
MINUTE RECORD

PAPILLION CITY COUNCIL MINUTES TUESDAY, APRIL 4, 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 April 4, 2023, at 7:00 PM. City Clerk Nicole Brown called the roll. Present were Councilmembers Steve Sunde, Tom Mumgaard, Jason Gaines, Jim Glover, Dave Fanslau, Lu Ann Kluch, Bob Stubbe, Steve Engberg, and Mayor David P. Black. Also present were City Administrator Amber Powers, Deputy City Administrator Phil Green, Deputy Administrator of Community Development Mark Stursma, Finance Director Nancy Hypse, Recreation Director Tracy Stratman, Parks and Facilities Director Tony Gowan, Police Chief Chris Whitted, Assistant City Attorney Carla Heathershaw Risko, Planning Director Travis Gibbons, Fire Chief Bill Bowes, Public Works Director Michael Kleffner, Human Resources Director Carrie Svendsen, and Library Director Matt Kovar.

Mayor Black led those present in the Pledge of Allegiance.

Affidavit of Publication: Notice of the meeting was given in the Sarpy County 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 Meetings Act is posted in the Council Chambers.

Oaths of Office: Mayor Black introduced new Fire Chief Robb Gottsch, briefly explained the hiring process, and thanked the Civil Service Commission and all those involved in the process. Mayor Black administered the oath of office. Chief Gottsch introduced his family present and thanked everyone who participated in the hiring.

Presentation: Amy Shreck with FORVIS presented the 2022 Annual Comprehensive Financial Report. Ms. Hypse briefly explained the financial statements. Mayor Black explained the sales tax rebate programs offered by the State and steps the City has taken to protect itself financially when large calls are made on the programs.

Councilmember Stubbe stated that it was mentioned that the City set aside money in anticipation of the State taking money back, and asked if enough was set aside. Ms. Hypse confirmed that there was. Councilmember Mumgaard asked how much the State will take back and whether it is part of the economic development incentive program. Ms. Hypse confirmed and stated that the State will be taking back approximately \$42,000,000.00. Ms. Hypse explained the process for a company to qualify to receive a refund on sales tax through the State and how the rebate is given. Councilmember Mumgaard asked if this will negatively impact the City financially. Mayor Black stated that the City would only be negatively impacted if it did not already reserve funds like it does.

ADMINISTRATOR'S REPORT: City Administrator Amber Powers provided an update: (1) Thank you to Ms. Hypse and the Finance Department for their work on the 2022 Audit; (2) Congratulations to Chief Gottsch on his appointment and swearing in; (3) The Library hosted its first Library-Con on March 25th; (4) The Recreation Department hosted the Easter

Eggstravaganza on April 1st; (5) The RFPs for the Police Department will be presented to the Public Facilities Committee on April 18th; (6) The RV Park at Walnut Creek is now open for 2023; (7) Spring Clean-Up Days will be April 24th – 30th; (8) The Finance and Administration Committee will be meeting tonight after the City Council Meeting.

CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the minutes from the March 21, 2023, City Council Meeting; (3) RES. R23-0047 – A resolution to approve claims as presented – Nancy Hypse – 597-2020; (4) RES. R23-0048 – A resolution to approve a Request for Proposals for Trash and Recycling Services at City Facilities – Tony Gowan – 597-2049; (5) RES. R23-0049 – A resolution to approve a Professional Services Construction Administration Agreement between the City of Papillion and Lamp Rynearson for the City’s 2023 UBAS Street Maintenance Project – Alex Evans – 597-2043; (6) RES. R23-0051 – A resolution to approve the NDOT liability waiver required for 2023 City events that span portions of State Highways N-370 and N-50 – Michael Kleffner – 597-2043; (7) RES. R23-0054 – A resolution to approve the appointment of Councilmember Jason Gaines to the Papillion Municipal Facilities Corporation – Introduced by Mayor David P Black, Staff Report by Amber Powers – 827-1111. Motion to approve the Consent Agenda by Councilmember Kluch, second by Councilmember Sunde. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

