
MINUTE RECORD

PAPILLION CITY COUNCIL MINUTES TUESDAY, OCTOBER 4, 2022 @ 7:00 P.M.

The City Council of the City of Papillion met in open and public session in the City Council Chambers at Papillion City Hall, 122 E Third St, on October 4, 2022, at 7:00 PM. City Clerk Nicole Brown called the roll. Present were Councilmembers Steve Sunde, Tom Mumgaard, Jason Gaines, Jim Glover, Gene Jaworski, Lu Ann Kluch, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Also present were City Administrator Amber Powers, Deputy City Administrator Phil Green, Deputy Administrator of Community Development Mark Stursma, Assistant City Attorney Carla Heathershaw Risko, Police Chief Chris Whitted, Fire Chief Bill Bowes, Public Works Director Mike Kleffner, Parks & Facilities Director Tony Gowan, Recreation Director Tracy Stratman, Finance Director Nancy Hypse, Planning Director Travis Gibbons, and Library Director Matt Kovar.

Mayor Black led those present in the Pledge of Allegiance.

Affidavit of Publication: Notice of the meeting was given in the Sarpy County Guide & News, the designated method of giving notice. A copy is available in the office of the City Clerk. Incorporated herein by reference as if fully set out herein is the audio and visual recording of the council meeting.

Public announcement that a current copy of the Open Meetings Act is posted in the Council Chambers.

ADMINISTRATOR'S REPORT: City Administrator Amber Powers provided an update: (1) The FEMA flood map appeals process will be October 5, 2022, to January 1, 2023; (2) Papillion Manor celebrated their 50th Anniversary with a Ribbon Cutting; (3) There will be a law enforcement training exercise on October 5; (4) Fall Clean Up Days will be October 17-23; (5) The Parks Department has begun putting up lights for Winter Wonderland.

CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the minutes from the September 20, 2022, City Council Meeting; (3) RES. R22-0168 – A resolution to approve claims as presented – Nancy Hypse – 597-2020; (4) RES. R22-0171 – A resolution to approve a Special Fireworks Permit for Ashima Mehta at 811 Western Hills Dr on October 14, 2022, and November 26, 2022, in observance of Diwali – Bill Bowes – 339-8617; (5) RES. R22-0173 – A resolution to approve an Extension to Listing Agreement with NP Dodge for property in the Papillion Business & Technology Park – Amber Powers – 827-1111. Motion to approve the Consent Agenda by Councilmember Glover, second by Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

BILLS: AA Wheel & Truck Supply Inc: \$33.80 /supplies; Acushnet Company: \$4,501.98 /merchandise; Adam Boehmer: \$3,000.00 /reimbursement; Advanced Office Automation Inc: \$771.07 /service; AED Zone: \$40.00 /training; Aetna: \$734.40 /insurance; AKRS Equipment Solutions Inc: \$82.44 /supplies; Alan Thelen: \$72.50 /reimbursement; Alfred Benesch & Company: \$7,795.15 /service; All Copy Products Inc: \$74.32 /supplies; Andrew J Rivera: \$925.25 /service; Aqua-Chem Inc: \$3,288.60 /supplies; Aramark: \$104.89 /service; Arcoro Holdings Corp:

\$8.25 /service; A-Relief Services Inc: \$128.00 /service; ASP Enterprises Inc: \$170.00 /supplies; Associated Fire Protection: \$1,970.29 /service; Automotive Warehouse Distributors: \$307.49 /parts; Bauer Built Tire: \$653.25 /parts; Baxter Ford of Papillion: \$584.48 /parts; Bianco Electric: \$128.81 /refund; Big Rig Truck Accessories: \$1,957.00 /parts; Bishop Business Equipment Co: \$350.94 /supplies; Black Hills Energy: \$6,691.92 /natural gas; Blue Tees Enterprises LLC: \$1,845.83 /supplies; Bound Tree Medical LLC: \$2,676.35 /supplies; Bridgestone Golf Inc: \$1,480.00 /supplies; Bryan Svajgl: \$147.50 /reimbursement; Carla Heathershaw Risko: \$394.25 /reimbursement; Cartridge Center Inc: \$135.00 /supplies; CDW Government Inc: \$19,904.72 /supplies; Chem-Sult Inc: \$11,191.83 /supplies; Cintas Loc 749: \$142.68 /service; City Of La Vista: \$3,445.70 /agreement; City Of Omaha Cashier: \$401,252.93 /service; City of Papillion Recreation Department: \$125.00 /service; CivicPlus Inc: \$29,325.45 /service; Cobra PUMA Golf Inc: \$2,009.19 /supplies; Coca-Cola of Omaha: \$1,462.88 /merchandise; Comp Choice Inc: \$74.00 /service; Constellation NewEnergy Gas Division: \$8.44 /utilities; Cornhusker International Trucks Inc: \$432.14 /supplies; Cox Business: \$2,410.80 /utilities; Cox Communications: \$50.00 /utilities; Curb Appeal Landscape Curbing LLC: \$1,080.00 /service; Curbside Rewards LLC: \$210.00 /service; D & K Products: \$2,120.50 /supplies; David Black: \$213.00 /reimbursement; DB Guns & Smithing: \$40.00 /service; Dell Marketing LP: \$8,580.75 /equipment; Double K Feed Inc: \$822.50 /supplies; Douglas County Sheriff's Office: \$297.50 /service; Douglas Moeller: \$52.33 /reimbursement; Dultmeier Sales LLC: \$725.55 /supplies; Eakes Office Solutions: \$221.61 /supplies; Echo Group Inc: \$489.18 /supplies; Express Enterprises: \$91.00 /service; FAC Print & Promo Company: \$3,803.27 /supplies; FastSigns: \$122.94 /supplies; Fire Protection Services LLC: \$795.00 /service; First Wireless Inc: \$1,496.60 /service; FNIC: \$1,672,976.00 /insurance; Frank Matyja: \$2,000.00 /reimbursement; Gear For Sports Inc: \$2,380.69 /advertising; GPS Technologies Inc: \$1,494.00 /service; Great Plains Uniforms LLC: \$3,466.94 /service; Gretna Sanitation Inc: \$117.00 /service; Grunwald Mech Contr and Eng: \$590.00 /service; GT Distributors Inc: \$311.96 /supplies; H & H Chevrolet: \$47.08 /supplies; Hach Company: \$267.02 /supplies; Haney Shoe Store Inc: \$135.99 /supplies; Happy Trees: \$850.00 /service; Harm's Concrete: \$225.63 /goods; Hawkins Inc: \$6,234.82 /supplies; Heartland Tires & Treads - Omaha: \$804.14 /supplies; Heavy Duty Specialists Inc: \$130.09 /supplies; Helget Gas Products Inc: \$89.95 /supplies; Helm Mechanical / Helm Service: \$899.50 /service; Home Depot Credit Services: \$1,176.14 /supplies; Hose and Handling Inc: \$369.79 /supplies; Host Coffee Service: \$385.47 /supplies; Hotsy Equipment Co / A NE Corp: \$474.50 /supplies; Hy-Vee: \$385.00 /supplies; Jacob Davis: \$3,000.00 /reimbursement; Johnson Brothers of Nebraska: \$5,000.92 /supplies; Jones Automotive Inc: \$3,245.44 /supplies; Joseph LaPuzza: \$1,046.19 /reimbursement; Judah Caster Co: \$38.00 /supplies; Katherine Mattern: \$224.00 /reimbursement; Kathy Andersen: \$36.25 /reimbursement; Koley Jessen PC LLO: \$72,271.00 /legal; Kriha Fluid Power Co Inc: \$344.45 /supplies; Kronos SaaS Inc: \$14,693.56 /payroll; Lands' End Business Outfitters: \$70.16 /supplies; Larsen Supply Company: \$943.35 /supplies; Lawson Products Inc: \$354.69 /supplies; Life-Assist Inc: \$70.30 /supplies; Lifeguard MD Inc: \$70.00 /supplies; Lincoln Marriott Cornhusker: \$109.00 /lodging; Linde Gas & Equipment: \$59.26 /supplies; Line-X of Omaha: \$525.00 /service; Loffler Inc: \$12.08 /service; Logan Contractors Supply Inc: \$755.74 /supplies; Logo Logix Embroidery & Screen: \$1,028.00 /service; Mellen & Associates Inc: \$673.09 /supplies; Menards - Bellevue: \$53.02 /supplies; Metering & Technology Solutions: \$55,284.70 /supplies; Metro Landscape Materials & Recycling: \$96.00 /supplies; Metropolitan Utilities District: \$455.92 /utilities; Michael Todd & Company Inc: \$354.74 /supplies; Midlands Family Urgent Care: \$396.00 /Medical; Midlands Printing & Business Forms: \$296.71 /supplies; Midwest Turf & Irrigation: \$1,631.61 /supplies; MNJ Technologies Direct Inc: \$11,188.00 /supplies; mySidewalk Inc: \$1,500.00 /service; Napa Auto Parts: \$468.52 /supplies; Natures Secrets: \$75.00 /service; NE Public Health Environ Laboratory: \$129.00 /service; Nebraska Planning & Zoning Assoc: \$190.00 /conference; Newman Signs Inc: \$640.87 /supplies; Nicholas Gunia: \$2,000.00 /reimbursement; Omaha Compound Company: \$3,046.43 /supplies; Omaha Door & Window Co

