

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, FEBRUARY 08, 2021 AT 3:00 PM**

**DUE TO THE PRESIDENTS' DAY HOLIDAY, CITY COUNCIL WILL NOT MEET ON MONDAY,
FEBRUARY 15, 2021**

ANNOUNCEMENT

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. Testifiers are asked to 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.

If you have concerns you wish to express to the City Council, you may also email them to councilpacket@lincoln.ne.gov.

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.** 21R-12
Appointing Chelsea Johnson to the Lincoln Electric System Administrative Board for a term to expire December 31, 2021.
[21R-12 Resolution.pdf](#)
- 1.b.** 21R-13
Appointing Carl Eskridge to the Lincoln Electric System Administrative Board for a term to expire December 31, 2023.
[21R-13 Resolution.pdf](#)
- 1.c.** 21R-14
Approving a contact between the City of Lincoln and Speece-Lewis Engineers, Inc. for a On-Call Construction Engineering Services Task Order Agreement for the 27th Fairfield & West O Street Bridges. Project No. LCLC-5231(15), Control No. 13247m City Project Number 540029.
[21R-14 Resolution.pdf](#)
[Contract 27th Fairfield & W O St Bridge Improvements.pdf](#)
[27th Fairfield & W O St Bridge Improvements Fact Sheet .pdf](#)
- 1.d.** 21R-21
Approving the On-Call Professional Task Order Agreement between the City and Olsson to provide environmental services for the Fletcher Landmark Trail, Project No. TAP-55(186); Control No. 13442.

[21R-21 Resolution.pdf](#)
[21R-21 Attachment.pdf](#)

- 1.e.** 21R-22
Approving the On-Call Professional Services Task Order Agreement between the City and Olsson to provide preliminary engineering services for the Fletcher Landmark Trail Project No. TAP-55(186); Control No. 13442.

[21R-22 Resolution.pdf](#)
[21R-22 Attachment.pdf](#)

- 1.f.** 21R-33
Appointing Dan Worth to the Historic Preservation Commission for a term to expire April 15, 2023.

[21R-33 Resolution.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Permit 21001, approved by the Planning Director on January 15, 2021, for a minor modification to the rear yard setback from 20 feet to 15 feet per Section 27.72.190 of the Lincoln Municipal Code on property generally located 3800 South 42nd Street.

Administrative Amendment 21001, to Use Permit 94B, Elizabeth Park North, approved by the Planning Director on January 19, 2021, to reduce the front yard setback on Kensington Drive from 50 feet to 20 feet for Lot 1, on property generally located at North 26th Street & Kensington Drive.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 21R-42
Application of Hasse, Inc., dba Bagel's & Joe for a Class I Liquor License located at 215 North 14th Street.

[21R-42 Bagels & Joe Class I app.pdf](#)
[21R-42 Bagels & Joe Class I den.pdf](#)
[Ltr and Application for bagelsandjoe.pdf](#)

- 4.b.** 21R-43
Manager Application of Jonathan W. Hasse for Hasse, Inc., dba Bagel's & Joe located at 215 North 14th Street.

[21R-43 Johnathan Hasse for Bagels & Joe Class I app.pdf](#)
[21R-43 Johnathan Hasse for Bagels & Joe den.pdf](#)
[Ltr and Application for bagelsandjoe.pdf](#)

- 4.c.** 21R-44
Application of Charm LLC dba Charm Boutique & Bar for a Class I Liquor License located at 2001 N Street, Apt. 101.
[21R-44 Charm Boutique Class I app.pdf](#)
[21R-44 Charm Boutique Class I den.pdf](#)
[Ltr and Application for charmboutiqueandbar.pdf](#)
- 4.d.** 21R-45
Manager Application of Lindsey A. Tederman for Charm LLC dba Charm Boutique & Bar located at 2001 N Street, Apt. 101.
[21R-45 Lindsey A. Tederman for Charm Boutique Class I app.pdf](#)
[21R-45 Lindsey Tederman for Charm LLC Class I den.pdf](#)
[Ltr and Application for charmboutiqueandbar.pdf](#)
- 4.e.** 21R-46
Application of Wing Life LLC dba The Watering Hole West for a Class C Liquor License located at 1550 South Coddington Avenue.
[21R-46 The Watering Hole Class C app.pdf](#)
[21R-46 The Watering Hole Class C den.pdf](#)
[Ltr and Application for wateringholewest.pdf](#)
- 4.f.** 21R-47
Manager Application of Barbara L. Johnson for Wing Life LLC dba The Watering Hole West located at 1550 South Coddington Avenue.
[21R-47 Barbara Johnosn for Watering Hole West app.pdf](#)
[21R-47 Barbara Johnson for Watering Hole West den.pdf](#)
[Ltr and Application for wateringholewest.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 21R-15
Approving the labor contract between the City of Lincoln and the Amalgamated Transit Union (ATU) for a term effective August 20, 2020 through August 31, 2021.
[21R-15 Resolution.pdf](#)
[BUS 2020-2021 Final Contract.pdf](#)
[BUS 2020-2021 Legislative Contract.pdf](#)
- 5.b.** 21R-16
Approving the labor contract between the City of Lincoln and the Public Association of

Government Employees (PAGE) for a term effective August 20, 2020 through August 31, 2021.

