AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, MAY 23, 2022 AT 5:30 PM

ACTION

ALL MEMBERS PRESENT EXCEPT RAYBOULD

DUE TO THE MEMORIAL DAY HOLIDAY, CITY COUNCIL WILL NOT MEET ON MAY 30, 2022

ELECTION OF CHAIRPERSON (COUNCIL CHAIR JAMES MICHAEL BOWERS CALLS FOR NOMINATIONS FROM COUNCIL MEMBERS) (TAMMY WARD ELECTED CHAIR, 5-0)

ELECTION OF VICE CHAIRPERSON (ELECTED CHAIR CALLS FOR NOMINATIONS FROM COUNCIL MEMBERS) (TOM BECKIUS ELECTED VICE CHAIR, 6-0)

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

rjvegaapp.pdf

1.a. 22R-185

Appointing Romulo "RJ" Vega to the Mayor's Multicultural Advisory Committee for a term to expire May 23, 2025. (ADOPTED, 6-0; A-93338) 22R-185 Resolution.pdf

1.b. 22R-186

Appointing Nicholette Seigfreid to the City Personnel Board for a term to expire May 23, 2027.

(ADOPTED, 6-0; A-93339) 22R-186 Resolution.pdf SeigfreidApp.pdf

1.c. 22R-187

Appointing Jerrod Jackson to the Parks and Recreation Advisory Board for a term expiring on May 25, 2025. (ADOPTED, 6-0; A-93340)

22R-187 Resolution.pdf

jackson app.pdf

1.d. 22R-188

Appointing Pastor John Goldrich to the Commission on Human Rights for a term expiring May 23, 2025.

(ADOPTED, 6-0; A-93341) 22R-188 Resolution.pdf

1.e. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on May 09, 2022. (PLACE ON FILE)

1.f. Lincoln Electric Financial and Operating Statements for December 2021, January 2022, February 2022, March 2022, and April 2022. (PLACE ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. 22R-221

Setting the hearing date of Monday, June 6, 2022 at 3:00 p.m. for the 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.

(ADOPTED, 6-0; A-93342)

SHD 22R-221.docx SHD 22R-221.pdf

2.b. 22R-222

Setting the hearing date of Monday, June 13, 2022 at 3:00 p.m. on the Application of American Made Distillery Inc. dba American Made Distillery for a Class C Liquor License located at 100 North 12th Street.

(ADOPTED, 6-0; A-93343)

SHD 22R-222.pdf SHD 22R-222.docx

2.c. 22R-223

Setting the hearing date of Monday, June 13, 2022 at 3:00 p.m. on the Application of American Made Distillery Inc. dba American Made Distillery for a Class Z Liquor License located at 100 North 12th Street.

(ADOPTED, 6-0; A-93344)

SHD 22R-223.docx

SHD 22R-223.pdf

2.d. 22R-224

Setting the hearing date of Monday, June 13, 2022 at 3:00 p.m. on the Application of Wine Beer & Spirits, LLC dba Wine Beer & Spirits for an addition of an outdoor area measuring approximately 10 feet by 20 feet at 5220 North 27th Street.

(ADOPTED, 6-0; A-93345)

SHD 22R-224.pdf SHD 22R-224.docx

2.e. 22R-226

Setting the hearing date of Monday, June 6, 2022 at 3:00 p.m. on the Application of LDR Enterprises, LLC dba L's Kitchen for a Class I Liquor License located at 2785 South 17th Street.

(ADOPTED, 6-0; A-93346)

SHD 22R-226.docx

SHD 22R-226.pdf

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

Waiver 22003 to Design Standard for Outdoor Lighting standard, approved on May 9, 2022, for parking lot light fixture to use a fixture with a glare rating of 4 in lieu of one with a glare rating of 3, on property generally located at Duncan Aviation on 3833 North Park Road.

2.g. REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 22010, Local Landmark designation for the Chi Omega House, on property generally located at 480 North 16th Street.

Change of Zone 22012, for a change of zone from R 1 (Residential) and B 1 (Local Business) to B 1 PUD (Planned Unit Development) for a mixed use redevelopment of up to 230 multi family dwellings, and 115,000 square feet of commercial floor area or 150 hotel rooms and 50,000 square feet of commercial floor area, with waivers and adjustments to the Zoning and Subdivision Ordinances, on property generally located at South 27th Street and Hwy 2.

Special Permit 22012, Special Permit for Historic Preservation for Setback Reduction, on property generally located at 480 North 16th Street. The Planning Commission action is final.

Text Amendment 22001, 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.

Text Amendment 22003, amending Lincoln Municipal Code Section 27.06.170, Heavy Commercial Services Use Group to allow truck wash facilities as a permitted use in H 4 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.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 22R-213

Application of Sapa Nail Spa, LLC dba Sapa Nail Spa for a Class I Liquor License located at 643 Fallbrook Boulevard, Suite 103.

