

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, MARCH 07, 2022 AT 3:00 PM**

**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.** 22R-77  
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the proposed automated infrastructure delivery program. (State Project No. STIC-STWD (193), State Control Number 01042)  
[22R-77 Resolution.pdf](#)  
[STIC Agreement](#)  
[STIC Fact Sheet pdf](#)  
[STIC Incentive Application Form LTU](#)
- 1.b.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on February 14, 2022. (Placed on file)

**2. MISCELLANEOUS REFERRALS**

**- VOTE ON CONSENT ITEMS -**

**3. PUBLIC HEARING - LIQUOR RESOLUTIONS**

- 3.a.** 22R-91  
Application of Down The Hatch Inc., dba Down The Hatch to expand its Class I liquor license by area measuring 9 feet by 9 feet for a walk-in cooler at 5601 NW 1st Street.  
[21R-91 Down the Hatch expand app.pdf](#)  
[22R-91 Down the Hatch expand den.pdf](#)  
[22R-91 Application.pdf](#)

**- VOTE ON LIQUORS -**

**4. PUBLIC HEARING - RESOLUTIONS**

- 4.a.** 22R-78  
Use Permit 15002B, Application of Tomasek-Novak Investments, to amend the existing use permit by adding 9.89 acres and adding 203 dwellings to the total allowed by the use permit, with associated waivers, on the property generally located at NW 12th Street and W. Highland Boulevard.

[22R-78 Resolution \(v2\).pdf](#)  
[UP15002b - SUMMARY REPORT.pdf](#)

- 4.b.** 22R-79  
Accepting and approving the report of new and pending claims against the City for February 1 through February 15, 2022.  
[22R-79 Resolution.pdf](#)  
[22R-79 Claims Report.pdf](#)

**- VOTE ON RESOLUTIONS -**

**5. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS**

- 5.a.** 22-41  
Change of Zone 20036-Application of Chance Hanshaw, to change from AG Agricultural District to H-3 Highway Commercial District, on property generally located at 8230 South 91st Street. (Related Items: 22-41, 22R-80)  
[22-41 Ordinance.pdf](#)  
[22-41 Attachment.pdf](#)  
[CZ20036 - SUMMARY REPORT.pdf](#)
- 5.b.** 22R-80  
Approving a Conditional Annexation and Zoning Agreement between the City and Chance Hanshaw property generally located at 8230 S. 91st Street. (Related Items: 22-41, 22R-80)  
[22R-80 Resolution.pdf](#)  
[22R-80 Attachment.pdf](#)
- 5.c.** 22-42  
Amending the pay schedules for the employee group whose classifications are assigned to the pay range prefixed by the letter "A" by creating the classification of "Epidemiologist III".  
[22-42 Ordinance.pdf](#)  
[PS3619 Public Health Epidemiologist III.pdf](#)
- 5.d.** 22-43  
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "N" by creating the classification of "Utility Equipment Operator III".  
[22-43 Ordinance.pdf](#)  
[PS5227 Utility Equipment Operator III.pdf](#)
- 5.e.** 22-44  
Amending pay schedule for employee group whose classifications are assigned to the pay range which is prefixed by "A" by changing the pay range Class 5022 "Solid Waste

Operations Supervisor" from A09 to A14.

[22-44 Ordinance.pdf](#)

**5.f.** 22-45

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "A" to change the title of "District Supervisor" to " Street Maintenance Superintendent".

[22-45 Ordinance.pdf](#)

**5.g.** 22-46

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "W" to change the title of "Information Services Manager" to "Chief Information Officer".

[22-46 Ordinance.pdf](#)

**5.h.** 22-47

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "A" to change the title of "Public Health Epidemiologist" to "Public Health Epidemiologist" and " Assistant Public Health Epidemiologist" to "Public Health Epidemiologist I."

[22-47 Ordinance.pdf](#)

**5.i.** 22-48

Amending Section 10.46.110 of the Lincoln Municipal Code relating to vending from trucks on city residential streets providing that the trucks are not hindering or obstructing traffic; and repealing Section 10.46.110 of the Lincoln Municipal Code as hitherto existing.

[22-48 Ordinance \(10.46.110\).pdf](#)

**- END PUBLIC HEARING -**

## **6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS**

**6.a.** 22R-68

Approving the Tabitha InterGen Redevelopment Project Redevelopment Agreement between the City and Tabitha InterGen, LLC, relating to the redevelopment of the property generally located between 47th and 48th Streets adjacent to L Street.