[21R-16 Resolution.pdf](#)

[PAGE 2020-2021 Final Contract.pdf](#)

[PAGE 2020-2021 Legislative Contract.pdf](#)

5.c. 21R-17

Approving an Energy Services Contract between the City and Schneider Electric in the amount of \$6,267,553.00 for the Water Resource Recovery Facility Smart Aeration System Project.

[21R-17 Resolution.pdf](#)

[21R-17 Attachment.pdf](#)

5.d. 21R-18

Approving an Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the Nebraska Department of Health and Human Services for access to the Electronic Registration System (ERS II), for a term effective January 1, 2021 through December 31, 2025.

[21R-18 Resolution.pdf](#)

[21R-18 Attachment.pdf](#)

5.e. 21R-20

Accepting and approving the report of new and pending claims against the City for January 1 through January 15, 2021.

[21R-20 Resolution.pdf](#)

[21R-20 Claims Report.pdf](#)

5.f. 21R-34

Approving a Service Agreement between the Lincoln Lancaster County Health Department and UNMC College of Dentistry for field and clinical experiences in public health dentistry for dental hygiene students for a three year term beginning January 1, 2021 and expiring on December 31, 2023.

[21R-34 Resolution.pdf](#)

[21R-34 Attachment.pdf](#)

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS

6.a. 21-3

Annexation 20015 - Application of Derrick Matter dba Camping World, to annex approximately 2.70 acres, on property generally located at approximately N. 64th Street and Arbor Road. (Related Items: 21-3, 21R-32, 21-4)

[21-3 Ordinance.pdf](#)

[AN20015 - SUMMARY REPORT.pdf](#)

- 6.b.** 21R-32
Approving a Development and Conditional Zoning Agreement between City and Camping World to annex approximately 2.70 acres, on the property generally located at approximately N. 64th Street and Arbor Road. (Related Items: 21-3, 21R-32, 21-4)
[21R-32 Resolution.pdf](#)
[21R-32 Attachment \(2\).pdf](#)
- 6.c.** 21-4
Change of Zone 20037 - Application of Derrick Matter dba Camping World, from AG Agricultural District to H-4 General Commercial District, on property generally located at approximately N. 64th Street and Arbor Road. (Related Items: 21-3, 21R-32, 21-4)
[21-4 Ordinance.pdf](#)
[CZ20037 - SUMMARY REPORT.pdf](#)
- 6.d.** 21-5
Change of Zone 20034- Application of Professor's Row Estates, LLC, from R-2 Residential District to R-2 Residential-Landmark Designation, on property generally located at 3637 Holdrege Street. (Related Items: 21-5, 21R-19)
[21-5 Ordinance.pdf](#)
[CZ20034 - SUMMARY REPORT.pdf](#)
- 6.e.** 21R-19
Special Permit 20045 - Application of Professors' Row Estates, LLC, to allow for a basement apartment, on property generally located at 3637 Holdrege Street. (Related Items: 21-5, 21R-19)
[21R-19 Resolution.pdf](#)
[SP20045 - SUMMARY REPORT.pdf](#)
- 6.f.** 21-6
LMC 8.14 Child Care Programs - Temporarily extending the term of Certificate of Compliance.
[21-6 Ordinance.pdf](#)
- 6.g.** 21-7
Amending Chapter 8.20 of the Lincoln Municipal Code relating to the Lincoln Food Code by amending Sections 8.20.020, 8.20.030, 8.20.080, 8.20.090, 8.20.100, 8.20.110, 8.20.120, 8.20.135, 8.20.150, 8.20.160, 8.20.191, 8.20.260, 8.20.261, 8.20.264, 8.20.280, 8.20.320, and 8.20.330 to modify existing regulations for Cottage Foods Operations and Farmer's Market Vendors clarifying the registration process, registration requirements, and the inspection process for Cottage Foods Operations and Farmer's Market Vendors; by adding a new section numbered 8.20.085 entitled "Cottage Food Operation; Registration Required"; by adding a new section numbered 8.20.095 entitled "Cottage Food Operation Registration; Process"; and repealing Sections 8.20.020, 8.20.030, 8.20.080, 8.20.090, 8.20.100, 8.20.110, 8.20.120, 8.20.135, 8.20.150, 8.20.160, 8.20.191, 8.20.260, 8.20.261, 8.20.264, 8.20.280,

8.20.320, and 8.20.330 of the Lincoln Municipal Code as hitherto existing.