(ADOPTED FOR APPROVAL, 6-0; A-93347)

22R-213 Sapa Nail Spa Class I app.pdf

22R-213 Sapa Nail Spa Class I den.pdf

22R-213 Ltr and Application.pdf

4.b. 22R-214

Manager Application of Wes V. Pham for Sapa Nail Spa, LLC dba Sapa Nail Spa located at 643 Fallbrook Boulevard, Suite 103.

(ADOPTED FOR APPROVAL, 6-0; A-93348)

22R-214 Wes Pham for Sapa Nail Class I app.pdf

22R-214 Wes PHam for for Sapa Nail Class I den.pdf

22R-213 Ltr and Application.pdf

4.c. 22R-215

Application of Star City Hockey, LLC dba Lincoln Stars Hockey for a Class I Liquor License located at 1880 Transformation Drive.

(ADOPTED FOR APPROVAL, 6-0; A-93349)

22R-215 Lincoln Stars Class I app.pdf

22R-215 Star City Hockey Class I den.pdf

22R-215 Ltr and Application.pdf

4.d. 22R- 216

Manager Application of Deric W. Boden for Star City Hockey, LLC dba Lincoln Stars Hockey located at 1880 Transformation Drive.

(ADOPTED FOR APPROVAL, 6-0; A-93350)

22R-216 Deric Boden for Lincoln Stars Hockey Class I app.pdf

22R-216 Deric Boden for Lincoln Stars Class I den.pdf

22R-215 Ltr and Application.pdf

4.e. 22R-217

Application of Metro Food Mart Inc. dba Leon's Gourmet Grocer for an addition of an outdoor area measuring approximately 110 feet by 23 feet at 2200 Winthrop Road. (ADOPTED FOR APPROVAL, 6-0; A-93351)

22R-217 Leon's Gourmet Grocer expand app.pdf

22R-217 Leon's Gourmet Grocer expand den.pdf 22R-217 Ltr and Application.pdf

4.f. 22R-218

Application of Tic Toc, LLC dba The Hot Mess for an addition of an outdoor area measuring approximately 17 feet by 12 feet at 408 S 11th Street.

(ADOPTED FOR APPROVAL, 6-0; A-93352)

22R-218 The Hot Mess expand app.pdf

22R-218 Hot Mess expand den.pdf

22R-218 Ltr and Application.pdf

4.g. 22R-219

Application of Bourbon Entertainment LLC dba Bourbon Theater for a special designated license to cover an outdoor area measuring approximately 556 feet x 525 feet on Centennial Mall between M and N Streets, on August 12, 2022 between 5:00 p.m. to 11:55 p.m.

(ADOPTED FOR APPROVAL, 6-0; A-93353)

22R-219 Bourbon app SDL.pdf

22R-219 Bourbon den SDL.pdf

22R-219 SDL App.pdf

22R-219 Special Event Permit App.pdf

22R-219 Bourbon Map.pdf

4.h. 22R-220

Application of Sidecar Cider LLC dba Saro Cider for special designated licenses to cover an outdoor area measuring approximately 10 feet by 20 feet at the Haymarket Farmers Market on 8th Street between P and Q Streets on June 4, 11, 18 & 25, 2022 from 8:00 a.m. to 12:00 p.m., July 9, 23, & 30, 2022 from 8:00 a.m. to 12:00 p.m., August 6, 12, 13, 20 & 27, 2022 from 8:00 a.m. to 12:00 p.m.

(ADOPTED FOR APPROVAL, 6-0; A-93354)

22R-220 Saro SDL app.pdf

22R-220 Saro Cider SDL den.pdf

22R-220 Saro SDL App and Map.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 22R-190

Assessing the costs incurred by the City for building demolition on property located at 3830 Vine Street and 3119 Q Street.

(ADOPTED, 6-0; A-93355)

22R-190 Resolution.pdf

22R-190 Attachment.pdf

5.b. 22R-191

Assessing the costs incurred by the City for property clean up on property located at 340 Northwest 19th Street and 2304 South 24th Street.

(MTA#1 TO ACCEPT SUBSTITUTE EXHIBIT A, ADOPTED, 6-0; ADOPTED AS AMENDED, 6-0; A-93356)

22R-191 Resolution.pdf 22R-191 Attachment.pdf

5.c. 22R-192

Assessing the fees and penalties for neglected buildings on property located at 2958 North 54th Street, 5120 L Street, 2809 F Street, 3141 North 48th Street, 1028 Furnas Avenue, 2641 South 9th Street, 3535 Somerset Avenue, 1310 North 25th Street, 1402 North 25th Street, 2754 Pear Street, 5320 Bristolwood Place and 411 E Street.

