
MINUTE RECORD

PAPILLION CITY COUNCIL MINUTES
TUESDAY, MARCH 19, 2019 @ 7:00 P.M.

The City Council of the City of Papillion met in open and public session at Papillion City Hall on March 19, 2019, at 7:00 PM. Administrative Assistant Taylor Chapman called the roll. Present were Councilmembers Steve Sunde, Tom Mumgaard, Jim Glover, Gene Jaworski, Lu Ann Kluch, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Councilmember Jason Gaines was absent. Also present were City Administrator Christine Myers, Assistant City Administrator Amber Powers, City Attorney Karla Rupiper, Library Director Rebecca Sims, Assistant Planning Director Travis Gibbons, Fire Chief Bill Bowes, Public Works Director/City Engineer Jeff Thompson, Police Chief Scott Lyons, Parks & Facilities Director Tony Gowan, Recreation Director Lori Hansen, and Finance Director Nancy Hypse.

Mayor Black and Boy Scout Troop #359 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 presented a proclamation to Public Works Director/City Engineer Jeff Thompson and his staff for all of their hard work during numerous snow events. Mr. Thompson thanked Mayor Black and his staff.

Presentation: Jodi Rinne from HSMC Orizon presented the 2018 Comprehensive Annual Financial Report (CAFR). Ms. Rinne noted that the report found the City to be in good standing. Mayor Black explained that the CAFR is not required, but is an extra step to insure the City is going above and beyond with their financial reporting.

ADMINISTRATOR'S REPORT: City Administrator Christine Myers gave an update on the following: (1) Thanked staff for their work with the flooding in the surrounding areas; (2) Attended a First Responders Brunch to thank them for their help with the flooding; (3) Attended a meeting with Mayor Black and Senator Vargas to discuss potential legislation regarding food trucks; (4) A scheduled tour of the Papillion Landing Community Center will be held on Tuesday, April 30th.

CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the Minutes from March 5, 2019, City Council Meeting; (3) Approval of the bills as presented; (4) RES. R19-0035 – A resolution to approve a Lease Agreement with Keipos, Inc., a Non-Profit Corporation, for the lease of certain real property for an

educational garden – Tony Gowan – 597-2049; (5) RES. R19-0036 – A resolution to approve an Interlocal Cooperation Agreement with the NRD for the Water Sustainability Fund (WSF) grant application phase of the levee accreditation process – Amber Powers – 827-1778; (6) RES. R19-0037 – A resolution to approve an agreement for services with FYRA Engineering for the Water Sustainability Fund (WSF) grant application phase of the levee accreditation process – Amber Powers – 827-1778; (7) RES. R19-0045 – A resolution to approve an Agreement with the Nebraska Department of Transportation (NDOT) for Federal Aid Project HSIP-5017(5), CN 22704, to award the contract for 96th Street and HWY 370 Intersection Improvements to Oldcastle Materials Co. d/b/a Omni Engineering in the amount of \$198,314.69 – Jeff Thompson – 597-2043; (8) RES. R19-0046 – A resolution to approve Special Designated Liquor Licenses for Trusty Bolt Inc d/b/a Wine Cellar 510 on May 31, 2019, July 5, 2019, and July 26, 2019, with alternate dates of June 21, 2019, July 19, 2019, and August 2, 2019, respectively, from 5:00-9:00 PM each day at the Shadow Lake Towne Center Amphitheater for the Sounds of Summer Concert Series – Nicole Brown – 597-2021; (9) RES. R19-0049 – A resolution to approve the Professional Services Agreement Supplemental No. 1 between the City of Papillion and Felsburg, Holt & Ullevig for HSIP-5017(5), CN 22704, 96th Street and HWY 370 Intersection Improvements – Jeff Thompson – 597-2043; (10) RES. R19-0052 – A resolution to approve an agreement with Sarpy County Economic Development Corporation (SCEDC) – Christine Myers – 827-1111. Motion to approve the Consent Agenda by Councilmember Jaworski, second by Councilmember Glover. Mayor Black called for proponents and opponents. None came forward. Councilmember Stubbe requested to remove item C7 from the Consent Agenda. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0045 – A resolution to approve an Agreement with the Nebraska Department of Transportation (NDOT) for Federal Aid Project HSIP-5017(5), CN 22704, to award the contract for 96th Street and HWY 370 Intersection Improvements to Oldcastle Materials Co. d/b/a Omni Engineering in the amount of \$198,314.69 – Jeff Thompson – 597-2043. Motion to approve RES. R19-0045 by Councilmember Stubbe, second by Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward. Councilmember Stubbe thanked Mr. Thompson and his staff for their work on this project and for looking for ways to incorporate federal safety funding. Councilmember Stubbe asked Mr. Thompson when he expects the project to begin and the approximate end date. Mr. Thompson stated that the project is expected to begin on July 1, 2019, and the approximate completion date is mid-August, 2019.

