

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, JUNE 06, 2022 AT 3:00 PM**

DUE TO THE JUNETEENTH HOLIDAY, CITY COUNCIL WILL NOT MEET ON JUNE 20, 2022

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-201
Reappointing Dean Prochnow to the Dangerous Building Code Board of Appeals for a term to expire December 15, 2024.
[22R-201 Resolution.pdf](#)
- 1.b.** 22R-202
Reappointing Craig Gies to the Building Code Board of Appeals for a term to expire April 1, 2025.
[22R-202 Resolution.pdf](#)
- 1.c.** 22R-203
Reappointing Bradford Moore to the Housing Advisory and Appeals Board for a term to expire January 31, 2025.
[22R-203 Resolution.pdf](#)
- 1.d.** 22R-204
Reappointing Brad Roth to the Housing Advisory and Appeals Board for a term to expire January 31, 2025.
[22R-204 Resolution.pdf](#)
- 1.e.** 22R-205
Reappointing Ron Geary to the Mechanical Advisory and Appeals Board for a term to expire April 4, 2025.
[22R-205 Resolution.pdf](#)
- 1.f.** 22R-206
Reappointing Ron Geary to the Board of Mechanical Examiners for a term to expire April 4, 2025.
[22R-206 Resolution.pdf](#)
- 1.g.** 22R-207
Reappointing David Johnson to the Building Code Board of Appeals for a term to expire April 1, 2025.
[22R-207 Resolution.pdf](#)

- 1.h. 2021 City Law Department Annual Report. (Placed one file)

- 1.i. Lincoln Electric System Financial and Operating Statement for April 2022. (Placed on file)
[Apr 2022 LES Financials.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a. 22R-248
Setting the hearing date of Monday, June 13, 2022 at 3:00 p.m. for the Manager Application of Harry L. Watson Jr. for Original Grata, LLC dba Original Grata located at 2755 Jamie Lane, Suite 15.
[SHD 22R-248.pdf](#)

- 2.b. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Approval 22031 to Change of Zone 05061D, approved by Planning Director on May 12, 2022, to update block and lot titles shown on Sheet 11 of the Southwest Village PUD approved plans, on property generally located at West Denton Road and West Amaranth Lane.

- 2.c. REFERRED TO THE PLANNING DEPARTMENT:
Change of Zone 16016A from B 1 (Local Business District) and R 2 (Residential District) to B 3 PUD (Planned Unit Development), to add 2.23 acres to the amendment to the University Place South Redevelopment Plan to include the 48th & Aylesworth Redevelopment Project with associated waivers and adjustments to the Zoning and Land Subdivision Ordinances, on property generally located at North 48th & Aylesworth Streets.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a. 22R-242
Application of LDR Enterprises, LLC dba L's Kitchen for a Class I Liquor License located at 2785 South 17th Street.
[22R-242 L's Kitchen Class I app.pdf](#)
[22R-242 L's Kitchen Class I den.pdf](#)

[22R-242 Ltr and App for L'sKitchen.pdf](#)

