AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, JANUARY 31, 2022 AT 5:30 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-27

Appointing Haroon Al Hayder to the Commission on Human Rights for a term expiring December 31, 2024.
22R-27 Resolution.pdf
Al Hayder app.pdf

1.b. 22R-29

Approving the Certification of the Street Superintendent for a term from January 1, 2021 through December 31, 2021. 22R-29 Resolution.pdf 22R-29 Attachment.pdf city-council-fact-sheet.pdf MTA 22R-29 docx.pdf 22R-29 Substitue Resolution.pdf

2. **PETITIONS & COMMUNICATIONS**

2.a. 22R-50

Setting the hearing date of Monday, February 14, 2022 at 3:00 p.m. on the application of Nebraska Horsemen's BPA Inc dba Lincoln Race Course for a Class CK Liquor license located at 7055 South 1st Street. SHD 22R-50.pdf

2.b. 22R-51

Setting the hearing date of Monday, February 14, 2022 at 3:00 p.m. on the application of La Habana Social Hall, LLC dba La Habana Social Hall for a class I Liquor license located at 3223 Cornhusker Hwy. SHD 22R-51.pdf

2.c. 22R-52

Setting the hearing date of Monday, February 7, 2022 at 3:00 p.m. for Manager Application of Taylor N. Hendricks for Mo Chara, LLC dba Cliff's Martini Lounge located at 5310 S. 56th Street #1. SHD 22R-52.pdf SHD 22R-52.docx

2.d. 22R-53

Setting the hearing date of Monday, February 7, 2022 at 3:00 p.m. for Manager Application of Taylor N. Hendricks for Mo Chara, LLC dba Watering Hole located at 1319-1323 O Street.

SHD 22R-53.pdf SHD 22R-53.docx

2.e. 22R-54

Setting the hearing date of Monday, February 7, 2022 at 3:00 p.m. for Manager Application of Jason R. Johnson for Olderbak Enterprises North, LLC dba Annabell Gardens located at 200 S. 68th Street Place. SHD 22R-54.pdf

2.f. 22R-55

Setting the hearing date of Monday, February 14, 2022 at 3:00 p.m. for Manager Application of Theresa A. Lichtenberg for Whitehead Oil Company dba U-STOP #5 located at 8231 O Street, U-STOP #15 located at 7100 Pioneers Blvd, and U-STOP #25 located at 2140 K Street Ste. 100. SHD 22R-55.pdf

2.g. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment 21060 to Use Permit 19001A, Great Plains Beef, approved by the Planning Director on January 10, 2022 to expand the building envelope to accommodate a proposed greenhouse building, and a land use table and amending two notes, on property generally located at N. 84th Street and Havelock Avenue.

Administrative Amendment 21064 to Use Permit 57E, Lincoln Crossing, approved by the Planning Director on January 10, 2022 to revise the layout for buildings W, X and Y to show early childhood care facility and uses, increase the overall square footage for the Use Permit from 866,539 to 885,639 square feet and reduce the front yard setback for Building Y from 35 feet to 20 feet, on property generally located at N. 27th Street and Folkways Boulevard.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 22R-48

Application of Sabor Latino LLC dba Sabor Latino for a Class I Liquor license located at 2701 N. 48th Street, Suite 4. 22R-48 Sabor Latino Class I app.pdf 22R-48 Sabor Latino Class I den.pdf 22r-48 Ltr and Application.pdf

4.b. 22R-49

Manager Application of Dakhil Meskin for Sabor Latino LLC dba Sabor Latino located at 2701 N. 48th Street, Suite 4. 22R-49 Dakhil Meskin for Sabor Latino app.pdf 22R-49 DakhilMeskin for Sabor Latino den.pdf 22r-48 Ltr and Application.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 21R-598

