

CITY OF PAPIILLION

David P. Black, Mayor
122 East Third Street
Papillion, NE 68046
Phone 402-827-1111
Fax 402-339-0670

PAPILLION CITY COUNCIL AGENDA

TUESDAY, FEBRUARY 16, 2021 @ 7:00 P.M.
Chrysalis Event Center, 1046 W Lincoln St, Papillion

1. Call To Order
 1. Roll Call
 2. Pledge of Allegiance
 3. Affidavit of Publication
 4. Public announcement that a current copy of the Open Meeting Act is posted in the Event Center
 5. Proclamations
 6. Oath of Office
 7. Presentations: SCEDC Annual ROI Report - Andrew Rainbolt

2. Administrator's Report

Documents:

[B 2021-02-16 ADMIN REPORT.PDF](#)

3. Consent Agenda Items

(Note: all consent items are automatically approved when the agenda is approved unless REMOVED by a council member. Removed items will be placed under REGULAR AGENDA ITEMS for action by the City Council)

 1. [APPROVAL OF THE AGENDA AS PRESENTED](#)
 2. [APPROVAL OF THE MINUTES FROM THE FEBRUARY 2, 2021, CITY COUNCIL MEETING](#)
 3. [RES. R21-0022](#) – A resolution to approve claims as presented – Nancy Hypse – 597-2020
 4. [RES. R21-0020](#) – A resolution to extend the contract for Ultra-Thin Bonded Asphalt System (UBAS) to McAnany Construction Inc of Shawnee, KS in the amount of \$2,095,020.00 – Jeff Thompson – 597-2043
 5. [RES. R21-0021](#) – A resolution to award the bid for 72nd St and Applewood Intersection Improvements to Omaha Electric Service of Omaha, NE in the amount of \$281,445.78 – Jeff Thompson – 597-2043
 6. [RES. R21-0023](#) – A resolution to approve the reappointment of Rebecca Hoch to the Planning Commission for a term of three (3) years from February 2021 to February 2024 – Introduced by Mayor David P. Black, Staff Report by Mark Stursma – 597-2077
 7. [RES. R21-0024](#) – A resolution to approve the Second Amendment to the Interlocal Agreement creating the Sarpy County and Cities Wastewater Agency – Phil Green – 827-1778
 8. [RES. R21-0029](#) – A resolution to approve the reappointment of Howard Carson to the Planning Commission for a term of three (3) years from February 2021 to February 2024 – Introduced by Mayor David P. Black, Staff Report by Mark Stursma – 597-2077

9. [RES. R21-0030](#) – A resolution to approve the designation of the official publication for the City of Papillion – Nicole Brown – 597-2021
10. [RES. R21-0032](#) – A resolution to approve Professional Services Agreement Amendment No. 1 between the City of Papillion and HDR Inc for the Water Master Plan Project – Alex Evans – 597-2043

4. Ordinances First Reading

1. [ORD. 1912](#) – An ordinance to amend Chapter 205 (Zoning Ordinance), Article XXXVI having to do with Off-Street Parking. The applicant is the City of Papillion. (Off-Street Parking Regulations Amendment) – Mark Stursma – 597-2077
2. [ORD. 1922](#) – An ordinance to amend § 166-29 (Cutting Curb) of Article III (Curbs and Gutters) of Chapter 166 (Streets and Sidewalks Regulations) of the Papillion Municipal Code having to do with the adoption of regulations for driveway and on-street parking location, design, and construction. The applicant is the City of Papillion. (Driveway and On-Street Parking Regulations Amendment) – Mark Stursma – 597-2077
3. [ORD. 1923](#) – An ordinance to amend § 205- 208(C) of Article XXXIII (Supplemental Use Regulations), of Chapter 205 Zoning Regulations having to do with accessory uses for Civic use types. The applicant is the City of Papillion. (Accessory Uses for Civic Use Types) – Mark Stursma – 597-2077
4. [ORD. 1924](#) – An ordinance to amend (1) Table 205-38 (Permitted Uses Table) of Article IV (Zoning District Regulations) of the Papillion Municipal Code to allow Multiple-family Residential in the CC Community Commercial District by Special Use Permit; and (2) § 205-89 (Site Regulations) of Article XIV (Community Commercial District) to adopt site regulation for Multiple-family residential. The applicant is Collective Development c/o Max Honaker. (Multi-Family in the CC District) – Mark Stursma – 597-2077
5. [ORD. 1925](#) – An ordinance to amend Papillion Municipal Code Chapter 117 to amend the number of allowable fireworks permits based on population and to create a scoring process for selection of licensees – Amber Powers – 827-1111
6. [ORD. 1926](#) – An ordinance to amend Papillion Municipal Code Chapter 117 to provide for clarification of who can perform work related to the issuance of a fireworks permit and to require an affidavit stating compliance – Amber Powers – 827-1111

