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**MINUTE RECORD**

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**PAPILLION CITY COUNCIL MINUTES**  
**TUESDAY, JANUARY 16, 2018 @ 7:00 P.M.**

The City Council of the City of Papillion met in open and public session at Papillion City Hall on January 16, 2018, at 7:00 PM. City Clerk Nicole Brown called the roll. Present were Councilmembers Tom Mumgaard, Jason Gaines, James Glover, Lu Ann Kluch, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Councilmembers Troy Florance and Gene Jaworski were absent. Also present were City Administrator Christine Myers, Assistant City Administrator Amber Kummer, City Attorney Karla Rupiper, Planning Director Mark Stursma, Deputy Fire Chief Jeff Jones, City Engineer Jeff Thompson, Police Chief Scott Lyons, Parks & Facilities Director Tony Gowan, Recreation Superintendent Tim Moran, and Finance Director Nancy Hypse.

Mayor Black and Cub Scouts from Pack 463 (Carriage Hill) 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.

Proclamation: Mayor Black called Public Works Director Marty Leming to the podium and read a proclamation recognizing Mr. Leming's retirement after 43 years of service to the City of Papillion.

City Engineer Jeff Thompson thanked Mr. Leming for his contributions to the City and presented him with a custom coffee table.

Mr. Leming thanked his family, Mayor Black, City Council, and staff members for their support during his tenure.

Council members and Mayor Black each thanked Mr. Leming for his dedication and service to the residents of the City and noted his willingness to go above and beyond.

**ADMINISTRATOR'S REPORT:** City Administrator Christine Myers congratulated Mr. Leming on his retirement and gave an update on the following: (1) Mayor Black, Ms. Myers, and Tim Moran will be attending the Papillion Recreation Organization (PRO) board's upcoming meeting to provide an update on the community center; (2) Lori Hansen and Amber Kummer are preparing a grant application in regard to the community center; (3) The Sarpy County Chamber's Grand Giveaway event is scheduled for March 19<sup>th</sup> at the Beardmore Event Center. Anyone wishing to attend should contact Ali Hardy; (4)

United Cities is actively reviewing and responding to proposed legislation, specifically LB 884, which removes the limitation on a county sales tax that would also be applicable in municipalities. The Revenue Committee will be hearing the bill on Thursday, January 18<sup>th</sup> and Papillion has expressed opposition to the proposed bill.

**CONSENT AGENDA ITEMS: 1) Approval of the agenda as presented; (2) Approval of the Minutes from the January 2, 2018, City Council Meeting; (3) Approval of the bills as presented.** Motion to approve the Consent Agenda by Councilmember Gaines, second by Councilmember Glover. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Mumgaard, Gaines, Glover, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Florance and Jaworski. Motion carried.