BILLS: Abante Marketing: \$680.50/service; Acushnet Company: \$12271.56/merchandise; Advanced Office Automation Inc: \$1095.00/service; Aetna: \$342.93/insurance; AKRS Equipment Solutions Inc: \$112.39/supplies; All Copy Products Inc: \$108.00/supplies; All Traffic Solutions: \$85.00/service; American Red Cross: \$252.00/training; Anderson Auto Group: \$75.00/vehicles; Aramark: \$513.01/service; Arcoro Holdings Corp: \$5.50/service; Associated Fire Protection: \$2289.45/service; Back9 Marketing: \$700.00/service; Batteries Plus Bulbs 073: \$81.49/supplies; Baxter Ford of Papillion: \$461.91/parts; Beacon Athletics LLC: \$100.00/supplies; Bennington Suburban Fire District 7: \$2745.00/supplies; Black Hills Energy: \$30983.88/natural gas; Blackstone Publishing: \$231.97/supplies; Blair Construction and Remodeling Inc: \$6147.50/service; Blue Cross Blue Shield: \$417929.85/insurance; Bobcat Of Omaha: \$337.85/supplies; Body Basics Fitness Equipment: \$1023.05/equipment; Boot Barn Inc: \$152.99/apparel; Bound Tree Medical LLC: \$5431.33/supplies; Bridgestone Golf Inc: \$8375.71/supplies; Brownells Inc: \$1649.46/supplies; Bryan Rock Products Inc: \$2308.97/supplies; Callaway Golf: \$2535.78/merchandise; Carol Gupton: \$126.72/reimbursement; Carrot-Top Industries Inc: \$785.25/supplies; Cengage Learning Inc / Gale: \$745.01/books; Cezario Gomez: \$64.72/refund; Charleston Homes: \$76.79/refund; Chemtrade Chemicals Corporation: \$10292.20/supplies; CHI Health Clinic: \$329.00/Medical; Cintas Loc 749: \$150.00/service; City of Council Bluffs: \$225.00/government; City of Papillion Recreation Department: \$375.00/service; Cobra PUMA Golf Inc: \$4698.00/supplies; Coca-Cola of Omaha: \$1882.06/merchandise; Commonwealth Communications: \$170.00/service; Conner Psychological Services PC: \$1275.00/service; Constellation NewEnergy Gas Division: \$1857.21/utilities; Cornhusker International Trucks Inc: \$292.26/supplies; Cox Business: \$3111.00/utilities; Creative Sites LLC: \$16812.00/supplies; Curbside Rewards LLC: \$300.00/service; D. R. Horton: \$8014.82/refund; Deck Bros Unlimited: \$306.13/refund; Derek Larson: \$32.00/reimbursement; Doug Kelley Concrete Construction LLC: \$4400.00/service; Douglas County Sheriff's Office: \$812.50/service; Dultmeier Sales LLC: \$593.00/supplies; Dylan Jacobson: \$426.25/service; Dynamic Brands: \$630.21/apparel; Eakes Office Solutions: \$106.58/supplies; Envirotech Services Inc: \$6103.68/chemicals; Eric Andres: \$35.00/reimbursement; ESI: \$7692.63/services; Exchange Bank Leasing Division:

\$1175.92/lease; Express Enterprises: \$125.00/service; Fastenal Company: \$14.07/supplies; FastSigns: \$344.10/supplies; Feld Fire: \$34347.00/supplies; Fikes Commercial Hygiene LLC: \$56.00/service; First Tee Omaha: \$585.00/service; Force America Distributing LLC: \$15.72/supplies; Futureware Partners LLC: \$300.00/supplies; GPS Technologies Inc: \$1494.00/service; Grainger Inc: \$353.97/supplies; Great Plains Uniforms LLC: \$4607.03/service; Gretna Sanitation Inc: \$117.00/service; Grunwald Mech Contr and Eng: \$430.28/service; GT Distributors Inc: \$251.97/supplies; H & H Chevrolet: \$198.13/supplies; H2I Group Inc: \$2100.00/service; Harm's Concrete: \$256.88/goods; Hawkins Inc: \$40.00/supplies; Heartland Tires & Treads - Omaha: \$1120.40/supplies; Helm Mechanical / Helm Service: \$4161.00/service; Home Depot Credit Services: \$775.07/supplies; Hotsy Equipment Co / A NE Corp: \$1043.17/supplies; Hubbell Homes: \$153.58/refund; Hy-Vee: \$846.50/supplies; InfoSafe Shredding Inc: \$30.00/service; Interstate Power Systems: \$37.73/supplies; Jeremy Nelson: \$118.50/reimbursement; Jerry Prazan: \$147.50/reimbursement; Johnson Drywall Co Inc: \$500.00/service; Joseph LaPuzza: \$25.00/reimbursement; Josh Neville: \$32.00/reimbursement; JP Cooke Company: \$127.15/supplies; K Electric Company Inc: \$3470.52/service; Kari Brickman: \$145.83/refund; Kevin Pflager: \$119.50/reimbursement; Kimberly Miller: \$206.50/reimbursement; Koley Jessen PC LLO: \$1044.00/legal; Kriha Fluid Power Co Inc: \$1183.65/supplies; Kronos SaaShr Inc: \$7302.86/payroll; KSI Construction: \$6018.00/refund; Kuker Rankin Inc: \$2689.50/supplies; Landport Systems Inc: \$125.00/service; Lands' End Business Outfitters: \$58.18/supplies; Lane Gries: \$1000.00/training; Larsen Supply Company: \$377.63/supplies; Lawrence Plumbing: \$3866.26/service; Lawson Products Inc: \$100.70/supplies; Libra Safety Products: \$27.00/supplies; Lincoln Financial Group: \$10121.80/insurance; Linde Gas & Equipment: \$58.93/supplies; Logo Logix Embroidery & Screen: \$1071.00/service; Maeghan Weygandt: \$50.00/refund; Matheson Tri-Gas Inc: \$28.10/supplies; Menards - Ralston: \$93.84/supplies; Metropolitan Utilities District: \$258.26/utilities; Michael Kleffner: \$644.87/reimbursement; Midlands Community Foundation: \$1776.88/organization; Midlands Printing & Business Forms: \$182.67/supplies; Midwest Tape: \$368.05/audio; Midwest Turf & Irrigation: \$3236.11/supplies; Monroe Truck Equipment Inc: \$453.24/supplies; Motorola Solutions Inc: \$627.55/supplies; Municipal Supply Inc of Omaha: \$18990.00/supplies; Napa Auto Parts: \$251.58/supplies; National Safety Council Nebraska: \$650.00/training; NE Dept of Roads c/o Controller Div: \$9814.80/service; NE Public Health Environ Laboratory: \$1121.00/service; Nebraska Golf Association: \$263.00/membership; Nebraska Snow Equipment: \$319.00/supplies; Nebraska State Fire Marshal Agency: \$240.00/registration; Nebraska-Iowa Industrial Fasteners Corp: \$671.34/supplies; NGCSA: \$105.00/membership; Nicholas Gunia: \$32.00/reimbursement; Omaha Compound Company: \$6292.85/supplies; Omaha Winnelson Company: \$861.00/supplies; OMNI Engineering: \$257.25/supplies; O'Reilly Auto Parts: \$1413.94/supplies; Orin Orchard: \$147.50/training; P & H Electric Inc: \$744.25/supplies; Papillion Times: \$136.99/subscription; Patrick Neville: \$25.00/reimbursement; Pinnacle Bank: \$2019.50/service; Postmaster: \$4000.00/service; Prestige Flag: \$52.27/supplies; Quadient Finance USA Inc: \$195.00/service; Rita Moravec: \$44.67/refund; RJ Thomas Mfg Co Inc: \$7330.00/supplies; Robert Osborn: \$32.00/reimbursement; Rocky Mountain Accreditation Network: \$175.00/organization; Rotella's Italian Bakery Inc: \$32.04/supplies; Sam's Club - Public Works: \$258.35/supplies; Sandry Fire Supply LLC: \$1507.20/supplies; Sapp Bros Inc - Omaha: \$77124.15/fuel; Shawna Biodrowski: \$206.50/reimbursement; Social Landscapes: \$1051.49/service; Spin Linen Management: \$339.08/supplies; SRIXON/Cleveland Golf/XXIO: \$2142.24/merchandise; Stacia Luther: \$250.00/service; Staples Inc: \$1448.60/supplies; Taylor Made Golf Company: \$1241.10/merchandise; The Sherwin-Williams Co: \$166.11/supplies; The UPS Store - 5359: \$43.39/service; Thryv Inc: \$153.52/service; Tilmer's Tree Care Inc: \$100.00/service; TK Elevator Corporation: \$650.00/service; Todd Grosse: \$32.00/reimbursement; Tool Shed Of Omaha Inc: \$192.53/supplies; Tool Supply Inc: \$43.62/supplies; Tour Edge: \$4794.00/merchandise; Turfwerks: \$903.61/supplies;

USABlueBook: \$3482.43/supplies; Utility Equipment Company: \$3636.19/supplies; Verizon Wireless: \$808.65/utilities; Vessco Inc: \$712.04/supplies; VW Golf Inc: \$911.66/re-sale items; Walmart Community/Capital One: \$384.13/supplies; Wells Fargo Financial Leasing: \$892.00/service; Westlake Ace Hardware: \$20.83/merchandise; White Cap LP: \$114.95/supplies; Woodland Homes: \$83.41/refund; Zep Sales & Service: \$899.94/supplies; Zimco Supply Co: \$9584.04/supplies; Payroll: \$992,906.03; **Totals: \$1,837,683.97.**

ORDINANCES FIRST READING:

ORD. 1987 – An ordinance to approve a Change of Zone from AG (Agricultural) to LI (Limited Industrial) for the property legally described as Tax Lot 27 and Tax Lot 29, both located in the Section 21, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the SW corner of S 99th Cir and Portal Rd. The applicant is Ehrhart Griffin & Associates. (LJI Addition) – Travis Gibbons – 597-2077. Introduced by Councilmember Engberg.

