

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, JULY 18, 2022 AT 3:00 PM**

ACTION

ALL MEMBERS PRESENT EXCEPT BECKIUS & WARD

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-282
Approving the Agreement for reimbursement between the City and State of Nebraska Department of Transportation for the resurfacing of US-34 (9th Street) beginning at I-180 and extending south to O Street.
(ADOPTED, 5-0; A-93431)
[22R-282 Resolution.pdf](#)
[NDOT agreement US34.pdf](#)
[Fact Sheet Agreement with NDOT for US34.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 22R-300
Setting the hearing date of Monday, August 1, 2022 at 3:00 p.m. on the Application of Inchoi 520 Inc. dba Itsumo Ramen for a Class I Liquor License located at 1451 O Street, Suite 300.
(VERBAL MOTION #1 ADOPTED, 5-0; ADOPTED AS AMENDED, 5-0; A-93432)
[SHD 22R-300.docx](#)
[SHD 22R-300.pdf](#)
- 2.b.** 22R-301
Setting the hearing date of Monday, July 25, 2022 at 5:30 p.m. for the Manager Application of Caleb A. Perrine for Sam's West Inc. dba Sam's Club 4873 located at 8480 Andermatt Drive.
(ADOPTED, 5-0; A-93433)
[SHD 22R-301.pdf](#)
[SHD 22R-301.docx](#)
- 2.c.** 22R-302
Setting the hearing date of Monday, July 25, 2022 at 5:30 p.m. for the Manager Application of Brian S. Farber for Walmart Inc. dba Walmart 3278 located at 8700 Andermatt Drive.
(ADOPTED, 5-0; A-93434)

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 22R-303

Application of Lanka Lion, LLC dba The Mettle Grill for a Class I Liquor License located at 5500 South 56th Street, Suite 8.

(ADOPTED FOR APPROVAL, 5-0; A-93435)

[22R-303 Mettel Grill for Class I app.pdf](#)

[22R-303 Mettle Grill Class I den.pdf](#)

[22R-303 Ltr and Application for Mettle Grill.pdf](#)

4.b. 22R-304

Manager Application of Susantha D. Weerasinghe for Lanka Lion, LLC dba The Mettle Grill located at 5500 South 56th Street, Suite 8.

(ADOPTED FOR APPROVAL, 5-0; A-93436)

[22R-304 Ssantha Weerasinghe for Mettle Grill Class I app.pdf](#)

[22R-304 Susantha Weerasingh for Mettle Grill den.pdf](#)

[22R-303 Ltr and Application for Mettle Grill.pdf](#)

4.c. 22R-305

Manager Application of Caleb A. James for CCW, LLC dba HuHot Mongolian Grill located at 2525 Pine Lake Road, Suite 200 and 201 North 66th Street.

(ADOPTED FOR APPROVAL, 5-0; A-93437)

[22R-305 Caleb James for HuHot Class I app.pdf](#)

[22R-305 Caleb James for HuHot den.pdf](#)

[22R-305 Ltr and Application of Caleb James for HuHot.pdf](#)

4.d. 22R-306

Manager Application of Paul J. Marshall for Yo Java Inc. dba The Filling Station located at 200 South 18th Street.

(ADOPTED FOR APPROVAL, 5-0; A-93438)

[22R-306 Paul Marshall for Filling Station Class I app.pdf](#)

[22R-306 Paul Marshall for the Filling Station den.pdf](#)

