

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, DECEMBER 13, 2021 AT 3:00 PM**

ACTION

ALL MEMBERS PRESENT

**DUE TO THE CHRISTMAS & NEW YEAR HOLIDAYS, CITY COUNCIL WILL NOT MEET ON
DECEMBER 27, 2021 & JANUARY 3, 2022**

MAYOR'S AWARD OF EXCELLENCE

MAYOR'S AWARD OF EXCELLENCE FOR THE MONTH OF JUNE 2021 IS PRESENTED TO DREW DEBUHR, TRANSPORTATION EQUIPMENT OPERATOR II, FOR THE OPERATIONS AND MAINTENANCE DIVISION OF THE LTU DEPARTMENT, IN THE CATEGORY OF CUSTOMER RELATIONS.

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-546
Appointing Jessica Boren to the Parks and Recreation Advisory Board for a term to expire April 27, 2024. (Applicants request to continue Public Hearing & Action 1 week to 12/20/21)
(MOTION TO DELAY TO CONT'D PUBLIC HEARING & ACTION ONE
WEEK TO 12/20/21, 7-0)
[21R-546 Resolution.pdf](#)
- 1.b.** 21R-547
Appointing Ricki Barber to the Veterans Memorial Garden Advisory Council for a term to expire November 1, 2023.
(ADOPTED, 7-0; A-93090)
- 1.c.** 21R-548
Reappointing Edward Hoffman, Helen Meeks, and Laurie Thomas Lee to the Telecommunication/Cable Television Advisory Board for terms to expire July 1, 2024.
(ADOPTED, 7-0; A-93091)
[21R-548 Resolution.pdf](#)
- 1.d.** 21R-549
Reappointing Miki Esposito to the District Energy Corporation for a term to expire December 31, 2023.
(ADOPTED, 7-0; A-93092)

[21R-549 Resolution.pdf](#)

- 1.e.** 21R-550
Reappointing David Quade to the Nebraska Capitol Environs Commission for a term to expire January 9, 2025.
(ADOPTED, 7-0; A-93093)
- 1.f.** 21R-551
Reappointing Paul Johnson and Nate Sanks to the Examining Board of Plumbers for terms to expire February 1, 2024.
(ADOPTED, 7-0; A-93094)
- 1.g.** 21R-552
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the use of Federal Surface Transportation Program Funds for preliminary engineering, construction and construction engineering of Cornhusker Highway between 39th and L55X, Rehabilitation Project. (State Project No. LCLC6-6(165), CN 13497).
(ADOPTED, 7-0; A-93095)
[21R-552 Resolution.pdf](#)
[705551 Program Agreement Cornhusker_unsigned.pdf](#)
[705551 city-council-fact-sheet.pdf](#)
- 1.h.** 21R-553
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for use of Federal Surface Transportation Program Funds for preliminary engineering, construction and construction engineering of A Street, 6th to 17th Street, Rehabilitation Project. (State Project No. LCLC-5220(7); CN 13495).
(ADOPTED, 7-0; A-93096)
[705552 Program Agreement A St_unsigned.pdf](#)
[21R-553 Resolution.pdf](#)
- 1.i.** 21R-554
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the use of Federal Surface Transportation Program Funds for preliminary engineering, construction and construction engineering for the preventative maintenance of the O Street viaduct, N. 27th Street viaduct, the SW 40th Street viaduct, the two Sheridan Blvd. Penny Bridges, and the N. 10th & Salt Creek bridge (State Project No. LCLC-55(188), NC 13491).
(ADOPTED, 7-0; A-93097)
[21R-554 Resolution.pdf](#)
[705553 Bridges Programming Agreement.pdf](#)

