

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, JUNE 07, 2021 AT 3:00 PM**

2019 HONORABLE MENTION MAYOR'S AWARD OF EXCELLENCE RECIPIENTS

MAYOR'S AWARD OF EXCELLENCE COMMITTEE SELECTED THE ASHLAND WATER TEAM FROM LINCOLN TRANSPORTATION & UTILITIES WATER DIVISION AS THE 2019 HONORABLE MENTION'S MAYOR'S AWARD OF EXCELLENCE RECIPIENTS

2019 ANNUAL MAYOR'S AWARD OF EXCELLENCE RECIPIENTS

MAYOR'S AWARD OF EXCELLENCE COMMITTEE SELECTED LINCOLN FIRE AND RESCUE MEMBERS OF THE URBAN SEARCH AND RESCUE TEAM AS THE 2019 ANNUAL MAYOR'S AWARD OF EXCELLENCE RECIPIENTS

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-194
Reappointing Jasmine Kingsley to the Lincoln-Lancaster County Board of Health for a term to expire April 15, 2024.

[21R-194 Resolution.pdf](#)

- 1.b.** 21R-200
Re-appoint James Michael Bowers to the Joint Budget Committee for a two-year term to expire May 31, 2023.

[21R-200 Resolution.pdf](#)

- 1.c.** 21R-201
Appoint Sandra Washington to the Parks and Recreation Advisory Board for a one-year term to expire May 31, 2022.

[21R-201 Resolution.pdf](#)

- 1.d.** 21R-202
Appoint Tom Beckius and Richard Meginnis to the City Performance Audit Committee for a two-year term to expire May 31, 2023.

[21R-202 Resolution.pdf](#)

- 1.e.** 21R-203
Re-appoint Bennie Shobe to the City Performance Audit Committee for a two-year term to expire May 31, 2023.

[21R-203 Resolution.pdf](#)

- 1.f.** 21R-204
Re-appoint Jane Raybould and James Michael Bowers to the Railroad Transportation Safety District Board for a one-year term to expire May 31, 2022.

[21R-204 Resolution.pdf](#)

- 1.g.** 21R-205
Appoint Tom Beckius to the Railroad Transportation Safety District Board for a one-year term to expire May 31, 2022.

[21R-205 Resolution.pdf](#)

- 1.h.** 21R-206
Appoint Bennie Shobe to the Telecommunications/Cable Television Advisory Board to carry out the remainder of the term to expire July 1, 2021.

[21R-206 Resolution.pdf](#)

- 1.i.** 21R-225
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended April 30, 2021.

[Idle Funds April 2021.pdf](#)

- 1.j.** 21R-230
Setting the Board of Equalization Hearing Date of Monday, June 28th, 2021 at 5:30 p.m. on the College View Maintenance Improvement District, Havelock Maintenance Improvement District, North 27th Street Maintenance Improvement District, South Street Maintenance Improvement District, University Place Maintenance Improvement District, and the West "O" Street Maintenance Improvement District.

[MISC BID's Setting Hearing Date Reso for 2021.pdf](#)

- 1.k.** Report from City Treasurer of city cash on hand at the close of business on April 30, 2021. (Placed on file)

[Cash Letter April 2021.pdf](#)

- 1.l.** Lincoln Electric System Financial and Operating Statement for April, 2021. (Placed on file)

[Apr 2021 LES Financials.pdf](#)

- 1.m.** Clerk's Letter & Mayor's Approval of Resolutions passed by City Council on May 17th, 2021. (Placed on file)

2. PETITIONS & COMMUNICATIONS

2.a. REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 21016, from R-1 (Residential District) to H-4 (General Commercial District), on property generally located at South 70th Street and Pine Lake Road.
Special Permit 14003A, to allow for the expansion of the existing special permit for Planned Service Commercial to allow for an additional approximate 21,000 square feet of commercial floor area, on property generally located at South 70th Street and Pine Lake Road.
Special Permit 21014, to allow for the sale of alcohol for consumption on the premises, on property generally located at 3410 South 10th Street.
Special Permit 21015, to allow for a CUP (Community Unit Plan) with up to 36 dwelling units on approximately 0.98 acres, with requested waivers, on property generally located at North 25th and Vine Streets.
Special Permit 21016, to allow for the sale of alcohol for consumption both on and off the premises, on property generally located at 6700 North 27th Street.

