:00 p.m. for the Application of Whitehead Oil Company dba U-Stop #32 for a Class D Liquor License at 6930 South 73rd Street.

[U-Stop #32 Setting the Hearing Date Reso.pdf](#)

- 2.b.** 20R-490
Setting the hearing date of Monday, November 16, 2020, at 3:00 p.m. for the Application of Tictoc, LLC dba The Hot Mess for a Class C Liquor License at 408 South 11th Street.

[Hot Mess Setting the Hearing Date Reso.pdf](#)

- 2.c.** 20R-491
Setting the hearing date of Monday, November 16, 2020, at 3:00 p.m. for the Application of DJTE Inc. dba Cooks Cafe for a Class C Liquor License at 333 North Cotner Boulevard, Suite 1-3.

[Cooks Cafe Setting the Hearing Date Reso.pdf](#)

- 2.d.** 20R-492
Setting the hearing date of Monday, November 16, 2020, at 3:00 p.m. for the Application of Wine, Beer & Spirits, LLC dba Wine Beer & Spirits for a Class C Liquor License at 5220 North 27th Street.

[Wine Beer & Spirits Setting the Hearing Date Reso.pdf](#)

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 20R-478
Application of Green Farms (Dai Phat) Market, LLC dba Green Farms (Dai Phat)

Market for a Class D Liquor License at 4640 Bair Avenue, Suite 240.

[20R-478 Green Farms Class D app.pdf](#)

[20R-478 Green Farms Class D den.pdf](#)

[20R-478 & 479 Letter and application Green Farms.pdf](#)

4.b. 20R-479

Manager Application of Steven C. Nguyen for Green Farms (Dai Phat) Market, LLC dba Green Farms (Dai Phat) Market at 4640 Bair Avenue, Suite 240.

[20R-479 Steven Nguyen for Green Farms app.pdf](#)

[20R-479 Steven Nguyen for Green Farms den.pdf](#)

[20R-478 & 479 Letter and application Green Farms.pdf](#)

4.c. 20R-480

Application of KHE, LLC dba The Upside Bar and Lounge for a Class I Liquor License at 2801 Pine Lake Road, Suite H.

[20R-480 The Upside Bar Class I app.pdf](#)

[20R-480 The Upside Bar Class I den.pdf](#)

[20R-480 & 481 Letter and Application Upside Bar.pdf](#)

4.d. 20R-481

Manager Application of Heather Schmit for KHE, LLC dba Upside Bar and Lounge at 2801 Pine Lake Road, Suite H.

[20R-481 Heather Schmidt for The Upside Bar Class I app.pdf](#)

[20R-481 Heather Schmidt for The Upside Bar Class I den.pdf](#)

[20R-480 & 481 Letter and Application Upside Bar.pdf](#)

4.e. 20R-482

Application of JJAKU4, LLC dba One Lite for a Class C Liquor License at 1140 O Street.

[20R-482 One Lite Class C app.pdf](#)

[20R-482 One Lite Class C den.pdf](#)

[20R-482 & 483 Letter and application One Lite.pdf](#)

4.f. 20R-483

Manager Application of Jeffery L. Holt for JJAKU4, LLC dba One Lite at 1140 O Street.

[20R-483 Jeffery Holt for One Lite Class C app.pdf](#)

[20R-483 Jeffery Holt for One Lite Class C den.pdf](#)

[20R-482 & 483 Letter and application One Lite.pdf](#)

4.g. 20R-484

Application of McKinney's Pub, LLC dba McKinney's Irish Pub for a special designated license to cover an outdoor area measuring approximately 25 feet x 90 feet at 151 North 8th Street on November 20 or November 21, 2020 from 8:00 a.m. to 12:00 a.m.

[20R-484 McKinney's Irish Pub SDL 11-20 or 11-21 app.pdf](#)
[20R-484 McKinney's Irish Pub SDL den.pdf](#)
[SDL - McKinney's 11.20 or 11.21.pdf](#)
[McKinney's Football Special Event.pdf](#)

- 4.h.** 20R-485
Application of Fast Taco, LLC dba Topsy Tina's Taco Cantina for a special designated license to cover an outdoor area measuring approximately 25 feet x 100 feet at 800 Q Street on November 20 or November 21st, 2020 from 8:00 a.m. to 12:00 a.m.