[22R-306 Ltr and Application of Paul Marshall for The Filling Station.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 22R-283
Approving a contract between the City and Downtown Lincoln Association for Downtown Management and Maintenance Services for a four-year term.
(ADOPTED, 5-0; A-93439)
[22R-283 Resolution.pdf](#)
[22R-283 Attachment.pdf](#)
[22-017 Fact sheet.pdf](#)
- 5.b.** 22R-284
Miscellaneous 22008 - Application of MAK Development to allow for a Reasonable Accommodation, under Chapter 1.28 of the Lincoln Municipal Code to allow nine unrelated persons to reside together as a "family," as that term is defined in the Lincoln Zoning Ordinance, on property generally located at 315 North 35th Street.
(ADOPTED, 4-1; A-93440)
[22R-284 Resolution.pdf](#)
[MISC22008 - SUMMARY REPORT.pdf](#)
- 5.c.** 22R-285
Miscellaneous 22009 - Application of MAK Development to allow for a Reasonable Accommodation, under Chapter 1.28 of the Lincoln Municipal Code to allow nine unrelated persons to reside together as a "family," as that term is defined in the Lincoln Zoning Ordinance, on property generally located at 5203 Walker Avenue.
(ADOPTED, 4-1; A-93441)
[22R-285 Resolution.pdf](#)
[MISC22009 - SUMMARY REPORT.pdf](#)
- 5.d.** 22R-286
Approving an Interlocal Agreement between the City and the City of Lincoln Lancaster County Railroad Transportation Safety District for the construction, repair, maintenance, removal and/or replacement of railroad crossings, including adjacent pedestrian sidewalks.
(ADOPTED, 5-0; A-93442)
[22R-286 Resolution.pdf](#)
[22R-286 Attachment \(2\).pdf](#)
- 5.e.** 22R-292
Accepting and approving the report of new and pending claims against the City for June 16 through June 30, 2022.
(VERBAL MOTION #1, ADOPTED, 5-0; ADOPTED AS AMENDED, 5-0; A-93443)
[22R-292 Resolution.pdf](#)
[22R-292 Claims Report.pdf](#)
- 5.f.** 22R-293
Reappointment of Yohance L. Christie as the City Attorney for a two-year term

effective July 21, 2022.
(ADOPTED, 5-0; A-93444)
[22R-293 Resolution.pdf](#)

- VOTE ON RESOLUTIONS -

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

6.a. 22R-287
Comprehensive Plan Conformance 22009 - Application of the Urban Development Director to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan and to approve a proposed amendment to the University Place South Redevelopment Plan adding the "48th & Aylesworth Redevelopment Project", to include approximately 115 market rate residential apartment units, the property generally located at North 48th & Aylesworth Streets. (Related Items: 22R-287, 22-110)
[22R-287 Resolution.pdf](#)
[22R-287 Attachments.pdf](#)
[CPC22009 - SUMMARY REPORT.pdf](#)

6.b. 22-110
Change of Zone 16016A - Application of 48th Street Development, LLC to change from B-1 Local Business District and R-2 Residential District to B-3 PUD Planned Unit Development, with associated waivers, on property generally located at North 48th & Aylesworth Streets. (Related Items: 22R-287, 22-110)
[22-110 Ordinance.pdf](#)
[22-110 Map.pdf](#)
[CZ16016A - SUMMARY REPORT.pdf](#)

6.c. 22-111
Comprehensive Plan Conformance 22011 - Declaring approximately .56 acres of City owned property generally located at S. 27th Street and Woods Boulevard as surplus.
[22-111 Ordinance.pdf](#)
[CPC22011 - SUMMARY REPORT.pdf](#)

6.d. 22-112
Annexation 22007 - Application of Southview Inc., to annex approximately 26.45 acres, more or less, of property generally located at Rokeby Road and Friedman Street. (Related Items: 22-112, 22-113)
[22-112 Ordinance.pdf](#)
[AN22007 - SUMMARY REPORT.pdf](#)

6.e. 22-113
Change of Zone 22019 - Application of Southview, Inc., from AG Agricultural District

to R-3 Residential District on property generally located at Rokeby Road and Friedman Street. (Related Items: 22-112, 22-113)

[22-113 Ordinance.pdf](#)

[CZ22019 - SUMMARY REPORT.pdf](#)

6.f. 22-114

Text Amendment 22004 - Request of CL Construction, LLC to amend the Lincoln Municipal Code Section 27.72.040(a) Maximum Height and Minimum Lot Requirements for the H Districts to amend the rear yard setback requirement for the H-1, H-2 and H-3 Zoning Districts to allow a 5 foot rear yard setback when not abutting residential.