- 1.j.** 21R-555
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the use of Federal Surface Transportation Program funds for preliminary engineering, right-of-way construction and construction engineering of the 48th St. & Calvert St. and 56th St. & Calvert St. Intersection Improvement Projects (State Project No. LCLCL-5206(2), CN 13496).
(ADOPTED, 7-0; A-93098)
[21R-555 Resolution.pdf](#)
[705550 48 & Calvert Programming Agreement City Council Fact Sheet.pdf](#)
[705550 48 & Calvert Programming Agreement.pdf](#)
- 1.k.** 21R-556
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for use of Federal Surface Transportation Program Funds for preliminary engineering, right-of-way construction and construction engineering for the Cotner Blvd. from "O" St. to Starr St. Rehabilitation (State Project No. LCLC 5237(4), CN 13498).
(ADOPTED, 7-0; A-93099)
[705387 Cotner Programming Agreement.pdf](#)
[705387 Cotner Programming Agreement City Council Fact Sheet.pdf](#)
- 1.l.** 21R-557
Approving the Professional Services Agreement between the City and Schemmer Associates, Inc. to provide preliminary engineering services for the 1st St. & Cornhusker Hwy. Intersection Improvement Project, Project No. LCLC-5213 (3); Control No. 13435.
(ADOPTED, 7-0; A-93100)
[21R-557 Resolution.pdf](#)
[702938 Professional Services Agreement_Scanned.pdf](#)
- 1.m.** Report regarding Settlement Agreement under Neb. Rev. Stat. §84-713 (Non-Tort Claims) with Abby Hartman.
(PLACED ON FILE)
- 1.n.** Report regarding Settlement Agreement under Neb. Rev. Stat. §84-713 (Non-Tort Claims) with Sarah Williams. -12/13/21- (PLACED ON FILE)

2. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

3. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 3.a.** 21R-593
Manager Application of Zachary R. Midgett for Great Plains Beef LLC, dba Certified Piedmontese Beef located at 4841 N. 84th Street.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: Beckius; A-93101)
- [21R-593 Zach Midgett for Piedmontese app.pdf](#)
[21R-593 Zach Midgett for Piedmontese den.pdf](#)
[21R-593 Ltr and Application for Zach Midgett Mnager for Piedmontese.pdf](#)
- 3.b.** 21R-594
Application of Wine & Spirits, LLC dba Wall to Wall Wine & Spirits for a Class C Liquor License located at 5040 North 27th Street.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: Beckius; A-93102)
- [21R-594 Win & Spirits Class C app.pdf](#)
[21R-594 Win & Spirits Class C den.pdf](#)
[21R-594 Ltr and Application for Wall to Wall Wine.pdf](#)
- 3.c.** 21R- 595
Manager application of Rob A. Reif for Wine & Spirits, LLC dba Wall to Wall Wine & Spirits for a Class C Liquor License located at 5040 North 27th Street.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: Beckius; A-93103)
- [21R-595 Rob Reif for Win & Spirits app.pdf](#)
[21R-595 Rob Reif for Win & Spirits den.pdf](#)
[21R-594 Ltr and Application for Wall to Wall Wine.pdf](#)

- VOTE ON LIQUORS -

4. PUBLIC HEARING - RESOLUTIONS

- 4.a.** 21R-501
Appeal of Special Assessment Revolving Committee recommendation regarding Paving District on Humphrey Avenue from N. 7th to N. 10th Street. (11/1/21 - Public Hearing & Action Cont'd one week to 11/8/21) (11/8/21 - Public Hearing & Action Cont'd five weeks to 12/13/21) (Applicant request to continue Public Hearing & Action 6 weeks until 1/24/22)
(MOTION TO DELAY TO CONT'D PUBLIC HEARING & ACTION SIX WEEKS TO 1/24/22, 7-0)
- 4.b.** 21R-558
Approving the revised Investment Policy of the City for the purpose of setting objectives and parameters for the management of City funds.
(MTA#1 ADOPTED, 7-0; ADOPTED AS AMENDED, 7-0; A-93104)
- [21R-558 Resolution.pdf](#)