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

BILLS: AA Wheel & Truck Supply Inc: \$102.66 /supplies; ABM: \$4,449.00 /service; Access: \$241.53 /service; Acushnet Company: \$7,244.28 /merchandise; Adidas America, Inc.: \$5,179.08 /supplies; Advanced Office Automation, Inc.: \$434.27 /service; Aetna:

\$327,189.31 /insurance; AFLAC: \$404.16 /pyrl deduction; Air-Hydraulic Systems, Inc.: \$47.83 /supplies; Alley Poyner Macchietto Architecture PC: \$147,303.95 /service; Amber Rupiper: \$63.88 /reimbursement; AmeriPride Services Inc.: \$128.50 /service; Artistic Sign & Design, Inc: \$7,850.00 /contract; Asphalt & Concrete Materials Co.: \$139.44 /supplies; Association of Government Accountants: \$110.00 /dues; Badger Meter, Inc.: \$191.35 /service; Baker & Taylor: \$1,911.06 /books; Batteries Plus Bulbs 073: \$44.95 /supplies; Baxter Ford: \$349.91 /parts; Bobcat Of Omaha: \$1,557.16 /supplies; Bo-Bo's Bouncy Town, LLC: \$111.25 /service; Boot Barn Inc.: \$184.49 /apparel; Border States Industries, Inc.: \$837.31 /supplies; Bound Tree Medical, LLC: \$554.69 /supplies; Brandi Moheng: \$87.00 /refund; Bruce Walker: \$500.00 /refund; Callaway Golf: \$3,506.22 /merchandise; Carl Jarl: \$150.00 /service; Carollo Engineers, Inc.: \$13,656.25 /service; Caselle, Inc.: \$1,685.00 /service; Certified Transmission, Inc.-Millard: \$4,747.59 /service; Chem-Sult, Inc.: \$37,553.48 /supplies; Chemtrade Chemicals Corporation: \$2,690.55 /supplies; CHI Health Clinic: \$25.00 /service; Cintas Loc 749: \$719.90 /service; City Treasurer: \$120.00 /service; Colonial Life Insurance Co: \$1,232.82 /pyrl deduction; Constellation NewEnergy - Gas Division: \$1,443.52 /utilities; Cornhusker International Trucks Inc: \$2,148.93 /supplies; Cox Business: \$8,443.20 /utilities; Culligan of Omaha: \$107.80 /supplies; Danko Emergency Equipment Co: \$154.96 /supplies; DHHS - Dept of Health and Human Services: \$339.00 /license; Discovery Benefits, Inc.: \$336.00 /service; Douglas County Treasurer: \$412.52 /service; Dvorak Law Group, LLC: \$200.00 /legal; Eakes Office Solutions: \$273.32 /supplies; Echo Group, Inc.: \$69.30 /supplies; En Pointe Technologies Sales, LLC: \$2,713.62 /software; Engineered Controls, Inc.: \$1,273.38 /service; EyeMed Vision Care: \$2,161.20 /insurance; Feld Fire: \$793.00 /supplies; Felsburg Holt & Ullevig: \$1,051.33 /service; Ferguson Enterprises, Inc.: \$602.53 /supplies; Fire Protection Services, LLC: \$85.00 /service; FIREPAC: \$1,245.50 /pyrl deduction; First National Bank: \$21,901.40 /insurance; First Wireless, Inc.: \$149.50 /service; FP Design & Review Services, LLC: \$1,187.48 /service; Fraternal Order Of Police: \$1,452.50 /pyrl deduction; Fritz Weiss: \$300.00 /LOSAP; Funds by Hasler: \$519.00 /postage; Futureware: \$80.00 /supplies; Gale/CENGAGE Learning: \$303.17 /books; Galls, LLC: \$27.94 /supplies; Goodin Company: \$93.93 /supplies; Grainger, Inc.: \$293.60 /supplies; Great Plains Uniforms LLC.: \$227.00 /supplies; Haney Shoe Store, Inc.: \$181.89 /supplies; Hawkins, Inc.: \$360.00 /supplies; Hayes Mechanical: \$1,123.64 /service; HDR Engineering, Inc.: \$9,241.87 /service; Heartland Refrigeration: \$471.40 /repair; Helget Gas Products Inc: \$474.22 /supplies; hibu Inc. - West: \$114.70 /service; Host Coffee Service: \$677.77 /supplies; Husker Chem Sales: \$2,100.00 /supplies; Hy-Vee: \$315.00 /supplies; Ideal Pure Water: \$69.53 /supplies; IDEXX Laboratories: \$674.11 /supplies; Ingram Library Services: \$29.66 /books; Inland Truck Parts & Service: \$1,346.38 /supplies; Interstate Industrial Service: \$124.28 /supplies; Interstate Power Systems: \$137.63 /supplies; Inventory Trading Company: \$280.00 /supplies; Iowa Prison Industries: \$739.85 /supplies; Jack Miller: \$300.00 /LOSAP; Jacob Neill: \$47.91 /reimbursement; Jeffrey Thompson: \$49.50 /reimbursement; Jennifer Roesler: \$49.50 /reimbursement; Jensen Tire & Auto: \$160.02 /supplies; JEO Consulting Group, Inc.: \$23,910.00 /services; John Schendt: \$300.00 /LOSAP; Jones Automotive, Inc: \$365.92 /supplies; K Electric Company, Inc.: \$2,187.66 /service; Kanopy, Inc.: \$64.00 /service; Kapco: \$204.78 /supplies; Karla Rupiper: \$62.88 /reimbursement; Katy Brown: \$25.00 /refund; KB's Food Shops: \$231.00 /service; Keen Hydraulic Services, Inc.: \$512.59 /service; Kriha Fluid