[22-114 Ordinance \(TX22004\).pdf](#)

[TX22004 - SUMMARY REPORT.pdf](#)

6.g. 22-115

Comprehensive Plan Conformance 22008 - Declaring approximately 1.20 acres of City owned property generally located at the southeast corner of N. 27th Street and Leighton Avenue as surplus. (Related Items: 22-115, 22-116, 22R-288)

[22-115 Ordinance.pdf](#)

[CPC22008 - SUMMARY REPORT.pdf](#)

6.h. 22-116

Change of Zone 22015 - Application from Urban Development to change from R-2 Residential District to R-T Residential Transition District, on property generally located at the southeast corner of N. 27th Street and Leighton Avenue. (Related Items: 22-115, 22-116, 22R-288)

[22-116 Ordinance.pdf](#)

[CZ22015 - SUMMARY REPORT.pdf](#)

6.i. 22R-288

Use Permit 22005 - Application of Urban Development to allow for development for up to 20 residential units and 15,000 square feet of commercial floor area, with waivers to setbacks, minimum lot size, and parking requirements, on property generally located at the southeast corner of N. 27th Street and Leighton Avenue. (Related Items: 22-115, 22-116, 22R-288)

[22R-288 Resolution.pdf](#)

[UP22005 - SUMMARY REPORT.pdf](#)

[22R-288 Resolution.docx](#)

6.j. 22-117

Approve lease agreement between City of Lincoln and Larry Wulf, for the lease of space by Aging Partners for Personal and Family Services program at 137 North 8th Street, Geneva, NE from August 1, 2022 through August 31, 2023.

[22-117 Ordinance.pdf](#)

[22-117 Attachment.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 22-108
Comprehensive Plan Conformance 22010 - Declaring City-owned property generally located at 1005 O Street as surplus.

[22-108 Ordinance.pdf](#)
[CPC22010 - SUMMARY REPORT.pdf](#)

- 7.b.** 22-109
Amending Lincoln Municipal Code Chapter 6.02 Definitions to add new sections numbered 6.02.092 to define “Attack”, 6.02.095 to define “Bite”, and 6.02.295 to define “Home Observation”; by amending Section 6.04.350 to specify that it shall be unlawful to sell, offer for sale, barter, or give away any puppy or kitten under the age of eight weeks; by amending Section 6.04.355 to add that “attacks” are unlawful to be consistent with the definition; by amending Chapter 6.08 Dogs and Chapter 6.12 Cats to add new sections numbered 6.08.235 and 6.12.210 to set forth when home observations are allowed; and repealing Sections 6.04.350 and 6.04.355 of the Lincoln Municipal Code as hitherto existing.
(PASSED, 5-0; #21297)

[22-109 Ordinance Title 6 Animals.pdf](#)

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

- 8.a.** 22R-294
Accepting and approving the report of new and pending claims against the City for July 1 through July 14, 2022.

[22R-294 Resolution.pdf](#)
[22R-294 Claims Report.pdf](#)

- 8.b.** 22R-295
Approving the Interlocal Agreement between the City of Lincoln and City of Lincoln Lancaster County Railroad Transportation Safety District to reimburse City for the construction of a concrete pedestrian sidewalk and relate sidewalk crossing on the north side of Old Cheney Road and west of 6th Street.

[22R-295 Resolution.pdf](#)
[22R-295 Attachment.pdf](#)
[Old Cheney Sidewalk over BNSF Tracks Fact Sheet.pdf](#)

- 8.c.** 22R-296
Approving the labor contract between the City of Lincoln and the Lincoln M Class Employees Association (LMCEA) for a term effective August 18, 2022 through August

31, 2025.
[22R-296 Resolution.pdf](#)
[LMCEA 2022-2025 Final Contract.pdf](#)
[LMCEA 2022-2025 Legislative Contract.pdf](#)

- 8.d.** 22R-298
Application of Oxford House Lyoncrest for a Reasonable Accommodation, under Chapter 1.28 of the Lincoln Municipal Code, to allow fourteen unrelated disabled persons to reside together as a “family” as that term is defined by the Lincoln Zoning Ordinance, on property generally located at 1923 B Street.

