AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, JULY 29, 2024 AT 5:30 PM

ACTON

ALL PRESENT EXCEPT WEBER

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. 24R-314
Reappointing Lachel Bradley-Williams and Jessica Gieseke to the Community Forestry Advisory Board for terms to expire August 14, 2027. (ADOPTED, 5-1; A-94705)
24R-314 Resolution.pdf

1.b. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on July 8, 2024. (PLACED ON FILE)

1.c. Lincoln Electric Financial and Operating Statement for June 2024. (PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment #24031 to the Southwest Village Heights 1st Addition Preliminary Plat #18002, was approved by the Planning Director on July 15, 2024, to update the layout, grading and drainage plans of the preliminary plat for the Southwest Village Heights CUP, generally located at the southwest corner of W. Old Cheney Road and S. Folsom Street.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 24R-320A
Application of MCO, LLC dba The Mercato for a Class C Liquor License located at

5900 South 85th Street, Suite 101. (ADOPTED FOR APPROVAL, 6-0; A-94706)
24R-320 Mercato for Class C app.pdf
24R-320 Mercato Class C den.pdf
24R-320 Ltr and Application for Mercato(S.85th).pdf

4.b. 24R-321
Manager Application of Krista L. Hauptmeier for MCO, LLC dba The Mercato located at 5900 South 85th Street, Suite 101. (ADOPTED FOR APPROVAL, 6-0; A-94707)
24R-321 Krista Hauptmeier for Mercato app.pdf
24R-321 Kirsta Hauptmeier for Mercato den.pdf
24R-320 Ltr and Application for Mercato(S.85th).pdf

4.c. 24R-322
Application of Hopper Mobile Bar Inc. dba Hopper Mobile Bar for a Class CK Liquor License located at 3939 North 48th Street, Suite 207. (ADOPTED FOR DENIAL, 6-0; A-94708)
24r-322 Hopper Mobile Bar Class CK app.pdf
24R-322 Hopper Mobile Bar Class CK den.pdf
24R-322 Ltr and Application for HopperMobileBar.pdf

4.d. 24R-323
Manager Application of Jazmin Patton for Hopper Mobile Bar Inc. dba Hopper Mobile Bar located at 3939 North 48th Street, Suite 207. (ADOPTED FOR DENIAL, 6-0; A-94709)
24R-323 Jazmin Patton for Hopper MObile Bar app.pdf
24R-323 Jazmin Patton for Hopper Mobile Bar den.pdf
24R-322 Ltr and Application for HopperMobileBar.pdf

4.e. 24R-324
Application of Leighton's Pub, LLC dba Leighton's Pub for a special designated license to cover an outdoor area measuring approximately 200 feet by 55 feet at 4630 Leighton Street on August 24, 2024 from 9:00 a.m. to 11:00 p.m. (ADOPTED FOR APPROVAL, 6-0; A-94710)
24R-324 Leighton's Pub SDL app.pdf
24R-324 Leighton's Pub SDL den.pdf
LD_Cornhole_Tournament_Layout_(1).pdf
SDL App 1374.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 24R-316
Directing submittal to the qualified electors of the City of a proposed General Obligation

Bond Issue for Stormwater Drainage and Flood Management System Improvements not to exceed $13,900,000 on the November 5, 2024 General Election Ballot. (ADOPTED, 6-0; A-94711)
24R-316 Election Resolution (Executed by Bond Counsel).pdf
Amortization_Schedule_-_STW_Bond (1).pdf
2024 Bond Projects Map_updated.pdf

5.b. 24R-319
Accepting and approving the report of new and pending claims against the City for July 1 through July 15, 2024. (ADOPTED, 6-0; A-94712)
24R-319 Resolution.pdf
24R-319 Claims Report.pdf

5.c. 24R-320
Miscellaneous 24004 - Request of the City of Lincoln Planning Department to reclassify NW 27th Street, north of Purple Heart Highway from, "Collector" to "Minor Arterial" in the City of Lincoln Access Management Policy. (ADOPTED, 6-0; A-94713)
MISC24004 Summary Report.pdf

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 6.A. THROUGH 6.B. HAD 2ND READING)

6.a. 24-94
Change of Zone 24016 - Application of Diamond Enterprises, LLC to change the zone from H-3 Highway Commercial to I-1 Industrial on property generally located at 3501 W O Street.
24-94 Ordinance.pdf
24-94 Attachment.pdf
CZ24016 Summary Report.pdf

6.b. 24-96
Text Amendment 24008 - Application of Youth Actors Academy of Lincoln, to amend Lincoln Municipal Code Section 27.02.020 Definitions, to modify the definition of "Academies" by adding additional clarification for different types of Academies within the definition and additional language related to events and performances associated with Academies.
TX24008 Summary Report.pdf

- END PUBLIC HEARING -

BUDGET NOTICE FOR FY24-26

Items 7.a. through 7.s. and item 8.a. through 8.d. in the following sections relate to the FY2024-26 budget and will be called as a package for the purposes of presentation and testimony. The public hearing for items 7.a. through 7.s. and item 8.a. through 8.d. will be held on Monday, August 5, 2024.