Power Co., Inc.: \$103.83 /supplies; Kronos SaaShr, Inc.: \$600,344.73 /payroll; Lamp, Rynearson & Associates, Inc.: \$16,020.50 /service; Landport Systems, Inc.: \$125.00 /service; Larsen Supply Company: \$714.09 /supplies; League of Nebraska Municipalities: \$1,183.00 /membership; Lincoln Financial Group: \$7,168.73 /insurance; Lincoln Marriott Cornhusker: \$220.00 /lodging; LogMeln USA, Inc.: \$117.00 /service; Lowe's Business Account/SYNCB: \$1,358.79 /supplies; Lyman-Richey Sand & Gravel Company: \$829.01 /supplies; M.S. Foster & Associates, Inc.: \$624.22 /goods; Marco Technologies LLC.: \$526.43 /contract; Mark Brandt: \$300.00 /LOSAP; Mark H Baumann, Ind. dba Simply Golf: \$305.00 /service; Mary Matuszewski: \$53.88 /reimbursement; Matheson Tri-Gas, Inc.: \$149.92 /supplies; Menards: \$656.13 /supplies; Metering & Technology Solutions: \$44,435.79 /supplies; Michael Todd & Company, Inc.: \$592.02 /supplies; Microfilm Imaging Systems, Inc: \$70.00 /service; Midland Scientific, Inc.: \$45.62 /supplies; Mid-States Utility Trailer Sales: \$169.44 /supplies; Midwest Laboratories, Inc.: \$420.00 /service; Midwest Plastics, Inc: \$26.76 /supplies; Midwest Right of Way Services, Inc.: \$380.00 /service; Midwest Tape: \$91.94 /audio; Midwest Turf & Irrigation: \$4,865.05 /supplies; Monroe Truck Equipment, Inc.: \$145.18 /supplies; Mower Doctor: \$62.00 /service; Municipal Supply, Inc. of Omaha: \$745.46 /supplies; Napa Auto Parts: \$508.37 /supplies; Natalie Kramer: \$16.99 /refund; National Safety Council, Nebraska: \$650.00 /training; Nationwide Retirement Solutions: \$6,700.28 /PEHP; Nebraska Air Filter, Inc.: \$167.52 /supplies; Nebraska Department of Revenue: \$56,771.92 /government; Nebraska Salt & Grain Co: \$1,698.44 /supplies; Nebraska Snow Equipment: \$350.00 /supplies; Nebraska State Library: \$145.55 /books; Nebraska-Iowa Industrial Fasteners Corp.: \$613.60 /supplies; NMC Exchange, LLC: \$2,711.05 /supplies; Nuts And Bolts, Inc: \$27.32 /supplies; OCLC, Inc.: \$701.66 /supplies; Office Systems Co.: \$281.71 /merchandise; Omaha Public Power District: \$110,988.85 /electricity; One Call Concepts, Inc.: \$143.48 /service; One Source The Background Check: \$132.00 /service; O'Reilly Auto Parts: \$599.94 /supplies; Papillion Professional Fire Fighters: \$861.25 /pyrl deduction; Papillion Sanitation: \$1,124.68 /refuse; Patrick Nastase: \$31.12 /reimbursement; PCEA: \$210.00 /pyrl deduction; Personnel Committee: \$159.50 /employee fund; Petersen Printing: \$922.00 /supplies; Plains Equipment Group: \$327.57 /supplies; Police & Firemen's Insurance Association: \$2,710.91 /pyrl deduction; Praxair Distribution Inc: \$47.41 /supplies; Prestige Flag: \$1,059.04 /supplies; Professional Service Industries: \$2,000.00 /service; Quill Corporation: \$89.91 /supplies; Ray Higgins: \$300.00 /LOSAP; Rebel Pest Control, Inc.: \$139.00 /service; Recorded Books, Inc.: \$384.64 /books; Rich Higgins: \$300.00 /LOSAP; Rick Corcoran: \$195.00 /service; Rob Spomer: \$133.47 /reimbursement; Roth Enterprises, Inc: \$9,975.00 /goods; Russell L Zeeb: \$300.00 /LOSAP; Sampson Construction Co., Inc.: \$1,257,479.00 /service; Sam's Club/Synchrony Bank: \$20.96 /supplies; Sapp Bros., Inc - Omaha: \$68,646.54 /fuel; Sarpy County, SID 97: \$339.08 /service; Sarpy County: \$30,435.34 /service; Savannah Smiles Creative Studios: \$250.00 /service; Sol Lewis Engineering Co: \$196.00 /service; SolutionOne: \$71.14 /service; Spaustat Energy Group, LLC: \$19.96 /service; Sprint: \$40.11 /utilities; SRIXON/Cleveland Golf/XXIO: \$2,001.60 /merchandise; SRN, Inc.: \$6,383.85 /supplies; Swan Engineering, LLC: \$67.94 /supplies; TD2 Nebraska Office: \$1,173.57 /engineering; Thacker Electric Co., Inc.: \$6.00 /supplies; The Omaha World-Herald: \$652.43 /service; The Sherwin-Williams Co.: \$610.45 /supplies; The Tower Company, Inc.: \$338.00 /supplies; The UPS Store - 5359: \$10.12 /service; Thorpe's Body