5. Ordinances Second Reading And Public Hearings

6. Ordinances Third Reading And Resolutions

1. [RES. R21-0025](#) – A resolution to approve an amendment to the Master Fee Schedule pertaining to fees associated with amended summer fireworks sales applications – Nicole Brown – 597-2021
2. [RES. R21-0027](#) – A resolution to approve a truck route map and list pursuant to Papillion Municipal Code § 190-22 – Jeff Thompson – 597-2043
3. [RES. R21-0028](#) – A resolution to approve a waiver allowing the use of an alternative truck route by Edwin C. Jochim – Jeff Thompson – 597-2043
4. [RES. R21-0031](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve an application for Moving a Building or Structure Permit to move one building from its current location at 12101 S 72nd St, Papillion, to its

future location at 224 Missouri River Rd, Bellevue. The applicant is Steve Hurlbutt – Shawn Hovseth – 597-2029

5. [RES. R21-0034](#) – A resolution to declare the necessity, and approve the acquisition, by condemnation if necessary, of certain private property at the northwest corner of 72nd St and Applewood Dr for a traffic signal – Jeff Thompson – 597-2043

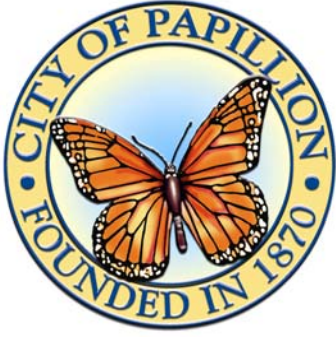
7. Administrative Reports

1. Committee Reports: Public Works Committee
2. Comments from the Floor
3. Comments from Mayor and Council
4. Closed Session: Litigation, Personnel Matters, and Negotiations

8. Adjournment

UPCOMING EVENTS:

1. Finance & Administration Committee Meeting – Tuesday, March 2, 2021 @ 5:30 PM
2. Municipal Facilities Corporation Meeting – Tuesday, March 2, 2021 @ 6:30 PM
3. City Council Meeting – Tuesday, March 2, 2021 @ 7:00 PM



City Administrator Report

February 16, 2021

CITY OF PAPIILLION
AMBER POWERS
CITY ADMINISTRATOR
PHONE: 597-2032
EMAIL:
APOWERS@PAPIILLION.ORG

News Articles

Papillion City Council recap
– PT 2/10/2021

Upcoming Events

United Cities – March 1

Information Report

I participated in the weekly UCSC legislative briefing conference calls.

I attended the weekly briefing with the Sarpy/Cass County Health Department and other local City and County officials.

Phil and I attended the weekly Wastewater Agency administrator meetings.

I attended the virtual League of Nebraska Municipalities Midwinter Conference.

Senior staff and I attended the SCEDC Virtual Annual Meeting.

Miscellaneous

United Cities Opposition Letter re: LB133 – Adopt the Nebraska EPIC Consumption Tax Act and eliminate certain other taxes and LR11CA – Constitutional amendment to require enactment of a consumption tax and prohibit certain other forms of taxation

United Cities Opposition Letter re: LB644 – Adopt the Property Tax Request Act

https://omaha.com/community/papillion/papillion-city-council-recap/article_e0220b3f-86c9-52c8-b7e8-19c4c963885e.html

Papillion City Council recap

AustinPlourde
Feb 10, 2021

The Papillion City Council met and discuss the following at its Feb.2 meeting:

— Approved a resolution regarding a preliminary plat for the property legally described as a tract of land located in the S ½ of the NW ¼, and Tax Lot 9 in the NW ¼, and part of Tax Lot 10 in the SW ¼, all in Section 15, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 168th St and Fairview Rd.

— Approved a special use permit to authorize Utilities as a permitted use for the property legally described as a tract of land located in the S ½ of the NW ¼, and Tax Lot 9 in the NW ¼, and part of Tax Lot 10 in the SW ¼, all in Section 15, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 168th St and Fairview Rd.

— Approved a final plat for the property legally described as a tract of land located in the S ½ of the NW ¼, and Tax Lot 9 in the NW ¼, and part of Tax Lot 10 in the SW ¼, all in Section 15, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 168th St and Fairview Rd.

— Approved the SC South Subdivision Agreement.