- 4.b.** 22R-243
Manager Application of Renee De Villiers for LDR Enterprises, LLC dba L's Kitchen located at 2785 South 17th Street.
[22R-243 Renee DeVillier for L's Kitchen Class I app.pdf](#)
[22R-243 Renee Devillier for L's KitchenI den.pdf](#)
[22R-242 Ltr and App for L'sKitchen.pdf](#)
- 4.c.** 22R-244
Manager Application of Cassandra M. Gerih for Kwik Shop Inc. dba Kwik Shop 619 at 2302 Cornhusker Highway, Kwik Shop 618 at 4750 Calvert Street, Kwik Shop 632 at 5900 Fremont Street, Kwik Shop 634 at 2940 North 14th Street, Kwik Shop 635 at 2330 North 1st Street, Kwik Shop 637 at 2710 W Street, Kwik Shop 646 at 3301 Holdrege Street, Kwik Shop 650 at 5600 Holdrege Street, Kwik Shop 662 at 2040 South 56th Street, Kwik Shop 663 at 4400 Cornhusker Highway, Kwik Shop 641 at 2811 North 48th Street, Kwik Shop 642 at 3939 A Street, Kwik Shop 681 at 4400 O Street, and Kwik Shop 680 located at 1441 North Cotner Boulevard.
[22R-244 Cassandra Gerih for Kwik Shop app.pdf](#)
[22R-244 Cassandra Gerih for Kwik Shop den.pdf](#)
[22r-244 Ltr and App for Cassandra Gerih for KwikShop.pdf](#)
- 4.d.** 22R-245
Application of Yard Investments, LLC dba Gate 25 for a special designated license to cover an outdoor area measuring approximately 50 feet by 200 feet at 300 Canopy Street on June 10, 2022 from 10:00 a.m. to 2:00 a.m.
[22R-245 Gate 25 SDL 6-10-22 app.pdf](#)
[22R-245 Gate 25 SDL 6-10-22den.pdf](#)
[Hudl Fest Map v2 \(1\).pdf](#)
[22R-245 Gate 25 SDL.pdf](#)
- 4.e.** 22R-246
Application of Yin Family, LLC dba Hiro 88 for a special designated license to cover an outdoor area measuring approximately 356 feet by 230 feet at 601 R Street/350 Canopy Street on June 10, 2022 from 11:00 a.m. to 12:00 a.m.
[22R-246 Hiro 88 SDL 6-10-22 app.pdf](#)
[22R-246 Hiro 88 SDL 6-10-22den.pdf](#)
[Hudl Fest Map v2 \(1\).pdf](#)
[22R-246 Hiro 88 SDL Application.pdf](#)
- 4.f.** 22R-247
Application of The Bar at the Yard, LLC dba Longwells for a special designated license to cover an outdoor area measuring approximately 350 feet by 230 feet at 350 Canopy Street/601 R Street on June 10, 2022 from 7:00 p.m. to 11:00 p.m.
[22R-247 Longwells SDL 6-10-22 app.pdf](#)

[22R-247 Longwells SDL 6-10-22 den.pdf](#)
[Hudl Fest Map v2 \(1\).pdf](#)
[22R-247 Longwells SDL Application.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 22R-208
Accepting and approving the report of new and pending claims against the City for May 1 through May 15, 2022.
[22R-208 Resolution.pdf](#)
[22R-208 Claims Report.pdf](#)
- 5.b.** 22R-209
Approving a Contract between the City of Lincoln and Firstar Fiber, Inc. for Recyclable Material Processing Services, pursuant to Bid No. 22-110, beginning July 1, 2022 through June 30, 2026, with option to renew for one additional four year term.
[22R-209 Resolution.pdf](#)
[22-110 Bid Documents.pdf](#)
[22-110 Fact Sheet - Resolutions.pdf](#)
[22-110 First Star.pdf](#)
[Firstar Fiber COI & endorse 8-22-22.pdf](#)
- 5.c.** 22R-210
Approving the 2022-2023 Interlocal Agreement on Stormwater Management between the City and the Lower Platte South Natural Resources District to address stormwater quality and quantity issues.
[22R-210 Resolution.pdf](#)
[22R-210 Attachment.pdf](#)
[20220512 city-council-fact-sheet.pdf](#)
- 5.d.** 22R-212
Amending the issuance of multifamily housing bonds (Union at Middle Creek Project) in an aggregate principal amount not to exceed \$30,000,000.00, in one or more series, on behalf of Union at Middle Creek, LP to provide funds to finance a portion of the costs of the acquisition, construction and equipping of a 192-unit multifamily housing project, generally located at SW 27th & W. B Streets.
[22R-212Bond Resolution \(Union at Middle Creek\) BC Signed.pdf](#)
- 5.e.** 22R-225
Approving an Amendment to the Zoning Agreement for Change of Zone 06012, to allow retail or restaurants with drive thru services on the property between 9th and 10th Street, north of Van Dorn Street.
[22R-225 Resolution.pdf](#)

[22R-225 First Amendment and Restatement Conditional Zoning Agreement FINAL.pdf](#)
[22R-225 Memo.pdf](#)

