

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, OCTOBER 25, 2021 AT 5:30 PM**

**ACTION**

**ALL MEMBERS PRESENT**

**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-482  
Reappointing Sarbani Chakraborty to the Multicultural Advisory Committee for a term to expire September 18, 2024.  
(ADOPTED, 7-0; A-93016)  
[21R-482 Resolution.pdf](#)
- 1.b.**      21R-483  
Reappointing Dan Kubr to the Building Code Board of Appeals for a term to expire April 1, 2024.  
(ADOPTED, 7-0; A-93017)  
[21R-483 Resolution.pdf](#)
- 1.c.**      21R-484  
Reappointing Stacy Cervenka to the StarTran Advisory Board for a term to expire October 20, 2024.  
(ADOPTED, 7-0; A-93018)  
[21R-484 Resolution.pdf](#)
- 1.d.**      21R-490  
Appointing Gloria Eddins to the Lincoln-Lancaster County Planning Commission for a term to expire August 24, 2023.  
(ADOPTED, 7-0; A-93019)  
[21R-490 Resolution.pdf](#)
- 1.e.**      21R-491A  
Approving the award of contract to the low bidder for the Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the N. 27th O St-I-80 Adaptive Traffic Signal Control NDOR Project No. HSIP-5231(14).  
(ADOPTED, 7-0; A-93020)  
[21R-491 Resolution.pdf](#)  
[HSIP-5231\(14\) N. 27th St. Adaptive TS city-council-fact-sheet \(1\).pdf](#)  
[Call 105 HSIP-5231\(14\) Resolution.pdf](#)

- 1.f.** 21R-504  
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended August 31, 2021.  
(ADOPTED, 7-0; A-93021)  
[IDLE Aug 2021.pdf](#)
- 1.g.** 21R-505  
Setting the Board of Equalization Hearing Date of Monday, November 22, 2021 at 5:30 p.m. on the Assessments for the Downtown Management B.I.D., Downtown Management Core Overlay District, Downtown Maintenance District, and West Haymarket Maintenance District.  
(ADOPTED, 7-0; A-93022)  
[Setting Hearing Date Reso2021.pdf](#)
- 1.h.** Report from City Treasurer of city cash on hand at the close of business on August 31, 2021.  
(PLACED ON FILE)  
[Cash Letter August 2021.pdf](#)

**2. MISCELLANEOUS REFERRALS – NONE.**

**- VOTE ON CONSENT ITEMS -**

**3. PUBLIC HEARING - RESOLUTIONS**

- 3.a.** 21R-478  
Appeal of Denial of Request for Deviation, from Access Management Policy requirements for North 27th Street and Enterprise Drive. (10/18/21 - Motion to delay & continue public hearing and action one week to 10/25/21).  
(ADOPTED, 7-0; A-93023)  
[21R-478 Resolution.pdf](#)  
[21R-478 Attachment.pdf](#)
- 3.b.** 21R-486  
Approving Amendment No. 1 to the Off-Site Transportation Improvements Agreement between the City of Lincoln and NSC, LLC to amend the off-site road improvements.  
(ADOPTED, 7-0; A-93024)  
[21R-486 Resolution.pdf](#)  
[21R-486 Attachment.pdf](#)
- 3.c.** 21R-487  
Declaring the official intent of the City to serve as the issuer of a multifamily housing revenue bonds in an aggregated principal amount not to exceed \$18,000,000 to finance the construction and acquisition of a multifamily housing facility to be located at approximately SW 27th Street and West B Street.

(ADOPTED, 7-0; A-93025)

[21R-487 Resolution.pdf](#)

**3.d. 21R-488**

Declaring an area generally located at SW 27th Street and West B Street to be blighted pursuant to the definition in Neb. Rev. Stat. 13-1101.

(ADOPTED, 7-0; A-93026)

[21R-488 Resolution.pdf](#)

**- VOTE ON RESOLUTIONS -**

**4. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 4.A. THROUGH 4.I. HAD 2ND READING)**

**4.a. 21-138**

Approving the Amendment No. 1 to the Conduit System Lease Agreement between the City of Lincoln and Allo Communications.