**BILLS:** AA Wheel & Truck Supply Inc: \$16.48 /supplies; Abante Marketing: \$1,181.25 /service; ABM: \$4,449.00 /service; Access: \$196.12 /service; Acushnet Company: \$563.00 /merchandise; Advanced Office Automation, Inc: \$117.96 /service; Aetna: \$308,359.24 /insurance; AFLAC: \$404.16 /pyrl deduction; Alegent Creighton Health d/b/a: \$280.00 /service; Applied Concepts Inc: \$125.00 /parts; Automotive Warehouse Distributors: \$901.18 /parts; Baker & Taylor: \$1,742.91 /books; Batteries Plus 074: \$44.94 /supplies; Baxter Ford: \$438.53 /parts; Bellino Fireworks: \$2,000.00 /bond refund; Bill Bowes: \$2,500.00 /reimbursement; Black Hills Energy: \$3,822.26 /natural gas; Bobcat Of Omaha: \$187.91 /supplies; Bound Tree Medical, LLC: \$3,186.74 /supplies; Brite Ideas Decorating, Inc.: \$6,451.28 /supplies; Caselle Inc: \$1,685.00 /service; Chad Lingel: \$2,000.00 /reimbursement; Cintas Loc 749: \$980.66 /service; City Of La Vista: \$20,000.00 /agreement; Colonial Life Insurance Co: \$686.01 /pyrl deduction; Conney Safety Products LLC: \$115.62 /supplies; Constellation: \$2,566.00 /utilities; Cox Business: \$7,628.27 /utilities; Credit Information Systems: \$10.50 /service; Cross Dillon Tire Omaha-West: \$109.83 /service; Culligan of Omaha: \$52.30 /supplies; Cybergolf, LLC: \$58.46 /supplies; Cypress Benefit Administrators, LLC: \$667.40 /fees; Dell Marketing L.P.: \$55,277.72 /equipment; Depository Trust Company: \$24,301.25 /payment; DexYp: \$146.20 /service; Diamond Communication Solutions: \$5,906.90 /service; Donna Monteleagre: \$11.77 /reimbursement; e2 Embroidery & Screen Printing: \$1,565.00 /apparel; Echo Group: \$255.07 /supplies; Echoes Softball: \$1,000.00 /refund; Edge Physical Therapy: \$200.00 /service; Express Enterprises: \$995.00 /service; Expressions For Your Image, LLC.: \$2,140.00 /service; EyeMed Vision Care: \$2,007.59 /insurance; EZLinks Golf, LLC: \$4,177.06 /service; Factory Motor Parts Co: \$287.34 /supplies; Farris Engineering: \$12,431.50 /service; Fastenal Company: \$66.25 /supplies; Feld Fire: \$1,529.20 /supplies; FIREPAC: \$1,269.00 /pyrl deduction; First National Bank: \$23,412.66 /insurance; Force America Distributing, LLC.: \$296.93 /supplies; FP Design & Review Services, LLC: \$1,381.00 /service; Frank Matyja: \$1,091.88 /reimbursement; Fraternal Order Of Police: \$1,417.50 /pyrl deduction; Fritz Weiss: \$300.00 /LOSAP; Funds by Hasler: \$372.00 /postage; Gale/Cengage Learning: \$200.31 /books; Galls, LLC: \$464.40 /supplies; Gear For Sports, Inc: \$407.02 /advertising; General Code: \$995.00 /service; GetGo, Inc.: \$117.00 /service; Greenlife Gardens: \$250.00 /supplies; H & H Chevrolet: \$116.74 /supplies; Hach Company: \$310.93 /supplies; Haney Shoe Store, Inc.: \$390.98 /supplies; Hawkeye Truck Equipment: \$221.30 /supplies; HD Supply Construction and Industrial: \$31.59 /supplies; Heartland Tires & Treads, Inc: \$927.52

/supplies; Helget Gas Products Inc: \$434.82 /supplies; Hiller Electric Company: \$70.05 /refund; Host Coffee Service Inc: \$608.94 /supplies; HSMC Orizon LLC: \$15,100.00 /service; Hydro Optimization & Auto Solutions: \$132.93 /service; HyVee Accounts Receivable: \$420.00 /supplies; Ideal Pure Water: \$108.33 /supplies; Inland Truck Parts & Service: \$8,897.18 /supplies; International Association of Arson: \$100.00 /dues; International Association of: \$300.00 /dues; Interstate Batteries: \$391.90 /parts; Iowa Prison Industries: \$186.07 /supplies; Jack Miller: \$300.00 /LOSAP; Jesse Robinson: \$201.00 /reimbursement; Jochim Precast Concrete: \$6,083.29 /service; John Schendt: \$300.00 /LOSAP; Johnstone Supply: \$41.36 /supplies; Jones Automotive, Inc: \$1,247.67 /supplies; KB's Food Shops: \$161.00 /service; Klabunde Delivery: \$23.00 /service; Kriha Fluid Power Co., Inc.: \$69.70 /supplies; Landport Systems, Inc: \$125.00 /service; Lincoln Financial Group: \$6,754.22 /insurance; Linda Chen: \$33.32 /refund; Logo Logix Embroidery & Screen: \$5,216.95 /service; Lowe's Business Account/SYNCB: \$2,213.29 /supplies; Marco Technologies LLC: \$495.17 /contract; Mark Brandt: \$300.00 /LOSAP; Mary K Burden: \$29.15 /refund; Matheson Tri-Gas, Inc.: \$705.79 /supplies; Max I Walker: \$434.95 /service; Michael Todd & Company, Inc.: \$1,451.70 /supplies; Microfilm Imaging Systems, Inc: \$70.00 /service; Midwest Tape: \$79.96 /audio; Midwest Turf & Irrigation: \$153.89 /supplies; MMS - A Medical Supply Company: \$783.64 /supplies; Monarch Fence Inc: \$6,124.00 /supplies; Motorola Solutions, Inc.: \$9,363.00 /supplies; Mower Doctor: \$97.20 /service; Napa Auto Parts: \$214.41 /supplies; Nationwide Retirement Solutions: \$8,540.05 /PEHP; Nebraska Department of Revenue: \$97,875.09 /government; Nebraska Golf Association: \$36.00 /membership; Nebraska Notary Association: \$156.18 /supplies; Nebraska-Iowa Industrial Fasteners: \$377.04 /supplies; Networkfleet, Inc.: \$699.20 /parts; Neuman Equipment Company: \$478.63 /supplies; NGCSA: \$500.00 /membership; NL&L Concrete, Inc.: \$88,987.28 /service; NMS Labs: \$257.00 /service; Northern Tool & Equipment: \$315.58 /goods; OCLC, Inc.: \$676.29 /supplies; Office Depot, Inc.: \$1,943.90 /supplies; Olsson Associates: \$4,992.50 /consulting; Omaha Compound Company: \$71.50 /supplies; Omaha Public Power District: \$99,853.68 /electricity; Omaha World-Herald: \$309.70 /service; One Call Concepts, Inc: \$281.43 /service; O'Reilly Auto Parts: \$729.92 /supplies; Papillion Professional Fire Fighters: \$877.50 /pyrl deduction; Papillion Sanitation: \$1,233.92 /refuse; Papi Valley Nursery, Inc: \$400.00 /landscaping; Patton Equipment Company, Inc: \$574.60 /supplies; Payroll Maxx, LLC: \$579,546.58 /pyrl; PCEA: \$200.00 /pyrl deduction; PCS Mobile: \$1,140.35 /supplies; Penguin Random House, LLC: \$26.25 /books; Personnel Committee: \$161.50 /employee fund; Pipe & Piling Supplies (USA) Ltd.: \$400.00 /supplies; Pitlor Mechanical Corporation: \$303.00 /supplies; Plains Equipment Group: \$2,015.07 /supplies; Police & Firemen's Insurance Association: \$2,857.85 /pyrl deduction; Praxair Distribution Inc: \$44.65 /supplies; R&R Products Inc: \$4,422.51 /service; Ray Higgins: \$300.00 /LOSAP; Recorded Books, Inc.: \$56.90 /books; Redshaw Paint Supply Inc: \$102.69 /supplies; Regal Awards, Inc: \$1,550.62 /service; Republic National Distributing Company: \$309.48 /merchandise; Rich Higgins: \$300.00 /LOSAP; River City Recycling: \$355.26 /recycle; Rob Spomer: \$830.71 /reimbursement; Rockbrook Camera, Inc: \$14.97 /service; Russell L Zeeb: \$300.00 /LOSAP; Sam's Club/Synchrony Bank: \$527.15 /supplies; Sapp Bros., Inc: \$55,716.56 /fuel; Sarpy County, SID 97: \$339.08 /service; Sarpy County: \$4,686.95 /service; Shamrock Concrete Company: \$1,135.17 /supplies; SolutionOne: \$27.64 /service; Spaustat Energy Group,

