

# **DIRECTORS' ORGANIZATIONAL MEETING**

**Monday, June 7, 2021  
555 S. 10<sup>th</sup> Street  
COUNCIL CHAMBERS**

## **I. MINUTES**

1. Approval of Directors' Minutes from May 17, 2021

## **II. ADJUSTMENTS TO AGENDA**

## **III. CITY CLERK**

## **IV. MAYOR'S OFFICE**

## **V. DIRECTORS CORRESPONDENCE**

### **PLANNING DEPARTMENT**

1. Administrative Approvals from May 18, 2021 through May 24, 2021
2. Action dated May 26, 2021
3. Final Action dated May 26, 2021

### **LINCOLN TRANSPORTATION AND UTILITIES**

1. 2019-2020 Water and Waste Water System Audits Memo

## **VI. BOARDS/COMMITTEE/COMMISSION REPORTS**

*Suspended until further notice*

## **VII. CONSTITUENT CORRESPONDENCE**

1. Claim for damage to vehicle – Kaylee Vculek
2. Diseased and dead pine trees – [meg675432@windstream.net](mailto:meg675432@windstream.net)
3. Mother Lode – Robert Borer
4. Short Term Rentals – Richard Piersol  
Staff response provided by Angie Birkett, City Council Secretary



# *Memorandum*

**Date:** ♦ May 25, 2021

**To:** ♦ City Clerk

**From:** ♦ Rhonda Haas, Planning Dept.

**Re:** ♦ Administrative Approvals

**cc:** ♦ Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from May 18, 2021 through May 24, 2021:

**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 56<sup>th</sup> 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 40<sup>th</sup> Street.

## **\*\*ACTION BY PLANNING COMMISSION\*\***

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 26, 2021, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of \*FINAL ACTION\*. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing [Plan@lincoln.ne.gov](mailto:Plan@lincoln.ne.gov) by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

### **AGENDA**

**WEDNESDAY, MAY 26, 2021**

**[Commissioner Corr absent; Chairperson Corr appointed Commissioner Joy to serve as Chair for this hearing.]**

Approval of minutes of the regular meeting held May 12, 2021. **\*\*APPROVED: 6-0; (Corr absent)\*\***

- 1. CONSENT AGENDA:**  
**(Public Hearing and Administrative Action);**

#### **MISCELLANEOUS:**

- 1.1a MISCELLANEOUS 21004, to review the proposed determination that the Belmont Neighborhood Redevelopment Area be declared blighted and substandard as defined in the Nebraska Community Development Law. The study area is approximately 2,200 acres and is generally bounded by Superior Street on the north, I-180 on the west, Sun Valley Boulevard and Cornhusker Highway on the south, and North 27th Street on the east.

**Staff recommendation: Finding of Substandard and Blighted Conditions**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr absent; 2 vacant seats). Public hearing before the City Council is tentatively scheduled for Monday, June 21, 2021, at 3:00 p.m.**

- 1.1b MISCELLANEOUS 21005, to review the proposed determination and identifying areas of the city that meet the statutory definition of Extremely Blighted as defined in the Nebraska Community Development Law. The study area is approximately 2,200 acres and is generally bounded by Superior Street on the north, I-180 on the west, Sun Valley Boulevard and Cornhusker Highway on the south, and North 27th Street on the east.

**Staff recommendation: Finding of Extremely Blighted Conditions**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr absent; 2 vacant seats). Public hearing before the City Council is tentatively scheduled for Monday, June 21, 2021, at 3:00 p.m.**

- 1.2a MISCELLANEOUS 21006, to review the proposed determination that the NW 48th Street Redevelopment Area be declared blighted and substandard as defined in the Nebraska Community Development Law. The study is approximately 1,754 acres and is generally bounded by Fletcher Avenue on the north, NW 57th Street on the west, Holdrege Street on the south and NW 48th Street on the east.

**Staff recommendation: Finding of Substandard and Blighted Conditions**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr absent; 2 vacant seats). Public hearing before the City Council is tentatively scheduled for Monday, June 21, 2021, at 3:00 p.m.**

- 1.2b MISCELLANEOUS 21007, to review the proposed determination and identifying areas of the city that meet the statutory definition of Extremely Blighted as defined in the Nebraska Community Development Law. The study area is approximately 1,754 acres and is generally bounded by Fletcher Avenue on the north, NW 57th Street on the west, Holdrege Street on the south and NW 48th Street on the east.