[21-138 Ordinance.pdf](#)

[21-138 Amendment No. 1 - Conduit Lease Agmt \(Council Version\).pdf](#)

**4.b. 21-118**

Amending Lincoln Municipal Code Chapter 4.16 Hospital Board to more properly title the chapter “Community Health Endowment”; by amending Section 4.16.010 to remove outdated language; by amending Section 4.16.050 to clarify that any changes to the rules and procedures of the board will be reported to the City Council; by amending Section 4.16.060 to add that the Board shall adhere to investment practices and policies that achieve preservation of the inflation-adjusted purchasing power of the endowment fund; and repealing Sections 4.16.010, 4.16.050, and 4.16.060 of the Lincoln Municipal Code as hitherto existing.

[21-118 Ordinance.pdf](#)

**4.c. 21-131**

Amending Lincoln Municipal Code Section 2.62.020 to revise the Year of Service definition; by amending Section 2.62.055 to correct references to subsections; by amending Section 2.62.070 to add that a member forfeits his or her years of service on the date he or she ceases to be a member of the Plan; by adding a new section numbered 2.62.165 entitled “Purchase of Forfeited Service Credit Under this Plan; Purchase of Prior Service Credit for Service for Another Governmental Employer”; by amending Sections 2.62.140, 2.65.140, and 2.66.107 to add back the provision that certain active members may elect to receive a 13th check or purchase a cost of living adjustment to apply to the member’s future pension benefit payments; and repealing Sections 2.62.055, 2.62.070, 2.62.140, 2.65.140, and 2.66.107 of the Lincoln Municipal Code as hitherto existing.

[21-131 Ordinance.pdf](#)

- 4.d.** 21-133  
Comprehensive Plan Conformance 21019 - Declaring approximately 0.54 acres of City owned property generally located at 5th and Cedar Streets Ashland, Saunders County, Nebraska as surplus.  
[21-133 Ordinance.pdf](#)  
[CPC21019 - SUMMARY REPORT.pdf](#)
- 4.e.** 21-134  
Change of Zone 21035 - Application of M.I. Industries, Incorporated, for a change of zone from H-3 Highway Commercial District to I-1 Industrial District, on property generally located at 3301 West O Street. (Related Items: 21-134, 21R-489)  
[21-134 Ordinance.pdf](#)  
[CZ21035 - SUMMARY REPORT.pdf](#)
- 4.f.** 21R-489  
Approving a Conditional Zoning Agreement between the City and M.I. Industries, Inc., for the property generally located at 3301 West O Street. (Related Items: 21-134, 21R-489)  
[21R-489 Resolution.pdf](#)  
[21R-489 Attachment.pdf](#)
- 4.g.** 21-135  
Change of Zone 21036 - Application of Connecting Point Church of the Nazarene, for a change of zone from R-1 Residential District to O-3 PUD Planned Unit Development with associated waivers, on property generally located at S. 70th and South Street.  
[21-135 Ordinance.pdf](#)  
[CZ21036 - SUMMARY REPORT.pdf](#)
- 4.h.** 21-136  
Text Amendment 21008 - request of the Planning Director, to amend Title 26 Land Subdivision and 27 Zoning Ordinance by amending Title 26 Land Subdivision to add a new Chapter 26.13 entitled "Procedure for Processing Lot Consolidation" to establish when lot consolidation is permitted, describe the application process, describe staff review process, and establish requirements for Lot Consolidation Plats; by amending Chapter 27.60 Planned Unit Development District to add a new section numbered 27.60.070 entitled "Clarification During Review"; by amending Chapter 27.63 Special Permits to add a new section numbered 27.63.035 entitled "Clarification During Review"; by amending Chapter 27.64 Use Permits to add a new section numbered 27.64.020 entitled "Clarification During Review"; by amending Chapter 27.65 Community Unit Plan to add a new section numbered 27.65.065 entitled "Clarification During Review"; and repealing Sections 26.11.060, 26.19.031, and 26.23.040 as hitherto existing.  
[21-136 Ordinance \(TX21008\).pdf](#)  
[TX21008 - SUMMARY REPORT.pdf](#)

- 4.i. 21-137  
Approving the lease agreement between City and Waverly VFW Post 9875, for the lease of office space by Aging Partners for its Senior Center program at 13820 Guildford Street, Waverly, NE for a term of 1 year from October 1, 2021 to September 30, 2022.  
[21-137 Ordinance.pdf](#)  
[21-137 Attachment.pdf](#)