ORD. 1994 – An ordinance to amend Papillion Municipal Code Chapter 100, currently entitled “Buildings, Unsafe,” to be amended to be entitled “Property Maintenance;” to adopt the International Property Maintenance Code, 2018 Edition, with local amendments; to adopt procedures for enforcement and appeal; to repeal Chapter 89 entitled “Brush, Grass And Weeds” and Chapter 137 entitled “Nuisances;” to amend Chapter 9 and Sections 92-1 and 92-9 to define the Code Official and to provide for a Board of Appeals; to move Section 137-4 regarding plastic bags to new Section 125-24; to amend Chapter 184 now to be entitled “Abandoned Vehicles;” to amend Chapter 206 to include references to nuisances under Chapter 100; to repeal the amended sections as previously enacted; and to provide for an effective date. (Property Maintenance Code) – Brad Sojka – 597-2072. Introduced by Councilmember Kluch.

ORDINANCES SECOND READING AND PUBLIC HEARING: None.

ORDINANCES THIRD READING AND RESOLUTIONS:

ORD. 1989 – An ordinance to annex certain real estate to the City of Papillion, Nebraska, and to provide for an effective date thereof – Mark Stursma – 597-2077. Motion to approve ORD. 1989 by Councilmember Glover, second by Councilmember Fanslau. Councilmember Mumgaard briefly explained the area to be annexed. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

ORD. 1990 – An ordinance to change the official zoning map of the City of Papillion in accordance with Section 205-32 of the Papillion Municipal Code to adopt a zoning map and to apply existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, plumbing ordinances, and all other regulatory ordinances of the City of Papillion pursuant to Neb. Rev. Stat. §16-901 and to provide for an effective date thereof – Travis Gibbons – 597-2077. Motion to approve ORD. 1990 by Councilmember Mumgaard, second by Councilmember Sunde. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R23-0050 – A resolution to approve an amendment to the Interlocal Agreement related to the provision of animal control services by the Nebraska Humane Society – Chris Whitted – 597-2035. Motion to approve RES. R23-0050 by Councilmember Engberg, second by Councilmember Gaines. Mayor Black called for proponents and opponents. None came forward.

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

RES. R23-0052 – PUBLIC HEARING AND VOTE – A resolution to approve the First Amendment to the North Shore 2 Subdivision Agreement – Travis Gibbons – 597-2077.

Mayor Black opened the public hearing and called for proponents and opponents.

Proponent: Pat Sullivan, 1246 Golden Gate Dr #1, spoke on behalf of the developer and district. Mr. Sullivan provided a brief update on the project and stated he was available for any questions.

Opponents: None.

No one else came forward and the public hearing was closed. Motion to approve RES. R23-0052 by Councilmember Stubbe, second by Councilmember Gaines. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

RES. R23-0053 – A resolution to approve Ronald J Dupell as the Corporate Manager for American Legion Post 32 for their Class C Liquor License – Nicole Brown – 597-2021.

Motion to approve RES. R23-0053 by Councilmember Kluch, second by Councilmember Stubbe. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed.

ADMINISTRATIVE REPORTS:

Committee Reports: Audit Ad Hoc Committee: Councilmember Kluch stated that the Committee was presented with the 2022 Annual Comprehensive Financial Report.

Comments from the Floor: Edward Weniger, 1709 Ridgeview Dr, discussed his concern with specific books in school libraries.

Students from Papillion-La Vista South introduced themselves.

Comments from Mayor and Council: Mayor Black provided an update on his events: (1) Mayor Black attended a Sarpy County and Cities Wastewater Agency Board Meeting; (2) Mayor Black attended a Grow Sarpy Board Meeting; (3) Mayor Black and Ms. Powers attended the United Cities Meeting.

Mayor Black reminded those present of the following: (1) Spring Clean-Up Days will be April 24th-30th; (2) ALLO will begin construction in April; (3) Wilby's Comfort Food 2.0 will have a Ribbon Cutting on April 28th; (4) The Half Marathon will be May 21st.

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 and potential litigation. Motion by Councilmember Gaines, second by Councilmember Glover to go into closed session. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed. Mayor Black restated for the record that the purpose of the closed session was only to discuss contract negotiations and potential litigation. 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, Police Chief, and Human Resources Director. The closed session began at 7:44 PM.

Upon returning from closed session, Mayor Black stated for the record that the only topics discussed in closed session were contract negotiations and potential litigation. Motion by Councilmember Fanslau, second by Councilmember Kluch to come out of closed session. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed. Council returned from closed session at 8:22 PM.

ADJOURNMENT:

Motion to adjourn by Councilmember Glover, second by Councilmember Sunde. Upon roll call vote, Sunde, Mumgaard, Gaines, Glover, Fanslau, Kluch, Stubbe, and Engberg all voted yes. Voting no: none. Motion passed. Meeting adjourned at 8:22 PM.

CITY OF PAPILLION

DAVID P. BLACK, MAYOR

ATTEST:

NICOLE BROWN, CITY CLERK

(SEAL)