Shop: \$889.47 /service; Tony White: \$28.00 /reimbursement; Tool Supply, Inc.: \$318.66 /supplies; TransUnion Risk and Alternative: \$50.00 /service; Ty's Outdoor Power & Service: \$1,135.58 /supplies; Union Bank & Trust Company: \$30,081.25 /bonds; Unite Private Networks: \$7,441.58 /network; Urban Land Institute: \$220.00 /membership; US Bank Corporate Payment Systems: \$27,359.01 /service; USABlue Book: \$226.78 /supplies; Utility Equipment Company: \$1,025.55 /supplies; Valpak of Omaha: \$2,496.00 /service; Van Wall Equipment: \$194.23 /supplies; Verizon Wireless: \$2,261.43 /utilities; Vierregger Electric Company, Inc.: \$268.50 /service; Voya Financial Fire: \$28,008.48 /pyrl pension; Voya Financial: \$62,962.27 /deferred comp; Walkers Inc. dba Max I Walker: \$578.70 /service; Washington National Insurance Co.: \$44.80 /insurance; Weldon Parts Omaha: \$521.70 /parts; Wells Fargo Financial Leasing: \$512.00 /service; WesTech Engineering, Inc.: \$1,005.00 /supplies; Winter Equipment Co., Inc: \$4,897.83 /supplies; Bank Transaction Fees: /10,392.68 /; **BILLS TOTAL: \$3,109,616.48.**