Inc: \$4,521.24 /service; Omaha Public Power District: \$4,272.99 /electricity; OMNI Engineering: \$127.80 /supplies; O'Reilly Auto Parts: \$1,230.15 /supplies; P & H Electric Inc: \$5,392.25 /supplies; Papillion Sanitation: \$374.68 /refuse; Pine Crest Homes: \$123.84 /refund; Pomp's Tire Service Inc: \$485.83 /supplies; PPG Shadow Lake Real Estate: \$56.18 /refund; Premier-Midwest Beverage Co: \$2,896.93 /merchandise; Quadient Finance USA Inc: \$271.00 /service; Quality Brands of Omaha Inc: \$7,469.64 /merchandise; RAKA: \$477.05 /supplies; Ready Mixed Concrete Company: \$7,975.90 /supplies; Red Wing Business Advantage Account: \$765.87 /supplies; RNDC: \$750.82 /merchandise; Rotella's Italian Bakery Inc: \$597.33 /supplies; Sapp Bros Inc - Omaha: \$4,833.55 /fuel; Sarpy County Sheriff: \$5,000.00 /supplies; Sarpy County Treasurer: \$935.33 /service; Signs Now: \$263.53 /service; Silex Group LLC: \$203.58 /supplies; SiteOne Landscape Supply LLC: \$1,299.50 /supplies; Social Landscapes: \$6,232.50 /service; Sol Lewis Engineering Co: \$3,005.00 /service; Southern Glazer's Wine & Spirits of NE: \$403.83 /merchandise; Spin Linen Management: \$169.54 /supplies; SRIXON/Cleveland Golf/XXIO: \$1,284.50 /merchandise; Standard Heating & Air Inc: \$172.27 /service; Sun Valley Landscaping: \$275.37 /goods; Sutphen Corporation: \$5,770.65 /supplies; TD2 Nebraska Office: \$215.42 /engineering; The Grinder Pump Man LLC: \$339.56 /service; The Sherwin-Williams Co: \$112.58 /supplies; Thermo King Christensen: \$729.31 /supplies; Thryv Inc: \$151.48 /service; Timothy J Bazar: \$5,633.90 /service; Todd Dudas: \$2,000.00 /reimbursement; Tool Supply Inc: \$196.51 /supplies; Tractor Supply Company: \$289.99 /supplies; Travis M Rozeboom: \$147.50 /reimbursement; Tuff Turf Lawn Care Inc: \$1,512.00 /service; Turfwerks: \$219.74 /supplies; US Foods Inc: \$790.19 /supplies; USABlue Book: \$1,680.68 /supplies; Utility Equipment Company: \$679.55 /supplies; Utility Service Co Inc: \$86,575.00 /service; Verizon Wireless: \$808.96 /utilities; Vierregger Electric Company Inc: \$372.50 /service; Walmart Community/Capital One: \$512.20 /supplies; Waystar Health: \$153.60 /service; Wells Fargo Financial Leasing: \$1,186.00 /service; White Cap LP: \$344.38 /supplies; Woodland Homes: \$83.62 /refund; Zep Sales & Service: \$617.98 /supplies; Zimco Supply Co: \$474.15 /supplies; Payroll x2: /1,923,029.60 /; **Total: \$4,508,735.01.**

ORDINANCES FIRST READING:

ORD. 1979 – An ordinance to amend Papillion Municipal Code §§ 117-4 and 117-11 to revise the number of fireworks sales licenses, to amend fireworks regulations, and to provide for an effective date – Phil Green – 827-1778. Introduced by Councilmember Jaworski.

ORDINANCES SECOND READING AND PUBLIC HEARING:

ORD. 1976 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 (Multiple-Family Residential) for the property legally described as a tract of land located in part of the S ½ of the NW ¼ of Section 01, excluding any right-of-way dedication needed for S 72nd St, S 71st St, and Ponderosa Dr, all located in T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of S 72nd St and Schram Rd. The applicant is Papio Park, LLC. (Seventy Two Place South) – Travis Gibbons – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponent: Jason Thiellen, E&A Consulting Group, 10909 Mill Valley Rd, Ste 100, Omaha, came forward on behalf of the applicant, briefly presented the project, and stated he was available for questions. Councilmember Mumgaard asked if anything had been decided on what will be built in the multi-family residential area. Mr. Thiellen explained that nothing has been decided yet. Councilmember Mumgaard asked if the Council would have a say in what is built. Mr. Gibbons explained the proposed zoning for the multi-family residential area and the City Code requirements. This area, due to its size of 15+ acres, will require a Special Use Permit, which will go to Planning Commission and then back to Council for consideration. Councilmember

Mumgaard stated that he would like to see some townhomes or cottages built there rather than apartment buildings. Mr. Thiellen stated they would take that into account.

Councilmember Stubbe asked if the area south of the proposed school site was owned by the Seventy Two Place South developer, as it shows as future single-family residential. Mr. Thiellen stated that it is owned by the Springfield Platteview School District and explained how the plans were formed for the area, including the proposed future school.