Special Permit 17022A - Appeal of Dominion South LLC/James Buel amending the existing Community Unit Plan (CUP) to permit 835 dwelling units, including 462 multi-family units on approximately 152.26 acres, on the property generally located at O Street and N. 105th Street. (1/10/22 - Public Hearing & Action Cont'd two weeks to 1/24/22) (1/24/22 - Public Hearing & Action cont'd one week to 01/31/22) 21R-598 Resolution.pdf SP17022A - SUMMARY REPORT.pdf 21R-598 MTA No. 1.pdf 21R-598 Substitute Resolution.pdf

5.b. 22R-30

Declaring the official intent of the City to serve as the issuer of multi-family housing revenue bonds in an aggregated principal amount not to exceed \$18,000,000.00 to finance the construction of up to 140-unit multi-family housing facility development to be located generally at 5000 S. Folsom St. 22R-30 Resolution.pdf

5.c. 22R-31

Declaring the official intent of the City to serve as the issuer of multi-family housing revenue bonds in an aggregate principal amount not to exceed \$18,000, 000.00 to finance the construction of multifamily affordable housing units generally located at the SW corner of 16th Streets and N Streets.

22R-31 Resolution.pdf

5.d. 22R-32

Approval of the First Amendment to the Conditional Zoning and Annexation Agreement for Camping World Lincoln between the City and FRHP Lincolnshire, LLC to amend the provisions related to the timing of construction of road improvements for the property generally located at approximately N. 64th Street and Arbor Road. 22R-32 Resolution.pdf

22R-32 Attachment.pdf

5.e. 22R-33

Appeal by Jayne Sebby of Planning Commission approval of Special Permit 21055, to allow for the sale of alcohol for consumption off the premises, on property generally located at 2645 O Street.

22R-33 Resolution.pdf SP21055 - SUMMARY REPORT.pdf

5.f. 22R-42
Accepting and approving the report of new and pending claims against the City for January 1 through January 15, 2022.
22R-42 Resolution.pdf
22R-42 Claims Report.pdf
22R-42 (Motion to Amend No. 1).pdf

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS

6.a. 22-7

Amending Lincoln Municipal Code Sections 24.38.020 and 24.38.030 to include the effective date of August 11, 2012. 22-7 Ordinance Chapter 24.38.pdf

- 6.b. 22-20 Amending Lincoln Municipal Code Section 24.42.020 to include the effective date of August 11, 2012.
 22-20 Ordinance Chapter 24.42.pdf
- **6.c.** 22-21

Annexation 21007 - Application of Lincoln Federal Bancorp to annex approximately
31.46 acres of property generally located at 84th Street and Rokeby Road. (Related Items: 22-21, 22-22, 22R-43)
22-21 Ordinance.pdf
22-21 Attachment.pdf
AN21007 - SUMMARY REPORT.pdf

6.d. 22-22

Change of Zone 21043 - Application of Lincoln Federal Bancorp, Inc. for a change from AG Agricultural District to R-5 Residential District, on property generally located at 84th Street and Rokeby Road. (Related Items: 22-21, 22-22, 22R-43) 22-22 Ordinance.pdf 22-22 Attachment.pdf CZ21043 - SUMMARY REPORT.pdf

6.e. 22R-43

Approving the Amendment No. 5 to the Annexation Agreement for the Rokeby Road Coalition between the City of Lincoln and Lincoln Federal Bancorp. (Related Items: 22-21, 22-22, 22R-43) 22R-43 Resolution.pdf 22R-43 Attachment.pdf

6.f. 22R-34

Comprehensive Plan Amendment 21003 - Application of Planning Director, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map from industrial to commercial on approximately 5.6 acres, on property generally located southeast of N. 14th Street and Cornhusker Highway at 1555 Yolande Avenue and 1445 and 1525 Cornhusker Highway. (Related Items: 22R-34, 22-23, 22R-44) 22R-34Resolution.pdf 22R-34 Attachment.pdf CPA21003 - SUMMARY REPORT.pdf

6.g. 22-23

Change of Zone 21052 - Application of Jack Irons, to change from I-1 Industrial District to H-3 Highway Commercial District, on property generally located at 1555 Yolande Avenue and 1445 and 1525 Cornhusker Highway. (Related Items: 22R-34, 22-23, 22R-44)