- END PUBLIC HEARING -

**5. RESOLUTIONS - 1ST READING (ITEMS 5.A THROUGH 5.H. HAD 1ST READING)**

- 5.a. 21R-485  
Appointing Kathy Campbell to the Charter Revision Commission for a term to expire July 15, 2025. (Consent)  
[21R-485 Resolution.pdf](#)
- 5.b. 21R-495  
Appointing Kaylie Hogan-Schnittker to the StarTran Advisory Board for a term to expire October 20, 2024.  
[21R-495 Resolution.pdf](#)
- 5.c. 21R-496  
Approving the On-Call Professional Task Order Agreement between the City and Olsson to provide environmental services for the 84th St. & US-6 Intersection Safety Project, Project No. HSIP-5249(9), Control No. 13450. (CONSENT)  
[21R-496 Resolution.pdf](#)  
[21R-496 Attachment.pdf](#)  
[705299 84th US-6 Council Legislation Fact Sheet\\_10112021\\_NEPA.pdf](#)
- 5.d. 21R-497  
Approving the On-Call Professional Services Task Order Agreement between the City and Olsson to provide preliminary engineering services for the 84th St. & US-6 Intersection Safety Project, Project No. HSIP-5249(9); Control No. 13450.  
(Consent)  
[21R-497 Resolution.pdf](#)  
[21R-497 Attachment.pdf](#)  
[705299 84th US-6 Council Legislation Fact Sheet\\_10112021\\_PE.pdf](#)
- 5.e. 21R-498  
Accepting and approving the report of new and pending claims against the City for October 1 through October 15, 2021.  
[21R-498 Resolution.pdf](#)  
[21R-498 Claims Report.pdf](#)

- 5.f.** 21R-499  
Approving the labor contract between the City of Lincoln and the Public Association of Government Employees (PAGE) for a term effective August 19, 2021 through August 31, 2023.

[21R-499 Resolution.pdf](#)

[PAGE 2021-2023 Final Contract.pdf](#)

[PAGE 2021-2023 Legislative Contract.pdf](#)

- 5.g.** 21R-500  
Assessing public health nuisance abatement costs associated with the clearing of public nuisances by the Health Department on the following benefitted properties: 3069 "T" Street, 2958 North 54th Street, 826 "H" Street, 1233 South 25th Street, 3144 Starr Street, 1422 "D" Street, 1920 South 11th Street, 6601 Havelock Avenue, 834 South 12th Street, 1619 South 16th Street, 3302 "W" Street, 2845 Dudley Street, 4543 Saint Paul Avenue, 6401 Lexington Avenue, 5901 Havelock Avenue.

[21R-500 Resolution.pdf](#)

[21R-500 Attachment.pdf](#)

- 5.h.** 21R-501  
Appeal of Special Assessment Revolving Committee recommendation regarding Paving District on Humphrey Avenue from N. 7th to N. 10th Street

[21R-501 Resolution Approved.pdf](#)

[21R-501 Resolution Denied.pdf](#)

[HumphreyAve7thto10th\\_map.pdf](#)

[HumphreyAve7thto10th\\_Owners.pdf](#)

[Humphrey7thto10th\\_city-council-fact-sheet.pdf](#)

**6. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 6.A. THROUGH 6.M. HAD 1ST READING)**

- 6.a.** 21-132  
Repealing Ordinance 20487 which created Alley Paving District No. 51 being the east half of the alley from S. 18th Street to Antelope Valley Pkwy. between N & O Street.

[21-132 Ordinance.pdf](#)

[18to19\\_NtoO\\_map.pdf](#)

[20211008\\_18to19\\_NtoO\\_city-council-fact-sheet.pdf](#)

- 6.b.** 21-139  
Creating Paving Special Assessment District #2636 for Frontier Road and Pinecrest Drive.

[21-139 Ordinance.pdf](#)

[FrontierRdPinecrestDr\\_map.pdf](#)

[FrontierRdPinecrestDr\\_Owners.pdf](#)

[FrontierRdPinecrestDr\\_city-council-fact-sheet.pdf](#)