2.b. PLACED ON FINE IN THE OFFICE OF THE CITY CLERK:

Administrative Special Permit 21003, approved by the Planning Director on May 18, 2021, to operate a temporary concrete paving plant per Section 27.62.150 (g) of the Lincoln Municipal Code until September 30, 2021, on property generally located at SW 56th Street and West O Street.
Administrative Amendment 21010, to Change of Zone 20002, requested by Bryan Medical Center, approved by the Planning Director on May 17, 2021, to update the site plan in the O-3 PUD area and the drainage plan on property generally located at Rokeby Road and South 40th Street.
Administrative Amendment 21023, to Change of Zone 08010A, Woodside Village, approved by the Planning Director on May 11, 2021, to update the multi-family and commercial layout, apply the 48-foot height waiver to two additional multi-family buildings, reduce the commercial square footage from 12,000 square feet to 2,000 square feet and increase the number of dwelling units from 275 to 300 on property generally located at NW. 48th Street and W. Holdrege Street.
Administrative Amendment 21026, to Pre-Existing Use Permit 9U, Edgewood/Vandervoort Regional Shopping Center, approved by the Planning Director on May 11, 2021, to update the number of rooms for the hotel located on Lot 3 to 76 on property generally located at South 56th Street and Highway 2.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a. 21R-226
Approval of Yo Java Inc. dba The Filling Station for a Class I Liquor License located at 200 South 18th Street.
[21R-226 Filling Station App.pdf](#)
[21R-226 Filling Station Den.pdf](#)
[21R-226 Ltr and App for Filling Station.pdf](#)
- 4.b. 21R-227
Manager Application of Paul Marshall of Yo Java Inc. dba The Filling Station for a Class I Liquor License located at 200 South 18th Street.
[21R-227 Paul Watson for Filling Station Class I app.pdf](#)
[21R-227 Paul Waton for Filling Station Class I den.pdf](#)
[21R-226 Ltr and App for Filling Station.pdf](#)
- 4.c. 21R-228
Approval of CBOCS West, Inc. dba Cracker Barrel #365 for a Class CK Liquor License located at 6700 North 27th Street.
[21R-228 Cracker Barrel CK app.pdf](#)
[21R-228 Cracker Barrel Class CK den.pdf](#)
[21R-228 Ltr and App for Cracker Barrel.pdf](#)
- 4.d. 21R-229
Manager Application of David A. Mather of CBOCS West, Inc. dba Cracker Barrel #365 for a Class CK Liquor License located at 6700 North 27th Street.
[21R-229 David Mather for Cracker Barrel app.pdf](#)
[21R-229 David Mather for Cracker Barrel den.pdf](#)
[21R-228 Ltr and App for Cracker Barrel.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a. 21R-184
Comprehensive Plan Conformance 21008 - Application of the Urban Development Department Director for a proposed amendment to the Antelope Valley Redevelopment Plan, to add "25th & Vine Redevelopment Project" to include two apartment buildings with 36 units including 6 units of affordable housing on property generally located at 25th and Vine Streets. 5/24/21 - PUBLIC HEARING & ACTION DELAYED TWO WEEKS TO 6/7/21.
[21R-184 Resolution.pdf](#)
[CPC21008 - SUMMARY REPORT.pdf](#)

- 5.b. 21R-195
Accepting and approving the report of new and pending claims against the City for May 1 through May 15, 2021.
[21R-195 Resolution.pdf](#)
[21R-195 Claims Report.pdf](#)
- 5.c. 21R-196
Renaming of Heritage School building as Cunningham School, District 113.
[21R-196 Resolution.pdf](#)
[LPS LTR re naming Heritage School .pdf](#)
- 5.d. 21R-198
Approving Amendment No. 1 to the Conditional Zoning Agreement for 8801 Holdrege.
[21R-198 Resolution.pdf](#)
[21R-198 Resolution.docx](#)

