
MINUTE RECORD

PAPILLION CITY COUNCIL MINUTES TUESDAY, JANUARY 3, 2023 @ 7:00 P.M.

The City Council of the City of Papillion met in open and public session in the City Council Chambers at Papillion City Hall, 122 E Third St, on January 3, 2023, at 7:00 PM. City Clerk Nicole Brown called the roll. Present were Councilmembers Steve Sunde, Jason Gaines, Jim Glover, Dave Fanslau, Lu Ann Kluch, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Councilmember Tom Mumgaard was absent. Also present were City Administrator Amber Powers, Deputy City Administrator Phil Green, Deputy Administrator of Community Development Mark Stursma, Assistant City Attorney Carla Heathershaw Risko, Police Chief Chris Whitted, Public Works Director Mike Kleffner, Parks and Facilities Director Tony Gowan, Recreation Director Tracy Stratman, Finance Director Nancy Hypse, Planning Director Travis Gibbons, Human Resources Director Carrie Svendsen, Library Director Matt Kovar, and Chief Building Official Brad Sojka.

Mayor Black 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 Council Chambers.

Proclamation: Michael Kleffner introduced Mike Grieb and thanked him for his 40 years of service to the City. Mayor Black presented an Iron Butterfly and Proclamation to Mr. Grieb. Mr. Grieb thanked Mayor, City Council, and staff for their support.

ADMINISTRATOR'S REPORT: City Administrator Amber Powers provided an update: (1) Thank you to Mr. Grieb for 40 years of service to the City and congratulations on retirement; (2) Union Agreement negotiations are ongoing; the PCEA Agreement is expected to be on the January 17 CCM Agenda; (3) Property Maintenance Code recommendations will also be sent to Council soon for consideration; (4) Christmas tree recycling is open until January 16; (5) City Offices will be closed on January 16 in observance of Martin Luther King Jr. Day; (6) City Council Retreat will be on January 20; (7) Council members will be receiving updated iPads soon.

CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the minutes from the December 20, 2022, City Council Meeting; (3) RES. RES. R23-0001 – A resolution to approve claims as presented – Nancy Hypse – 597-2020; (4) RES. R23-0004 – A resolution to approve the reappointment of Mayor David P. Black, Chief of Police Chris Whitted, Fire Chief Bill Bowes, and City Physician Jeffrey Strohmeyer, and the appointment of Council President Jason Gaines, to the Board of Health for a one-year term from January 2023 to January 2024 – Introduced by Mayor David P. Black, Staff Report by Nicole Brown – 597-2021; (5) RES. R23-0007 – A resolution to approve the appointment of Michael Erdman to the Planning Commission for a term of three years from January 2023 to January 2026 – Introduced by Mayor David P. Black, Staff Report by Travis Gibbons – 597-2077. Motion to approve the Consent Agenda by Councilmember Glover, second by

Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward. Mayor Black stated that he would like to pull item C5. RES. R23-0007 from the Consent Agenda. No objections were heard. Mayor Black called for a vote to approve all items on the Consent Agenda except for item C5. RES. R23-0007. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed.

RES. R23-0007 – A resolution to approve the appointment of Michael Erdman to the Planning Commission for a term of three years from January 2023 to January 2026 – Introduced by Mayor David P. Black, Staff Report by Travis Gibbons – 597-2077. Motion to approve RES. R23-0007 by Councilmember Kluch, second by Councilmember Sunde. Mayor Black briefly explained why he chose to appoint Mr. Erdman and called for proponents and opponents.

Proponents: Mike Erdman, 926 S Madison St, thanked Mayor Black and City Council for the appointment.

Opponents: None.

Councilmember Sunde asked which current member was stepping down to create this vacancy. Mayor Black stated that it was Judy Emswiler. Councilmember Sunde asked if Ms. Emswiler's seat was the at-large seat on the Planning Commission. Mayor Black briefly explained how the Planning Commission is organized.