— Approved a Class “D” Liquor License for Buck’s LLC d/b/a Bucky’s Express 14, 11400 S 72nd St, Papillion, NE 68046, and Manager Application for Tina M Stone.

— Approved a request that Sarpy County cede and transfer jurisdiction over the territory depicted within Exhibit A (Oak Leaf) to the City of Papillion pursuant to Neb. Rev. Stat.

— Approved a change from AG (Agricultural) to CC (Community Commercial) and R-4 (Multiple-Family Residential) for the property legally described as a tract of land located in part of the NE ¼ of the NW ¼ and part of the NW ¼ of the NW ¼ located in Section 1, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of 72nd St & Schram Rd.

— Approved a final plat for the property legally described as a tract of land located in part of the NW ¼ of the NW ¼ and part of the NE ¼ of the NW ¼ located in Section 1, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of 72nd St & Schram Rd.

— Approved the Seventy Two Place Subdivision Agreement.

— Approved the Sewer and Water Connection Agreement for SID 350.

— Passed a resolution to approve the Seventy Two Place Maintenance Agreement (for on-street parking).

— Approved the vacation of the unimproved part of the First St right-of-way lying in the South ½ of the NE ¼ and in the NW ¼ of the SE ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE with title thereto retained by the City of Papillon.

— Approved the conveyance of title for the unimproved part of the First St right-of-way lying in the South ½ of the NE ¼ and in the NW ¼ of the SE ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE to be vacated by Ordinance #1914 from the City of Papillion to the Papio-Missouri River Natural Resources District.

— Approve the vacation of the unimproved parts of Jefferson St, Monroe St, Beadle St, Addition St, and alley right-of-way lying within or between Blocks 21, 22, and 23 in the NW ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE with title thereto retained by the City of Papillion.

- Approve the conveyance of title for the unimproved parts of Jefferson St, Monroe St, Beadle St, Addition St, and alley right-of-way lying within or between Blocks 21, 22, and 23 in the NW ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE to be vacated by Ordinance #1916 from the City of Papillion to the Papio-Missouri River Natural Resources District.
- Approved the vacation of the unimproved part of Addition Street in the NW ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE with title thereto retained by the City of Papillion.
- Approved the conveyance of title for the unimproved parts of Addition St in the NW ¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE to be vacated by Ordinance #1918 from the City of Papillion to PW & RD Enterprises.
- Approved an ordinance to rename Fall Creek Road abutting Lots 407-421, Eagle Ridge to be S Fall Creek Road.
- Approved an ordinance to amend Papillion Municipal Code to provide for amendments to fireworks sales applications, and to provide for an effective date – Amber Powers – 827-1111
- A resolution to approve applications for the 2021 Summer Fireworks Season (June 25th-July 4th).

The fireworks ordinance was amended to allow vendors to submit an amended location until April 30. On the resolution, the Council voted to approve the 9 grandfathered vendors as well as Wellspring Church. They will consider the additional vendor applications during the next meeting.

- Approved a License Agreement with Harry Bossard American Legion Post 32, 230 W Lincoln St, Papillion, NE, regarding the Legion's proposed temporary and limited use of an adjacent small parcel of City Park property.

The next Papillion City Council meeting will be on Feb.16.

AustinPlourde

United Cities of Sarpy County

Bellevue – Gretna – La Vista – Papillion – Springfield
8116 Park View Boulevard, La Vista, Nebraska 68128

February 2, 2021

The Honorable Senator Lou Ann Linehan
Revenue Committee Chairperson
State Capital Building
1445 K Street
Lincoln, NE 68509

RE: LB133 — Adopt the Nebraska EPIC Consumption Tax Act and eliminate certain other taxes

LR11CA — Constitutional amendment to require enactment of a consumption tax and prohibit certain other forms of taxation

Dear Senator Linehan and Members of the Revenue Committee:

As we have indicated in recent correspondence, as Mayors of some of the fastest-growing cities in the State, we sincerely appreciate your efforts to address the issue of property tax reform. While we are committed to working with you and your fellow legislators in the endeavor to make real progress on this issue, we do have grave concerns about LB133 and LR11CA, that without extensive additional information and education, we are unable to support.

To give you a better understanding of our perspective, the following table summarizes our respective FY21 municipal budgets and identifies the considerable losses we would be faced with replacing should LB133 and/or LR11CA be passed.