[20R-485 Topsy Tina's SDL 11-20 or 11-21 app.pdf](#)
[20R-485 Topsy Tina's SDL den.pdf](#)
[SDL - Topsy Tina's 11.20 or 11.21.pdf](#)
[Special Event App - Topsy Tina's.pdf](#)

- 4.i.** 20R-486
Application of Lazlo Inc. dba Lazlo's Brewery & Grill - Haymarket for a special designated license to cover an outdoor area measuring approximately 92 feet X 23 feet at 210 North 7th Street on November 20 or November 21, 2020 from 8:00 am to 11:00 p.m.

[20R-486 Lazlo SDL 11-20 or 11-21 app.pdf](#)
[20R-486 Lazlo SDL den.pdf](#)
[Special Event App - Lazlo's.pdf](#)
[SDL - Lazlo's 11.20 or 11.21.pdf](#)

- 4.j.** 20R-498
Application of Yin Family, LLC dba Hiro 88; The Bar at the Yard, LLC dba Longwells; Home Grown Industries dba Mellow Mushroom; HCJ, LLC dba Bourbon Street; and Yard Investments, LLC dba Gate 25 to temporarily expand their Class C, CK, E, and I liquor licenses for a special designated license to cover an outdoor area measuring approximately 356 ft x 230 ft at 350 Canopy Street/601 R Street on November 14, 2020 from 8:00 am to 12:30 a.m.

[20R-498 Hiro 88, Longwell's et al SDL app.pdf](#)
[20R-498 Hiro 88, Longwell's et al SDL den.pdf](#)
[SDL - Railyard 11.14.pdf](#)
[Special Event App -Railyard.pdf](#)

- 4.k.** 20R-499
Application of Yin Family, LLC dba Hiro 88; The Bar at the Yard, LLC dba Longwells; Home Grown Industries dba Mellow Mushroom; HCJ, LLC dba Bourbon Street; and Yard Investments, LLC dba Gate 25 to temporarily expand their Class C, CK, E, and I liquor licenses for a special designated license to cover an outdoor area measuring approximately 356 ft x 230 ft at 350 Canopy Street/601 R Street on November 20 or November 21, 2020 from 8:00 am to 12:30 a.m.

[20R-499 Hiro 88, Longwell's et al SDL app.pdf](#)
[20R-499 Hiro 88, Longwell's et al SDL den.pdf](#)

[SDL - Railyard 11.20 or 11.21.pdf](#)
[Special Event App -Railyard.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 20R-455

Assessing public health nuisance abatement costs associated with the clearing of public nuisances by the Health Department on the following benefitted properties: 5720 Hartley Street, 2926 Sumner Street, 2215 North 31st Street, 2201 North Cotner Boulevard, 1128 "E" Street, 1332 "P" Street, 825 "C" Street, 2626 North 36th Street, 1641 South 6th Street.

[20R-455 Resolution.pdf](#)

[20R-455 Attachment - 20 Assessments Costs for City Council 10_20_20.pdf](#)

[20R-455 Attachment - 20 Property Owner Information 10_20.pdf](#)

- VOTE ON RESOLUTIONS -

- END PUBLIC HEARING -

6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

6.a. 20-238

Text Amendment 20006 - Application of Planning Director to amend Lincoln Municipal Code Sections 27.02.020, 27.02.210, 27.06.080, 27.28.020, 27.62.050, and 27.67.040 to provide a definition and conditional zoning regulations for Transitional Living Facilities that will replace the regulations for alternative to imprisonment facilities; by repealing Section 27.63.750 to remove special permits for alternative to imprisonment facilities; and repealing Sections 27.02.020, 27.02.210, 27.06.080, 27.28.020, 27.62.050, and 27.67.040 as hitherto existing.

[20-238 Ordinance \(TX20006\).pdf](#)

[TX20006 - SUMMARY REPORT.pdf](#)

6.b. 20-239

An ordinance amending Chapter 5.38 of the Lincoln Municipal Code relating to Motels, Hotels, Rooming, Lodging, and Apartment Houses by amending Sections 5.38.010, 5.38.015, 5.38.016, 5.38.020, 5.38.030, 5.38.040, 5.38.045, 5.38.050, and 5.38.055 to add a definition of transitional living facilities and to create permit and inspection requirements for transitional living facilities; and repealing Sections 5.38.010, 5.38.015, 5.38.016, 5.38.020, 5.38.030, 5.38.040, 5.38.045, 5.38.050, and 5.38.055 of the Lincoln Municipal Code as hitherto existing.