- 4.c. 21R-559
Approving the labor contract between the City of Lincoln and the Lincoln City Employees Association (LCEA) for a term effective August 19, 2021 through August 31, 2024.
(ADOPTED, 7-0; A-93105)
[LCEA 2021-2024 Final Contract.pdf](#)
[LCEA 2021-2024 Legislative Contract.pdf](#)
- 4.d. 21R-560
Approving the Cooperating Technical Partnership Program between the City of Lincoln and the Federal Emergency Management Agency (FEMA) for creating, maintaining, up-to-date flood hazard data and flood risk information for the City of Lincoln in cooperation with FEMA.
(ADOPTED, 7-0; A-93106)
[21R-560 Resolution.pdf](#)
[211110 fema_ctp-partnership-agreement-template_2018.docx](#)
[211110 City Council Legislation Fact Sheet.pdf](#)
- 4.e. 21R-561
Approving a Maintenance Agreement between the City and Board of Regents of the University of Nebraska for maintenance of property including, trees, sidewalks, sidewalk-ramps and grass surrounding UNL.
(ADOPTED, 7-0; A-93107)
[21R-561 Resolution.pdf](#)
[Agr_UNL-City_Maintenance_ROW.pdf](#)
- 4.f. 21R-562
Accepting and approving the report of new and pending claims against the City for November 16, 2021 through November 30, 2021.
(MTA#1 ADOPTED, 7-0; ADOPTED AS AMENDED, 7-0; A-93108)
[21R-562 \(Motion to Amend No. 1\).pdf](#)
[21R-562 Resolution.pdf](#)
[21R-562 Claims Report.pdf](#)

- VOTE ON RESOLUTIONS -

5. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 5.A. THROUGH 5.K. HAD 2ND READING, SEE ITEM 5.E.)

- 5.a. 21R-563
Approving the Antelope Square Apartments Redevelopment Agreement between Invest Lincoln Av, LLC and the City relating to the redevelopment of property generally located on the block bounded by N. 22nd Street, N. 23rd Street, Q Street and P

Street, and nearby right-of-way and Parkland. (Related Items: 21R-563, 21R-564, 21-157)

[21R-563 Resolution.pdf](#)

[21R-563 Attachment.pdf](#)

5.b. 21R-564

Amending the FY 21/22 CIP to authorize and appropriate \$5,500,000.00 in Tax Increment Financing for the Antelope Square Apartments Redevelopment Project. (Related Items: 21R-563, 21R-564, 21-157)

[21R-564 Resolution.pdf](#)

5.c. 21-157

Authorizing the issuance of Tax Allocation Bonds for the Antelope Square Apartments Redevelopment Project in an amount not to exceed \$5,500,000.00 (Related Items: 21R-563, 21R-564, 21-157)

[21-157.pdf](#)

5.d. 21-158

Change of Zone 20029 - Application of Dennis R Schworer, LLC, for a change from R-3 Residential District to H-3 Highway Commercial District, on property generally located west of North 33rd Street and Schworer Drive.

[21-158 Ordinance.pdf](#)

[CZ20029 SUMMARY REPORT.pdf](#)

5.e. 21-159

Street and Alley Vacation 21002 - Application of NSC, LLC, to vacate portions of North 27th Street right-of-way and Enterprise Drive right-of-way, generally located at North 27th Street and Enterprise Drive.

(MOTION TO SUSPEND THE RULES TO HAVE 3RD READING & ACTION ON THIS DATE LOST, 3-4)

[21-159 Ordinance.pdf](#)

[SAV21002 - SUMMARY REPORT.pdf](#)

5.f. 21-160

Change of Zone 21047 - Application of Advantage Trucking, LLC, for a change from AG Agricultural District to H-4 General Commercial District and I-1 Industrial District, on property generally located at 4201 West O Street. (Related Items: 21-160, 21R-565)

[21-160 Ordinance.pdf](#)

5.g. 21R-565

Approving Conditional Zoning Agreement between the City and Advantage Trucking, LLC for property generally located at 4201 West O Street. (Related Items: 21-160, 21R-565)

[21R-565 Resolution.pdf](#)

[21R-565 Attachment.pdf](#)