ORDINANCES FIRST READING:

ORD. 1834 – An ordinance to amend § 205-249(D)(4) of Chapter 205 Zoning, Article XXXVI Off-Street Parking, having to do with the regulators for parking recreational vehicles and trailers in a residential district. The applicant is the City of Papillion. (Recreational Vehicle Amendment) – Submitted by Councilmember Lu Ann Kluch, Staff Report by Mark Stursma – 597-2077. Introduced by Councilmember Kluch.

ORD. 1836 – An ordinance to amend Chapter 24. Elections, of the Papillion Municipal Code to add a new section requiring written notice of a proposed ordinance to redraw ward boundaries to be sent to residences which would move into a different ward as a result of such ordinance, and to require three (3) readings of a proposed ordinance to redraw ward boundaries and to prohibit the suspension of any such readings – Submitted by Councilmember Tom Mumgaard, Staff Report by Christine Myers – 827-1111. Introduced by Councilmember Mumgaard.

ORD. 1840 – An ordinance to approve a Change of Zone from R-2 (Single-Family Residential (Medium Density)) to R-4/PUD-2 (Multiple-Family Residential – Specific Planned Unit Development) for the property legally described as Lot 1, Block 33, Beadles Addition, together with the N 55' of Lot 2, Block 33, Beadles Addition, together with Lot 4, Block 33, Beadles Addition, together with Block 32, Beadles Addition, all located in the NW¼ of Section 26, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located at 224 E 5th St, 546 N Jefferson St, 538 N Jefferson St, and 504 N Jefferson St. The applicant is St. Columbkille Church. (St. Columbkille Catholic School/Parish Center) – Mark Stursma – 597-2077. Introduced by Councilmember Engberg.

ORDINANCES SECOND READING:

ORD. 1835 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 (Multiple-Family Residential) for the property legally described as a replatting of Lot 1, Seibold Acres, a subdivision as surveyed, platted, and recorded in Sarpy County, NE, together with Tax Lots 3 and 4 in the S½ of the SW¼ of Section 32, T14N, R12E of the 6th PM, Sarpy County, NE, generally located on the NW Corner

of S 114th St and Schram Rd. The applicant is Pinecrest Homes, LLC. (Ashbury Creek 2) – Mark Stursma – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Pat Hillyer, Lamp, Ryneerson, 14710 W Dodge Rd, Ste 100, representing the applicant, gave a brief update on the project.

Opponents: None forthcoming.

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

ORD. 1837 – An ordinance to approve a Change of Zone from AG (Agricultural) to MU (Mixed Use) for the property legally described as Tax Lot 3A1A1, located in the SW¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 150th St and Capehart Rd. The applicant is Raven Northbrook, LLC. (Sarpy County Power Park West Addition) – Mark Stursma – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: David Madden, McGrath North, 1601 Dodge St #3700, stepped forward on behalf of the applicant and gave a brief update on the project.

Opponents: TJ Heinert, 15306 Capehart Rd, stepped forward and stated his concern regarding the proposed realignment of 150th St. Mr. Heinert noted that he is worried there will no longer be adequate access to his driveway, that there may not be enough privacy from the road once the construction is complete, and that he may experience flooding and water issues due to improper drainage of water from the north. He also requested better access to Hwy 50 during construction.

