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**MINUTE RECORD**

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**PAPILLION CITY COUNCIL MINUTES**  
**TUESDAY, MARCH 1, 2022 @ 7:00 P.M.**

The City Council of the City of Papillion met in open and public session at the Chrysalis Event Center at Papillion Landing, 1046 W Lincoln St, on March 1, 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, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Councilmember Lu Ann Kluch was absent. Also present were City Administrator Amber Powers, City Attorney Alan Thelen, Police Chief Chris Whitted, Recreation Director Tracy Stratman, Finance Director Nancy Hypse, Assistant Planning Director Travis Gibbons, Fire Chief Bill Bowes, Library Director Matt Kovar, Public Works Director Mike Kleffner, and Executive Assistant Robin Lance.

Mayor Black and Boy Scouts from Troop 60 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 Chrysalis Event Center.

**ADMINISTRATOR'S REPORT:** City Administrator Amber Powers provided an update: (1) Mayor Black, Councilmember Mumgaard, Mr. Green, and Ms. Powers attended the LONM 2022 Midwinter Conference; (2) The 4<sup>th</sup> Papillion Leadership Academy will conclude next week; (3) The Audit Ad Hoc Committee is scheduled to meet on April 5.

**CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the minutes from the February 15, 2022, City Council Meeting; (3) RES. R22-0028 – A resolution to approve claims as presented – Nancy Hypse – 597-2020; (4) RES. R22-0030 – A resolution to approve the Local Public Agency (LPA) Program Agreement between the City of Papillion and the Nebraska Department of Transportation for the N-370 underpass between 114<sup>th</sup> St and 120<sup>th</sup> St – Mike Kleffner – 597-2043; (5) RES. R22-0032 – A resolution to approve the reappointment of Ken Molzer for a term of three years from February 2022 to February 2025, and Dennis Schroeder for a term of three years from March 2022 to March 2025, to the Papillion Arts Council – Introduced by Mayor David P. Black, Staff Report by Matt Kovar – 597-2042.** Motion to approve the Consent Agenda by Councilmember Gaines, second by Councilmember Sunde. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**BILLS:** Acushnet Company: \$674.09 /merchandise; Adam Boehmer: \$768.00 /reimbursement; Advanced Office Automation Inc: \$776.85 /service; Aetna: \$129.78 /insurance; All Copy Products Inc: \$70.40 /supplies; All Makes: \$10,199.71 /supplies; All Star Pro Golf: \$479.50 /merchandise; American Underground Supply: \$685.81 /supplies; Arcoro Holdings Corp: \$8.25 /service; Associated Fire Protection: \$280.00 /service; AVI Systems Inc: \$4,260.22 /service; Baker & Taylor: \$5,553.73 /books; Baxter Ford of Papillion: \$630.73 /parts; Bellino Fireworks: \$1,000.00 /bond refund; Bennett Refrigeration Inc: \$636.21 /service; Big Rig Truck Accessories: \$12,800.00 /parts; BKD LLP: \$19,000.00 /service; Black Hills Energy: \$27,367.43 /natural gas; Blue Cross Blue Shield: \$380,683.35 /insurance; Bound to Stay Bound Books Inc: \$173.80 /supplies; Bound Tree Medical LLC: \$2,201.31 /supplies; Burton Plumbing Services Inc: \$163.00 /service; Callaway Golf: \$5,076.63 /merchandise; Cengage Learning Inc / Gale: \$254.28 /books; Central States Group: \$2,210.52 /supplies; Chem-Sult Inc: \$14,447.70 /supplies; Christopher Goley: \$324.50 /reimbursement; Cintas Loc 749: \$186.50 /service; City Of La Vista: \$4,850.08 /agreement; City of Papillion Recreation Department: \$250.00 /service; Coca-Cola of Omaha: \$753.15 /merchandise; Comp Choice Inc: \$37.00 /service; ConStruct Inc: \$87,390.00 /service; Core & Main: \$3,705.20 /supplies; Cornhusker International Trucks Inc: \$1,385.61 /supplies; Cox Business: \$9,895.27 /utilities; Curbside Rewards LLC: \$450.00 /service; D & K Products: \$453.25 /supplies; Dakota Pump Inc: \$9,871.08 /supplies; Dell Marketing LP: \$4,658.29 /equipment; Diane Carlson: \$114.00 /reimbursement; Donna Monteleagre: \$125.00 /reimbursement; Eakes Office Solutions: \$128.49 /supplies; Echo Group Inc: \$53,661.53 /supplies; Electronic Contracting Company: \$455.00 /service; Eugene Gunther: \$30.36 /refund; Factory Motor Parts Co: \$72.44 /supplies; Fair-Play: \$1,050.00 /supplies; Farmers Union Co-Operative Assn: \$86.00 /supplies; Fastenal Company: \$16.21 /supplies; Feld Fire: \$1,935.63 /supplies; Fikes Commercial Hygiene LLC: \$51.80 /service; First Wireless Inc: \$615.00 /service; Galls-Quartermaster: \$1,662.97 /supplies; Gear For Sports Inc: \$10,785.90 /advertising; Great Plains Uniforms LLC: \$5,786.89 /service; H & H Chevrolet: \$233.88 /supplies; Hach Company: \$1,577.98 /supplies; Haney Shoe Store Inc: \$199.99 /supplies; Harm's Concrete: \$500.63 /goods; Hawkins Inc: \$6,385.91 /supplies; Heartland Refrigeration: \$995.50 /repair; Heartland Tires & Treads - Omaha: \$1,650.78 /supplies; Heimes Corp: \$9,364.00 /supplies; Helget Gas Products Inc: \$90.20 /supplies; hibu Inc - West: \$52.77 /service; Hi-Line Inc: \$175.80 /supplies; Hobby Lobby Stores Inc: \$156.42 /supplies; Home Depot Credit Services: \$1,669.45 /supplies; Host Coffee Service: \$58.75 /supplies; Hubbell Homes: \$76.50 /refund; Hy-Vee: \$2,235.47 /supplies; Jim Hawk Truck Trailers - Council Bluffs: \$197.04 /supplies; Johnson Brothers of Nebraska: \$292.71 /supplies; Judah Caster Co: \$7.80 /supplies; K Electric Company Inc: \$1,426.19 /service; Koley Jessen PC LLO: \$2,040.00 /legal; Kronos SaaShr Inc: \$6,692.96 /payroll; Lands' End Business Outfitters: \$222.00 /supplies; Lawlor's Custom Sportswear: \$1,045.00 /supplies; Linda Webb: \$66.67 /refund; MacQueen Emergency Group: \$861.20 /supplies; Malloy Electric: \$1,500.00 /service; Marco Technologies LLC NW 7128: \$670.32 /contract; Menards - Bellevue: \$133.77 /supplies; Menards - Ralston: \$13.44 /supplies; Metro: \$981.00 /service; Metropolitan Utilities District: \$43.20 /utilities; Michael Todd & Company Inc: \$1,168.81 /supplies; Mid-American Signal Inc: \$49,520.00 /supplies; Midlands Printing & Business Forms: \$1,052.88 /supplies; Midwest Tape: \$52.46 /audio; Midwest Turf & Irrigation: \$1,281.91 /supplies; Mike Grieb: \$63.50 /reimbursement; Mobile Pro