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

BILLS: Abante Marketing: \$727.90/service; Advanced Office Automation Inc: \$559.35/service; AKRS Equipment Solutions Inc: \$1593.38/supplies; All About Doors Inc: \$2515.90/service; All Copy Products Inc: \$125.80/supplies; Anderson Auto Group: \$46689.00/vehicles; Aramark: \$228.81/service; Arcoro Holdings Corp: \$5.50/service; Athletico Physical Therapy: \$150.00/medical service; Atlas Steel Erection: \$18800.00/service; Baker & Taylor: \$2659.22/books; Batteries Plus Bulbs 073: \$134.05/supplies; Baxter Ford of Papillion: \$72.06/parts; Black Hills Energy: \$33233.75/natural gas; Blackstone Publishing: \$35.99/supplies; Blue Cross Blue Shield: \$402521.61/insurance; Body Basics Fitness Equipment: \$853.75/equipment; Bound Tree Medical LLC: \$1102.51/supplies; Bridgestone Golf Inc: \$955.01/supplies; Cengage Learning Inc / Gale: \$231.94/books; Charleston Homes: \$143.68/refund; Cintas Loc 749: \$130.92/service; City of Council Bluffs: \$150.00/government; City Of La Vista: \$1536.14/agreement; CNA Surety: \$20.00/service; Cobra PUMA Golf Inc: \$311.90/supplies; Constellation NewEnergy Gas Division: \$39.39/utilities; Cornhusker International Trucks Inc: \$597.60/supplies; Cox Business: \$4049.99/utilities; Cummins Central Power: \$612.08/supplies; Curbside Rewards LLC: \$600.00/service; Dakota Pump Inc: \$4118.78/supplies; Davis Erection a division of: \$4500.00/service; Dell Marketing LP: \$173.28/equipment; Diesel Laptops LLC: \$450.00/re-sale; Douglas County Sheriff's Office: \$237.50/service; Eakes Office Solutions: \$224.55/supplies; Echo Group Inc: \$1126.44/supplies; Electrical Engineering and Equipment Co: \$168.00/supplies; Elliott Equipment Co: \$311.18/supplies; ESRI: \$6557.67/service; Express Enterprises: \$1855.00/service; FAC Print & Promo Company: \$3801.10/supplies; Factory Motor Parts Co: \$109.22/supplies; Farmers Union Co-Operative Assn: \$106.00/supplies; Feld Fire: \$179.00/supplies; Findaway World LLC: \$69.99/books; First Wireless Inc: \$615.00/service; FNIC: \$40.00/insurance; Force America Distributing LLC: \$776.02/supplies; Forvis LLP: \$13800.00/service; Gear For Sports Inc: \$1269.94/advertising; General Fire and Safety: \$96.00/service; Golf Associates Scorecard

