

CITY OF PAPIILLION

David P. Black, Mayor
122 East Third Street
Papillion, NE 68046
Phone 402-827-1111
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PAPILLION CITY COUNCIL AGENDA

TUESDAY, NOVEMBER 17, 2020 @ 7:00 P.M.

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 City Council Chambers
5. Proclamations
6. Oath of Office
7. Presentations

2. Administrator's Report

Documents:

[B 2020-11-17 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 NOVEMBER 4, 2020, CITY COUNCIL MEETING](#)
3. [APPROVAL OF THE MINUTES FROM THE NOVEMBER 12, 2020, MISSING MIDDLE MEETING](#)
4. [RES. R20-0206](#) – A resolution to approve claims as presented – Nancy Hypse – 597-2020
5. [RES. R20-0192](#) – A resolution to approve the auctioning of surplus vehicles and equipment – Jeff Thompson – 597-2043
6. [RES. R20-0194](#) – A resolution to approve an Interlocal Cooperation Agreement between the City of Papillion and Sarpy County for Cornhusker Rd improvements from 108th St to 110th St – Jeff Thompson – 597-2043
7. [RES. R20-0207](#) – A resolution to award the contract for 2020-2021 On-Call City Wide Paving Repairs to DIY Holding Company, LLC, of Omaha, NE in the amount of \$473,980.00 – Jeff Thompson – 597-2043
8. [RES. R20-0208](#) – A resolution to approve an agreement for renewal of Maintenance Agreement No. 106 with NDOT – Jeff Thompson – 597-2043
9. [RES. R20-0212](#) – A resolution to authorize the signing of the Year-End Certification of Street Superintendent Form – Jeff Thompson – 597-2043
10. [RES. R20-0215](#) – A resolution to accept the assignment from Sarpy County of seven permanent easements along Capehart Rd between 140th and

150th Streets – Jeff Thompson – 597-2043

4. Ordinances First Reading

1. [ORD. 1906](#) – An ordinance to amend Code sections 104-1, 104-6, and 104-7 regarding declaration of emergencies, emergency powers, and curfews – Amber Powers – 827-1111
2. [ORD. 1907](#) – An ordinance to approve the vacation of the Courthouse Circle Right-of-Way – Jeff Thompson – 597-2043
3. [ORD. 1908](#) – An ordinance to approve the conveyance of title for that portion of the Courthouse Cir Right-of-Way to be vacated by ORD. 1907 – Jeff Thompson – 597-2043

5. Ordinances Second Reading And Public Hearings

1. [ORD. 1905](#) – An ordinance to approve a Change of Zone from AG (Agricultural) to LI (Limited Industrial) for the property legally described as a tract of land located in the NW ¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE of S 156th St and Schram Rd. The applicant is R&R Realty Group. (R&R Commerce Park South) – Mark Stursma – 597-2077

6. Ordinances Third Reading And Resolutions

1. [RES. R20-0195](#) – A resolution to approve an Application for License to Sell Permissible Fireworks at Retail from Papillion La Vista Spirit Football (Leigh Jochimsen, Manager) for the 2020 winter fireworks season (December 29th-31st) – Nicole Brown – 597-2021
2. [RES. R20-0205](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve a Class “I” Liquor license for Legacy Apple III, LLC d/b/a Applebee's Neighborhood Grill & Bar, 1202 N Washington St, Papillion, NE 68046, and Manager Application for Barbara K Cooper – Nicole Brown – 597-2021
3. [RES. R20-0209](#) – A resolution to approve Mark L Frans as the Corporate Manager for Texas Roadhouse Holdings LLC d/b/a Texas Roadhouse for their Class “IK” Liquor License – Nicole Brown – 597-2021
4. [RES. R20-0210](#) – A resolution to approve Douglas M Huggins as the Corporate Manager for the City of Papillion d/b/a SumTur Amphitheater for their Class “I” Liquor License – Nicole Brown – 597-2021
5. [ORD. 1885](#) – An ordinance to adopt 2018 International Building Codes – Shawn Hovseth – 597-2029
6. [RES. R20-0127](#) – A resolution to approve a Lease Agreement with the Papillion Volunteer Fire Department, Inc for personal property – Amber Powers – 827-1111
7. [RES. R20-0158](#) – A resolution to authorize the City Administrator to administratively approve requests by PVFD, Inc to sublease their leased space under certain conditions – Amber Powers – 827-1111
8. [ORD. 1899](#) – An ordinance to amend Section 205-208(A)(6) of Article XXXIII (Supplemental Use Regulations) of Chapter 205 Zoning Regulations having to do with Beauty and Barber Shops as a home-based business or home occupation. The applicant is the City of Papillion. (Beauty and Barber Shops – Home-Based Business Ordinance Amendment) – Mark Stursma – 597-2077
9. [ORD. 1902](#) – An ordinance to approve the vacation of the unimproved part

