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**MINUTE RECORD**

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**PAPILLION CITY COUNCIL MINUTES**  
**TUESDAY, JANUARY 15, 2019 @ 7:00 P.M.**

The City Council of the City of Papillion met in open and public session at Papillion City Hall on January 15, 2019, at 7:00 PM. Administrative Assistant Taylor Chapman called the roll. Present were Councilmembers Steve Sunde, Jason Gaines, James Glover, Gene Jaworski, Lu Ann Kluch, Bob Stubbe, and Mayor David P. Black. Councilmembers Steve Engberg and Tom Mumgaard were absent. Also present were City Administrator Christine Myers, Assistant City Administrator Amber Powers, City Attorney Karla Rupiper, Planning Director Mark Stursma, Chief Building Official Shawn Hovseth, Fire Chief Bill Bowes, City Engineer Jeff Thompson, Police Chief Scott Lyons, Finance Director Nancy Hypse, Parks & Facilities Director Tony Gowan, and Recreation Director Lori Hansen.

Mayor Black and Cub Scout Pack 206 led those present in the Pledge of Allegiance.

Affidavit of Publication: Notice of the meeting was given in the Papillion Times, 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 meeting act is posted in the City Council Chambers.

Presentations: Mayor Black announced the winners of the 2018 Papillion Race Series: youth age group 11-14 – Danica Bentley; youth/young adult age group 15-19 – Aeron Stahl (third consecutive year); overall female adult age group – Sarah Stahl (third consecutive year); overall male adult age group – Nathan Stahl (third consecutive year).

Councilmember Tom Mumgaard joined the City Council Meeting at 7:06 PM.

**ADMINISTRATOR'S REPORT:** City Administrator Christine Myers gave an update on the following: (1) In the first four months of the fiscal year, the City has collected over 23% of the budgeted sales tax; (2) Congratulations to Sump Memorial Library for receiving the highest level of accreditation by the Nebraska Library Commission, Gold Status; (3) Congratulations to Player's Keno for exceeding the \$1 million mark for December.

Councilmember Stubbe asked what portion of sales tax revenue the City sets aside for potential turn-back tax, and when Papillion will begin seeing collection of sales tax on internet purchases. Mayor Black stated that the City tracks trends internally on a monthly basis, as the State does not share information regarding rebates on sales tax collection. The City monitors these trends and reserves funds for potential rebate based on anomalies in the trends, which is part of the cash reserve policy recently adopted by

City Council. Mayor Black added that no budgeting decisions have been made yet regarding internet sales tax, as there is still uncertainty regarding the collection of local option sales tax on these purchases.

Vince Bellino, Player's Keno, 501 Olson Dr, gave an update regarding player retention programs. He also noted that play is up 19% over this time in the 2018 fiscal year.

**CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the Minutes from January 2, 2019, City Council Meeting; (3) Approval of the bills as presented; (4) RES. R19-0008 – A resolution to approve Special Designated Liquor Licenses for St. Columbkille Church, 200 E 6<sup>th</sup> St, for events on March 8, 2019, March 15, 2019, March 22, 2019, March 29, 2019, April 5, 2019, and April 12, 2019, from 4:00 PM to 10:00 PM each day – Nicole Brown – 597-2021.**