- VOTE ON RESOLUTIONS -

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

- 6.a.** 22R-193
Approving the Cotswold Building Redevelopment Agreement between Cotswold Management, LLC, and the City relating to the redevelopment of property generally located at 311 South 7th Street and adjacent rights of way and public property in Downtown Lincoln. (Related Items: 22R-193, 22R-194, 22-92)
[22R-193 Resolution.pdf](#)
[22R-193 Attachment.pdf](#)
- 6.b.** 22R-194
Amending the FY 2021-2022 CIP to authorize and appropriate \$3,304,792 in TIF funds for the Cotswold Building Redevelopment Project. (Related Items: 22R-193, 22R-194, 22-92)
[22R-194 Resolution.pdf](#)
- 6.c.** 22-92
Authorizing the issuance of Tax Allocation Bonds for the Cotswold Building Redevelopment Project in an amount not to exceed \$3,304,792. (Related Items: 22R-193, 22R-194, 22-92)
[22-92 Lincoln TIF Bonds \(Cotswold Building\) - Bond Ordinance.pdf](#)
- 6.d.** 22-95
Change of Zone 15021A - Application of Senior Foundation V. A. Vision & Victory Park, LLC, to amend the Victory Park PUD Planned Unit Development to increase allowable building height from 2 stories to 3 stories up to 50 feet for multi-family structures and to adjust the lot layout for further platting, with associated waivers, on property generally located at 600 South 70th Street.
[22-95 Ordinance \(v2\).pdf](#)
[CZ15021A - SUMMARY REPORT.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 22-90
Approving a Real Estate Sales Agreement between the City of Lincoln and Crete Carrier Corporation for the sale of City owned property generally located at NW Roundhouse Drive and West "O" Street.

[22-90 Ordinance.pdf](#)

- 7.b.** 22-91
Approving a Real Estate Sales Agreement between the City of Lincoln and Brian and Brooklyn Curry for the sale of City owned property generally located at 6th and Cedar Streets in Ashland, Nebraska.
[22-91 Ordinance.pdf](#)
[Map Ashland surplus.pdf](#)
- 7.c.** 22-93
Amending Lincoln Municipal Code Section 2.54.050 Prohibited Acts to clarify and revise the regulations regarding conflict of interest for present and former officers or employees of the City; and repealing Section 2.54.050 of the Lincoln Municipal Code as hitherto existing.
[22-93 Ordinance 2.54.050.pdf](#)
- 7.d.** 22-94
Amending Lincoln Municipal Code Section 2.62.165 Purchase of Forfeited Service Credit Under this Plan; Purchase of Prior Service Credit for Service for Another Governmental Employer to clarify ordinance language and to treat all pension members equally, by limiting to one purchase transaction those members eligible to purchase Forfeited Service Credit and by allowing a partial service credit purchase to members eligible to purchase Prior Service Credit.
[22-94 Ordinance 2.62.165.pdf](#)

8. RESOLUTIONS - 1ST READING

- 8.a.** 22R-227
Reappointment of Dr. Stacie Bleicher to the Lincoln-Lancaster County Board of Health for a term to expire on April 15, 2025. (Consent)
[22R-227 Resolution.pdf](#)
- 8.b.** 22R-228
Reappointment of Dr. Katie Garcia to the Lincoln-Lancaster County Board of Health for a term to expire on April 15, 2025. (Consent)
[22R-228 Resolution.pdf](#)
- 8.c.** 22R-229
Approving the 2022-2023 Joint Budget Committee Funding recommendations.
(Consent)
[22R-229 Resolution.pdf](#)
[Attachment A.pdf](#)
- 8.d.** 22R-230
Approving a contract between the City of Lincoln and Alfred Benesch & Co. for an

On-Call Construction Engineering Services Task Order Agreement for the N. 27th St Adaptive Signal Project. Project No. HSIP-5231(14), Control No. 13244, City Project No. 702689. (Consent)
[22R-230 Resolution.pdf](#)
[CN 13244_Benesch_Construction Services Contract_City Unsigned.pdf](#)
[CN 13244_N 27th St_City Council Fact Sheet.pdf](#)

8.e. 22R-231
Approving the On-Call Professional Services Task Order Agreement between the City and JEO Consulting Group, Inc. to provide preliminary engineering services for the Cotner Blvd. from "O" St. to Starr St. Rehab Project, Project No. LCLC-5237(4), Control No. 13498, City Project No. 705387 (Consent)
[22R-231 Resolution.pdf](#)
[705387 JEO PE Scoping Scope_Scanned.pdf](#)
[705387 Cotner from O to Starr Council Legislation Fact Sheet_051822_PE.pdf](#)