(Related Items: 22R-68, 22R-69, 22-34)

[22R-68 Resolution.docx](#)

[22R-68 Attachment.pdf](#)

**6.b.** 22R-69

Amending the FY 21/22 CIP to authorize and appropriate \$3,291,750.00 in Tax Increment Financing for the Tabitha InterGen Redevelopment Project. (Related Items: 22R-68, 22R-69, 22-34)

[21R-69 Resolution.pdf](#)

- 6.c.** 22-34  
Authorizing the issuance of Tax Allocation Bonds for the Tabitha InterGen Redevelopment Project in an amount not to exceed \$3,291,750.00. (Related Items: 22R-68, 22R-69, 22-34)  
[22-34 Ordinance.pdf](#)
- 6.d.** 22-35  
Comprehensive Plan Conformance 22001 - Declaring approximately 1.65 acres of City owned property generally located at 2201 S. 84th Street as surplus.  
[22-35 Ordinance.pdf](#)  
[CPC22001 - SUMMARY REPORT.pdf](#)
- 6.e.** 22-36  
Street and Alley Vacation 21009 - Application of Dennis Schworer, to vacate a portion of North 33rd Street at Schworer Drive, generally located at North 33rd Street and Schworer Drive.  
[22-36 Ordinance.pdf](#)  
[22-36 Attachment.pdf](#)  
[SAV21009 - SUMMARY REPORT.pdf](#)
- 6.f.** 22-37  
Annexation 21011 - Application of SOFO Housing, LLC, and the City of Lincoln to annex approximately 61.28 acres, more or less, on property generally located at the northeast corner and southeast corner of W Pioneers Boulevard and S Folsom Street. (Related Items: 22-37, 22R-70, 22-38)  
[22-37 Ordinance.pdf](#)  
[22-37 Attachment.pdf](#)  
[AN21011 - SUMMARY REPORT.pdf](#)
- 6.g.** 22R-70  
Approving the Annexation Agreement between the City and SOFO Housing, LLC, for the annexation of property generally located in the area between South Folsom Street and West Pioneers Boulevard. (Related Items: 22-37, 22R-70, 22-38)  
[22R-70 Resolution.pdf](#)  
[22R-70 Attachment.pdf](#)
- 6.h.** 22-38  
Change of Zone 21055 - Application of SOFO Housing, LLC, for a change from AG Agricultural District to R-4 PUD Planned Unit Development with associated waivers, on property generally located at S. Folsom and W. Pioneers Blvd. (Related Items: 22-37, 22R-70, 22-38)  
[22-38 Ordinance.pdf](#)  
[CZ21055\\_-\\_SUMMARY\\_REPORT.PDF\\_-\\_SUMMARY\\_REPORT.pdf](#)

- 6.i.** 22-39  
Annexation 21009 - Application of the Lincoln Housing Authority, to annex approximately 13.59 acres, more or less generally located at South Folsom Street and West Old Cheney Road. (Related Items: 22-39, 22R-71, 22-40)  
[22-39 Ordinance.pdf](#)  
[22-39 Attachment.pdf](#)  
[AN21009 - SUMMARY REPORT.pdf](#)
- 6.j.** 22R-71  
Approving the Conditional Annexation Agreement between the City and Housing Authority of the City of Lincoln, for annexation of property generally located in the area of South Folsom Street and West Old Cheney Road. (Related Items: 22-39, 22R-71, 22-40)  
[22R-71 Resolution.pdf](#)  
[22R-71 Attachment.pdf](#)
- 6.k.** 22-40  
Change of Zone 21051 - Application of the Lincoln Housing Authority for a change from AG Agricultural District to R-4 Residential District, on property generally located at South Folsom Street and West Old Cheney Road. (Related Items: 22-39, 22R-71, 22-40)  
[22-40 Ordinance.pdf](#)  
[22-40 Attachment.pdf](#)  
[CZ21051 - SUMMARY REPORT.pdf](#)

## **7. RESOLUTIONS - 1ST READING**

- 7.a.** 22R-84  
Approving a Professional Services Agreement Supplement No. 3 for preliminary engineering services between the City and Alfred Benesch and Company, for the Adams Street from 36th Street to 49th Street Rehab Project; Project No. LCLC-5250(4), Control No. 13440 (Consent)  
[22R-84 Resolution.pdf](#)  
[702976 PE CWO#3 Agreement\\_Scanned.pdf](#)  
[22R-84 702976 Adams from 36th to 49th CWO#3 Council Legislation Fact Sheet\\_02152022\\_PE.pdf](#)
- 7.b.** 22R-85  
Approving the Professional Services Agreement Supplement No. 1 for environmental services between the City of Lincoln and Olsson, Inc., for the Adams St. from 36th St. to 49th St. Rehab Project, Project No. LCLC-5250(4), Control No. 13440. (Consent)  
[22R-85 Resolution.pdf](#)  
[702976 NEPA CWO#1 Agreement\\_Scanned.pdf](#)  
[22R-85 702976 Adams from 36th to 49th CWO#1 Council Legislation Fact](#)

