

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, FEBRUARY 28, 2022 AT 5:30 PM**

ACTION

ALL MEMBERS PRESENT

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-81
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended December 31, 2021.
(ADOPTED, 7-0; A-93220)
[Idle Funds Month Ending 12.31.21.pdf](#)
- 1.b.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on January 31, 2022.
(PLACED ON FILE)
- 1.c.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on February 7, 2022.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 22R-82
Setting the hearing date of Monday, March 7, 2022 at 3:00 p.m. on the application of Down The Hatch Inc., dba Down The Hatch for an addition of a walk in cooler area measuring 9 feet by 9 feet at 5601 NW 1st Street.
(ADOPTED, 7-0; A-93221)
[SHD 22R-82.pdf](#)
- 2.b.** Informal Petition to install a sidewalk along 40th Street between O Street and A Street, submitted by David Dudek.
(REFERRED TO LINCOLN TRANSPORTATION & UTILITIES)
[Informal Petition Submitted by D.Dudek .pdf](#)
- 2.c.** REFERRED TO THE PLANNING DEPARTMENT:
CHANGE OF ZONE 21022A, from AG (Agricultural District) to R 5 (Residential District) PUD (Planned Unit Development), generally located at South 70th Street and

Rokeby Road.

CHANGE OF ZONE 21038, from AG (Agricultural District), H 1 (Interstate Commercial District), and H 3 (Highway Commercial District) to H 4 (General Commercial District) generally located at North 56th Street and Arbor Road.

CHANGE OF ZONE 21054, from AG (Agricultural District) to B 2 (Planned Neighborhood Business District), generally located at North 98th Street and Boathouse Road.

CHANGE OF ZONE 22003, from AG (Agricultural District) to R 3 (Residential District), over approximately 32.89 acres, on property generally located at South 70th Street and Rokeby Road.

USE PERMIT 21010, for multifamily dwellings and commercial pad sites with 505 dwelling units and 48,000 square feet of allowable floor area for commercial uses, on property generally located at North 98th Street and Boathouse Road.

3. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 22R-83

Application of McKinney's Pub, LLC dba McKinney's Irish Pub for a special designated license to cover an outdoor area measuring approximately 60 feet x 120 feet on P Street between 7th to 8th Streets, on March 17, 2021 between 8:00 a.m. to 11:55 p.m.

(ADOPTED FOR APPROVAL, 7-0; A-93222)

[22R-83 McKinneys SDL app.pdf](#)

[22R-83 McKinneys SDL den.pdf](#)

[SDL McKinneys 3.17.22 .pdf](#)

[McKinney's St. Patrick's Day Event.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 22R-67

Approving the Interlocal Agreement between the City and Lancaster County for CJIS update.

(MTA #1 ADOPTED, 7-0; ADOPTED AS AMENDED, 7-0; A-93223)

[22R-67 Resolution.pdf](#)

[22R-67 Attachment.pdf](#)

[MTA 22R-67.pdf](#)

[22R-67 MTA Substitute Attachment.pdf](#)

- VOTE ON RESOLUTIONS -

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

- 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. ORDINANCES 3RD READING & RELATED RESOLUTIONS – CONTINUED PUBLIC HEARING & ACTION

- 7.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)
(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](#)

- VOTE ON ORDINANCES 3RD READING WITH CONTINUED PUBLIC HEARING & ACTION -

- END PUBLIC HEARING -

8. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 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.
(PASSED, 7-0; #21221)
[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. (2/14/22 – Motion to Suspend Rules to have 3rd Reading & Action Lost.)
(PASSED, 7-0; #21222)
[22-33 Ordinance.pdf](#)
[22-33 Attachment.pdf](#)

9. RESOLUTIONS - 1ST READING (ITEMS 9.A. THROUGH 9.C. HAD 1ST READING)

- 9.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) (Consent)
[22R-77 Resolution.pdf](#)
[STIC Agreement](#)
[STIC Fact Sheet pdf](#)
[STIC Incentive Application Form LTU](#)
- 9.b.** 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](#)

9.c. 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](#)

10. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 10.A. THROUGH 10.I. HAD 1ST READING)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

10.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](#)

11. PENDING LIST - DATE CERTAIN

11.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](#)

12. PENDING LIST (EXTENDED ONE WEEK)

12.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 8:25P.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: ALLO Channel 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.