- 6.c.** 21-140  
Creating Alley Paving Special Assessment District #366 from N. 33rd to N. 34th Street between W & X Street.  
[21-140 Ordinance.pdf](#)  
[33to34\\_WtoX\\_map.pdf](#)  
[33rdto34th\\_betwW&X\\_Owners.pdf](#)  
[33to34\\_WtoX\\_city-council-fact-sheet.pdf](#)
- 6.d.** 21-141  
Change of Zone 05054F - Application of Prairie Home Builders, Inc., to amend the existing Prairie Village North Planned Unit Development (PUD) to revise layout and grading of two areas with waivers, on property generally located at North 84th and Adams Street.  
[21-141 Ordinance .pdf](#)  
[CZ05054F - SUMMARY REPORT.pdf](#)
- 6.e.** 21-142  
Change of Zone 21040 - Application of Waterford Estates, LLC, Manion Construction, Inc., and Spring Valley Homes, Inc., for a change from R-4 Residential District to R-3 Residential District, on property generally located at North 104th Street and Shore Front Drive.  
[21-142 Ordinance.pdf](#)  
[CZ21040 - SUMMARY REPORT.pdf](#)
- 6.f.** 21-143  
Change of Zone 08066C - Application of Assurity Real Estate Development, to amend the existing Antelope Village Planned Unit Development (PUD) to add the Mixed-Use Designation on two lots and to add density for a residential development with requested waivers, on property generally located north of P Street between 22nd and 23rd Street.  
[21-143 Ordinance.pdf](#)  
[CZ08066C - SUMMARY REPORT.pdf](#)
- 6.g.** 21-144  
Street & Alley Vacation 21006 - Application of Assurity Real Estate Development, to vacate the entire east-west alley between P and Q Street, from N. 22nd Street to N. 23rd Street.  
[21-144 Ordinance \(v2\).pdf](#)  
[21-144 Exhibits.pdf](#)  
[SAV21006 - SUMMARY REPORTpdf.pdf](#)
- 6.h.** 21-145  
Approving the lease agreement between City of Lincoln and St. James United Methodist Church for the lease of office space by Aging Partners for its Senior Center program at 2400 S. 11th Street, Lincoln, NE for a term of 1 year from September 1, 2021 to August 31, 2022.

[21-145 Ordinance.pdf](#)  
[21R-145 Attachment.pdf](#)

- 6.i.** 21-146  
Approving the lease agreement between City of Lincoln and A-L Irrigation for the lease of office space by Aging Partners for its Personal and Family Services program at at 137 North 8th Street, Geneva, NE for a term of 1 year from August 1, 2021 through July 31, 2022.  
[21-146 Ordinance.pdf](#)  
[21-146 Attachment.pdf](#)

- 6.j.** 21-147  
Approving a Supplement to Sublease Agreement for a 5 year term with the option of three additional 5 year terms between the City, on behalf of Aging Partners, and Victory Park, LLC for property generally located at 600 S. 70th Street.  
  
[21-147 Ordinance.pdf](#)  
[21-147 Attachment.pdf](#)

- 6.k.** 21R-502  
Approving the Atrium Building Redevelopment Agreement between Atrium Building, LLC and the City relating to the redevelopment of property generally located at 1200 N Street. (Related Items: 21R-502, 21R-503, 21-148)  
[21R-502 Resolution.pdf](#)  
[21r-502 Attachment.pdf](#)

- 6.l.** 21R-503  
Amending the FY 2021/2022 CIP to authorize and appropriate \$3,651,017 TIF funds for the Atrium Building Redevelopment Project. (Related Items: 21R-502, 21R-503, 21-148)  
[21R-503 Resolution.pdf](#)

- 6.m.** 21-148  
Authorizing the issuance of Tax Allocation Bonds for the Atrium Building Redevelopment Project in an amount not to exceed \$3,651,017. (Related Items: 21R-502, 21R-503, 21-148)  
[21-148 Ordinance.pdf](#)

## **7. PENDING LIST - DATE CERTAIN**

- 7.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) (10/18/21 - Motion to remove Bill No. 20-19 from Pending List for Action on



11/1/21)  
[20-19 Ordinance.pdf](#)  
[20-19 Attachment A.pdf](#)  
[AN19006 - SUMMARY REPORT.pdf](#)

- 7.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) (10/18/21 - Motion to remove Bill No. 20-20 from Pending List for Action on 11/1/21)  
[20-20 Ordinance.pdf](#)  
[20-20 Attachment A.pdf](#)  
[CZ19015 - SUMMARY REPORT.pdf](#)
- 7.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) (10/18/21 - Motion to remove Bill No. 20R-69 from Pending List for Action on 11/1/21)  
[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 October, open microphone sessions will be held on October 18 & October 25, 2021.

## **ADJOURNMENT 7:02P.M.**

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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: ALLOChannel 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).

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.

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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.*