[21-7 - Ordinance.pdf](#)

- 6.h.** 21-8
Amending Sections 2.62.020, 2.62.150, 2.65.020, 2.65.150, 2.66.020, and 2.66.110 of the Lincoln Municipal Code relating to dual receipt of payments under Worker's Compensation Act and pension benefits of members killed in the line of duty; and repealing Sections 2.62.020, 2.62.150, 2.65.020, 2.65.150, 2.66.020, and 2.66.110 as hitherto existing.
[21-8 Ordinance.pdf](#)
- 6.i.** 21R-23
Approving the Revolution Wraps Redevelopment Agreement between 401 Investment Group LLC and the City of Lincoln relating to the redevelopment of property generally located at N. 19th and Cornhusker Highway. (Related Items: 21R-23, 21R-24, 21-9)
[21R-23 Resolution.pdf](#)
[21R-23 Attachment.pdf](#)
- 6.j.** 21R-24
Amending the FY 20-21 CIP to authorize and appropriate \$426,000.00 TIF Funds for the Revolution Wraps Redevelopment Agreement.
(Related Items: 21R-23, 21R-24, 21-9)
[21R-24 Resolution.pdf](#)
- 6.k.** 21-9
Authorizing the issuance of Tax Allocation Bonds for the Revolution Wraps Redevelopment Project in an amount not to exceed \$426,000.00. (Related Items: 21R-23, 21R-24, 21-9)
[21-9 Bond Ordinance.pdf](#)
- 6.l.** 21-20
Change of Zone 20040- Application of American Nebraska Limited Partnership, from R-2 Residential District to B-1 Local Business District on property generally located at 3930 South Street.
[21-20 Ordinance.pdf](#)
[CZ20040 - SUMMARY REPORT.pdf](#)
- 6.m.** 21-10
Change of Zone 15016B - Application of Lincoln Federal Bancorp, Inc., to amend the Wilderness Creek Planned Unit Development by revising the site plan to add multi-family housing and a change of zone from R-3 Residential District to R-5 Residential District on property generally located at South 33rd Street and Wilderness Hills Boulevard.
[21-10 Ordinance.pdf](#)
[CZ15016B - SUMMARY REPORT.pdf](#)

- 6.n.** 21-11
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "C" by creating the classification of "One-Call Technician".
[21-11 Ordinance.pdf](#)
[One-Call Technician.docx](#)
- 6.o.** 21-12
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "A" by creating the classification of "Right of Way Superintendent".
[21-12 Ordinance.pdf](#)
[ROW Superintendent.docx](#)
- 6.p.** 21-13
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "N" by creating the classification of "Utility Locate Technician".
[21-13 Ordinance.pdf](#)
[Utility Locate Technician.docx](#)
- 6.q.** 21-14
Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "A" to change the title of "Assistant City Auditor to "Assistant City Controller."
[21-14 Ordinance.pdf](#)
- 6.r.** 21-15
Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "M" to change the title of "Superintendent of Water Pollution Control Facilities" to "Superintendent of Water Resource Recovery Facilities".
[21-15 Ordinance.pdf](#)
- 6.s.** 21-16
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "N" by deleting the classification for "Barricade Worker."
[21-16 Ordinance.pdf](#)
- 6.t.** 21-17
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "A" by deleting the classification for "Assistant Superintendent of Operations- Water Pollution Control."
[21-17 Ordinance.pdf](#)

- 6.u.** 21-18
Amending Title 11 of the Lincoln Municipal Code to incorporate the Youth Mental Health Protection Ordinance prohibiting conversion therapy for minors which seeks to change the minor's sexual orientation or gender identity.

[21-18 Ordinance.pdf](#)

- 6.v.** 21-19
Amending Chapter 2.18 of the Lincoln Municipal Code relating to the Purchasing Division by amending Sections 2.18.020 and 2.18.030 to allow City departments to make purchases under \$10,000.00, to be called "micro-purchases," without soliciting competitive quotations under certain circumstances as specified therein; and repealing Sections 2.18.020 and 2.18.030 of the Lincoln Municipal Code as hitherto existing.

[21-19 Ordinance.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 21-1
Street and Alley Vacation 20005 - Application of Lincoln Federal Bancorp, Inc., to vacate S. 34th Street from Tree Line Dr. south to its terminus, generally located at South 34th Street and Tree Line Drive.