7. RESOLUTIONS - 1ST READING (ITEMS 7.A. THROUGH 7.S. RELATE TO FY2024-26 BUDGET) (ITEMS 7.A. THROUGH 7.S. HAD 1ST READING)

7.a. 24R-342
Adopting the 2024-26 City of Lincoln Operating Budget & Capital Improvement Program (CIP); One- and Six-Year Street and Highway Program. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
2024-26 Schedules .pdf

7.b. 24R-325
Miscellaneous 24005 - Application of the City of Lincoln Planning Department Planning Director to adopt the proposed Fee Schedules for Application Reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code for FY 2024-2025 and FY 2025-2026 with an effective date of October 1, 2024. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-325 Resolution.pdf
24R-325 Attachment.pdf
MISC24005 City Summary Report.pdf

7.c. 24R-326
Approving the updated fees scheduled for ambulance services during FY2024-2025. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-326 Resolution.pdf
24R-326 Attachment.pdf
EMSOA-LFR rate proposal letter 2024.pdf

7.d. 24R-327
Approving the updated permit fees under LMC Chapter 5.41 Salvage, Recycling and Composting Operations, including salvage; recycling processing center; recycling center; consumer recyclables collection site; and commercial composting operations. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-327 Resolution.pdf

7.e. 24R-328
Approving the updated fees for opening burning permits under LMC Chapter 8.06 Air Pollution. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-328 Resolution.pdf

7.f. 24R-329
Approving the updated fees under LMC Chapter 8.08 Body Art Establishments, including body art establishment permits; body art practitioner permits; and permit reinstatement. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)

24R-329 Resolution.pdf

7.g. 24R-330
Approving updated fees under LMC Chapter 8.20 Food Code, including food establishments; mobile food units; food catering services; temporary food establishments; reinstatement fees; and food handler and food manager permit fees. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-330 Resolution.pdf

7.h. 24R-331
Approving updated noise variance fees under LMC Chapter 8.24 Noise Control. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-331 Resolution.pdf

7.i. 24R-332
Approving updated fees under LMC Chapter 8.32 Solid Wastes, including special waste permit fees. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-332 Resolution.pdf

7.j. 24R-333
Approving updated fees under LMC Chapter 8.44 Water Wells, including water well construction permits; annual water well permits; water well repair permits; and variance applications. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-333 Resolution.pdf

7.k. 24R-334
Approving updated fees under LMC Chapter 8.38 Public Swimming Pools; including swimming pool permits; new permit/plan review; renewal; additional spa; swimming pool operator; and pool water quality tester certificate. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-334 Resolution.pdf

7.l. 24R-335
Approving updated fees under LMC Chapter 24.38 Onsite Wastewater Treatment Systems, including construction and repair of onsite wastewater treatment systems; cleaner permits; installer permits; and development area reviews. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-335 Resolution.pdf

7.m. 24R-336
Approving updated permit fees under LMC Chapter 24.42 Regulation of Property Transfers with Onsite Systems, including review of property transfers with onsite wastewater or water systems. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-336 Resolution.pdf

7.n. 24R-337
Approving updated permit fees under LMC Chapter 28.02 Regulations for Illicit Discharges. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-337 Resolution.pdf

7.o. 24R-338
Amending Lincoln-Lancaster County Air Pollution Control Regulations and Standards, Article 1, Section 6 Fees to update fees for required services to business and industry. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-338 Resolution.pdf

7.p. 24R-339
Establishing a new rate schedule for the Lincoln Water System for purposes of covering operational and maintenance costs including debt service and Capital Improvements Program for FY 2024-2025 and FY 2025-2026. Proposed Resolution to Increase Water Use Charges. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-339 Resolution.pdf
24 Fact Sheet Water Use Charges.pdf

7.q. 24R-340
Establishing a new rate schedule for the Lincoln Wastewater System for purposes of covering operational and maintenance costs including debt service and Capital Improvements Program for FY 2024-2025 and FY 2025-2026. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-340 Resolution.pdf
24 Fact Sheet Wastewater Use Charges.pdf