- of S 96th St right-of-way in the S ½ of the SW ¼ of Section 22, and the N ½ of the NW ¼ of Section 27, both in T14N, R12E of the 6th P.M., Sarpy County, Nebraska, with title thereto retained by the City of Papillion – Jeff Thompson – 597-2043
10. [ORD. 1903](#) – An ordinance to approve the conveyance of title for that part of S 96th St right-of-way to be vacated by Ordinance #1902 from the City of Papillion to the Papio-Missouri River Natural Resources District – Jeff Thompson – 597-2043
 11. [ORD. 1904](#) – An ordinance to adopt a Property Assessed Clean Energy (“PACE”) District; and to amend the Papillion Municipal Code to adopt regulations to create and administer a PACE program for the City of Papillion – Amber Powers – 827-1111
 12. [RES. R20-0213](#) – A resolution to approve an Interlocal Cooperation Agreement with the City of Omaha to provide services in the administration of Papillion’s Property Assessed Clean Energy (“PACE”) program – Amber Powers – 827-1111
 13. [RES. R20-0186](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve a Preliminary Plat for the property legally described as a tract of land located in the NW ¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 156th St and Schram Rd. The applicant is R & R Realty Group. (R & R Commerce Park South) – Mark Stursma – 597-2077
 14. [RES. R20-0196](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve a special Use Permit to authorize Trade Services as a permitted use and the construction of angled parking stalls along and directly accessed from E 1st St pursuant to § 205-243(C) for the property legally described as Tax Lot BB, Section 24, T14N, R12E, generally located at 302 E 1st St. The applicants are James R. Eischeid and Cynthia K. Eischeid. (302 E 1st St – Special Use Permit) – Mark Stursma – 597-2077
 15. [RES. R20-0197](#) – A resolution to approve a Comprehensive Plan Amendment to update the Growth Management Plan (GMP) and adopt the implementing Policies and Procedures for such plan as adopted and approved by the Sarpy County and Cities Wastewater Agency. The applicant is the City of Papillion. (Growth Management Plan – Implementing Policies and Procedures) – Mark Stursma – 597-2077
 16. [RES. R20-0217](#) – A resolution to approve the Sarpy County and Cities Wastewater Agency’s 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies – Phil Green – 827-1778
 17. [RES. R20-0198](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve 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. The applicant is Omaha Public Power District. (SC South) – Mark Stursma – 597-2077(**Applicant has requested that this item be continued to the December 1, 2020, City Council Meeting**)
 18. [RES. R20-0199](#) – **PUBLIC HEARING AND VOTE** – A resolution to approve 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. The applicant is Omaha Public Power District. (SC South) – Mark Stursma – 597-2077 **(Applicant has requested that this item be continued to the December 1, 2020, City Council Meeting)**

19. **RES. R20-0202 – PUBLIC HEARING AND VOTE** – A resolution to approve the Sixth Amendment to the Kingsbury Hills Subdivision Agreement – Mark Stursma – 597-2077
20. **RES. R20-0203 – PUBLIC HEARING AND VOTE** – A resolution to approve the Fourth Amendment to the Stockmans Hollow Subdivision Agreement – Mark Stursma – 597-2077
21. **ORD. 1870** – An ordinance to amend Papillion Code Section 146-15, to generally prohibit the parking of mobile vendors on Washington Street between First and Second Streets; to prohibit sales where customers would have to stand in a street; and to provide for an effective date – Amber Powers – 827-1111
22. **RES. R20-0211** – A resolution to approve amendments to the Master Fee Schedule pertaining to fees associated with Mobile Vendor Permits, recreational facility use, and the Property Assessed Clean Energy (PACE) Program – Amber Powers – 827-1111
23. **RES. R20-0216** – A resolution to approve amendments to the Field Utilization Guidelines regarding the use of outdoor athletic facilities – Lori Hansen – 597-2041

7. Administrative Reports

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

8. Adjournment

UPCOMING EVENTS: City Council Meeting – Tuesday, December 1, 2020 @ 7:00 PM