- 5.h.** 21-161
Change of Zone 19031A - Application of MBH Landholdings, LLC, for a change from AG Agricultural District to R-3 Residential District PUD to O-3 Office Park PUD, and to H-4 General Commercial District PUD and from R-3 Residential District to R-3 (Residential District PUD to expand the existing Chateau Planned Unit Development by 107.55 acres, for 148,000 square feet of commercial floor area, a 16-pump gas station, and 221 single family dwellings on property generally located at South 40th Street and Yankee Hill Road.
(Related Items: 21-161, 21R-566)
[21-161 Ordinance.pdf](#)
- 5.i.** 21R-566
Approving the Conditional Zoning Agreement between the City and MBH Landholdings, LLC, Himark Land Investments, LLC and Guy Lammle for property generally located east of S. 40th Street between Grainger Avenue and Yankee Hill Road. (Related Items: 21-161, 21R-566)
[21R-566 Resolution.pdf](#)
[21R-566 Attachment.pdf](#)
- 5.j.** 21-162
An ordinance approving revised district boundaries of the City for the four City Council districts in compliance with Article IV, Section 2(a) of the Home Rule Charter of the City of Lincoln.
[21-162 Ordinance.pdf](#)
[Current District Map.pdf](#)
- 5.k.** 21-163
Amending Title 24 of the Lincoln Municipal Code relating to Plumbing and Sewers by repealing Chapter 24.01 entitled "Fire Suppression Systems" in its entirety.
[21-163 Ordinance.pdf](#)

- END PUBLIC HEARING -

6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 6.a.** 21-156
Amending Lincoln Municipal Code Chapter 24.12, Lincoln Plumbing Code, to adopt the 2018 edition of the Uniform Plumbing Code, as amended, as part of the Lincoln Plumbing Code.
(PASSED, 7-0; #21176)
[21-156 Ordinance - Chapter 24.12.pdf](#)

7. RESOLUTIONS - 1ST READING (ITEMS 7.A. THROUGH 7.L. HAD 1ST READING)

- 7.a.** 21R-579
Reappointing Chelsea Johnson and David Spinar to the Lincoln Electric System Administrative Board for terms to expire December 31, 2024. (Consent)
[21R-579 Resolution.pdf](#)
- 7.b.** 21R-580
Appointing Kimberly Morrow to the Lincoln Electric System Administrative Board for a term to expire December 31, 2024. (Consent)
[21R-580 Resolution.pdf](#)
- 7.c.** 21R-581
Appointing Hugh Sieck to the Examining Board of Plumbers for a term expiring February 1, 2023. (Consent)
[21R-581 Resolution.pdf](#)
- 7.d.** 21R-582
Appointing Thomas Blanton to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2022. (Consent)
[21R-582 Resolution.pdf](#)
- 7.e.** 21R-583
Appointing Alexandria Evers to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2023. (Consent)
[21R-583 Resolution.pdf](#)
- 7.f.** 21R-584
Modification of Transportation Improvement Program. (StarTran Fiscal Modification for Busses) (Consent)
[21R-584 REvised Fact Sheet.pdf](#)
- 7.g.** 21R-585
Approving the Professional Services Agreement between the City and WSP USA, Inc., for Preliminary Engineering Services for the A Street between 40th and 56th Streets Rehabilitation Project, Project No. LCLC-5220(6); Control No. 13439. (Consent)
[21R-585 Resolution.pdf](#)
[21R-585 Attachment.pdf](#)
[702977 city-council-fact-sheet - PE agreement.pdf](#)
- 7.h.** 21R-586
Approving the Professional Services Agreement between the City and WSP, USA, Inc., for environmental services for the A Street between 40th and 56th Streets, Rehabilitation Project, Project No. LCLC5220(6), Control No. 13439. (Consent)
[21R-586 Resolution .pdf](#)
[21R-586 Attachment.pdf](#)

