

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, SEPTEMBER 12, 2022 AT 3:00 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-399
Appointing Luke Peterson to the Mayor's Multicultural Advisory Committee for a term to expire September 12, 2025.
(ADOPTED, 7-0; A-93567)
[22R-399 Resolution.pdf](#)
- 1.b.** 22R-400
Appointing Suzanne Mealer to Mayor's Multicultural Advisory Committee for a term to expire September 12, 2025.
(ADOPTED, 7-0; A-93568)
[22R-400 Resolution.pdf](#)
- 1.c.** 22R-401
Appointing Tremaine Combs to Mayor's Multicultural Advisory Committee for a term to expire September 12, 2025.
(ADOPTED, 7-0; A-93569)
[22R-401 Resolution.pdf](#)
- 1.d.** 22R-402
Appointing Adelle Burk to the Commission on Women and Gender for a term to expire September 12, 2025.
(ADOPTED, 7-0; A-93570)
[22R-402 Resolution.pdf](#)
- 1.e.** 22R-403
Appointing Jamie Wenz to the Telecommunication/Cable Television Advisory Board for a term expiring on September 12, 2025.
(ADOPTED, 7-0; A-93571)
[22R-403 Resolution.pdf](#)
- 1.f.** 22R-404
Reappointing Jim Johnson to the Telecommunication/Cable Television Advisory Board for a term expiring July 1, 2025.

(ADOPTED, 7-0; A-93572)
[22R-404 Resolution.pdf](#)

- 1.g.** 22R-405
Reappointing Brian Wertz to the Air Pollution Control Advisory Board for a term to expire September 1, 2025.
(ADOPTED, 7-0; A-93573)
[22R-405 Resolution.pdf](#)
- 1.h.** 22R-407
Reappointing John Thompson to the Community Health Endowment Board Of Trustees for a term to expire September 1, 2025.
(ADOPTED, 7-0; A-93574)
[22R-407 Resolution.pdf](#)
- 1.i.** 22R-408
Reappointing John Reinhardt to the Community Health Endowment Board Of Trustees for a term to expire September 1, 2025.
(ADOPTED, 7-0; A-93575)
[22R-408 Resolution.pdf](#)
- 1.j.** 22R-409
Reappointing Preeta Bansal to the Community Health Endowment Board Of Trustees for a term expiring September 1, 2025.
(ADOPTED, 7-0; A-93576)
[22R-409 Resolution.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 22R-445
Setting the hearing date of Monday, September 26, 2022 at 5:30 p.m. on the Application of Napizaro, LLC dba Rio for a Class I Liquor License located at 2050 Cornhusker Highway.
(ADOPTED, 7-0; A-93577)
[SHD 22R-445.pdf](#)
- 2.b.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Approval 22053 to Change of Zone 15028 Shadow Creek PUD was approved on August 25, 2022, to revise site plan for an early childhood care facility on property generally located at South 90th Street and O Street.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 22R-443
Application of Off-Leash Dog Bar, LLC dba Off-Leash Dog Bar for a Class C Liquor License located at 1975 M Street.
(ADOPTED FOR APPROVAL, 7-0; A-93578)
[22R-443 Off Leash Dog Bar C app.pdf](#)
[22R-443 Off Leash Dog Bar Class C den.pdf](#)
[22R-443 Ltr and Application for Off Leash Dog Bar.pdf](#)
- 4.b.** 22R-444
Manager Application of Brandon J. Akert for Off-Leash Dog Bar, LLC dba Off-Leash Dog Bar located at 1975 M Street.
(ADOPTED FOR APPROVAL, 7-0; A-93579)
[22R-444 Brandon Akert for Off-Leash Dog Bar app.pdf](#)
[22R-444 Brandon Akert for Off-Leash Dog Bar den.pdf](#)
[22R-443 Ltr and Application for Off Leash Dog Bar.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 22R-410
Approval of Amendment No. 3 And Restatement of Telesis/Dairy House Phase 2 Redevelopment Project Redevelopment Agreement between the City of Lincoln and The Dairy House, L.L.C. (Related Items: 22R-410, 22R-411)
(ADOPTED, 7-0; A-93580)
[22R-410 Resolution.pdf](#)
[22R-410 Attachment.pdf](#)
- 5.b.** 22R-411
Amending the FY 2022-2023 CIP to authorize and appropriate \$315,000 in TIF funds for the Telesis/Dairy House Phase 2 Redevelopment Project. (Related Items: 22R-410, 22R-411)
(ADOPTED, 7-0; A-93581)
[22R-411 Resolution.pdf](#)