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

ORDINANCES THIRD READING AND RESOLUTIONS:

RES. R19-0034 – PUBLIC HEARING AND VOTE – A resolution to approve a Preliminary Plat for the property legally described as a replatting of Lot 1, Seibold Acres, a subdivision as surveyed, platted, and recorded in Sarpy County, NE, together with Tax Lots 3 and 4 in the S½ of the SW¼ of Section 32, T14N, R12E of the 6th PM, Sarpy County, NE, generally located on the NW Corner of S 114th Street and Schram Road. The applicant is Pinecrest Homes, LLC. (Ashbury Creek 2) – Mark Stursma – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Pat Hillyer, Lamp, Ryneerson, 14710 W Dodge Rd, Ste 100, 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. R19-0034 by Councilmember Glover, second by Councilmember Stubbe. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0039 – PUBLIC HEARING AND VOTE – A resolution to approve a Special Use Permit to allow for building additions and parking lot modifications on the property legally described as Tax Lot 8, located in Section 33, T14, R12E of the 6th P.M., Sarpy County, NE, generally located 10799 HWY 370. The applicant is Papillion La Vista Community Schools. (Papillion South High School) – Mark Stursma – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: Rob Vanderveen, Lamp Rynearson, 14710 W Dodge Rd, Ste 100, stepped forward on behalf of the applicant and gave a brief update of the project, which includes building additions and parking lot reconfiguration.

Opponents: None forthcoming.

No one else came forward and the public hearing was closed. Motion to approve RES. R19-0039 by Councilmember Engberg, second by Councilmember Kluch. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

ORD. 1801 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 PUD-2 (Multiple Family Residential with a PUD-2 Overlay) for the property legally described as a tract of land being located in part Tax Lot 6, a tax lot located in part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NE of Wittmus Drive and Cornhusker Road. The applicant is Woodland Homes, Inc. (Granite Lake (Phase 3)) – Mark Stursma – 597-2077. Motion to approve ORD. 1801 by Councilmember Stubbe, second by Councilmember Jaworski. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0040 – A resolution to approve a Final Plat for the property legally described as a tract of land located in all of Tax Lot 6, a tax lot located in the SW $\frac{1}{4}$ of Section 21; along with part of Tax Lots 1, 2A and 3A, tax lots located in the NW $\frac{1}{4}$ of Section 28, all located in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NE of Wittmus Drive and Cornhusker Road. The applicant is Woodland Homes, Inc. (Granite Lake (Phase 3)) – Mark Stursma – 597-2077. Motion to approve RES. R19-0040 by Councilmember Kluch, second by Councilmember Jaworski. Mayor Black called for proponents and opponents.

Proponents: Doug Walter, E&A Consulting Group, 10909 Mill Valley Rd, Ste 100, stepped forward on behalf of the applicant and gave a brief update on the project.

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

RES. R19-0041 – A resolution to approve the Second Amendment to the Granite Lake Subdivision Agreement – Mark Stursma – 597-2077. Motion to approve RES. R19-0041 by Councilmember Stubbe, second by Councilmember Glover. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0042 – A resolution to approve the Granite Lake Villas Planned Unit Development Agreement – Mark Stursma – 597-2077. Motion to approve RES. R19-0042 by Councilmember Stubbe, second by Councilmember Mumgaard. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0043 – PUBLIC HEARING AND VOTE – A resolution to approve a Preliminary Plat for the property legally described as Tax Lot 3A1A1, located in the SW¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 150th St and Capehart Rd. The applicant is Raven Northbrook, LLC. (Sarpy County Power Park West Addition) – Mark Stursma – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: David Madden, McGrath North, 1601 Dodge St #3700, stepped forward on behalf of the applicant and gave a brief update on the project.

Kevin Zach, 12370 S 150th St, stepped forward and stated that he is the land owner to the north of the applicant. He noted that he has had a good relationship with the applicant and believes they are willing to work with anyone to solve any issues.

Opponents: TJ Heinert, 15306 Capehart Rd, stepped forward and restated his reasons for opposition.

No one else came forward and the public hearing was closed. Motion to approve RES. R19-0043 by Councilmember Engberg, second by Councilmember Stubbe.

Councilmember Mumgaard called Mr. Heinert back to the podium and stated that he would like some clarification regarding his concerns. Councilmember Mumgaard asked Mr. Heinert why moving 150th St would be an issue in regard to his driveway. Mr. Heinert stated that he didn't have reasonable expectations when his house was built that 150th St would eventually be moved. He noted that the stop sign at the intersection will be right at the end of his driveway, and that his driveway can't be shifted to the west due to a creek and guard rail. Mr. Heinert stated that he has asked the applicant if they would move his driveway.