Company: \$1510.17/supplies; Grainger Inc: \$141.23/supplies; Great Plains Uniforms LLC: \$913.98/service; Greatland Corporation: \$463.30/supplies; Gretna Guide & News: \$16.41/subscription; Hawkins Inc: \$1517.36/supplies; Heartland Tires & Treads - Omaha: \$316.88/supplies; Heavy Duty Specialists Inc: \$41.31/supplies; Helget Gas Products Inc: \$34.62/supplies; Hi-Line Inc: \$114.63/supplies; Hobby Lobby Stores Inc: \$81.39/supplies; Home Depot Credit Services: \$1316.80/supplies; Hometown Leasing: \$357.90/service; Hose and Handling Inc: \$421.88/supplies; Host Coffee Service: \$49.65/supplies; Hotsy Equipment Co / A NE Corp: \$481.20/supplies; Hubbell Homes: \$124.29/refund; Hy-Vee: \$455.00/supplies; Insight Public Sector Inc: \$2733.70/supplies; Johnstone Supply: \$363.81/supplies; Julian Andrade: \$840.00/reimbursement; Keen Hydraulic Services Inc: \$945.00/service; Kriha Fluid Power Co Inc: \$115.24/supplies; Kronos SaaShr Inc: \$21147.47/payroll; Landport Systems Inc: \$125.00/service; Lands' End Business Outfitters: \$1477.25/supplies; Lawrence Plumbing: \$9996.91/service; Lawrence Trenching & Excavating: \$3400.00/service; Lawson Products Inc: \$800.55/supplies; Life-Assist Inc: \$128.60/supplies; Lincoln Financial Group: \$9563.81/insurance; Lincoln Winwater Works Co: \$1217.48/supplies; Linde Gas & Equipment: \$61.72/supplies; Logan Jacik: \$1376.09/reimbursement; Logo Logix Embroidery & Screen: \$56.00/service; Lueder Construction Company: \$34536.00/service; Marking Refrigeration Inc: \$389.00/equipment; Matheson Tri-Gas Inc: \$119.36/supplies; McKay Landscape Lighting Inc: \$785.00/service; Menards - Bellevue: \$568.26/supplies; Menards - Ralston: \$707.15/supplies; Metro Landscape Materials & Recycling: \$7500.00/supplies; Metropolitan Utilities District: \$259.51/utilities; Michael Todd & Company Inc: \$7452.35/supplies; Midlands Community Foundation: \$300.00/organization; Midlands Printing & Business Forms: \$2539.16/supplies; Midwest Tape: \$440.03/audio; Midwest Turf & Irrigation: \$683.16/supplies; Midwest Turf Support LLC: \$4928.20/supplies; Monarch Siding & Window Inc: \$10000.00/service; Monroe Truck Equipment Inc: \$878.29/supplies; Mood Media: \$536.48/service; NALC Health Benefit Plan: \$725.00/refund; Napa Auto Parts: \$243.94/supplies; NE Public Health Environ Laboratory: \$34.00/service; Nebraska Furniture Mart Inc: \$240.00/merchandise; Nebraska Golf Association: \$68.00/membership; Nebraska State Fire Marshal Agency: \$360.00/registration; Nebraska-Iowa Industrial Fasteners Corp: \$246.24/supplies; NeRPA: \$540.00/organization; Nicholas Gunia: \$125.00/reimbursement; Northern Tool & Equipment: \$266.65/goods; O'Flaherty Services Inc: \$250.00/service; Omaha Compound Company: \$2366.33/supplies; O'Reilly Auto Parts: \$2255.58/supplies; OverDrive: \$676.11/audio; P & H Electric Inc: \$355.00/supplies; Papillion Sanitation: \$1088.48/refuse; Perry Reid Construction: \$399.08/refund; Postmaster: \$3600.00/service; Quadient Finance USA Inc: \$234.00/service; Quill Corporation: \$83.18/supplies; R&R Products Inc: \$12.85/service; Ray Martin Company of Omaha: \$6093.50/service; Red Wing Business Advantage Account: \$275.48/supplies; Regal Awards Inc: \$15.00/service; Revolution Wraps LLC: \$475.67/service; Ronald Hernandez: \$64.00/reimbursement; Roxana Safranek: \$4106.72/refund; Sampson Construction Co Inc: \$500913.00/service; Sandry Fire Supply LLC: \$2047.05/supplies; Sapp Bros Inc - Omaha: \$70.00/fuel; Sarpy County Treasurer: \$63.00/service; Sarpy County: \$70000.00/service; Savannah Smiles Creative Studios: \$420.00/service; SESAC: \$553.00/service; Sign Brothers: \$27.50/refund; SignIT: \$100.00/supplies; Southern Carlson Inc: \$289.00/supplies; Spin Linen Management: \$339.08/supplies; Sprint: \$50.28/utilities; SRIXON/Cleveland Golf/XXIO: \$427.94/merchandise; Standard Heating & Air Inc: \$467.25/service; TacticalGear.com: \$629.74/supplies; The ProActive Sports Group: \$2022.00/supplies; The UPS Store - 5359: \$40.34/service; Thomson Reuters - West Payment Center: \$779.50/supplies; Thryv Inc: \$151.52/service; TK Elevator Corporation: \$408.98/service; TOOFast Supply: \$70.63/supplies; Tractor Supply Company: \$187.68/supplies; Travis Gibbons: \$28.20/reimbursement; TruGreen Commercial: \$1041.60/service; Ty's Outdoor Power & Service: \$1755.89/supplies; Valentino's: \$63.00/food; Verizon Wireless: \$808.77/utilities; Vessco Inc: \$4735.90/supplies; Vierregger Electric Company Inc: \$2097.00/service; VW Golf Inc: \$81.55/re-sale items; Walmart

Community/Capital One: \$588.93/supplies; Waystar Health: \$153.60/service; Weldon Parts Omaha: \$66.24/parts; Wells Fargo Financial Leasing: \$892.00/service; Westlake Ace Hardware: \$148.41/merchandise; ZOLL Medical Corporation: \$253.45/supplies; Bank Transaction Fees: \$17,726.13 November; Payroll: \$936,335.79; **Total: \$2,269,334.24.**

ORDINANCES FIRST READING:

ORD. 1985 – An ordinance to amend Chapter 127 of the Papillion Municipal Code – Chris Whitted – 597-2035. Introduced by Councilmember Gaines.

ORD. 1986 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 (Multiple-Family Residential) and R-4 PUD-2 (Multiple-Family Residential with a Specific Planned Unit Overlay) for the property legally described as part of the SW ¼ of Section 28, together with part of the N ½ of Section 33, all in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NW and SW corners of S 102nd St and HWY 370. The applicant is BHI Properties, Inc. (Granite Creek West) – Travis Gibbons – 597-2077. Introduced by Councilmember Fanslau.