LLC: \$14.97 /service; Sprint: \$59.80 /utilities; Srixon/Cleveland Golf/XXIO: \$213.40 /merchandise; Standard Heating & Air: \$271.00 /service; State Steel of Omaha: \$331.04 /supplies; Superior Signals Inc: \$363.40 /supplies; SupplyWorks: \$70.32 /supplies; Thompson Dreesen & Dornier, Inc: \$33,592.69 /engineering; Tool Shed Of Omaha, Inc: \$46.98 /supplies; Tractor Supply Company: \$246.97 /supplies; Trane U.S. Inc.: \$797.50 /service; TransUnion Risk and Alternative: \$25.00 /service; Tyco Integrated Security: \$705.05 /service; Unionist Printing Company: \$256.60 /supplies; Unite Private Networks: \$7,441.58 /network; United Rentals: \$75.54 /rental; US Bank Corporate Payment Systems: \$10,784.62 /service; USABlue Book: \$286.19 /supplies; Utility Equipment Company: \$89.66 /supplies; Vaughn Electric, Inc: \$9,325.00 /service; Verizon Wireless: \$2,378.38 /utilities; Vern Waskom Company: \$1,131.90 /merchandise; Vessco Inc: \$424.53 /supplies; Vierregger Electric Company, Inc.: \$230.00 /service; Volvik USA, Inc.: \$407.01 /merchandise; Volvo Trucks Of Omaha: \$29.10 /parts; Voya Financial Fire: \$28,077.17 /pyrl pension; Voya Financial: \$59,857.25 /deferred comp; Washington National Insurance Co.: \$58.80 /insurance; Waste Management of Nebraska: \$446.00 /service; Weldon Parts Omaha: \$303.81 /parts; Wells Fargo Financial Leasing: \$293.00 /service; Westlake Ace Hardware: \$193.73 /merchandise; Winter Equipment Co., Inc: \$3,784.14 /supplies; Zep Sales & Service: \$338.40 /supplies; Bank Transaction Fees: \$7,380.05; **BILLS TOTAL: \$1,727,791.01.**