- VOTE ON RESOLUTIONS -

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

- 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 – Placed on Pending, no date certain) (8/8/22 - Removed from pending list for continued public hearing on 9/12/22)

[22-78 Ordinance.pdf](#)

[22-78 Attachment.pdf](#)

6.b. 22-153

Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "A" by creating the classification of "Police Business Manager."

[22-153 Ordinance.pdf](#)

[PS3130 Police Business Manager.pdf](#)

6.c. 22-154

Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "W" by creating the classification of "Technology Project Manager."

[22-154 Ordinance.pdf](#)

[PS1453 Technology Project Manager.pdf](#)

6.d. 22-155

Amending the pay schedule for the employee group whose classifications are assigned by the pay range which is prefixed by the letter "E" by changing the title and pay range of Class 0634 from "Human Resources Operations Specialist" in pay range E15 to "Human Resources Operations Manager" in pay range W01.

[22-155 Ordinance.pdf](#)

6.e. 22-156

Amending the pay schedule for employee group whose classifications are assigned to the pay range prefixed by the letter "N" by deleting the classifications for "Landfill Operator I," "Landfill Operator II," and "Landfill Operator III."

[22-156 Ordinance.pdf](#)

6.f. 22-157

Amending Lincoln Municipal Code Section 2.76.145 Compensation Plan; Merit Pay Plan; Administration and Requirements for Advancement and Section 2.76.160 Compensation Plan & Variable Merit Pay Plan - W Pay Ranges to remove the Mayor and replace with the Human Resources Director for the approval process.

[22-157 Ordinance 2.76.145, .160.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 22R-381
Appeal by Anthony Dirks of Planning Commission approval of Special Permit 22020 - Application of Osage Hill Farm, LLC to allow for a CUP Community Unit Plan, for seven single family dwelling units, with associated waivers, on property generally located at 7433 SW 27th Street. (Related Items: 22R-381, 22-147)
(ADOPTED, 7-0; A-93582)
[22R-381 Resolution.pdf](#)
[SP22020_-_APPEAL_SUMMARY_REPORT.pdf](#)
- 7.b.** 22-147
Change of Zone 22017 - Request of Osage Hill Farm, LLC, change from AG Agricultural District to AGR Agricultural Residential District, on property generally located at 7433 SW 27th Street. (Related Items: 22R-381, 22-147) (8/15/22 - Motion to Delay with continued Public Hearing for 2 weeks to 8/29/22)
(PASSED, 7-0; #21337)
[22-147 Ordinance.pdf](#)
[22-147 Attachment.pdf](#)
[CZ22017 - SUMMARY REPORT.pdf](#)
- 7.c.** 22-151
Street & Alley Vacation 22006 - Application of Adam Gullion to vacate the east-west alley generally located between 2nd and 3rd Streets from Lincoln Street and Showers Street, Cheney, Nebraska.
(PASSED, 7-0; #21338)
[22-151 Ordinance.pdf](#)
[22-151 Attachment.pdf](#)
[SAV22006- SUMMARY REPORT.pdf](#)
- 7.d.** 22-152
Change of Zone 22022 - Application of Tom & Tina Arsiaga to change the zoning designation from H-3 Highway Commercial District to I-1 Industrial District, on property generally located at 1555 Yolande Avenue.
(PASSED, 7-0; #21339)
[22-152 Attachment.pdf](#)
[CZ22022 - SUMMARY REPORT.pdf](#)
[22-152 Ordinance.docx](#)
- 8. RESOLUTIONS - 1ST READING (ITEMS 8.A THROUGH 8.F HAD 1ST READING, SEE ITEM 8.D.)**
- 8.a.** 22R-406
Appointing Michael Ferris to the Community Health Endowment Board Of Trustees for a term to expire September 12, 2025. (Consent)
[22R-406 Resolution.pdf](#)