Opponents: None.

No one came forward and the public hearing was closed.

ORD. 1977 – An ordinance to approve a Purchase Agreement with Immanuel for the sale of City property located near 620 W Lincoln St – Phil Green – 827-1778. Mayor Black opened the public hearing and called for proponents and opponents. No one came forward and the public hearing was closed.

ORDINANCES THIRD READING AND RESOLUTIONS:

RES. R22-0158 – PUBLIC HEARING AND VOTE – A resolution to approve a Preliminary Plat for the property legally described as a tract of land located in part of the S ½ of the NW ¼ of Section 01, excluding any right-of-way dedication needed for S 72nd St, S 71st St, and Ponderosa Dr, all located in T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of S 72nd St and Schram Rd. The applicant is Papiro Park, LLC. (Seventy Two Place South) – Travis Gibbons – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents. No one came forward and the public hearing was closed.

Motion to approve RES. R22-0158 by Councilmember Engberg, second by Councilmember Kluch. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

ORD. 1972 – An ordinance to approve a Change of Zone from AG (Agricultural) to CC (Community Commercial), MU (Mixed Use), R-4 (Multiple-Family Residential), R-4/PUD-2 (Multiple-Family Residential/Planned Unit Development (Specific)), and RE (Residential Estates) for the property legally described as part of Tax Lot 7, Section 12, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 72nd St and Capehart Rd. The applicant is Gene Graves. (Oak Leaf) – Travis Gibbons – 597-2077. Motion to approve ORD. 1972 by Councilmember Stubbe, second by Councilmember Glover. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0164 – A resolution to approve a Final Plat for the property legally described as part of Tax Lot 7, Section 12, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 72nd St and Capehart Rd. The applicant is Gene Graves. (Oak Leaf) – Travis Gibbons – 597-2077. Motion to approve RES. R22-0164 by Councilmember Jaworski, second by Councilmember Engberg. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0165 – PUBLIC HEARING AND VOTE – A resolution to approve the Oak Leaf Subdivision Agreement – Travis Gibbons – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponent: Joe Foley, 14503 Grover St, Omaha, came forward on behalf of the applicant and stated that he was available for any questions.

Opponent: None.

No one else came forward and the public hearing was closed. Motion to approve RES. R22-0165 by Councilmember Kluch, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0166 – A resolution to approve the Oak Leaf Water Connection Agreement – Travis Gibbons – 597-2077. Motion to approve RES. R22-0166 by Councilmember Stubbe, second by Councilmember Jaworski. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0167 – PUBLIC HEARING AND VOTE – A resolution to approve the Oak Leaf Planned Unit Development Agreement – Travis Gibbons – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents. No one came forward and the public hearing was closed.

Motion to approve RES. R22-0167 by Councilmember Gaines, second by Councilmember Glover. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0169 – A resolution to approve the Second Amendment to the Shadow Lake 2 Subdivision Agreement – Travis Gibbons – 597-2077. Motion to approve RES. R22-0169 by Councilmember Jaworski, second by Councilmember Stubbe. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R22-0170 – A resolution to approve the Fifth Amendment to the Ashbury Farm Subdivision Agreement – Travis Gibbons – 597-2077. Motion to approve RES. R22-0170 by Councilmember Jaworski, second by Councilmember Glover. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

ADMINISTRATIVE REPORTS:

Committee Reports: None.

Comments from the Floor: Students from Papillion-La Vista South High School came forward and introduced themselves.

Mike Erdman, 926 S Madison St, explained that he has concerns related to property maintenance, specifically the rental properties near his home. The landlord continues to neglect these properties and leaves homes in disrepair while still renting them out. Councilmember Sunde asked if this landlord owns other properties within city limits. Mr. Erdman explained that this landlord owns many of properties within Sarpy, Douglas, and Cass Counties, most of which have been neglected. Mayor Black briefly provided an update on the progress of the Property Maintenance Code.

Comments from Mayor and Council: Mayor Black provided an update on his events: (1) Mayor Black spoke about local government to 2nd graders at Rumsey Station Elementary School; (2) Mayor Black attended the Grow Sarpy Board Meeting; (3) Mayor Black attended the Wastewater Agency Board Meeting; (4) Mayor Black and staff attended the Ribbon Cutting for Core Bank; (5) Mayor Black and staff attended the 50th Anniversary Ribbon Cutting for Papillion Manor.

Mayor Black reminded those present of the FEMA flood map appeals process that begins on October 5, 2022.

ADJOURNMENT:

Motion to adjourn by Councilmember Glover, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed. Meeting adjourned at 7:32 PM.

CITY OF PAPIILLION

DAVID P. BLACK, MAYOR

ATTEST:

NICOLE BROWN, CITY CLERK

(SEAL)