22-23 Ordinance.pdf 22-23 Attachment.pdf CZ21052 - SUMMARY REPORT.pdf

6.h. 22R-44

Approving the Conditional Zoning Agreement between the City and The Jack Irons Lifetime Trust for the property generally located at 1555 Yolande Avenue. (Related Items: 22R-34, 22-23, 22R-44)

22R-44 Resolution.pdf 22R-44 Attachment.pdf

6.i. 22-24

Change of Zone 21048 - Application of L A Real Estate LLC, for a change from R-4 Residential District to R-6 Residential District, on property generally located at North 24th and Y Streets. (Related Items: 22-24, 22-25)

22-24 Ordinance.pdf 22-24 Attachment.pdf CZ21048 - SUMMARY REPORT.pdf

6.j. 22-25

Street and Alley Vacation 21007 - Application of L A Real Estate LLC, to vacate the east-west alley between Y and Orchard Streets, from N. 23rd to N. 24th Streets. (Related Items: 22-24, 22-25)

22-25 Ordinance.pdf 22-25 Attachment.pdf SAV21007 - SUMMARY REPORT.pdf

6.k. 22-26

Approving the Purchase Option Agreement between the City and Mural Nebraska, LLC for the sale of City owned property generally located at the southwest corner of 16th Street and N Street. 22-26 Ordinance.pdf 22-26 Attachment.pdf

6.l. 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.

22-27 Ordinance.pdf

22-27 Attachment.pdf

- END PUBLIC HEARING -

7. **ORDINANCES - 3RD READING & RELATED RESOLUTIONS**

7.a. 22-1

> Amending Lincoln Municipal Code Section 2.76.370 Authorized Holidays to include the Juneteenth holiday. 22-1 Ordinance 2.76.370.pdf

7.b. 22-2

> Amending pay schedule for employee group whose classifications are assigned to the pay range which is prefixed by "X" by changing the pay range Class 1136 "Payroll Clerk" from X13 TO X19. 22-2 Ordinance.pdf

7.c. 22-3

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter A to change the title of "WIC Supervisor" to "WIC Program Manager."

22-3 Ordinance.pdf

7.d. 22-4

> Amending Lincoln Municipal Code Chapter 14.75 Driveway Approaches and Curbs by amending Sections 14.75.030, 14.75.050, 14.75.060, 14.75.120, and 14.75.130 to require the owner of real property to conduct and pay for work related to the removal, relocation, reconstruction, or alteration of a driveway approach for which no permit has been issued; to establish penalties for noncompliance; and to authorize the

City Attorney to take such civil actions as may be appropriate to gain compliance with this Chapter.

22-4 Ordinance Ch. 14.75.pdf

7.e. 22-5

Amending Lincoln Municipal Code Sections 8.20.030, 8.20.050, 8.20.120, 8.20.140, 8.20.190, and 8.20.195 to be consistent with the Nebraska Food Code changes approved on August 6, 2020. 22-5 Ordinance Chapter 8.20.pdf

7.f. 22-8

Amending Lincoln Municipal Code Sections 5.41.010 and 5.41.110 to clarify the definition of operator to include consumer recyclables collection site and to correct typographical errors.

22-8 Ordinance Chapter 5.41.pdf

7.g. 22-9

Amending Section 7.08.010 of the Lincoln Municipal Code relating to Emergency Medical Ambulance Service; Fees for Service to clarify when the Fire Chief shall present the proposed fee schedule to City Council. 22-9 Ordinance 7.08.010.pdf

7.h. 22-10

Amending Section 14.75.065 of the Lincoln Municipal Code to change Public Works to Transportation and Utilities. 22-10 Ordinance 14.75.065.pdf

7.i. 22-11

Repealing Sections 12.24.040 and 12.24.050 of the Lincoln Municipal Code as it is outdated language and the Tennis Fund no longer exists. 22-11 Ordinance repeal 12.24.040 and .050.pdf

7.j. 22-12

Amending Lincoln Municipal Code Section 20.12.115 to correct an incorrect reference to another section.