(MTA#1 TO ACCEPT SUBSTITUTE EXHIBIT A, ADOPTED, 6-0; ADOPTED AS AMENDED, 6-0; A-93357)

22R-192 Resolution.pdf 22R-192 Attachment.pdf

- VOTE ON RESOLUTIONS -

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

6.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 – MOTION TO MOVE TO PENDING LIST DATE UNCERTAIN)

22-78 Ordinance.pdf22-78 Attachment.pdf

6.b. 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

6.c. 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

6.d. 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

6.e. 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

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 22-84

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by 'C.'

(PASSED, 6-0; 21266)

22-84 Ordinance.pdf

22-84 Attachments.pdf

7.b. 22-85

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by 'A.'

(PASSED, 6-0; 21267)

22-85 Ordinance.pdf

22-85 Attachment.pdf

7.c. 22-86

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by 'M.'

(PASSED, 6-0; 21268)

22-86 Ordinance.pdf

22-86 Attachment.pdf

7.d. 22-87

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by 'N.'

(PASSED, 6-0; 21269)

22-87 Ordinance.pdf

22-87 Attachment.pdf

7.e. 22-88

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to pay ranges prefixed by 'B.'

(PASSED, 6-0; 21270)

22-88 Ordinance.pdf

22-88 Attachment.pdf

7.f. 22-89

Amending the pay schedule for a certain employee group by adjusting the schedules of annual, monthly, biweekly, and hourly pay range equivalents for employees of the City of Lincoln whose classifications are assigned to ay ranges prefixed by 'F.'

(PASSED, 6-0; 21271)

22-89 Ordinance.pdf

22-89 Attachment.pdf

7.g. 22-74

Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "M" by creating the following classifications of "Communications Coordinator", "Health Fiscal Manager", and "City Fleet Manager." (PASSED, 6-0; 21272)

22-74 Ordinance.pdf

PS3161 Communications Coordinator.pdf

PS3609 Health Fiscal Manager.pdf

PS5125 City Fleet Manager.pdf

7.h. 22-75

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 4115 "Library Services Supervisor" from A04 to A06.

(PASSED, 6-0; 21273)

22-75 Ordinance.pdf

7.i. 22-77

Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "N" by deleting the classification for "Crime Analysis Technician."

(PASSED, 6-0; 21274) 22-77 Ordinance.pdf

7.j. 22-80

Change of Zone 22007 - Application from REGA Engineering Group, Inc, to change from H-4 General Commercial District to R-5 Residential District, on property generally located at Northwoods Drive and Dawson Creek Bay.

(PASSED, 6-0; 21275)

22-80 Ordinance (v2).pdf

22-80 Attachment.pdf

CZ22007 - SUMMARY REPORT.pdf

7.k. 22-81

Approving the Lease Agreement between the City of Lincoln, Holmes Lake Professional Center, LLC. John Watson, Watson Family, LLC and ARW Properties, LLC for use of approximately 2,098 square feet of parking in Holmes Lake Park located at the easterly side of 2855 S. 70th Street, Lincoln, Lancaster County, Nebraska.

(PASSED, 6-0; 21276)

22-81 Ordinance.pdf

Executed 2855 S. 70th St Lease.pdf

220215 Exhibit A Premises 8x11.pdf

7.1. 22-82

Approving Lease Agreement between City and 3732 Holdings, LLC to lease approximately 4,525 square feet of space on the easterly side of 6800 Normal Boulevard, Lincoln, Lancaster County, Nebraska for a ten year term. (PASSED, 6-0; 21277)

22-82 Ordinance.pdf

Executed Agreement.pdf

Exhibit A.pdf

7.m. 22-83

Amending Section 5.52.030 of the Lincoln Municipal Code relating to Minimum Rider Age and Operator's License to provide that no person shall operate a shared mobility device unless that person is at least 18 years of age and has a valid state-issued identification in his or her possession; and repealing Section 5.52.030 of the Lincoln Municipal Code as hitherto existing.

(PASSED, 6-0; 21278)

22-83 Ordinance 5.52.030.pdf

8. RESOLUTIONS - 1ST READING (ITEMS 8.A. THROUGH 8.L. HAD 1ST READING)

8.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

8.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

8.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

8.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

8.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

8.f. 22R-206

Reappointing Ron Geary to the Board of Mechanical Examiners for a term to expire April 4, 2025.

22R-206 Resolution.pdf

8.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

8.h. 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

8.i. 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

8.j. 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

8.k. 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

8.1. 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

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 9.A. THROUGH 9.D. HAD 1ST READING)

9.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

9.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

9.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

9.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

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 May, open microphone sessions will be held on May 9th & May 23rd 2022

ADJOURNMENT 6:55 PM

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.