- 7.i. 21R-587
Miscellaneous 21012 - Application of the Urban Development Director declaring the NW 48th Street Redevelopment Area generally bounded by W. Wilkins Street on the north, NW 57th Street on the west, W. Holdrege Street on the south and NW 48th Street and NW 40th Street on the east, as blighted and substandard.
[MISC21012 -SUMMARY REPORT.pdf](#)
[21R-587 Resolution.pdf](#)
- 7.j. 21R-588
Miscellaneous 21013 - Application of Urban Development Director, to declare approximately 815 acres generally bounded by W Wilkins Street on the north, NW 57th Street on the west, W Holdrege Street on the south and NW 48th Street and NW 40th Street on the east as Extremely Blighted, as set forth in the Extremely Blighted Determination Study.
[21R-588 Resolution.pdf](#)
[MISC21013 - SUMMARY REPORT.pdf](#)
- 7.k. 21R-589
Assessing the costs incurred for cutting, clearing, and removing weeds against the various benefitted properties for the period of November 1, 2020 through October 31, 2021.
[21R-589 Resolution.pdf](#)
[21R-589 Attachment.xls](#)
- 7.l. 21R-590
A resolution to update and clarify the timeline for the preparation and approval of the City's biennial budget.
[21R-590 Resolutin.pdf](#)

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 8.A. THROUGH 8.G. HAD 1ST READING)

- 8.a. 21-164
Approving the lease agreement between City and Rex and Jane Rehmer for lease of office space by Aging Partners for its Personal and Family Services program located at 370 North 5th Street, David City, NE for a term of 1 year from September 1, 2021 through August 31, 2022.
[21-164 Ordinance.pdf](#)
[RehmerLease \(003\).pdf](#)
- 8.b. 21-165
Approving the lease agreement between the City of Lincoln and the Airport Authority of the City of Lincoln, Nebraska for the lease of buildings nos. 2690 and 2699, bays 1,

2,3, by the City of Lincoln Bureau of Fire Preventions for the storage of equipment and materials for a three year term from October 31, 2021 through September 30, 2024.

[21-165 Ordinance.pdf](#)

[AirportAuthorityLease2021.pdf](#)

8.c. 21-166

Change of Zone 21049 - Application of Dal Properties LLC, for a change from B-1 Local Business District to R-4 Residential District, on property generally located at 6537, 6541, 6601, and 6607 Burlington Avenue.

[21-166 Ordinance.pdf](#)

[CZ21049 - SUMMARY REPORT.pdf](#)

8.d. 21-167

Text Amendment 21010, request of Planning Director, to amend the Lincoln Municipal Code Sections 27.02.260, 27.72.020, 27.72.070, and Figure 27.67.020 to clarify changes from the Affordable Housing Text Amendment package related to corner front yard and parking requirements in O-3 and B-3 and repealing same sections of the Lincoln Municipal Code as hitherto existing.

[TX21010 - SUMMARY REPORT.pdf](#)

[21-167 Ordinance \(TX21010\).pdf](#)

8.e. 21R-591

Approving the CenterPointe South Street Redevelopment Agreement between the City and CenterPointe South Street Project, LLC relating to the acquisition, rehabilitation, and renovation of Trabert Hall generally located at S. 11th Street and South Street. (Related Items: 21R-591, 21R-592, 21-168)

[21R-591 Resolution.pdf](#)

[21R-591 Attachment.pdf](#)

8.f. 21R-592

Amending the FY 21/22 CIP to authorize and appropriate \$575,000 in Tax Increment Financing (TIF) for the CenterPointe South Street Redevelopment Project. (Related Items: 21R-591, 21R-592, 21-168)

[21R-592 Resolution.pdf](#)

8.g. 21-168

Authorizing the issuance of Tax Allocation Bonds for the CenterPointe South Street Redevelopment Project in an amount not to exceed \$575,000. (Related Items: 21R-591, 21R-592, 21-168)

[21-168 Ordinance.pdf](#)

9. PENDING LIST (EXTENDED ONE WEEK)

9.a. 21-139

Creating Paving Special Assessment District #2636 for Frontier Road and Pinecrest

Drive. (11/1/21 - Placed on Pending, No Date Certain)
[21-139 Ordinance.pdf](#)
[FrontierRdPinecrestDr_map.pdf](#)
[FrontierRdPinecrestDr_Owners.pdf](#)
[FrontierRdPinecrestDr_city-council-fact-sheet.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 December, open microphone sessions will be held on December 13 & December 20, 2021.

ADJOURNMENT 4:49P.M.

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.

LNKTV, 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 LNKTV City, Health, and Education programs. Residents with Roku or Apple TV devices will find LNKTV 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.