7.r. 24R-341
Establishing a new rate schedule for the Lincoln Solid Waste System for purposes of covering operational and maintenance costs including debt services and Capital Improvement Program for FY 2024-2025 and FY 2025-2026. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-341 Resolution.pdf
24 Fact Sheet Solid Waste Use Charges.pdf

7.s. 24R-343
A resolution to increase restricted funds authority by 1% per Neb. Rev. Stat. §13-519. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24R-343 Resolution.pdf

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 8.A. THROUGH 8.D. RELATE TO FY2024-26 BUDGET) (ITEMS 8.A. THROUGH 8.D. HAD 1ST READING)

8.a. 24-97
Amending Chapter 5.56 of the Lincoln Municipal Code relating to Emergency Alarm

Systems by amending Section 5.56.030 Permit; Alarm User to revise processing fees and renewal fees for commercial and residential permits. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24-97 Ordinance (5.56.030).pdf

8.b. 24-97
Amending Chapter 5.56 of the Lincoln Municipal Code relating to Emergency Alarm Systems by amending Section 5.56.030 Permit; Alarm User to revise processing fees and renewal fees for commercial and residential permits. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24-97 Ordinance (5.56.030).pdf

8.c. 24-98
Amending Section 8.32.150 of the Lincoln Municipal Code to provide for an occupation tax on refuse haulers. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24 Fact Sheet Occ Tax.pdf
Occupation Tax Ordinance on Refuse Haulers

8.d. 24-99
Authorizing the issuance of 2024 Municipal Improvements Bonds in an amount not to exceed $ 12,200,000. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24-99 Ordinance.pdf

8.e. 24-99
Authorizing the issuance of 2024 Municipal Improvements Bonds in an amount not to exceed $ 12,200,000. (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24-99 Ordinance.pdf

8.f. 24-100
Approving the transfer of unspent and unencumbered appropriations between certain Capital Improvement Projects. (Related Items:) (Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.)
24-100 Ordinance.pdf

9. PENDING LIST (EXTENDED ONE WEEK)

9.a. 24R-18
Comprehensive Plan Conformance 23019 - Application of the Urban Development Department to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, and to adopt the "NW 48th & W Vine Redevelopment Plan", including the "Falcon Corner Redevelopment Project," for the construction of a large retail building and associated commercial uses, on property generally located at NW

48th Street and Interstate 80. (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
CPC23019 SUMMARY REPORT.pdf
24R-18 Resolution.pdf
24R-18 Attachments.pdf
24R-18 Memo to Council.pdf

9.b. 24R-35
Approving the Falcon Corner Project Redevelopment Agreement between the City and FFF, LLC., relating to the redevelopment of the property generally located in the northeast corner of NW 48th Street and Interstate 80. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
24R-35 Resolution.pdf
24R-35 Attachment.pdf

9.c. 24R-36
Amending the FY 2023-2024 CIP to authorize and appropriate $4,290,090.00 in TIF funds for the Falcon Corner Redevelopment Project. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
24R-36 Resolution.pdf

9.d. 24-10
Authorizing the issuance of Tax Allocation Bonds for the Falcon Corner Redevelopment Project in an amount not to exceed $4,290,090.00. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
24-10 Ordinance.pdf

9.e. 23R-638
Comprehensive Plan Amendment 23005- Application of FFF, LLC to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map by changing the designation from Industrial Use to Commercial Use, on property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
23R-638 Resolution.pdf
23R-638 Attachment.pdf
CPA23005 SUMMARY REPORT.pdf

9.f. 23-158
Annexation 23005- Application of FFF, LLC., to annex approximately 52 acres, more or less, on the property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 –

Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
23-158 Ordinance.pdf
23-158 Attachment.pdf
AN23005 SUMMARY REPORT.pdf

9.g. 23R-639
Approving the Conditional Annexation and Change of Zone Agreement between the City, FFF, LLC., and Helen Belle Kitzel Farms, LLC., for property generally located near NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
23R-639 Resolution.pdf
23R-639 Attachment.pdf

9.h. 23R-639
Approving the Conditional Annexation and Change of Zone Agreement between the City, FFF, LLC., and Helen Belle Kitzel Farms, LLC., for property generally located near NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
23R-639 Resolution.pdf
23R-639 Attachment.pdf

9.i. 23-159
Change of Zone 23019 - Application of FFF, LLC., to change the zoning designation of 15 acres more or less, from AG Agricultural District to H-4 Highway Commercial District, on property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)
23-159 Ordinance.pdf
23-159 Attachment.pdf
CZ23019 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 July, open microphone sessions will be held on July 15 & 29, 2024.

ADJOURNMENT 7:32P.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, visitlincoln.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(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.

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The City Council Agenda and Action Sheet may be accessed on the Internet at: 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 Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.