ORDINANCES SECOND READING AND PUBLIC HEARING:

ORD. 1984 – An ordinance to approve amendments to the Papillion Basic Municipal Employees Plan and Trust Agreement for City of Papillion Police Pension Plan and Trust – Carrie Svendsen – 827-7065. 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. 1983 – An ordinance to approve a Change of Zone from MU (Mixed Use) to CC (Community Commercial) for the property legally described as Lot 5, Generations, generally located on the NW corner of S 120th St and HWY 370. The applicant is BHI Properties, Inc. (Lot 5 Generations) – Travis Gibbons – 597-2077. Motion to approve ORD. 1983 by Councilmember Stubbe, second by Councilmember Engberg. Councilmember Sunde asked for clarification regarding the difference between Mixed Use and Community Commercial zoning. Mr. Gibbons briefly explained the difference between Mixed Use and Community Commercial and how it pertained to Lot 5 Generations.

Councilmember Kluch stated that she has noticed quite a few large buildings being built along HWY 370 with their backs toward the highway. She added that was a concern from Council a few years ago and asked that Mr. Gibbons keep an eye on this for future projects.

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

ORD. 1981 – An ordinance to approve a Change of Zone from AG (Agricultural) to R-4 (Multiple-Family Residential) for the property legally described as a tract of land located in all of Outlot D, Seventy Two Place, together with part of the NE ¼ of the NW ¼ located in Section 1, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of 72nd St & Schram Rd. The applicant is Papio Park, LLC. (Seventy Two Place – Phase 2) – Travis Gibbons – 597-2077. Motion to approve ORD. 1981 by Councilmember Glover, second by Councilmember Gaines. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed.

RES. R23-0002 – A resolution to approve a Final Plat for the property legally described as all of Outlot D, Seventy Two Place, together with part of the NE ¼ of the NW ¼ located in

Section 1, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located SE of 72nd St & Schram Rd. The applicant is Papio Park, LLC. (Seventy Two Place – Phase 2) – Travis Gibbons – 597-2077. Motion to approve RES. R23-0002 by Councilmember Stubbe, second by Councilmember Fanslau. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed.

RES. R23-0003 – A resolution to approve the Second Amendment to the Seventy Two Place Subdivision Agreement – Travis Gibbons – 597-2077. Motion to approve RES. R23-0003 by Councilmember Kluch, second by Councilmember Engberg. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed.

RES. R23-0005 – A resolution to approve an amendment to the Master Fee Schedule pertaining to animal licensing fees – Nicole Brown – 597-2021. Motion to approve RES. R23-0005 by Councilmember Glover, second by Councilmember Kluch. Mayor Black called for proponents and opponents. None came forward. Councilmember Sunde asked for clarification on the proposed amendment to the Master Fee Schedule. Ms. Powers briefly explained the amendment to the Master Fee Schedule and why it is needed.

Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. 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 LONM Executive Board Meeting.

Mayor Black reminded those present of a Ribbon Cutting/Open House for Wall to Wall Wine and Spirits' one-year anniversary on January 6; the Recreation Department will host a Wellness Fair on January 20 from 8:00 AM to 1:00 PM; and Christmas tree recycling is going on until January 16.

Closed Session: Mayor Black stated for the record that the purpose of the closed session was to protect the public interest to discuss contract negotiations. Motion by Councilmember Glover, second by Councilmember Gaines to go into closed session. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed. Mayor Black restated for the record that the purpose of the closed session was only to discuss contract negotiations. Mayor Black then stated that the closed session would include the following: Mayor, City Council, City Administrator, Deputy City Administrator, Deputy Administrator of Community Development, City Clerk, Assistant City Attorney, and the Human Resources Director. The closed session began at 7:22 PM.

Upon returning from closed session, Mayor Black stated for the record that the only item discussed in closed session was contract negotiations. Motion by Councilmember Kluch, second by Councilmember Gaines to come out of closed session. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed. Council returned from closed session at 7:46 PM.

ADJOURNMENT:

Motion to adjourn by Councilmember Gaines, second by Councilmember Glover. Upon roll call vote, Sunde, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Absent: Mumgaard. Motion passed. Meeting adjourned at 7:46 PM.

CITY OF PAPILLION

DAVID P. BLACK, MAYOR

ATTEST:

NICOLE BROWN, CITY CLERK

(SEAL)