**Staff recommendation: Finding of Substandard and Blighted Conditions**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

**Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr absent; 2 vacant seats). Public hearing before the City Council is tentatively scheduled for Monday, June 21, 2021, at 3:00 p.m.**

### **SPECIAL PERMITS:**

- 1.3 SPECIAL PERMIT 21014, to allow for the sale of alcohol for consumption on the premises, on property generally located at 3410 South 10th Street. \*\*\* FINAL ACTION \*\*\*

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated May 12, 2021: 6-0 (Corr absent; 2 vacant seats). Resolution No. PC-01753.**

- 1.4 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. \*\*\* FINAL ACTION \*\*\*

**Staff recommendation: Conditional Approval**

**Staff Planner: George Wesselhoft, 402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)**

**The Planning Commission granted a request on behalf of the applicant for a 2-week deferral, delaying public hearing and action to the June 9, 2021, hearing.**

- 1.5 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. \*\*\* FINAL ACTION \*\*\*

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated May 16, 2021: 6-0 (Corr absent; 2 vacant seats). Resolution No. PC-01754.**

2. **REQUESTS FOR DEFERRAL:** See Item 1.4 and Items 4.1a and b.

3. **ITEMS REMOVED FROM CONSENT AGENDA:** None.

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**CHANGE OF ZONE AND RELATED ITEM:**

- 4.1a 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.

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**The Planning Commission granted a request on behalf of the applicant for a 2-week deferral, delaying public hearing and action to the June 9, 2021, hearing.**

- 4.1b 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. \*\*\* FINAL ACTION \*\*\*

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**The Planning Commission granted a request on behalf of the applicant for a 2-week deferral, delaying public hearing and action to the June 9, 2021, hearing.**

**CHANGE OF ZONE:**

- 4.2 CHANGE OF ZONE 04075I, to amend the existing Village Gardens PUD (Planned Unit Development) for the construction of multiple-family dwelling units with waivers to adjust height and parking, on property generally located at 56th Street and Pine Lake Road.

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**Planning Commission recommendation: CONDITIONAL APPROVAL: 2-3 (Ball, Joy and Ryman Yost dissenting; Campbell declared a conflict of interest; Corr absent; 2 vacant seats). The motion failed due to the lack of 5 affirmative votes. The Planning Commission will take action on this application at the June 9, 2021, hearing. The public hearing on this application was closed.**

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM  
NOT ON THE AGENDA, MAY DO SO.**

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**Adjournment**

**3:40 p.m.**

## PLANNING COMMISSION FINAL ACTION NOTIFICATION

**TO:** Mayor Leirion Gaylor Baird  
Lincoln City Council

**FROM:** Geri Rorabaugh, Planning

**DATE:** May 26, 2021

**RE:** Notice of final action by Planning Commission: May 26, 2021

Please be advised that on May 26, 2021, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

**Resolution PC-01753**, approving SPECIAL PERMIT 21014, to allow for the sale of alcohol for consumption on the premises, on property legally described as Lot 2, Seafood Incorporated, located in the NE 1/4 of Section 2-9-6, Lincoln, Lancaster County, Nebraska, generally located at 3410 South 10th Street; and

**Resolution PC-01754**, approving SPECIAL PERMIT 21016, to allow for the sale of alcohol for consumption both on and off the premises, on property legally described as Lot 3, Saline Plaza, located in the NW 1/4 of Section 31-11-7, Lincoln, Lancaster County, Nebraska, generally located at 6700 North 27th Street; and

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission

The Planning Commission Resolution may be accessed on the internet at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (search for "PATS"). Click on "Planning Application Tracking Service (PATS)" at the top of the page, click "Selection Screen" under "PATS Tools" on the right side of the screen, type in the application number (i.e. SP21014), click on "Search", then "Select", and go to "Related Documents".