Motion to approve Consent Agenda by Councilmember Gaines, second by Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**BILLS:** AA Wheel & Truck Supply Inc: \$619.90 /supplies; Access: \$221.58 /service; Acushnet Company: \$363.02 /merchandise; Advanced Office Automation, Inc.: \$300.85 /service; Aetna: \$322,642.56 /insurance; AFLAC: \$404.16 /pyrl deduction; Alley Poyner Macchietto Architecture PC: \$58,756.27 /service; Anderson Industrial Engines: \$59.78 /supplies; APWA: \$850.00 /membership; Arthur J. Gallagher Risk Mgmt. Serv. Inc: \$10,226.00 /service; Artistic Sign & Design, Inc: \$3,875.00 /contract; ASCAP: \$357.00 /license; Associated Fire Protection: \$107.00 /service; AVI Systems, Inc.: \$25,394.37 /service; Axon Enterprise, Inc.: \$4,795.20 /supplies; Badger Meter, Inc.: \$118.37 /service; Baker & Taylor: \$2,468.93 /books; Bankers Trust Company: \$500.00 /service; Baxter Ford: \$89.38 /parts; Bellevue Leader: \$156.00 /service; Bellino Fireworks: \$2,000.00 /bond refund; berganKDV: \$16,000.00 /service; Best Best & Krieger LLP: \$5,000.00 /legal; BH Media Publishing Solutions: \$6,500.00 /service; Black Hills Energy: \$5,955.97 /natural gas; Bobcat Of Omaha: \$41.36 /supplies; Border States Industries, Inc.: \$256.38 /supplies; Bound Tree Medical, LLC: \$992.99 /supplies; Brite Ideas Decorating, Inc.: \$5,000.24 /supplies; Carl Jarl: \$10.50 /service; Caselle, Inc.: \$1,685.00 /service; Central States Group: \$49.02 /supplies; Cintas Loc 749: \$1,277.21 /service; City Of La Vista: \$536.89 /agreement; CivicPlus, Inc.: \$9,922.50 /service; Colonial Life Insurance Co: \$616.42 /pyrl deduction; Computer Cable Connection: \$480.00 /supplies; Constellation NewEnergy - Gas Division: \$151.84 /utilities; Cox Business: \$8,098.80 /utilities; Criterion Pictures USA, Inc.: \$350.00 /merchandise; Culligan of Omaha: \$9.30 /supplies; Dana Borman: \$61.50 /reimbursement; Deere & Company: \$9,934.81 /supplies; Dell Marketing L.P.: \$2,385.31 /equipment; Demco: \$1,021.79 /books; Depository Trust Company: \$23,457.50 /payment; DexYp: \$146.25 /service; DHHS - Dept of Health and Human Services: \$146.25 /license; Diamond Communication Solutions: \$9,716.52 /service; Echo Group, Inc.: \$775.88 /supplies; Echoes Softball: \$1,000.00 /refund; Elliott Equipment Co.: \$103.85 /supplies; Envirotech Services, Inc: \$5,355.00 /chemicals; E-One, Inc.: \$1,592.19 /supplies; Express Enterprises: \$1,269.50 /service; Expressions For Your Image, LLC.: \$170.00 /service; EyeMed Vision Care:

\$2,150.14 /insurance; Fastenal Company: \$3.50 /supplies; Ferguson Enterprises, Inc.: \$179.96 /supplies; FIREPAC: \$1,269.00 /pyrl deduction; First National Bank: \$24,205.96 /insurance; First Wireless, Inc.: \$1,002.00 /service; FP Design & Review Services, LLC: \$2,738.40 /service; Fraternal Order Of Police: \$1,417.50 /pyrl deduction; Fritz Weiss: \$300.00 /LOSAP; Funds by Hasler: \$356.00 /postage; FYRA Engineering, LLC: \$5,156.25 /engineering; Gale/CENGAGE Learning: \$460.72 /books; General Code: \$1,684.23 /service; Grainger, Inc.: \$517.49 /supplies; Great Plains Uniforms LLC.: \$781.50 /supplies; Greatland Corporation: \$221.70 /supplies; Gretna Welding, Inc.: \$100.00 /service; H & H Chevrolet: \$371.30 /supplies; Hach Company: \$1,808.07 /supplies; Hawkins, Inc.: \$1,630.00 /supplies; Hayes Mechanical: \$240.79 /service; Heartland Tires & Treads - Omaha: \$1,259.50 /supplies; Helget Gas Products Inc: \$461.66 /supplies; Hi-Line Inc.: \$278.58 /supplies; Hilti, Inc.: \$193.00 /supplies; Host Coffee Service: \$235.47 /supplies; Hydro Optimization & Auto Solutions: \$960.99 /service; Hy-Vee: \$325.71 /supplies; Ideal Pure Water: \$211.83 /supplies; IDville: \$68.50 /supplies; InfoArmor, Inc.: \$310.02 /service; Ingram Library Services: \$27.74 /books; Inland Truck Parts & Service: \$200.42 /supplies; J.P. Cooke Company: \$22.47 /supplies; Jack Miller: \$300.00 /LOSAP; Jesse Robinson: \$512.00 /reimbursement; John Schendt: \$300.00 /LOSAP; Jones Automotive, Inc: \$2,113.45 /supplies; Kathy Andersen, petty cash: \$16.00 /petty cash; Kronos SaaS, Inc.: \$593,540.23 /payroll; Kubota of Omaha: \$1,178.62 /supplies; Kyle Salkeld: \$1.86 /refund; Lamp, Ryneason & Associates, Inc.: \$7,758.30 /service; Landport Systems, Inc.: \$125.00 /service; Larsen Supply Company: \$284.45 /supplies; Lincoln Financial Group: \$8,235.26 /insurance; LogMeln USA, Inc.: \$117.00 /service; Lowe's Business Account/SYNCB: \$1,793.31 /supplies; Lyman-Richey Sand & Gravel Company: \$242.36 /supplies; MacQueen Emergency Group: \$241.74 /supplies; Marco Technologies LLC.: \$627.55 /contract; Mark Brandt: \$300.00 /LOSAP; Marking Refrigeration, Inc.: \$110.00 /equipment; Matheson Tri-Gas, Inc.: \$193.16 /supplies; Medical Enterprises, Inc.: \$1,557.00 /service; Menards: \$125.80 /supplies; Metro: \$555.00 /service; Metropolitan Utilities District: \$100.62 /utilities; Michael Todd & Company, Inc.: \$395.60 /supplies; Microfilm Imaging Systems, Inc: \$70.00 /service; Midlands Printing & Business Forms: \$191.00 /supplies; Midwest Tape: \$22.49 /audio; Midwest Turf & Irrigation: \$439.93 /supplies; MMS - A Medical Supply Company: \$2,807.18 /supplies; Motorola Solutions, Inc.: \$69.35 /supplies; Napa Auto Parts: \$379.62 /supplies; Nebraska Department of Revenue: \$108,841.59 /government; Nebraska Library Commission: \$666.80 /dues; Nebraska-Iowa Industrial Fasteners Corp.: \$630.00 /supplies; NGCSA: \$375.00 /membership; NMC Exchange, LLC: \$761.72 /supplies; Northern Tool & Equipment: \$230.33 /goods; OCLC, Inc.: \$701.66 /supplies; Office Depot, Inc.: \$1,527.02 /supplies; O'Keefe Elevator Company, Inc.: \$196.87 /service; Omaha Compound Company: \$1,386.64 /supplies; Omaha Door & Window Co Inc: \$1,792.63 /service; Omaha Public Power District: \$108,647.63 /electricity; Omaha Slings Inc: \$26.46 /supplies; Omaha Storm Chasers: \$10,902.00 /sponsorship; OMNI Engineering: \$323.31 /supplies; One Call Concepts, Inc.: \$286.77 /service; One Source The Background Check: \$140.00 /service; O'Reilly Auto Parts: \$1,291.36 /supplies; Orin Orchard: \$418.00 /training; Papillion Professional Fire Fighters: \$877.50 /pyrl deduction; Papillion Sanitation: \$1,238.26 /refuse; Papillion Times: \$156.00 /service; PCEA: \$210.00 /pyrl deduction; Personnel Committee: \$160.50 /employee fund; Plains Equipment Group: \$2,838.43