- 7.c.** 22R-86  
Approving the Professional Services Agreement between the City of Lincoln and Felsburg Holt & Ullevig, Inc. for environmental services for the 9th & 10th, A & D Intersections Traffic Signal Project, Project No. LCLC-5261(1), Control No. 13436. (Consent)  
[22R-86 Resolution.pdf](#)  
[702144, CN 13436 Agreement FHU-ENV.pdf](#)  
[22R-86 city-council-fact-sheet Contract ENV.pdf](#)
- 7.d.** 22R-87  
Approving the Professional Services Agreement between the City of Lincoln and Felsburg, Holt & Ullevig, Inc., for preliminary engineering services for the 9th & 10th, A & D Intersections, Traffic Signal Project, Project No. CLLC5261(1), Control No. 13436. (Consent)  
[22R-87 Resolution.pdf](#)  
[22R-87 city-council-fact-sheet Contract PE.pdf](#)  
[702144, CN 13436 Agreement FHU-PE.pdf](#)
- 7.e.** 22R-88  
MISCELLANEOUS 22001 - Application of the Urban Development Director, to declare the Bishop Heights Shopping Center Environs Redevelopment Area as blighted and substandard, on the property generally located at 27th Street and Highway 2.  
[22R-88 Resolution.pdf](#)  
[22R-88 Attachments.pdf](#)  
[MISC22001 - SUMMARY REPORT.pdf](#)
- 7.f.** 22R-89  
Accepting and approving the report of new and pending claims against the City for February 16 through February 28, 2022.  
[22R-89 Resolution.pdf](#)  
[22R-89 Claims Report.pdf](#)
- 7.g.** 22R-90  
Approving Fast Forward Funds for the construction of a maintenance and modification hanger at Duncan Aviation.  
[22R-90 Resolution.pdf](#)

**8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS**

- 8.a.** 22-6  
Approving the Lease Agreement between the City and Truck Equipment Service Company for use in conjunction with their private business of the manufacture, sale, and servicing of trucks, trailers, and related equipment.

[22-6 Ordinance.pdf](#)  
[22-6 Attachment.pdf](#)

- 8.b.** 22-49  
Amending Lincoln Municipal Code Section 10.02.055 Bicycle Lane to include use by other transportation devices on bicycle lanes; Amending Section 10.02.125 Electric Foot Scooter to define an electric foot scooter as a transportation device, rather than a motor vehicle, that is propelled by an electric motor or in combination with the application of human power; Amending Section 10.14.050 Use of Restricted Areas Adjacent to Curb and Changing Course to permit some transportation devices in the area adjacent to curb, if otherwise permitted by the Lincoln Municipal Code; Amending Title 10 Vehicles and Traffic to add Chapter 10.49 entitled “Electric Foot Scooters” to provide that persons operating an electric foot scooter shall abide by the provisions established for bicycle riders; and repealing Sections 10.02.055, 10.02.125, and 10.14.050 of the Lincoln Municipal Code as hitherto existing.  
[22-49 Ordinance.pdf](#)

- 8.c.** 22-50  
Amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations by adding Chapter 5.52 to the Lincoln Municipal Code entitled “Shared Mobility Devices”.  
[22-50 Ordinance.pdf](#)

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

- 9.a.** 22-27  
Approving a Purchase Agreement between the City and the County of Lancaster, Nebraska for the purchase of County owned property generally located at 1005 O Street. (2/7/22 - Motion to delay Action 6 weeks to 3/21/22)  
[22-27 Ordinance.pdf](#)  
[22-27 Attachment.pdf](#)
- 9.b.** 21-172  
Amending Lincoln Municipal Code Chapter 2.18 Purchasing Division by adding a new section numbered 2.18.034 entitled “Contractor Provisions” to incorporate a bid incentive for apprentice utilization. (1/10/22 - Public Hearing & Action Cont'd seven weeks to 2/28/22)  
(PUBLIC HEARING & ACTION CONT'D THREE WEEKS TO 3/21/22, 5-2)  
[21-172 Ordinance 2.18.034.pdf](#)  
[21-172 MTA No. 1.pdf](#)  
[21-172 MTA No. 1 Substitute Ordinance 2.18.034.pdf](#)

## **10. PENDING LIST**

- 10.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 March, open microphone sessions will be held on Mar. 14th & Mar. 28th, 2022.

## **ADJOURNMENT**

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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 LNKTVCity and re-aired later. For a schedule, visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTVCity). LNKTVCity 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](http://lincoln.ne.gov) (keyword: LNKTVCity) and available later at [youtube.com/LNKTVCity](http://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.

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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.*