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## Lincoln Transportation and Utilities

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TO: Mayor Leirion Gaylor Baird  
City Council Members

FROM: Cyndy Roth, Business Manager  
Lincoln Transportation and Utilities

CC: Jennifer Brinkman, Jamie Phillips, Liz Elliott, Donna Garden, David Young,  
Soulinnee Phan, Angela Birkett

DATE: May 27, 2021

RE: Fiscal Year 2019 - 2020 Audits for Lincoln Water System and Lincoln Wastewater System

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RSM US LLP has completed their Fiscal Year 2019 – 2020 audits of the Lincoln Water System and Lincoln Wastewater System. Copies of the reports are available at both the City Clerk's office and City Council secretary's office for your review.

The reports are also available online at:

<https://www.lincoln.ne.gov/City/Departments/LTU/Documents/Financial-Statements-and-Schedules>

Attached is the Post Audit Communication and Management letter. RSM US LLP stated in this report they note no matters involving the internal control over financial reporting and its operation that they would consider to be material weaknesses. The results of their tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

Should you have any questions regarding the audit, please do not hesitate to contact me at 402-441-7539.



**Angela M. Birkett**

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**From:** Kaylee Vculek <kayleevculek@yahoo.com>  
**Sent:** Monday, May 24, 2021 12:37 PM  
**To:** Bennie R. Shobe  
**Cc:** Council Packet  
**Subject:** Re: Claim for damage to vehicle

Bennie,

Is there any update with my claim? Please let me know if there is anything else I need to do or how the process works.

I really appreciate your time.

Thank you,

Kaylee Vculek

Sent from my iPhone

On May 17, 2021, at 10:14, Kaylee Vculek <kayleevculek@yahoo.com> wrote:

Bennie,

Thank you for the reply. I really do appreciate your time.

Kaylee

Sent from my iPhone

On May 17, 2021, at 09:58, Bennie R. Shobe <BShobe@lincoln.ne.gov> wrote:

Good morning Ms. Vculek,

Thank you for your email. I do see on the "Claims against the city" list that you did file and it was reviewed by our law department.

**Kaylee Vculek filed claim during the month of April 2021 in an unspecified amount for damage to vehicle as the result of accident involving City vehicle. This claim has been reviewed by this office and has been denied.**

Thank you for sharing the events of the accident.

You wrote, "I believe Allstate is pursuing reimbursement from you as well."

I am sure we will discuss this claim at today's meeting.

bennie

Bennie Shobe  
Lincoln City Council  
At Large Representative.  
bshobe@lincoln.ne.gov  
531-207-2926

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**From:** Kaylee Vculek [mailto:kayleevculek@yahoo.com]  
**Sent:** Monday, May 17, 2021 9:39 AM  
**To:** Council Packet <CouncilPacket@lincoln.ne.gov>  
**Subject:** Claim for damage to vehicle  
Hello,

I am writing to request reimbursement for damage to my vehicle (2015 Toyota Sienna) as a result of an accident involving a City of Lincoln vehicle.

On 4/19/21, my vehicle was parked in a metered spot on the south side of 'M' Street, just east of Centennial Mall intersection. I arrived at my vehicle and found it was blocked in by a city truck that was parked in the south-most driving lane of M Street. I asked the city employees present if I would be able to get out, and they replied, "yeah." As I was getting in my vehicle (I was in the car, in the process of closing the door, it was only open a couple inches) the city employee moved the truck, catching my driver's side door and "crunching" (for lack of a better word - think kind of like an accordion) it. I attached photos of the damage and the part of the truck that impacted my vehicle.

A police report was completed (see attached) and I submitted an initial claim as I was instructed to do my the risk management person. My husband then spoke to one of the city attorneys who informed him our claim was denied because the police accident report stated I opened the vehicle door after the truck was moving. This is not what the accident report stated (see attached) and not what happened:

1. I was in the car about to shut my door when the truck hit my vehicle. If I had been outside the car and "opened my door after the truck started moving," the truck would have hit me instead of my vehicle. There would not have been time for me to open the door, put all my stuff in the front seat (I was carrying a number of items) and get in my vehicle all before he hit it.