/supplies; Police & Firemen's Insurance Association: \$2,761.56 /pyrl deduction; Postmaster: \$200.00 /service; Praxair Distribution Inc: \$46.25 /supplies; Pro Track and Tennis, Inc.: \$36,248.00 /service; R&R Products, Inc.: \$4,247.32 /service; Ray Higgins: \$300.00 /LOSAP; Ready Mixed Concrete Company: \$439.30 /supplies; Recorded Books, Inc.: \$56.90 /books; Rich Higgins: \$300.00 /LOSAP; Russell L Zeeb: \$300.00 /LOSAP; Sampson Construction Co., Inc.: \$1,383,725.00 /service; Sam's Club/Synchrony Bank: \$672.05 /supplies; Sapp Bros., Inc - Omaha: \$427.88 /fuel; Sarah Smith: \$324.50 /reimbursement; Sarpy County Election Commission: \$3,843.53 /service; Sarpy County, SID 97: \$339.08 /service; Sarpy County: \$10,660.14 /service; Sewer Equipment Co. of America: \$477.12 /supplies; SirsiDynix: \$12,987.44 /service; Sol Lewis Engineering Co: \$152.00 /service; SolutionOne: \$106.61 /service; Spaustat Energy Group, LLC: \$9.98 /service; Steve Haffke Plumbing, Inc.: \$250.00 /service; SupplyWorks: \$57.76 /supplies; Ted's Mower Sales & Service, Inc.: \$472.01 /supplies; Teresa's Cleaning: \$140.00 /service; The Omaha World-Herald: \$1,039.43 /service; The Sherwin-Williams Co.: \$49.74 /supplies; The UPS Store - 5359: \$13.71 /service; Thomson Reuters - West Payment Center: \$360.07 /supplies; Tim Bezy II Photography: \$2,700.00 /service; TKJ Polygraph LLC: \$600.00 /service; Tom's Shoe Repair: \$10.00 /service; Tool Supply, Inc.: \$254.94 /supplies; Tour Edge: \$88.50 /merchandise; Tractor Supply Company: \$39.99 /supplies; TransUnion Risk and Alternative: \$34.30 /service; TriCare West Region: \$298.52 /service; Truck Center Companies: \$55.61 /supplies; Turfwerks: \$662.26 /supplies; Ty's Outdoor Power & Service: \$351.78 /supplies; Uline, Inc.: \$357.32 /supplies; Unionist Printing Company: \$256.60 /supplies; Unite Private Networks: \$7,441.58 /network; United Healthcare: \$162.00 /reimbursement; Urgent Care of Papillion: \$30.00 /service; US Bank Corporate Payment Systems: \$17,498.13 /service; USABlue Book: \$615.81 /supplies; Utility Equipment Company: \$13,747.30 /supplies; Verizon Wireless: \$2,290.24 /utilities; Vierregger Electric Company, Inc.: \$2,375.00 /service; Voya Financial Fire: \$28,251.82 /pyrl pension; Voya Financial: \$62,990.94 /deferred comp; Washington National Insurance Co.: \$44.80 /insurance; Waste Management of Nebraska: \$357.41 /service; Weldon Parts Omaha: \$174.45 /parts; Wells Fargo Financial Leasing: \$734.00 /service; Westlake Ace Hardware: \$7.99 /merchandise; Zoll: \$1,500.36 /supplies; Bank Transaction Fees: \$9,711.85 /; **BILLS TOTAL: \$3,089,413.53.**

**ORDINANCES FIRST READING:**

**ORD. 1817 – An ordinance to amend Chapter 205 of the Papillion Municipal Code to remove all references to Floor Area Ratio (FAR). The applicant is the City of Papillion – Mark Stursma – 597-2077.** Introduced by Councilmember Glover.

**ORDINANCES SECOND READING:**

**ORD. 1827 – An ordinance to approve an amendment to the 2018/2019 Fiscal Budget – Nancy Hypse – 597-2020.** Mayor Black opened the public hearing and called for proponents and opponents. No one came forward and the public hearing was closed.

**ORD. 1829 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 (Multiple-Family Residential) for the property legally described as the W½ of**

**the NW¼ of Section 29, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located NW of 117<sup>th</sup> St and Lincoln Rd. The applicant is Pine Crest Homes, LLC. (North Shore 2) – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Pat Hillyer, Lamp Rynearson and Associates, 14710 W Dodge Rd, Omaha, stepped forward on behalf of the applicant and gave a brief update on the project. Pat Sullivan, attorney for the SID, was also in attendance with Mr. Hillyer.

Opponents: None forthcoming.

No one else came forward and the public hearing was closed.