Shop: \$474.78 /supplies; MS Foster & Associates Inc: \$163.52 /supplies; Municipal Supply Inc of Omaha: \$7,093.02 /supplies; Musco Sports Lighting LLC: \$253,005.50 /supplies; Napa Auto Parts: \$238.89 /supplies; NE Dept of Environment and Energy: \$80.00 /license; NE Public Health Environ Laboratory: \$1,958.00 /service; Nebraska Home Appliance: \$302.30 /service; Nebraska Salt & Grain LLC: \$12,708.57 /supplies; Nebraska State Bar Association: \$40.00 /membership; Nebraska-Iowa Industrial Fasteners Corp: \$290.51 /supplies; Newman Signs Inc: \$502.21 /supplies; Northern Tool & Equipment: \$834.46 /goods; Omaha Compound Company: \$1,373.17 /supplies; Omaha Winnelson Company: \$148.14 /supplies; O'Reilly Auto Parts: \$1,139.03 /supplies; P & R Sales LLC: \$56.90 /supplies; Papillion Sanitation: \$906.42 /refuse; Papillion Tire Inc: \$87.67 /supplies; Patton Equipment Company Inc: \$643.00 /supplies; Paul Jerrard: \$52.45 /refund; Perry Reid Construction: \$334.41 /refund; Personnel Evaluation Inc: \$20.00 /supplies; PING: \$230.16 /merchandise; Pitney Bowes Global Financial Services: \$80.74 /service; Premier-Midwest Beverage Co: \$863.35 /merchandise; Quadient Finance USA Inc: \$333.00 /service; Quality Brands of Omaha Inc: \$1,059.35 /merchandise; Quill Corporation: \$255.93 /supplies; R&R Products Inc: \$2,087.40 /service; Rocky Mountain Accreditation Network: \$175.00 /organization; Roth Enterprises Inc: \$4,100.00 /supplies; Sapp Bros Inc - Omaha: \$24,662.75 /fuel; Sarpy County Register of Deeds: \$98.00 /service; Sarpy County Treasurer: \$19.00 /service; Sewah Studios Inc: \$1,590.00 /supplies; Source Inc: \$2,627.74 /supplies; Southern Coast K9: \$19,600.00 /service; Sprint: \$60.20 /utilities; SRIXON/Cleveland Golf/XXIO: \$1,975.00 /merchandise; Standard Heating & Air Inc: \$1,573.46 /service; State Fire Marshall Training Division: \$50.00 /training; Superior Signals Inc: \$437.00 /supplies; SymbolArts LLC: \$1,879.25 /supplies; Ted's Mower Sales & Service Inc: \$118.79 /supplies; Telefle LLC: \$677.50 /supplies; Teresa's Cleaning: \$650.00 /service; The Sherwin-Williams Co: \$119.27 /supplies; The UPS Store - 5359: \$19.60 /service; Thomson Reuters - West Payment Center: \$623.11 /supplies; Tifosi Optics Inc: \$323.99 /supplies; TK Elevator Corporation: \$408.98 /service; Tool Supply Inc: \$1,572.22 /supplies; Torco Enterprises: \$11.50 /refund; Torqbuddy LLC: \$163.10 /supplies; Trademark Homes: \$13.61 /refund; Travis M Rozeboom: \$310.50 /reimbursement; Truck Center Companies: \$153.28 /supplies; Turfwerks: \$493.16 /supplies; Ty's Outdoor Power & Service: \$165.14 /supplies; Uline Inc: \$258.03 /supplies; USABlue Book: \$1,361.17 /supplies; Verizon Wireless: \$808.97 /utilities; Vierregger Electric Company Inc: \$22,106.00 /service; Walmart Community/Capital One: \$95.40 /supplies; Waystar Health: \$143.55 /service; Weldon Parts Omaha: \$301.96 /parts; Wells Fargo Financial Leasing: \$893.00 /service; Woodhouse Ford Inc: \$96.33 /supplies; Woodhouse Parts Direct: \$75.33 /service; WPS - Medicare: \$367.69 /reimbursement; Xtreme Heating and Cooling: \$20,974.00 /service; Z & Z Sales LLC: \$149.00 /supplies; Payroll: /869,308.86 /; **Total: \$2,055,048.66.**

