

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

ACTION

ALL PRESENT EXCEPT MEGINNIS & RAYBOULD

**DUE TO PRESIDENT'S DAY HOLIDAY, THE CITY COUNCIL WILL NOT MEET ON MONDAY,
FEBRUARY 21, 2022.**

MAYOR'S AWARD OF EXCELLENCE

MAYOR'S AWARD OF EXCELLENCE FOR THE MONTH OF AUGUST 2021 IS PRESENTED TO BEAU WOLFE, PUBLIC INFORMATION SPECIALIST III FOR THE CITY COMMUNICATIONS DIVISION OF THE MAYOR'S OFFICE, IN THE CATEGORY OF PRODUCTIVITY.

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-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.
(ADOPTED, 5-0; A-93197)
[22R-28 Resolution.pdf](#)
[22R-28 Attachment.pdf](#)
[fact-sheet.pdf](#)
[Insurance](#)
- 1.b.** 22R-45
Appointing Meagan Liesveld to the Keno/Human Services Advisory Board for a term expiring December 31, 2023.
(ADOPTED, 5-0; A-93198)
[22R-45 Keno Advisory.pdf](#)
- 1.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.
(ADOPTED, 5-0; A-93199)

[22R-46 Tobacco Grant.pdf](#)
[22R-46 Attachment.pdf](#)
[22R-46 Fact Sheet.pdf](#)

- 1.d. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on January 24, 2022.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

- 2.a. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment 22003 to Special Permit 962C, Sunset View Estates, approved by the Planning Director on January 24, 2022, to reduce the west side yard setback for Lot 12, Sunset View Estates 2nd Addition from 30 feet to 20 feet, on property generally located at N. 40th Street and Ballard Avenue.
Administrative Amendment 22005 to Special Permit 1873, Crown Castle Personal Wireless Facility, approved by the Planning Director on January 24, 2022, to acknowledge that Title 27 was amended in 2015 and the 15-year time limit approval provision was deleted from the Zoning Ordinance for personal wireless facilities, on property located at 4700 Antelope Creek Road.

- 2.b. REFERRED TO THE PLANNING DEPARTMENT:
Change of Zone 21055, requested from SOFO Housing, LLC, from AG (Agricultural District) to R 4 (Residential District) PUD (Planned Unit Development) for the Foxtail Meadows PUD for up to 15,000 square feet of commercial floor area and up to 650 residential units with adjustments to the Zoning and Subdivision Ordinances, on property generally located at the southeast corner of W. Pioneers Boulevard and S. Folsom Street.

3. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a. 22R-64
Manager Application of Taylor N. Hendricks for Mo Chara, LLC dba Cliff's Martini Lounge located at 5310 S. 56th Street #1.

(ADOPTED FOR APPROVAL, 5-0; A-93200)

[22R-64 Taylor Hendricks for Cliff's app.pdf](#)

[22R-64 Taylor Hendricks for Cliffs den.pdf](#)

[22R-64 Ltr and Application.pdf](#)

4.b. 22R-65

Manager Application of Taylor N. Hendricks for Mo Chara, LLC dba Watering Hole located at 1319-1323 O Street.

(ADOPTED FOR APPROVAL, 5-0; A-93201)

[22R-65 Taylor Hendricks for Watering Hole app.pdf](#)

[22R-65 Taylor Hendricks for Watering Hole den.pdf](#)

[22R-64 Ltr and Application.pdf](#)

4.c. 22R-66

Manager Application of Jason R. Johnson for Olderbak Enterprises North, LLC dba Annabell Gardens located at 200 S. 68th Street Place.

(ADOPTED FOR APPROVAL, 5-0; A-93202)

[22R-66 Jason Johnson for Annebell app.pdf](#)

[22R-66 Jason Johnson for Annebell den.pdf](#)

[22R-66 Ltr and Application.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 5.A. THROUGH 5.F. HAD 2ND READING)

5.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](#)

5.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](#)

5.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](#)

- 5.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](#)
- 5.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](#)
- 5.f.** 22-31
Amending various provisions of Title 11 of the Lincoln Municipal Code, Equal Opportunity.
[22-31 Ordinance Title 11.pdf](#)

- END PUBLIC HEARING -

6. ORDINANCES - 3RD 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.
(PASSED, 5-0; #21208)
[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.
(PASSED, 5-0; #21209)
[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)

(PASSED, 5-0; #21210)

[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)

(PASSED, 5-0; #21211)

[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)