FY21 Budget (All Funds)	Bellevue	Gretna	La Vista	Papillion	Springfield
Expenditures	97,312,417.54	13,439,266	44,143,334	76,790,807	8,124,765
Revenues	99,312,417.54	13,603,022	31,851,669	74,592,558	2,446,612
Property Tax	26,452,264.42	1,060,411	9,653,091	11,733,627	576,426
Sales Tax	12,751,300.00	2,149,822	9,274,155	16,986,834	460,000
Highway Allocation	5,309,044.00	553,710	1,593,382	2,169,209	168,031
EPIC Revenue Loss	(44,512,608)	(3,763,943)	(20,520,628)	(30,889,670)	(1,204,457)

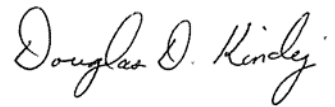
Note: Revenue does not include bond proceeds.

While we believe that it is valuable to explore various options in the hope of providing the most meaningful tax relief for our citizens, we simply do not have the information required to study and analyze how our losses would be offset. This substantial revenue loss would have a devastating impact on our communities. As such, we cannot support LB133 and LR11CA and strongly oppose their advancement. We request that this letter be included as a part of the public hearing record.

As always, we want to continue to express our willingness to work with the Legislature, the Governor, and others to explore options associated with tax relief.

Sincerely,

FOR THE UNITED CITIES OF SARPY COUNTY

A handwritten signature in cursive script that reads "Douglas D. Kindig".

Mayor Douglas Kindig, City of La Vista

Mayor Rusty Hike, City of Bellevue

Mayor Mike Evans, City of Gretna

Mayor David Black, City of Papillion

Mayor Bob Roseland, City of Springfield

CC: Senator Joni Albrecht, Senator John Arch, Senator Carol Blood, Senator Eliot Bostar, Senator Tom Briebe, Senator Robert Clements, Senator Jen Day, Senator Mike Flood, Senator Curt Friesen, Senator Brett Lindstrom, Senator Rich Pahls, Senator Rita Sanders

United Cities of Sarpy County

Bellevue – Gretna – La Vista – Papillion – Springfield

8116 Park View Boulevard, La Vista, Nebraska 68128

February 9, 2021

The Honorable Senator Linehan
Revenue Committee Chairperson
State Capital Building
1445 K Street
Lincoln, NE 68509

RE: LB 644 – Adopt the Property Tax Request Act

Dear Chairperson Linehan and Members of the Revenue Committee:

Please accept this letter in opposition to LB644 on behalf of the United Cities of Sarpy County, which includes the cities of Bellevue, Gretna, La Vista, Papillion, and Springfield, collectively representing over 90,000 residents of Sarpy County. We respectfully request that this letter be included as part of the public hearing record.

Local jurisdictions are already required to hold a public hearing as part of the budget approval process, with special procedures intended to improve transparency as identified in LB148 approved by the Governor on February 12, 2020. Specifically:

- A budget hearing must be held separately from regular scheduled meeting and cannot be limited by time.
- At least 3 copies of the budget must be available to the public.
- A presentation must be given outlining key provisions of the proposed budget, including, but not limited to, a comparison with the prior year's budget.
- Any member of public desiring to speak on the proposed budget shall be allowed to address the governing body and given a reasonable amount of time to do so.
- It requires the public body to record the methods and dates of meeting notices in its minutes.

The bill, in particular, calls for a joint hearing of all of the political subdivisions of the county after 6pm in the evening for the purpose of making it available to any interested parties. As you can imagine, in Sarpy County this would not only require our five cities, the county and eight school districts, but the NRD, all of the fire districts, and many, many others. We believe this could incur additional costs beyond the current requirements enshrined in LB148 (2020).

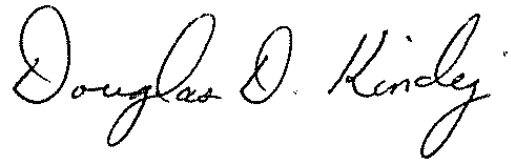
We are elected to represent citizens and make decisions to ensure the provision of necessary public services and the efficient and effective operation of municipal government in our

respective jurisdictions. Our property tax requests are based upon the needs of the jurisdictions we represent. A joint public hearing is unnecessary and would be unproductive.

We respectfully request that this legislation not be moved out of committee. Thank you for your consideration.

Sincerely,

FOR THE UNITED CITIES OF SARPY COUNTY

A handwritten signature in black ink that reads "Douglas D. Kindig". The signature is written in a cursive style with a prominent initial "D".

Mayor Douglas Kindig, City of La Vista

Mayor Rusty Hike, City of Bellevue
Mayor Mike Evans, City of Gretna

Mayor David Black, City of Papillion
Mayor Bob Roseland, City of Springfield

CC: Senator John Arch, Senator Carol Blood, Senator Robert Clements, Senator Jen Day, Senator Rita Sanders