Councilmember Mumgaard asked Mr. Heinert why he was concerned about drainage. Mr. Heinert said that his property already floods from water draining from the properties to the north. Mr. Heinert stated that he would like better water drainage to be installed by the applicant since they are right next door.

Councilmember Mumgaard asked Assistant Planning Director Travis Gibbons what the next steps were in the process, and if approval of the preliminary plat would that require the applicant to work through issues with Mr. Heinert. Mr. Gibbons gave a brief summary of the next steps of the process and confirmed that the agreement has a broad term that will require the applicant to work with Mr. Heinert.

Councilmember Mumgaard stated that he would potentially like to amend the resolution by adding contingencies to ensure Mr. Heinert gets the assistance he is requesting. Councilmember Mumgaard called Mr. Madden to the podium and asked him what the applicant would be willing to do. Mr. Madden stated that the applicant has spoken with Mr. Heinert regarding some of the issues and that they are willing to work to find solutions.

Councilmember Mumgaard said he thinks it would be fair for the applicant to move Mr. Heinert's driveway, since they will be moving 150th St. Councilmember Mumgaard added that he thinks it is also fair for the applicant to help fix the drainage issues for Mr. Heinert.

Councilmember Stubbe stated that he agrees with some of the comments from Councilmember Mumgaard; however, he believed the preliminary plat already had contingencies in place requiring the applicant work to work with neighboring residents, and therefore an amendment would not be needed. Councilmember Engberg agreed with Councilmember Stubbe's assessment.

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

RES. R19-0044 – PUBLIC HEARING AND VOTE – A resolution to approve a Comprehensive Plan Amendment for the property legally described as Tax Lot 3A1A1, located in the SW¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 150th St and Capehart Rd. The applicant is Raven Northbrook, LLC. (Sarpy County Power Park West Addition) – 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. R19-0044 by Councilmember Engberg, second by Councilmember Jaworski. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

ORD. 1831 – An ordinance to amend Chapter 205 (Zoning Ordinance), Article XXII having to do with MU Mixed Use District. The applicant is the City of Papillion – Mark Stursma – 597-2077. Motion to approve ORD. 1831 by Councilmember Kluch,

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

ORD. 1832 – An ordinance to amend Section 205-270, Section 205-272, and Section 205-288, all of Article XXXVIII (Wireless Telecommunications Facilities) of Chapter 205 of the Papillion Municipal Code, having to do with Small Wireless Facilities and Small Wireless Facility Support Poles. The applicant is the City of Papillion – Mark Stursma – 597-2077. Motion to approve ORD. 1832 by Councilmember Jaworski, second by Councilmember Glover. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

RES. R19-0047 – A resolution to approve the City of Papillion Design Manual for Installation of Small Wireless Facilities and Small Wireless Facility Support Poles dated March 2019 – Mark Stursma – 597-2077. Motion to approve RES. R19-0047 by Councilmember Kluch, second by Councilmember Jaworski. Mayor Black called for proponents and opponents. None came forward.

Councilmember Stubbe stated that he would like to see more visual examples within the Design Manual and asked Mr. Gibbons if that was possible. Mayor Black gave a brief summary of Small Wireless Facilities and Small Wireless Facility Support Poles and stated it would be a good idea to pass the resolution tonight and amend the Design Manual at a later date, as the City would like to have guidelines in place before a vote is held on a related bill (LB184) at the State Legislature. Mr. Gibbons acknowledged that it would be a good idea to add illustrations for guidelines. He noted that it's been anticipated that the Design Manual will require future amendments and that illustrations can be added at that time. Mayor Black lastly stated that LB184 came out of committee as a high-priority bill.