**ORD. 1830 – An ordinance to approve a Change of Zone from R-4 (Multiple-Family Residential) to R-4/PUD-2 (Multiple-Family Residential – Specific Planned Unit Development) for the property legally described as Lot 123, Lincoln Way, generally located on the NW corner of S 96<sup>th</sup> St and Lincoln Rd. The applicant is SB Communities, LLC. (The Sterling Apartments) – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Jerry Slusky, Smith Slusky Law, 8712 W Dodge Rd Ste 400, Omaha, stepped forward on behalf of the applicant and gave a brief overview of the project. Brett West, Assurity Life Insurance Co., 2000 Q St, Lincoln, was also in attendance with Mr. Slusky.

Opponents: None forthcoming.

No one else came forward and the public hearing was closed.

**ORDINANCES THIRD READING AND RESOLUTIONS: RES. R19-0006 – PUBLIC HEARING AND VOTE – A resolution to approve a Preliminary Plat for the property legally described as the W½ of the NW¼ of Section 29, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located NW of 117<sup>th</sup> St and Lincoln Rd. The applicant is Pine Crest Homes, LLC. (North Shore 2) – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Pat Hillyer, Lamp Rynearson and Associates, 14710 W Dodge Rd, Omaha, stepped forward on behalf of the applicant.

Opponents: None forthcoming.

No one else came forward and the public hearing was closed. Motion to approve RES. R19-0006 by Councilmember Stubbe, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**RES. R19-0009 – PUBLIC HEARING AND VOTE – A resolution to approve applications for Moving a Building or Structure Permit to move two (2) buildings from their current location at 14706 Schram Rd and one (1) building from its current location at 15302 Schram Rd, all to their future location at 15306 Capehart Rd. The applicant is Thomas Heinert – Shawn Hovseth – 597-2029.** 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. R19-0009 by Councilmember Mumgaard, second by Councilmember Glover. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**RES. R19-0010 – A resolution to refuse a conveyance of real property legally described as Lots 4, 5 and 6, Block 23, Papillion, Sarpy County, Nebraska from Sarpy County to the City of Papillion, Nebraska, and to authorize the City Clerk to file the approved Resolution with the Sarpy County Register of Deeds as an instrument of revocation to revoke such conveyance and to reinstate title of the property to Sarpy County – Christine Myers – 827-1111.** Motion to approve RES. R19-0010 by Councilmember Glover, second by Councilmember Stubbe. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**RES. R19-0011 – A resolution to refuse a conveyance of real property legally described as Lots 3, 4, 5 and 6, Block 22, Papillion, Sarpy County, Nebraska from Sarpy County to the City of Papillion, Nebraska, and to authorize the City Clerk to file the approved Resolution with the Sarpy County Register of Deeds as an instrument of revocation to revoke such conveyance and to reinstate title of the property to Sarpy County – Christine Myers – 827-1111.** Motion to approve RES. R19-0011 by Councilmember Kluch, second by Councilmember Jaworski. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**RES. R19-0012 – A resolution to refuse a conveyance of real property legally described as Lots 3, 4, 5 and 6, Block 21, Papillion, Sarpy County, Nebraska from Sarpy County to the City of Papillion, Nebraska, and to authorize the City Clerk to file the approved Resolution with the Sarpy County Register of Deeds as an instrument of revocation to revoke such conveyance and to reinstate title of the property to Sarpy County – Christine Myers – 827-1111.** Motion to approve RES. R19-0012 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 and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried.

**ADMINISTRATIVE REPORTS:**  
**Committee Reports:** None.

**Comments from the Floor:** A Boy Scout from Troop #359 introduced himself.

**Comments from Mayor and Council:** Mayor Black gave an update on his events: (1) Mayor Black and staff members toured the Facebook site; (2) Mayor Black and Chris Myers attended the Papillion Volunteer Fire Department Annual Banquet; (3) Mayor Black and Chris Myers attended the Wastewater Agency meeting; (5) Mayor Black and staff attended mandatory harassment training.

**ADJOURNMENT:**

Motion to adjourn by Councilmember Glover, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Kluch and Stubbe all voted yes. Voting no: none. Absent: Engberg. Motion carried. Meeting adjourned at 7:29 PM.

CITY OF PAPIILLION

  
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DAVID P. BLACK, MAYOR

ATTEST:

  
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NICOLE BROWN, CITY CLERK

(SEAL)