[22R-298 Resolution.pdf](#)
[22R-298 Staff Report.pdf](#)
[MISC22010 - SUMMARY REPORT.pdf](#)

- 8.e.** 22R-299
Approving an Interlocal Agreement between the City of Lincoln and the County of Lancaster to provide a facility equipped to operate a civil protective custody unit in the City of Lincoln.

- 8.f.** 22R-307
Approving the Interlocal Agreement between the City of Lincoln on behalf of Bureau of Fire Prevention and Douglas County, Nebraska on behalf of Douglas County Sheriff's Office for Forensic Services.

[22R-307 Resolution.pdf](#)
[22R-307 Attachment.pdf](#)

- 8.g.** 22R-308
Approving the Interlocal Agreement between the City of Lincoln, Lancaster County, Nebraska and Nebraska Department of Administrative Services to and procure copying/printing and mailing services.

[W-010 Fact sheet.pdf](#)
[22R-308 Resolution.pdf](#)
[22R-308 Attachment.pdf](#)

- 8.h.** 22R-309
Approving a Agency Agreement between the City of Lincoln on behalf of the Lincoln Police Department and LeadsOnline to support its investigations.

[22R-309 Resolution.pdf](#)
[22R-309 Attachment.pdf](#)
[SS-186 Fact sheet.pdf](#)

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

- 9.a.** 22-118
Approving the Agreement for Lease Termination between City and Lancaster County School District 001, a/k/a Lincoln Public Schools to terminate the use by Lincoln City Libraries for leased space for a joint media center/library located at Arnold Elementary 5000 Mike Scholl Street.
[22-118 Ordinance.pdf](#)
[22-118 Attachment.pdf](#)
- 9.b.** 22-119
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'.
[22-119 Ordinance.pdf](#)
[22-119 Attachment.pdf](#)
- 9.c.** 22-120
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'.
[22-120 Ordinance.pdf](#)
[22-120 Attachment.pdf](#)
- 9.d.** 22-121
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'.
[22-121 Ordinance.pdf](#)
[22-121 Attachment.pdf](#)
- 9.e.** 22-122
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'.
[22-122 Ordinance.pdf](#)
[22-122 Attachment.pdf](#)
- 9.f.** 22-123
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 'F'.
[22-123 Ordinance.pdf](#)
[22-123 Attachment.pdf](#)
- 9.g.** 22-124
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 'X'.

[22-124 Ordinance.pdf](#)

[22-124 Attachment.pdf](#)

9.h. 22-125

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 'E'.

[22-125 Ordinance.pdf](#)

[22-125 Attachment.pdf](#)

9.i. 22-126

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 'W'.

[22-126 Ordinance.pdf](#)

[22-126 Attachment.pdf](#)

9.j. 22-127

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 "Employee Engagement Division Leader," "Talent Acquisition Division Leader," "Total Rewards Division Leader," Human Resources Information Systems Analyst," and "Chief Communications Officer."

[22-127 Ordinance.pdf](#)

[PS0624 Employee Engagement Division Leader.pdf](#)

[PS0625 Talent Acquisition Division Leader.pdf](#)

[PS0626 Total Rewards Division Leader.pdf](#)

[PS0627 HRIS Analyst.pdf](#)

[PS1646 Chief Communications Officer.pdf](#)

9.k. 22-128

Amending the employee group whose classifications are assigned to pay range which is prefixed by the letter "W" to change the title of "Human Resources Coordinator" to "Senior Human Resources Business Partner."

[22-128 Ordinance.pdf](#)

9.l. 22-129

Amending the pay schedule for the employee group whose classifications are assigned by the pay range which prefixed by the letter "W" by changing the title and pay range of

Class 1320 from "Risk Manager" in pay range W02 to "Risk Management Division Leader" in pay range W03.

[22-129 Ordinance.pdf](#)

9.m. 22-130

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'.

[22-130 Ordinance.pdf](#)

[22-130 Attachment.pdf](#)

10. PENDING LIST – EXTENDED ONE WEEK.

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 July, open microphone sessions will be held on July 18th & July 25th 2022

ADJOURNMENT – 5:43 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, 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 Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.