[SAV20005 - SUMMARY REPORT.pdf](#)

[21-1 Ordinance.pdf](#)

[21-1 Exhibit A Map.pdf](#)

[21-1 Exhibit B ROW VAC LEGAL DESCRIPTION.pdf](#)

- 7.b.** 21-2
Amending Title 9 Public Peace and Welfare of the Lincoln Municipal Code relating to setting maximum fee for third-party food delivery services by creating a new Chapter numbered 9.60 entitled Third-Party Food Delivery Fees during an Emergency, to prohibit excessive profiteering during times of emergency.

[21-2 Ordinance.pdf](#)

8. RESOLUTIONS - 1ST READING

- 8.a.** 21R-37
Miscellaneous 20003 - Declaring the "Wyuka West Redevelopment Area", generally located from O Street to Vine Street, between North 35 Street and the western portion of Wyuka Cemetery, as blighted and substandard.

[21R-37 Resolution.pdf](#)

[MISC20003 - SUMMARY REPORT.pdf](#)

- 8.b.** 21R-38
Comprehensive Plan Conformance 20018 - Application of Urban Development

Director, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, two proposed amendments to the South of Downtown Redevelopment and Strategic Plan, 1) extending the boundary of the plan south to include the area between 16th and 17th Streets, to Garfield Street and 2) adding the "1645 Washington Street Redevelopment Project", for renovation of an existing 8-unit apartment building, on property generally located at 1645 Washington Street.

[21R-38 Resolution.pdf](#)

[CPC20018 - SUMMARY REPORT.pdf](#)

8.c. 21R-39

Approving the Consultant Agreement between the City and Pen-Link LTD, to reinvent the CJIS System for the City of Lincoln and Lancaster County.

[21R-39 Resolution.pdf](#)

[21R-39 Agreement.pdf](#)

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

9.a. 21-21

Annexation 20013 - Application of Mark Lewis dba Lewis Homes, to annex approximately 4.84 acres and adjacent right-of-way including the remaining portion of Lot 122 and South 98th Street for property generally located at 8455 South 98th Street. (Related Items: 21-21, 21R-41, 21-22)

[21-21 Ordinance.pdf](#)

[AN20013 - SUMMARY REPORT.pdf](#)

9.b. 21R-40

Approving the Conditional Annexation and Zoning Agreement between the City and Roger Byrne to annex approximately 4.84 acres and adjacent right-of-way including remaining portion of Lot 21 and South 98th Street, on property generally described as 8455 South 98th Street. (Related Items: 21-21, 21R-41, 21-22)

[21R-40 Resolution.pdf](#)

[21R-40 Attachment A.pdf](#)

9.c. 21-22

Change of Zone 20035 - Application of Mark Lewis dba Lewis Homes, from AG Agricultural District to H-3 Highway Commercial District, on property generally located at 8455 South 98th Street. (Related Items: 21-21, 21R-41, 21-22)

[21-22 Ordinance.pdf](#)

[CZ20035 - SUMMARY REPORT.pdf](#)

9.d. 21-23

Amending the Lincoln Municipal Code by amending Section 5.38.030 relating to Applications for Permit; Contents to add requirements to the information required on an application; by amending 5.38.040 relating to Compliance with Minimum Standard Housing and Inspection to require that the affiliated agencies be invited to participate in

the annual inspection of a transitional living facility; and repealing Sections 5.38.030 and 5.38.040 of the Lincoln Municipal Code as hitherto existing.

[21-23 Ordinance.pdf](#)

9.e. 21R-48

Approving the 1040 O Street Redevelopment Agreement between BIC DEVELOPMENT LLC, and the City relating to the redevelopment of property generally located at 1040 O Street and adjacent rights of way in Downtown Lincoln. (Related Items: 21R-48, 21R-41, 21-24)

[21R-48 Resolution.pdf](#)

[21R-48 Attachment.pdf](#)

9.f. 21R-41

Amending the FY 2020-2021 CIP to authorize and appropriate \$891,686 in TIF funds for the 1040 O Street Redevelopment Project. (Related Items: 21R-48, 21R-41, 21-24)

[21R-41 Resolution.pdf](#)

9.g. 21-24

Authorizing the issuance of Tax Allocation Bonds for the 1040 O Street Redevelopment Project in an amount not to exceed \$891,686. (Related Items: 21R-48, 21R-41, 21-24)

[21-24 Ordinance.pdf](#)

10. PENDING LIST

10.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](#)

10.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](#)

10.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](#)

10.d. 21R-9

Approving a resolution to end the declared state of emergency for COVID-19 in the City of Lincoln. (01/11/2021 - Placed on Pending, No Date Certain)

[21R- 9 Resolution.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 February, open microphone sessions will be held on February 8 & February 22, 2021.

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.