[20-239 Ordinance.pdf](#)

7. RESOLUTIONS - 1ST READING

- 7.a.** 20R-472
Approving a contract between the City of Lincoln and Sovos Compliance LLC for software to generate and electronically file 1099 tax forms for tax years 2020 thru 2022. (Consent)
[20R-472 Resolution.pdf](#)
[Sovos TIR Corporate Order Form.pdf](#)
- 7.b.** 20R-473
Approving a contract between The City of Lincoln and Olsson Associates for construction engineering services for the 56th & Yankee Hill Road Project. Project No. HSIP-5241(6), Control No. 13347. City Project No. 702884.
[20R-473 Resolution.pdf](#)
[56th & Yankee Hill construction engineering services agreement.pdf](#)
- 7.c.** 20R-474
Approving Amendment No. 1 to the Telegraph District Phase II Redevelopment Project between the City of Lincoln, EADO, LLC, and Telegraph Lofts East, LLC, revising the design of Telegraph Lofts West and deletion of all references to the Towel Building and the Power Plant.
[20R-474 Resolution.pdf](#)
[20R-474 Attachment\(Final\).pdf](#)
- 7.d.** 20R-487
Approving an Interlocal Agreement between City of Lincoln and Lancaster County to update a pretrial diversion plan for minor traffic violations ("Safety Training Option Program", or "STOP") for the City and Lancaster County.
[20R-487 Resolution.pdf](#)
[STOP interlocal__10.23.2020 \(002\).pdf](#)
- 7.e.** 20R-488
Declaring the official intent of the City to reimburse certain expenses in connection with acquiring, constructing, equipping, and furnishing street improvements of the City from the proceeds of bonds issued by the City.
[20R-488 Resolution.pdf](#)
- 7.f.** 20R-489
Declaring the official intent of the City to reimburse certain expenses in connection with acquiring, constructing, equipping, and furnishing snow removal and sidewalk improvements from the proceeds of certificates of participation of the City.
[20R-489 Resolution.pdf](#)

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 8.a.** 20-240
Amending Chapter 4.08 of the Lincoln Municipal Code relating to the Citizen Police

Advisory Board by amending Section 4.08.010 and Section 4.08.030 to add additional board members and to clarify filing and meeting requirements.

[20-240 Ordinance.pdf](#)

- 8.b.** 20-242
Amending Section 7.06.110 of the Lincoln Municipal Code relating to Insurance Required for ambulance services to reduce the costs of insurance to operators while maintaining adequate protection for the City; and repealing Section 7.06.110 of the Lincoln Municipal Code as hitherto existing.
[20-242 Ordinance \(7.06.110\).pdf](#)
- 8.c.** 20-243
Creating Paving District No. 2635 in Fletcher Avenue from Cornhusker Highway to 84th Street.
[20-243 Ordinance.pdf](#)
[FactSheettoOwners_FletcherCornhusker84.pdf](#)
- 8.d.** 20-244
Creating Alley Paving District No. 365 for the North-South Alley between 9th Street and 10th Street from Park Avenue to South Street.
[20-244 Ordinance.pdf](#)
[FactSheet_Alley_ParktoSouth_9thto10th_v2.pdf](#)
- 8.e.** 20-245
Establishing a moratorium on new applications for special permits for Alternative to Imprisonment Facilities until July 2, 2021.
[20-245 Ordinance.pdf](#)
- 8.f.** 20R-494
Adopting Lincoln Electric System Rate Schedules to become effective January 1, 2021. (Related Items: 20R-494, 20R-495, 20-246)
[20R-494 Resolution.pdf](#)
[20R-494 and 495 Attachment.pdf](#)
- 8.g.** 20R-495
Adopting the Lincoln Electric System Annual Budget for 2021 to become effective January 1, 2021. (Related Items: 20R-494, 20R-495, 20-246)
[20R-495 Resolution.pdf](#)
[20R-494 and 495 Attachment.pdf](#)
- 8.h.** 20-246
Authorizing the issuance of not to exceed \$300,000,000 in Lincoln Electric System Revenue and Refunding Bonds. (Related Items: 20R-494, 20R-495, 20-246)

9. PENDING LIST

- 9.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](#)
- 9.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](#)
- 9.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](#)
- 9.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](#)

PUBLIC COMMENT

Anyone wishing 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. Individuals are allowed a total of 5 minutes to speak regardless of the number of topics. For the month of November, open microphone sessions will be held on November 16 & November 23, 2020.

ADJOURNMENT

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 (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 (keyword: LNKTV) and available later at youtube.com/LNKTVcity.

The City Council Agenda and Action Sheet may be accessed on the Internet at: lincoln.ne.gov

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.