- 8.b.** 22R-438
Appointing Christopher Stewart to the City of Lincoln Library Board for a term to expire September 19, 2029. (Consent)
[22R-438 Resolution.pdf](#)
- 8.c.** 22R-439
Approving a Professional Services Agreement Supplement No. 1 for construction engineering services between the City and Alfred Benesch & Co. for construction engineering services for the N 27th St Adaptive Signal Project, Project No. HSIP-5231(14), Control No. 13244, City Project No. 702689. (Consent)
[22R-439 Resolution.pdf](#)
[BK2233_Supplement 1_CN 13244_N 27th St_City Council Fact Sheet.pdf](#)
[BK2233_Supplement 1_City Unsigned.pdf](#)
- 8.d.** 22R-440
Approving the Amendment to the Memorandum of Understanding between the City of Lincoln and Allo Communications, LLC to renew an additional term beginning August 22, 2022 through November 2023. (Consent)
(WITHDRAWN, 7-0; #38-4747)
[MOU106 - Renewal - Resolution.pdf](#)
- 8.e.** 22R-441
Accepting and approving the report of new and pending claims against the City for August 16 through August 31, 2022.
[22R-441 Resolution.pdf](#)
[22R-441 Claims Report.pdf](#)
- 8.f.** 22R-442
Approving the Amendment of Contract between the City of Lincoln and BKD, LLP nka Frovis, LLP to provide audit services to the City of Lincoln Water and Wastewater Systems for the year ending August 31, 2022.
[22R-442 Resolution.pdf](#)
[Fact Sheet_FORVIS.pdf](#)
[Signed Contract Addendum.pdf](#)
[Scope of Services_Forvis-City of Lincoln Utilities FY 2022 Contract.pdf](#)
[Insurance_FORVIS, LLP.pdf](#)

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

- 9.a.** 22-159
Approving the lease agreement between the City of Lincoln and Bennet American Legion Post #280 for lease space by Aging Partners for its Senior Center program at 970 Monroe, Bennet, NE from September 1, 2022 through August 31, 2024.
[22-159 Ordinance.pdf](#)

[22-159 Attachment.pdf](#)

- 9.b.** 22-160
Approving the lease agreement between City of Lincoln and New Visions United Methodist Church for the lease space by Aging Partners for its Senior Center Program at 2400 S. 11th Street, Lincoln, NE from September 1, 2022 through August 31, 2024.
[22-160 Ordinance.pdf](#)
[22-160 Attachment.pdf](#)
- 9.c.** 22-161
Approving the Lease Agreement between the City of Lincoln and Rex and Jane Rehmer for the lease of space by Aging Partners for its Personal and Family Services program at 370 N. 5th Street, David City, NE from September 1, 2022 through August 31, 2024.
[22-161 Ordinance.pdf](#)
[22-161 Attachment.pdf](#)
- 9.d.** 22-162
Change of Zone 22023 - Application of the Planning Department to change from I-1 Industrial District to B-3 Commercial District Planned Unit Development, H3 Highway Commercial District to B-3 Commercial District Planned Unit Development and R-6 Residential District to a R-6 Residential District Planned Unit Development on the property generally located at N 22nd Street and Y Street.
[22-162 Ordinance \(v2\).pdf](#)
[CZ22023 - SUMMARY REPORT.pdf](#)
- 9.e.** 22-163
Change of Zone 22021 - Application of Clark & Enersen, to change from AGR Agricultural Residential District to R-3 Residential District, on property generally located at the intersection of Linwood Lane and Avon Lane.
[22-163 Ordinance.pdf](#)
[CZ22021 - SUMMARY REPORT.pdf](#)
- 9.f.** 22-164
Authorizing the issuance of Sanitary Sewer Revenue and Refunding Bonds, Series 2022 in an amount not to exceed \$54,500,000.
[Sewer Ordinance.pdf](#)
- 9.g.** 22-165
Authorizing the issuance of General Obligation Highway Allocation Fund Bonds, Series 2022 in an amount not to exceed \$11,550,000.
[GO Highway Allocation Ordinance.pdf](#)
- 9.h.** 22-166

Authorizing the issuance of Municipal Improvement Bonds, Series 2022 in an amount not to exceed \$11,550,000.

[MIB Ordinance.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 September, open microphone sessions will be held on September 19 & September 26, 2022.

ADJOURNMENT - 4:05 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.