- VOTE ON RESOLUTIONS -

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

- 6.a. 21-48
Change of Zone 16036B - Application of Lincoln Federal Bancorp, Inc. to amend the allowable land uses from O-3 Office to B-2 Commercial uses in the existing Wilderness Hills Commercial PUD (Planned Unit Development), on property legally described as Lot 1, Block 1 and Outlot B, Wilderness Hills Commercial Addition, Lincoln, Lancaster County, Nebraska, generally located at South 27th and Yankee Hill Road.
[21-48 Ordinance.pdf](#)
[CZ16036B - SUMMARY REPORT.pdf](#)
- 6.b. 21-49
Street and Alley Vacation 21001 - Application of Gatehouse Row, LP, to vacate right-of-way for R Street and T Street located east of N. 36th Street, includes two east-west alley right-of-way areas north and south of T Street, generally located at 3600 R Street.
[21-49 Ordinance SAV21001.pdf](#)
[SAV21001 -SUMMARY REPORT.pdf](#)
- 6.c. 21-50
Text Amendment 21002, request of the Planning Dept. Director, to amend Lincoln Municipal Code Sections 27.02.090 and 27.02.200 to make explicit that hotels or motels are a commercial use and to define short-term rental; amending Section 27.06.070 Household Living Use Group Table to add short-term rentals as a conditional use in certain districts; and amending 27.62.040 Household Living Use Group to add conditions required for short-term rentals; and repealing Sections

27.02.090, 27.02.200, 27.06.070, and 27.62.040 as hitherto existing. (Related Items: 21-50, 21-51, 21-52)

[21-50 Ordinance \(TX21002\) FINAL.pdf](#)
[TX21002 - SUMMARY REPORT.pdf](#)

6.d. 21-51

Amending Chapter 3.28 of the Lincoln Municipal Code relating to Hotel Occupation Tax by amending Section 3.28.020, entitled Definitions, to amend the definition of hotel to include lodging facilities including one or more rooms and to include short-term rentals within the definition of hotel; and repealing Section 3.28.020 of the Lincoln Municipal Code as hitherto existing. (Related Items: 21-50, 21-51, 21-52)

[21-51 Ordinance \(3.28\)FINAL.pdf](#)

6.e. 21-52

Amending Section 5.38.010 of the Lincoln Municipal Code to define rental dwelling as a rental of more than thirty days and amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations by adding a new Chapter 5.39 entitled “Short-Term Rentals” to provide regulations governing short-term rentals and to establish short-term licensing procedures. (Related Items: 21-50, 21-51, 21-52)

[21-52 Ordinance \(5.39\) FINAL.pdf](#)

6.f. 21-53

Approving a lease agreement for a twenty year term with two additional 10 year terms at the City's option between the City of Lincoln and Victory Park, LLC related to new location for the City's Aging Partners Division on property generally located at 600 S. 70th Street.

[21-53 Ordinance.pdf](#)

[21-53 Attachment.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 21-46

Approving a Real Estate Purchase Agreement between the City of Lincoln and VH Properties, LLC for the sale of City owned property generally located at 1301 S. 120 Street.

[21-46 Ordinance.pdf](#)

[Fact Sheet](#)

[Real Estate Purchase Agreement 1301 S 120th.pdf](#)

7.b. 21-47

Approving an Agreement for Tower Space and Appurtenances between the City and

New Cingular Wireless PC, LLC to occupy and use certain city-owned parcel of real property and Tower generally located at 2201 S. 84th Street.

[21-47 Ordinance.pdf](#)

[21-47 Attachment A.pdf](#)

8. RESOLUTIONS - 1ST READING

- 8.a.** 21R-215
Reappointing Tammy Burton-Fikar and Gloria Aron to the Aging Partners Areawide Advisory Council for terms to expire June 30, 2024.
[21R-215 Resolution.pdf](#)
- 8.b.** 21R-216
Accepting and approving the report of new and pending claims against the City for May 16 through May 31, 2021.
[21R-216 Resolution.pdf](#)
[21R-216 Claims Report.pdf](#)
- 8.c.** 21R-217
Approving an amendment to the Mechanical Systems Permit Fee Schedule adopted by Resolution A-90638 on August 21, 2017 to add Hydronic Unit Pricing to three items.
[21R-217 Resolution.pdf](#)
[21R-217 Attachment.pdf](#)
- 8.d.** 21R-218
Approving the updated interlocal agreement between the City and Lincoln Public Schools for Lincoln Safe and Successful Kids.
[21R-218 Resolution.pdf](#)
[21R-218 Attachment.pdf](#)
- 8.e.** 21R-219
Approving the award of contract to the low bidder for Agreement between City of Lincoln and Husker Refuse Services, LLC for Recyclable Collection Program Collection & Transportation Bid No. 21-097, for a two (2) year term with the option to renew for three (3) additional two (2) year terms upon mutual agreement by both parties. (Consent)
[21R-219 Resolution.pdf](#)
[21-097 CONTRACT-Recyclable Collection Program.pdf](#)
[EXECUTIVE ORDER INFO SHEET v7-29-19 - Recyclables Collection \(Husker Refuse\) Bid 21-097.pdf](#)
[Fact Sheet - Resolutions.pdf](#)
- 8.f.** 21R-220
Comprehensive Plan Conformance 21011 - Application of the Urban Development Director, to review as to conformance with the 2040 Lincoln-Lancaster County