2. My vehicle was parked. It was not moving or even running. It is the moving vehicle operator's responsibility to not hit stationary items. I would not have been able to hear the city worker start the vehicle either. The workers were tearing up

concrete in the construction area there. It was extremely loud.

3. The driver did almost \$4,000 of damage to my vehicle. Quite a bit of damage for just moving a parked vehicle forward. In my opinion, he had to have hit the gas and not just released the brake to creep forward. This is negligent.

4. If you look at how the impact damaged the vehicle, you can see the door was not open very far when he hit it. If it had been, it would have pulled the door open further and off the vehicle instead of the “accordion crunch” that happened. He was very close to my vehicle and, in my opinion, was probably not used to operating that size/shape of truck. It has a piece on the back end that sticks out further than the rest of the truck that caught my vehicle door. My understanding is he is a newer employee.

5. This whole incident wouldn't have happened if the city truck had not been parked illegally to begin with.

I am asking for reimbursement in the amount of \$3,888.96 for repairs to my vehicle (\$500 to me, the remainder would go to Allstate) and \$174.87 for a rental car.

I believe Allstate is pursuing reimbursement from you as well.

Please let me know if you require any additional information or have any questions. Thank you for your time.

Kaylee Vculek  
[740 Cottonwood Drive](#)  
[Lincoln, NE 68510](#)  
[\(402\) 310-0571](#)

**CONFIDENTIALITY NOTICE:** This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

**Angela M. Birkett**

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**From:** Windstream <meg675432@windstream.net>  
**Sent:** Monday, May 31, 2021 1:24 PM  
**To:** Council Packet  
**Subject:** Diseased and Dead Pines

Please forward to the proper Department:

A driving on South 40th today, between Old Cheney and Hwy 2 there were 3 or 4 **Pine trees that are DEAD from disease**. This disease SPREADS to other pines. *They really need to be removed.* They were all on the East side of 40th.  
Thank you!

## Angela M. Birkett

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**From:** Robert Borer <crjb007@gmail.com>  
**Sent:** Wednesday, June 02, 2021 6:28 AM  
**To:** Mayor; Council Packet  
**Subject:** The Mother Lode

... on the diapering of school-age children. From a real woman, a wise woman, a woman who really cares --> over and against the nonstop pretention that occupies the third floor of city hall.

<https://odysee.com/@sayerji:7/freeourkids:8>

## Angela M. Birkett

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**From:** Angela M. Birkett  
**Sent:** Thursday, June 03, 2021 12:03 PM  
**To:** 'Richard Piersol'; Council Packet  
**Cc:** Richard W. Meginnis; Bennie R. Shobe; Tammy J. Ward; James M. Bowers; Jane Raybould; Sandra J. Washington; Tom J. Beckius; 'Richard Meginnis'  
**Subject:** RE: Short term rentals

Good Afternoon Mr. Piersol,

Thank you for contacting the office of the Lincoln City Council. In regards to your question, the public hearing related to Short Term Rentals will be coming before the City Council during the June 7, 2021, City Council meeting. Item(s) 6.c. through 6.d. are related to the topic, Short Term Rentals. The agenda should be posted to the website by Friday morning and can be found at <https://www.lincoln.ne.gov/City/City-Council/Minutes-Agendas>.

You can appear in person, during the June 7th City Council meeting, to provide public testimony or you can submit written testimony to [councilpacket@lincoln.ne.gov](mailto:councilpacket@lincoln.ne.gov).

Please let me know if you have any further questions or if I can be of further assistance.

Thank you,

Angie Birkett  
Administrative Secretary  
Lincoln City Council  
555 South 10<sup>th</sup> St., Ste 111  
Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
[abirkett@lincoln.ne.gov](mailto:abirkett@lincoln.ne.gov)



**From:** Richard Piersol [mailto:[rpiersol57@gmail.com](mailto:rpiersol57@gmail.com)]  
**Sent:** Wednesday, June 02, 2021 1:00 PM  
**To:** Council Packet <[CouncilPacket@lincoln.ne.gov](mailto:CouncilPacket@lincoln.ne.gov)>  
**Subject:** Short term rentals

When is this public hearing going to appear on the Council's agenda? Next week? How do I submit written comments?

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Richard Piersol  
402-525-8751