**ORDINANCES FIRST READING:** None.

**ORDINANCES SECOND READING AND PUBLIC HEARINGS:**

**ORD. 1800 – An ordinance to approve the sale and conveyance of certain unimproved real property consisting of approximately 1.87 acres located in the Papillion Business and Technology Park on the SW corner of 72<sup>nd</sup> St and Cornhusker Rd, Papillion, NE, legally described as a part of Tax Lot 30 Exc Pts Taken for Plat 26-14-12, in Sarpy County, NE, depicted as Parcel 1 on Exhibit “A” attached to the ordinance and incorporated therein, to Family Emergency Rooms, LLC, and to provide for an effective date thereof – Christine Myers – 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:**

**ORD. 1797 – An ordinance to approve a Change of Zone from R-2 (Single-Family Residential (Medium Density)) to R-3 (Urban Family Residential) for the property legally described as Lot 278, Walnut Creek Hills, generally located on the SW corner of 90<sup>th</sup> Street and HWY 370. The applicant is the Trinity Evangelical Lutheran Church. (Trinity Evangelical Lutheran Church) – Mark Stursma – 597-2077.** Motion to approve ORD. 1797 by Councilmember Engberg, second by Councilmember Kluch.

Councilmember Mumgaard stated that he is a member of the congregation of Trinity Lutheran Church and will therefore be helping to finance the proposed improvements, but he does not hold any office or other leadership position within the church and therefore does not believe there is any conflict of interest in his vote. Mayor Black and Councilmember Engberg agreed.

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

**RES. R18-0019 – PUBLIC HEARING AND VOTE – A resolution to approve a Special Use Permit to allow bed-and-breakfast as a permitted use on the property legally described as N1/2 of Lot 11 and all of Lot 12, Block 27, South Papillion, together with all of Lot 10 and the S1/2 of Lot 11, Block 27, South Papillion, generally located at 245 W Halleck Street and 711 S Jackson Street. The applicants are Gary and Gerry Cordes (Cordes Bed-and-Breakfast) – 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. R18-0019 by Councilmember Glover, second by Councilmember Stubbe.

Councilmember Mumgaard asked one of the applicants to come forward. He asked the applicant to confirm that she is aware of the contingencies involved in the approval of this permit. Ms. Cordes confirmed. Councilmember Mumgaard then noted that one of the neighbors has expressed concern regarding potential noise issues and asked what assurances the applicants can make that this won't be a problem. Ms. Cordes answered that she and her husband live in the neighboring house and would not personally want noise issues in the neighborhood either, so they will not let that happen. She added that there is a hedge around the property, which would provide some buffer.

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

**RES. R18-0022 – A resolution to authorize the City Administrator to negotiate a settlement and to execute any necessary documents and agreements with Region 7, EPA – Christine Myers – 827-1111 (Defer to closed session).** Motion to go into closed session to protect the public interest to discuss negotiation regarding potential litigation – Region 7, EPA by Councilmember Kluch, second by Councilmember Stubbe. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Mumgaard, Gaines, Glover, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Florance and Jaworski. Motion carried. Mayor Black stated for the record the purpose for the closed session is to only discuss negotiation regarding potential litigation – Region 7, EPA, and that the closed session will include the Mayor, City Council, City Administrator, Assistant City Administrator, City Engineer, City Attorney, and City Clerk. Council went into closed session at 7:39 PM.

Upon returning from closed session, Mayor Black stated for the record that the only topic discussed in closed session was negotiation regarding potential litigation – Region 7, EPA. Motion to come out of closed session by Councilmember Glover, second by Councilmember Gaines. Upon roll call vote, Mumgaard, Gaines, Glover, Kluch, Stubbe,

and Engberg all voted yes. Voting no: none. Absent: Florance and Jaworski. Motion carried. Council returned from closed session at 7:54 PM.

Motion to approve RES. R18-0022 by Councilmember Kluch, second by Councilmember Stubbe. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Mumgaard, Gaines, Glover, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Florance and Jaworski. Motion carried.

**ADMINISTRATIVE REPORTS:**

**Committee Reports:** None.

**Comments from the Floor:** None forthcoming.


**Comments from Mayor and Council:** Mayor Black provided an update on his events: (1) Mayor Black and Chris Myers attended the United Cities meeting; (2) Mayor Black, Amber Kummer, Chris Myers, and Councilmember Mumgaard attended the Legislative Coffee event.

**ADJOURNMENT:** Motion to adjourn by Councilmember Kluch, second by Councilmember Glover. Upon roll call vote, Mumgaard, Gaines, Glover, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Florance and Jaworski. Motion carried. Meeting adjourned at 7:55 PM.

CITY OF PAPIILLION

  
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DAVID P. BLACK, MAYOR

Attest:

  
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Nicole Brown, City Clerk

(SEAL)