22-12 Ordinance 20.12.115.pdf

7.k. 22-13

Annexation 21008 - Application of Carroll Krueger Company, LLC, to annex approximately 39.93 acres for the property generally located at South 84th Street and Yankee Hill Road. (Related Items: 22-13, 22-14) 22-13 Ordinance (v2).pdf 22-13 Attachment.pdf AN21008 - SUMMARY REPORT.pdf

7.1. 22-14

Change of Zone 05068H - Application of Carroll Krueger Company, LLC, to amend the existing Woodlands at Yankee Hill PUD by expanding the covered area by 39.93 acres and allowing for an additional 82 dwelling units and an additional 65,000 square feet of commercial floor area for the property generally located at South 84th Street and Yankee Hill Road. (Related Items: 22-13, 22-14)

22-14 Ordinance (v2).pdf

CZ05068H - SUMMARY REPORT.pdf

7.m. 22R-11

Approving the 23rd & Y Street Redevelopment Project Agreement between the City of Lincoln and The Millennial, LLC relating to the property generally located at on the north side of Y Street between 23rd and 24th Streets. (Related Items: 22R-11, 22R-12, 22-15) 22R-11 Resolution.pdf 22R-11 Attachment.pdf MTA 22R-11.pdf 22R-11 Substitute Resolution.pdf 22R-11 Substitute Attachment A.pdf

7.n. 22R-12

Amending the FY 21/22 CIP to authorize and appropriate \$955,500 in Tax Increment Financing for the 23rd & Y Street Redevelopment Project. (Related Items: 22R-11, 22R-12, 22-15) 22R-12 Resolution.pdf

7.0. 22-15

Authorizing the issuance of Tax Allocation Bonds for the 23rd & Y Street Redevelopment Project in an amount not to exceed \$955,500. (Related Items: 22R-11, 22R-12, 22-15) 22-15 Bond Ordinance.pdf

7.p. 22-17

Annexation 21006 - Application of Central Land Investments, LLC to annex approximately 16.78 acres of property generally located at N. 66th and Arbor Road. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19) 22-17 Ordinance.pdf 22-17 Attachment.pdf AN21006 - SUMMARY REPORT.pdf

7.q. 22-18

Change of Zone 21042 - Application Central Land Investments, LLC, for a change from AG Agriculture District to I-1 Industrial District on property generally located at North 66th Street and Arbor Road. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19)

22-18 Ordinance.pdf 22-18 Exhibit A.pdf CZ21042 - SUMMARY REPORT.pdf

7.r. 22R-13

Approving the Annexation and Conditional Zoning Agreement between the City and Central Land Investments, LLC for the property generally located at N. 66th and Arbor Road. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19) 22R-13 Resolution.pdf

22R-13 Attachment.pdf MTA 22R-13.pdf 22R-13 Substitute Resolution.pdf 22R-13 Substitute Attachment A.pdf

7.s. 22R-14

Approving the Sanitary Sewer Agreement between the City, Jack A. Herbert, Marie A. Herbert, SRP Real Estate, LLC, Central Land Investments, LLC, TriBedo, LLC, Hanover III, LLC, Hanover II, LLC, and RF Properties, Inc. generally located at N. 70th and Arbor Rd. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19) 22R-14 Resolution.pdf 22R-14 Resolution.pdf 22R-14 Attachment.pdf MTA 22R-14 docx.pdf 22R-14 Substitute Resolution.pdf 22R-14 Substitute Attachment A.pdf

7.t. 22R-15

Approving the Central Lumber Sales Redevelopment Agreement between the City and Central Land Investments, LLC for the property generally located north of Arbor Road between N. 56th and N. 70th. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19) 22R-15 Resolution.pdf 22R-15 Attachment.pdf MTA 22R-15 docx.pdf 22R-15 Substitute Resolution.pdf 22R-15 Substitute Attachment A.pdf