Comprehensive Plan, a proposed new "Meadowlane Shopping Center Redevelopment Plan", to focus on exterior enhancements of to the Meadowlane Shopping Center, generally located at the NE corner of 70th and Vine Streets.

[21R-220 Resolution.pdf](#)

[CPC21011 - SUMMARY REPORT.pdf](#)

- 8.g.** 21R-221
Approval of Amendment No. 5 to the Waterford Estates Conditional Annexation and Zoning Agreement between the City, Waterford Estates, LLC, Ridge Development Company, Southview, Inc., Developments Unlimited LLP, and Northern Lights, LLC related to construction and funding of a roundabout at the intersection of North 104th and Holdrege Street.

[21R-221 Resolution.pdf](#)

[21R-221 Attachment.pdf](#)

- 8.h.** 21R-222
Approving a Professional Services Agreement Supplemental No. 1 for environmental services between the City and Olsson, Inc. for Fletcher Landmark Trail. (Consent)

[21R-222 Resolution.pdf](#)

[21R-222 Attachment.pdf](#)

- 8.i.** 21R-223
Approving a Professional Services Agreement Supplement No. 1 for preliminary engineering services between the City and Olsson, Inc., for Fletcher Landmark Trail.

[21R-223 Resolutin.pdf](#)

[21R-223 Attachment.pdf](#)

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 9.a.** 21-54
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 "Energy Recovery Coordinator."

[21-54 Ordinance.pdf](#)

[21-54 Energy_Recovery_Coodinator \(2\).pdf](#)

- 9.b.** 21-55
Amending Section 2.76.175 of the Lincoln Municipal Code relating to Compensation Plan; Promotion, Transfer, Demotion, or Temporary Promotion to define how an employee will be paid for absences and Legal Holidays when an employee is in a temporary promotion position; and repealing Section 2.76.175 as hitherto existing.

[21-55 Ordinance \(2.76.175\).pdf](#)

- 9.c.** 21-56
Amending Section 2.78.020 of the Lincoln Municipal Code relating to Management

Compensation Plan; Annual Leave to change the period of time for appointed directors to use annual vacation leave to the end of the calendar year or December 31st; and repealing Section 2.78.020 as hitherto existing.

[21-56 Ordinance \(2.78.020\).pdf](#)

9.d. 21-58

Change of Zone 21011, Application of Southwest Folsom Development, LLC, from AG Agricultural District to R-3 Residential District, on property generally located at 420 South 84th Street. (Related Items: 21-58, 21R-224)

[21-58 Ordinance.pdf](#)

[21-58 ATTACHMENT A.pdf](#)

[21-58 CZ21011 - SUMMARY REPORT.pdf](#)

9.e. 21R-224

Approving a Development and Conditional Zoning Agreement between the City and Southwest Folsom Development, LLC, to change approximately 63 acres from AG Agricultural to R-3 Residential District, on property generally located at 420 South 84th Street. (Related Items: 21-58, 21R-224)

[21R-224 Resolution.pdf](#)

[21R-224 Attachment.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](#)

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 June, open microphone sessions will be held on June 14 & June 28, 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 LNKTVCity and re-aired later. For a schedule, visit lincoln.ne.gov (keyword: LNKTVCity). LNKTVCity can be found on all three cable television systems: ALLOChannel 2; Spectrum Channel 1300; Kinetic Channel 1005. Meetings are also streamed live at lincoln.ne.gov(keyword: LNKTVCity) and available later at youtube.com/LNKTVCity.

LNKTVCity, the City government access group of channels, is now available on Roku and Apple TV. The free apps allow people without cable and those living outside of Lincoln to view livestreamed and archived LNKTVCity, Health, and Education programs. Residents with Roku or Apple TV devices will find LNKTVCity in the channel guide or app store.

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.