8.f. 22R-232
Approving the On-Call Professional Services Task Order Agreement between the City and HDR Engineering, Inc., to provide environmental services for the Cotner Blvd. from "O" St. to Starr St. Rehab Project No. LCLC-5237(4), Control No. 13498, City Project No. 705387. (Consent)
[22R-232 Resolution.pdf](#)
[705387 Cotner from O to Starr Council Legislation Fact Sheet_031722_NEPA.pdf](#)
[705387 HDR NEPA Scoping Scope_Scanned.pdf](#)

8.g. 22R-233
Accepting and approving the report of new and pending claims against the City for May 16 through May 31, 2022.
[22R-233 Resolution.pdf](#)
[22R-233 Claims Report.pdf](#)

8.h. 22R-234
Miscellaneous 22004 - Application of the Urban Development Director to declare the Coyote/Finke Redevelopment Area, generally located North of O Street between N. 66th and N. 70th Streets along the MoPac trail blighted and substandard.
[22R-234 Resolution.pdf](#)
[22R-234 Attachments.pdf](#)
[MISC22004 - SUMMARY REPORT.pdf](#)

8.i. 22R-236
Approving a Service Agreement between the City on behalf of the Lincoln-Lancaster County Health Department and Bryan College of Health Sciences for the clinical training for public health nursing students for the term of September 1, 2022 through August 31, 2025.
[22R-236 Resolution.pdf](#)

[22R-236 Attachment.pdf](#)

- 8.j.** 22R-238
FY 2022-23 Annual Action Plan for HUD Entitlement Programs using Community Development Block Grants (CDBG), Home, and Emergency Solution Grant (ESG).
[22R-238 Resolution.pdf](#)
[Cover memo to Council.pdf](#)
[Executive Summary.pdf](#)

- 8.k.** 22R-211
Approving the Relinquishment Agreement between the City and the Nebraska Department of Transportation regarding a 9.18 mile segment of State Highway 2.
[22R-211 Resolution.pdf](#)
[22R-211 Attachment.pdf](#)

- 8.l.** 22R-239
Approving the updated fees schedule for ambulance services during FY 2022-2023.
[22R-239 Resolution.pdf](#)
[22R-239 Attachment.pdf](#)

- 8.m.** 22R-249
Approving Lyn Elwin Heaton as Finance Director/ Chief Financial Officer effective June 27, 2022.
[22R-249 Resolution.pdf](#)

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 9.a.** 22-79
Approving a Master Lease Agreement between the City on behalf of Lincoln Fire and Rescue and Flex Financial, a division of Stryker Sales, LLC for the lease of equipment to be utilized by Lincoln Fire and Rescue for a 5 year term.
[22-79 Ordinance.pdf](#)
[22-79 Attachment.pdf](#)

- 9.b.** 22-96
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "W" by creating the classifications of " Learning and Organizational Development Division Leader" and "Human Resources Information System Division Leader."

[22-96 Ordinance.pdf](#)
[PS0622 Learning and Organizational Development Leader.pdf](#)
[PS0623 HRIS Division Leader.pdf](#)