(ADOPTED, 5-0; A-93203)

[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)

(ADOPTED, 5-0; A-93204)

[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)

(PASSED, 5-0; #21212)

[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)
(ADOPTED, 5-0; A-93205)
[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)
(PASSED, 5-0; #21213)
[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)
(PASSED, 5-0; #21214)
[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.
(PASSED, 5-0; #21215)
[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.
(MOTION TO DELAY ACTION SIX WEEKS TO 3/21/22, 5-0)
[22-27 Ordinance.pdf](#)
[22-27 Attachment.pdf](#)

7. RESOLUTIONS - 1ST READING (ITEMS 7.A. THROUGH 7.H. HAD 1ST READING)

- 7.a.** 22R-56

Reappointing Peter Hind to the Urban Design Committee for a term to expire February 1, 2025. (Consent)

[22R-56 Resolution.pdf](#)

7.b. 22R-57

Reappointing Emily Deeker to the Urban Design Committee for a term to expire February 1, 2025. (Consent)

[22R-57 Resolution.pdf](#)

7.c. 22R-58

Reappointing Steve Miller to the City Board of Zoning Appeals for a term to expire February 1, 2027. (Consent)

[22R-58 Resolution.pdf](#)

7.d. 22R-59

Approving the Consultant Agreement between the City and SCS Engineers for Professional Services related to Environmental Compliance Services for the Solid Waste Management Division and the Lincoln Water System.

[22R-59 Resolution.pdf](#)

[Consultant Agreement 4-year Environmental Compliance Services](#)

[Addendum to Consultant Agreement 4-year Environmental Compliance Services](#)

[Attachment A/B Scope of Services](#)

[Exhibit 1 4-year Fee Estimate](#)

[COI with Cyber Insurance LOCKTON.pdf](#)

[Fact Sheet SCS Multi-Year Environmental Services edits by SRO.pdf](#)

7.e. 22R-60

Comprehensive Plan Conformance 21026 - Application of the Urban Development Director, to review as to conformance with the 2050 Lincoln Lancaster Comprehensive Plan, and to approve a proposed amendment the "Dairy House (Telesis Meadowgold) Redevelopment Project", which is included as part of the Lincoln Center Redevelopment Plan, to revise the order of the project phases and identify that the Phase II Project will consist of the rehabilitation of the structures identified as Condominium units G, H, I, and J for additional offices and manufacturing space for the company occupying Units E and F and affiliated with The Dairy House, LLC, on property generally located at 300 South 7th Street.

[22R-60 Resolution.pdf](#)

[22R-60 Attachments .pdf](#)

[CPC21026 - SUMMARY REPORT.pdf](#)

7.f. 22R-61

Miscellaneous 21014 - Application of the Urban Development Director, to declare approximately 73 acres generally bounded by Highway 77 on the east, W. Pioneer Boulevard on the north, and S. Folsom Street running through the study area with

surveyed property on both sides to be declared blighted and substandard as defined in the Nebraska Community Development Law.

[22R-61 Resolution.pdf](#)

[22R-61 Attachments.pdf](#)

[MISC21014 - SUMMARY REPORT.pdf](#)

7.g. 22R-62

Approving the Interlocal Agreement between the City and Lancaster County to cooperate on the construction and funding of a county broadband conduit system.

[22R-62 Resolution.pdf](#)

[22R-62 Attachment \(new\).pdf](#)

7.h. 22R-63

Accepting and approving the report of new and pending claims against the City for January 16 through January 31, 2022.

[22R-63 Resolution.pdf](#)

[22R-63 Claims Report.pdf](#)

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 8.A. & 8.B. HAD 1ST READING)

8.a. 22-32

Approving an Addendum to the Lease and Operating Agreement for the Pinnacle Bank Arena between the City and the Board of Regents of the University of Nebraska.

[22-32 Ordinance.pdf](#)

[22-32 Attachment.pdf](#)

8.b. 22-33

Approving the agreement between the City of Lincoln and Pen-Link, Ltd., to build a new Criminal Justice Information System (CJIS) for the City of Lincoln and Lancaster County.

[22-33 Ordinance.pdf](#)

[22-33 Attachment.pdf](#)

9. PENDING LIST - DATE CERTAIN

9.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](#)

10. PENDING LIST (EXTENDED ONE WEEK)

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 February, open microphone sessions will be held on Feb. 14th & Feb. 28th, 2022.

ADJOURNMENT 6:47P.M.

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 (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.