**ORDINANCES FIRST READING:** None.

**ORDINANCES SECOND READING AND PUBLIC HEARINGS:**

**ORD. 1959 – An ordinance to approve a request for a Change of Zone from AG (Agricultural) to LI (Limited Industrial) and GI (General Industrial) for the property legally described as a tract of land located in the W ½ of the NW ¼ of Section 2, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SE corner**

**of S 156<sup>th</sup> St and Schram Rd. The applicant is R&R Realty Group. (R&R Commerce Park South) – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents.

Proponent: Pat Sullivan, Adams & Sullivan, P.C., L.L.O., 1246 Golden Gate Dr, Ste 1, stepped forward on behalf of the applicant.

Opponents: None.

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

**ORD. 1961 – An ordinance to amend Papillion Municipal Code Section 35-26 to update and clarify rules on use of City public funds; and to provide for an effective date – Amber Powers – 827-1111.** 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. R22-0022 – A resolution to approve the Second Amendment to the 130<sup>th</sup> Street Construction and Reimbursement Agreement (Cornhusker Rd to Lincoln Rd) – Amber Powers – 827-1111.** Motion to approve RES. R22-0022 by Councilmember Engberg, second by Councilmember Stubbe. Mayor Black called for proponents and opponents.

Proponent: Laura Tarpinian, Urban Waters, 13056 Lincoln Rd, stepped forward as the applicant.

Opponents: None.

Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**ORD. 1955 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4/PUD-2 (Multiple Family Residential with a Planned Unit Development Overlay (Specific)) for the property legally described as a tract of land being part of the SE ¼ of Section 31, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located NW of S 120<sup>th</sup> St and Schram Rd. The applicant is Ashbury Hills Development, LLC. (Ashbury Hills) – Mark Stursma – 597-2077.** Motion to approve ORD. 1955 by Councilmember Glover, second by Councilmember Jaworski. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0023 – A resolution to approve a Final Plat for the property legally described as a tract of land being part of the SE ¼ of Section 31, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located NW of S 120<sup>th</sup> St and Schram Rd. The applicant is SBS Kapital, LLC. (Ashbury Hills (Phase 3)) – Mark Stursma – 597-2077.** Motion to approve RES. R22-0023 by Councilmember Stubbe, second by

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

**RES. R22-0024 – A resolution to approve the Third Amendment to the Ashbury Hills Subdivision Agreement – Mark Stursma – 597-2077.** Motion to approve RES. R22-0024 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, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0025 – PUBLIC HEARING AND VOTE – A resolution to approve the Second Amendment to the Ashbury Hills Mixed Use Development Agreement – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents.

Proponent: Caleb Beasley, E&A Consulting, 10909 Mill Valley Rd, Omaha, stepped forward on behalf of the applicant.

Opponents: None.

No one else came forward and the public hearing was closed. Motion to approve RES. R22-0025 by Councilmember Jaworski, second by Councilmember Glover. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0026 – PUBLIC HEARING AND VOTE – A resolution to approve the First Amendment to the Ashbury Hills Planned Unit Development Agreement – Mark Stursma – 597-2077.** Mayor Black opened the public hearing and called for proponents and opponents. Mayor Black noted for the record that the applicant was present. No one else came forward and the public hearing was closed. Motion to approve RES. R22-0026 by Councilmember Stubbe, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0027 – PUBLIC HEARING AND VOTE – A resolution to approve a recommendation of approval for an application received by Sarpy County from Ashbury Hills Development, LLC to connect residential lots within Ashbury Hills (Lots 205-244 & 273-307) to the Sarpy County Industrial Sewer pursuant to the County Industrial Sewer Connection Act – Mark Stursma – 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. R22-0027 by Councilmember Sunde, second by Councilmember Jaworski. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0029 – A resolution to approve a Lease Agreement with Scouts BSA Troop 60, Papillion, NE, for the Boy Scout Cabin in Papillion City Park – Amber Powers – 827-1111.** Motion to approve RES. R22-0029 by Councilmember Engberg, second by Councilmember Stubbe. Mayor Black called for proponents and opponents.

Proponent: Tim Schallen, Troop 60 Committee Chair, briefly explained the project and the history of the Boy Scout Cabin. Mayor Black briefly explained the Lease Agreement.

Opponents: None.

Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

**RES. R22-0031 – A resolution to approve the remaining applications for 2022 Summer Fireworks Permits as authorized by ORD. 1960 – Nicole Brown – 597-2021.**

Mayor Black stated that the applicants being considered were First Lutheran Church, Fraternal Order of Eagles, Papillion-La Vista South Legion Baseball Club, and Papillion South Titan Band Boosters. Motion to approve RES. R22-0031 by Councilmember Sunde, second by Councilmember Jaworski. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed.

#### **ADMINISTRATIVE REPORTS:**

**Committee Reports:** None.

**Comments from the Floor:** None.

**Comments from Mayor and Council:** Mayor Black provided an update on his events: (1) Mayor Black attended the Leadership Nebraska Networking Supper; (2) Mayor Black attended the Sarpy County and Cities Wastewater Agency Board Meeting; (3) Mayor Black spoke at the Nebraska LEAD Group Meeting; (4) Mayor Black attended the Papillion Police Department Annual Awards Ceremony; (5) Mayor Black attended the LONM 2022 Midwinter Conference.

Mayor Black stated that City Council Meetings should return to City Hall beginning in April.

#### **ADJOURNMENT:**

Motion to adjourn by Councilmember Glover, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Kluch. Motion passed. Meeting adjourned at 7:16 PM.

CITY OF PAPILLION

  
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DAVID P. BLACK, MAYOR

ATTEST:

  
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NICOLE BROWN, CITY CLERK

(SEAL)