- 9.c.** 22-97
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "C" by creating the classification of "Audio-Video Analyst."
- [22-97 Ordinance.pdf](#)
[PS3151 Audio-Video Analyst.pdf](#)
- 9.d.** 22-98
Text Amendment 22001 - Request of Eating Enterprise West O, LLC, to amend Lincoln Municipal Code Chapter 27.72, Section 27.72.060 (t) to allow vehicle stacking for drive-in/drive through facilities in the rear yard setback in B-1, B-3, H-1, H-2 and H-3 zoning districts.
- [22-98 Ordinance.pdf](#)
[TX22001 - SUMMARY REPORT.pdf](#)
- 9.e.** 22-99
Text Amendment 22003 - Request of Whitehead Oil Company to amend Lincoln Municipal Code Section 27.06.170, Heavy Commercial Services Use Group to allow truck wash facilities as a permitted use in H-4 Zoning Districts and amend Section 27.63.470(a)(25) Planned Services Commercial, pertaining to motor vehicle and/or truck wash facility to remove conditions related to vehicle stacking.
- [22-99 Ordinance revised.pdf](#)
[TX22003 - SUMMARY REPORT.pdf](#)
- 9.f.** 22-100
Change of Zone 22010 - Application of John Badami on behalf of Cadre Architecture for a change from R-7 Residential to R-7 Residential with landmark overlay, on the property generally located at 480 North 16th Street.
- [22-100 Ordinance.pdf](#)
[22-100 Attachment.pdf](#)
[CZ22010 - SUMMARY REPORT.pdf](#)
- 9.g.** 22-101
Street & Alley Vacation 22001 - Application of Parks and Recreation Department to vacate a portion of South 16th Street running through Rudge Park between Lake Street and Harrison Avenue along with additional unnamed right-of-way extending from Harrison Avenue to Perkins Boulevard extending through Rudge Park generally located at S. 16th Street from Lake Street to Harrison Avenue.
- [22-101 Ordinance.pdf](#)
[22-101 Attachment.pdf](#)
[SAV22001 - SUMMARY REPORT.pdf](#)

- 9.h.** 22R-235
Comprehensive Plan Conformance 22004 - Application of the Urban Development Director, to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, a proposed new "Bishop Heights Redevelopment Plan", to develop retail space, office space, and multi-family dwelling units on 22.18 acres of land, generally located at the Bishop Heights Shopping Center at the northeast corner of S. 27th Street & Hwy 2. (Related Items: 22R-235, 22-102)
[22R-235 Resolution.pdf](#)
[22R-235 Attachments.pdf](#)
[CPC22004 - SUMMARY REPORT.pdf](#)
- 9.i.** 22-102
Change of Zone 22012 - Application of Olsson Associates for a change of zone from R-1 Residential to a B-1 PUD Planned Unit Development and B-1 Local Business to B-1 PUD Planned Unit Development for 230 multi-family dwellings, up to 115,000 square feet of commercial floor area or a 150-room hotel and 95,000 square feet of commercial floor area, with waivers on the property generally located at South 27th Street and Hwy 2. (Related Items: 22R-235, 22-102)
[22-102 Ordinance.pdf](#)
[CZ22012 SUMMARY REPORT.pdf](#)
- 9.j.** 22R-240
Approving the Instinct Project Redevelopment Agreement between the City and M.I. Industries, Inc., for the property generally located south and west of the intersection of 32nd Street and West "O" Street. (Related Items: 22R-240, 22R-241, 22-103)
[22R-240 Resolution \(v2\).pdf](#)
[22R-240 Attachment.pdf](#)
- 9.k.** 22R-241
Amending the FY 21/22 CIP to authorize and appropriate \$3,607,264.00 in Tax Increment Financing for the Instinct Redevelopment Project. (Related Items: 22R-240, 22R-241, 22-103)
[22R-241 Resolution \(v2\).pdf](#)
- 9.l.** 22-103
Authorizing the issuance of Tax Allocation Bonds for the Instinct Redevelopment Project in an amount not to exceed \$3,607,264.00. (Related Items: 22R-240, 22R-241, 22-103)
[22-103 Ordinance.pdf](#)
- 9.m.** 22-104
Approving the amended lease agreement between the City, Lancaster County, and District Energy Corporation ("DEC") to expand the leased area for a term of twenty (20) years.
[22-104 Ordinance.pdf](#)

10. PENDING LIST

10.a. 22-78

Approving an Agreement for Tower Space and Appurtenances between the City and DISH Wireless, LLC to occupy and use certain city-owned parcel of real property and Tower generally located at 4375 S. 33rd St. (05/09/22 - Motion to continue public hearing one week to 05/16/22) (5/16/22 - Motion to continue public hearing one week to 05/23/22) (05/23/22 – Placed on Pending, no date certain)

[22-78 Ordinance.pdf](#)

[22-78 Attachment.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 June, open microphone sessions will be held on June 13th & June 27th 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 LNKTVCity and re-aired later. For a schedule, visit lincoln.ne.gov (keyword: LNKTVCity). LNKTVCity 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: LNKTVCity) and available later at 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.

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.