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

RES. R19-0048 – A resolution to approve a Master Agreement for small wireless facility attachments and small wireless facility support poles in public right-of-ways dated March 2019 – Mark Stursma – 597-2077. Motion to approve RES. R19-0048 by Councilmember Kluch, second by Councilmember Jaworski. Mayor Black called for proponents and opponents. None came forward. Mayor Black noted that the fees within the agreement are in compliance with a recent FCC Order. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

ORD. 1833 – An ordinance to approve a Change of Zone from LC (Limited Commercial) to CC (Community Commercial) for the property legally described as Lot 4, Summerfield 2nd Addition, generally located at 780 Pinnacle Dr. The applicant is Jarrod Reece. (St. Martha's Episcopal Church) – Mark Stursma – 597-

2077. Motion to approve ORD. 1833 by Councilmember Jaworski, second by Councilmember Glover. Councilmember Kluch requested to abstain from voting because she is a member of St. Martha's Episcopal Church. Mayor Black called for a vote to allow Councilmember Kluch to abstain. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

Mayor Black then called for a vote to approve ORD. 1833. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Stubbe, and Engberg all voted yes. Voting no: none. Abstain: Kluch. Absent: Gaines. Motion carried.

RES. R19-0057 – A resolution to approve the waiver of the Camper Fee per Night of \$16.00 at Walnut Creek Lake Recreation Area, for the next thirty (30) days. Submitted by Mayor Black, Staff Report by Amber Powers – 827-1778. Motion to approve RES. R19-0057 by Councilmember Jaworski, second by Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward.

Mayor Black stated that the agenda was amended to include this resolution due to the flooding over the weekend in surrounding communities. He noted that Walnut Creek Lake Recreation Area Camp Grounds have opened early for people displaced by the flooding. Councilmember Sunde asked how staff is to determine who is a regular camper versus a person displaced by flooding. Mayor Black stated that, unless Council decides otherwise, he will leave that determination to the discretion of Campground Manager Mike Cunningham. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried.

ADMINISTRATIVE REPORTS:

Committee Reports: Finance and Administration Committee: Councilmember Engberg stated that he was elected Chairperson again and that the Committee reviewed drafts of the Water and Wastewater Rate Studies. Councilmember Enberg noted that rates are reviewed every four years and that the Committee recommends the rates presented to them to the Council. He also stated that the Committee would like to have further discussion on meter replacements before giving a recommendation. Councilmember Engberg lastly stated that the Committee discussed the annexation request from Facebook for the property located to the west of their campus. Councilmember Engberg stated that the Annexation Committee found that the annexation will be financially sound, and will go to the Planning Commission before coming to the City Council.

Comments from the Floor: None.

Comments from Mayor and Council: Mayor Black gave an update on his events: (1) Mayor Black attended the State of the Wing; (2) Mayor Black and staff met with a student from Nebraska Christian College; (3) Mayor Black spoke at the Bellevue-Papillion Rotary Club; (4) Mayor Black and City Administrator Chris Myers, met with Senator Vargas regarding proposed food truck legislation; (5) Mayor Black met with Metropolitan Community College officials.

Mayor Black thanked the Public Works, Police and Fire Departments for their work with snow removal, filling potholes, and helping with flooding in the surrounding area.

Councilmember Stubbe thanked staff for their hard work with all the building permits being submitted to the City.

Closed Session: Mayor Black stated for the record that the purpose of the closed session was to protect the public interest to discuss labor negotiations and contract negotiations. Motion by Councilmember Kluch, second by Councilmember Sunde to go into closed session. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried. Mayor Black restated for the record that the purpose of the closed session is only to discuss labor negotiations and contract negotiations. Mayor Black then stated the closed session would include the following: Mayor, City Council, City Administrator, Assistant City Administrator, City Attorney, and Assistant City Attorney. The closed session began at 8:24 PM.

Upon returning from closed session, Mayor Black stated for the record that the only items discussed in closed session were labor negotiations and contract negotiations. Motion by Councilmember Kluch, second by Councilmember Glover to come out of closed session. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried. Council returned from closed session at 9:19 PM.

ADJOURNMENT:

Motion to adjourn by Councilmember Glover, second by Councilmember Kluch. Upon roll call vote, Sunde, Mumgaard, Glover, Jaworski, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Gaines. Motion carried. Meeting adjourned at 9:19 PM.

CITY OF PAPIILLION



DAVID P. BLACK, MAYOR

ATTEST:



NICOLE BROWN, CITY CLERK