7.u. 22R-16

Amending the FY 21/22 CIP to authorize and appropriate \$2,500,000. in Tax Increment Financing for the Central Lumber Sales Redevelopment Project. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22-19, 22R-16) 22R-16 Resolution.pdf

7.v. 22-19

Authorizing the issuance of Tax Allocation Bonds for the Central Lumber Sales Redevelopment Project in an amount not to exceed \$2,500,000. (Related Items: 22-17, 22-18, 22R-13, 22R-14, 22R-15, 22R-16, 22-19) 22-19 Ordinance.pdf MTA 22-19 Ordinance.pdf 22-19 Substitute Ordinance.pdf

8. **RESOLUTIONS - 1ST READING**

8.a. 22R-28

Approving Subscription Services Agreement between the City and with ReCollect Systems, Inc. for a digital communication tool for recycling for a 3 year term from April 6, 2022 to April 5, 2025. (Consent) 22R-28 Resolution.pdf 22R-28 Attachment.pdf fact-sheet.pdf Insurance

8.b. 22R-45

Appointing Meagan Liesveld to the Keno/Human Services Advisory Board for a term expiring December 31, 2023. 22R-45 Keno Advisory.pdf

8.c. 22R-46

Approving the Renewal Grant from the Nebraska Department of Health and Human Services on behalf of the Tobacco Free Nebraska Program to the Lincoln-Lancaster County Health Department in the amount of \$481,309.45 for program goals of reducing secondhand smoke/e-cigarette exposure, preventing youth tobacco/e-cigarette initiation, reducing tobacco/e-cigarette disparities, and promoting local cessation resources for the period of January 1, 2022 through June 30, 2023. (Consent) 22R-46 Tobacco Grant.pdf 22R-46 Attachment.pdf 22R-46 Fact Sheet.pdf

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

9.a. 22-16

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter W to change the titles of "Equity and Diversity Officer" to "Human Rights Manager."

22-16 Ordinance.pdf

9.b. 22-28

Approving Amendment No. 1 to Agreement for PCS Tower and Appurtenances between the City and New Cingular Wireless PCS, LLC to renew the agreement for

three additional five year terms. 22-28 Ordinance.pdf 22-28 Attachment.pdf

9.c. 22-29

Annexation 21012 - Application of Sundance, LLC, to annex approximately 5.45 acres, more or less, on property generally located SE of South 40th Street and Rokeby Road. (Related Items: 22-29, 22-30, 22R-47) 22-29 Ordinance.pdf 22-29 Attachment.pdf AN21012 - SUMMARY REPORT REPORT.pdf

9.d. 22-30

Change of Zone 20002A - Application of Sundance, LLC, to change from AG Agricultural District to R-5 Residential District PUD Planned Unit Development to expand the existing Grandale South Addition Planned Unit Development (PUD) BY 5.45 acres, for an additional 120 dwelling units, 120 hotel units and a 9,000 square foot decrease in commercial floor area with requested waivers, on the property generally located at South 40th Street and Rokeby Road. (Related Items: 22-29, 22-30, 22R-47)

22-30 Ordinance (v2 clean).pdf CZ20002A - SUMMARY REPORT.pdf

9.e. 22R-47

Approval of Amendment No. 1 and Restatement of the Conditional Annexation Agreement for 40th and Rokeby Road between the City, Bryan Medical Center, and Sundance, LLC. (Related Items: 22-28, 22-29, 22R-47) 22R-47 Resolution.pdf 22R-47 Attachment.pdf

9.f. 22-31

Amending various provisions of Title 11 of the Lincoln Municipal Code, Equal Opportunity. 22-31 Ordinance Title 11.pdf

10. PENDING LIST - DATE CERTAIN

10.a. 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) 21-172 Ordinance 2.18.034.pdf

11. PENDING LIST

11.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 January, open microphone sessions will be held on Jan. 24th & Jan. 31st, 2022.

ADJOURNMENT

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.

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.