
MINUTE RECORD

PAPILLION CITY COUNCIL MINUTES TUESDAY, JUNE 6, 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 June 6, 2023, at 7:00 PM. City Clerk Nicole Brown called the roll. Present were Councilmembers Steve Sunde, Tom Mumgaard, Jason Gaines, Dave Fanslau, Steve Engberg, and Mayor David P. Black. Councilmembers Jim Glover, Lu Ann Kluch, and Bob Stubbe were absent. Also present were City Administrator Amber Powers, Deputy City Administrator Mark Stursma, Finance Director Nancy Hypse, Recreation Director Tracy Stratman, Police Chief Chris Whitted, City Attorney Alan Thelen, Planning Director Travis Gibbons, Fire Chief Robb Gottsch, 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.

ADMINISTRATOR'S REPORT: City Administrator Amber Powers provided an update: (1) A replica of the Tomb of the Unknown Soldier is on display at Papillion Landing until June 13th; (2) Student memberships for college students will be available for purchase at Papillion Landing until June 16th; (3) Papillion Landing will have discounted punch cards on sale during Papillion Days; (4) Papillion Days will be from June 14th to June 18th; (5) The Papillion Public Library Summer Reading Program Kickoff Event was on June 3rd; (6) There are numerous Summer Kids Camps at Papillion Landing taking place through July; (7) There will be a Special City Council Meeting on June 8th.

CONSENT AGENDA ITEMS: (1) Approval of the agenda as presented; (2) Approval of the minutes from the May 16, 2023, City Council Meeting; (3) RES. R23-0090 – A resolution to approve claims as presented – Nancy Hypse – 597-2020; (4) RES. R23-0082 – A resolution to award the contract for the Walnut Creek Sediment Basin Restoration Project to Yost Excavating Inc of Nebraska City, NE in the amount of \$775,551.54 – Michael Kleffner – 597-2043; (5) RES. R23-0095 – A resolution to approve a Display Fireworks Permit for Martha Zimmerman (Midwest Fireworks) for the Papillion Days fireworks display on June 16, 2023 – Robb Gottsch – 339-8617; (6) RES. R23-0098 – A resolution to approve Addendum No. 1 to the Professional Services Agreement between the City of Papillion and Felsburg, Holt, and Ullevig for Citywide Opticom Design – Michael Kleffner – 597-2043; (7) RES. R23-0099 – A resolution to approve a Design Services Contract with Carlson West Povondra Architects for the Police Department Expansion Project – Chris Whitted – 597-2035; (8) RES. R23-0100 – A resolution to approve a Professional Services Agreement between the City of Papillion and Felsburg, Holt, and Ullevig for 84th St and Cedardale Rd design – Michael Kleffner – 597-2043; (9) RES. R23-0101 – A resolution to approve the year Nebraska Public Transportation Assistance Program contract to allow the Papillion Special

Transportation Bus Service to operate for the 2023-2024 fiscal year – Tracy Stratman – 597-2061. Motion to approve the Consent Agenda by Councilmember Gaines, second by Councilmember Fanslau. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Fanslau, and Engberg all voted yes. Voting no: none. Absent: Glover, Kluch, and Stubbe. Motion passed.

BILLS: 1 Eyed Jacks Entertainment: \$585.00/service; A to Z databases: \$608.00/service; AA Wheel & Truck Supply Inc: \$292.99/supplies; Abante Marketing: \$4767.00/service; Acushnet Company: \$1321.38/merchandise; Adidas America Inc: \$193.53/supplies; Advanced Office Automation Inc: \$960.23/service; Air-Hydraulic Systems Inc: \$16.45/supplies; Airtech Service Inc: \$250.00/service; AKRS Equipment Solutions Inc: \$1334.91/supplies; All Copy Products Inc: \$168.42/supplies; All Star Pro Golf: \$242.80/merchandise; American Red Cross Training Services: \$252.00/training; American Underground Supply: \$226.04/supplies; Anderson Comfort HVAC: \$91.50/service; Aqua-Chem Inc: \$1377.90/supplies; Aramark: \$993.54/service; Arcoro Holdings Corp: \$5.50/service; A-Relief Services Inc: \$1401.00/service; Artistic Sign & Design Inc: \$1700.00/contract; ASCAP: \$430.00/license; ASP Enterprises Inc: \$45.00/supplies; Associated Fire Protection: \$265.04/service; Automotive Warehouse Distributors: \$34.92/parts; Axon Enterprise Inc: \$1509.50/supplies; Batteries Plus Bulbs 073: \$250.26/supplies; Baxter Ford of Papillion: \$1220.97/parts; BHI Development Inc: \$1002.00/refund; Black Hills Energy: \$10485.14/natural gas; Blackstone Publishing: \$41.59/supplies; Blue Cross Blue Shield: \$412661.62/insurance; Bluebird Nursery Inc: \$838.71/supplies; Bobcat Of Omaha: \$36.49/supplies; Bound Tree Medical LLC: \$403.00/supplies; BPMS Software: \$612.00/supplies; Bradley Sojka: \$5.25/reimbursement; Bridgestone Golf Inc: \$351.28/supplies; Bryan Rock Products Inc: \$2432.21/supplies; Callaway Golf: \$2841.81/merchandise; Cash-Wa Distributing: \$9251.23/merchandise; Celebrity Homes: \$49637.20/refund; Cengage Learning Inc / Gale: \$376.48/books; Champion Enterprises Inc: \$2268.75/service; Charleston Manufacturing LLC: \$10700.00/supplies; Cintas Loc 749: \$214.80/service; City of Council Bluffs: \$600.00/government; City Of Omaha Cashier: \$397098.56/service; Cobra PUMA Golf Inc: \$2233.61/supplies; Coca-Cola of Omaha: \$6644.78/merchandise; CompChoice: \$150.00/medical service; Constellation NewEnergy Gas Division: \$210.73/utilities; Cook's Heating & Air Conditioning: \$80.00/service; Cornhusker International Trucks Inc: \$567.67/supplies; Cox Business: \$2051.94/utilities; D & K Products: \$17149.96/supplies; Dawn Bruhl: \$123.27/reimbursement; Dell Marketing LP: \$4479.44/equipment; Depository Trust Company: \$116333.75/payment; Diamond Vogel: \$487.05/supplies; Double K Feed Inc: \$748.00/supplies; Dultmeier Sales LLC: \$1822.15/supplies; Eakes Office Solutions: \$145.07/supplies; Echo Group Inc: \$214.36/supplies; Exchange Bank Leasing Division: \$1175.92/lease; Farmers National Company: \$6700.00/supplies; Ferguson Enterprises Inc: \$69.62/supplies; Fikes Commercial Hygiene LLC: \$56.00/service; Foster's Inc: \$914.67/supplies; GameTime: \$1002.38/goods; Gear For Sports Inc: \$59.84/advertising; General Fire and Safety: \$59.00/service; George Hern: \$96.47/refund; GPS Technologies Inc: \$2988.00/service; Grainger Inc: \$78.60/supplies; Great Plains Uniforms LLC: \$1168.97/service; Gretna Sanitation Inc: \$117.00/service; Haney Shoe Store Inc: \$534.98/supplies; Happy Trees: \$2500.00/service; Harm's Concrete: \$208.25/goods; Hauff Sports: \$452.00/supplies; Hawkins Inc: \$5361.50/supplies; HDR Engineering Inc: \$121246.95/service; Healthy Blue:

\$723.70/refund; Heartland Pest Control Inc: \$438.00/service; Heartland Tires & Treads - Omaha: \$301.88/supplies; Helget Gas Products Inc: \$742.06/supplies; hibu Inc - West: \$53.53/service; Hobby Lobby Stores Inc: \$11.98/supplies; Home Depot Credit Services: \$902.34/supplies; Host Coffee Service: \$1002.23/supplies; HTS Ag: \$4400.00/supplies; Hubbell Homes: \$76.79/refund; Huntington National Bank: \$4949.81/service; Hy-Vee: \$325.00/supplies; Ideal Pure Water: \$210.00/supplies; IDville: \$825.44/supplies; InfoSafe Shredding Inc: \$60.00/service; Jeff Payton: \$379.50/reimbursement; Jeremy Orr: \$1997.73/reimbursement; Jessica Hubbard: \$93.67/reimbursement; Jessica Moore: \$96.00/reimbursement; Johnson Brothers of Nebraska: \$2207.39/supplies; Jones Automotive Inc: \$204.28/supplies; JP Cooke Company: \$1466.45/supplies; Julian Andrade: \$270.00/reimbursement; Kevin Pflager: \$149.34/reimbursement; Koley Jessen PC LLO: \$4828.50/legal; Kriha Fluid Power Co Inc: \$579.72/supplies; Kronos SaaShr Inc: \$7661.12/payroll; Landport Systems Inc: \$125.00/service; Larsen Supply Company: \$3424.68/supplies; Lauren Pressley: \$645.38/refund; Lawrence Plumbing: \$1769.00/service; Library Ideas LLC: \$509.04/supplies; Lifeguard MD Inc: \$2021.77/supplies; Lincoln Financial Group: \$9877.36/insurance; Linde Gas & Equipment: \$61.72/supplies; Logan Contractors Supply Inc: \$1065.53/supplies; Logo Logix Embroidery & Screen: \$820.00/service; MacQueen Emergency Group: \$649.76/supplies; Malloy Electric: \$503.28/service; Marcos Jacome: \$86.30/refund; Marketing Inc: \$487.50/supplies; Marking Refrigeration Inc: \$1385.75/equipment; Matheson Tri-Gas Inc: \$116.35/supplies; McKay Landscape Lighting Inc: \$189.00/service; MdE Inc: \$960.00/contract; Menards - Bellevue: \$267.74/supplies; Menards - Ralston: \$255.74/supplies; Meritain Health: \$818.00/refund; Metering & Technology Solutions: \$2342.86/supplies; Metro Landscape Materials & Recycling: \$70.00/supplies; Metro: \$2521.00/service; Metropolitan Utilities District: \$257.57/utilities; Mia Pearson: \$96.00/reimbursement; Michael Todd Industrial Supply: \$633.82/supplies; Michele Patterson: \$379.50/reimbursement; Midlands Community Foundation: \$1479.25/organization; Midlands Printing & Business Forms: \$1790.38/supplies; Midwest Tape: \$119.19/audio; Midwest Turf & Irrigation: \$8257.46/supplies; MNJ Technologies Direct Inc: \$11312.00/supplies; Mobility Motoring: \$299.02/service; Municipal Supply Inc of Omaha: \$1271.80/supplies; Napa Auto Parts: \$271.08/supplies; NE Public Health Environ Laboratory: \$2274.00/service; Nebraska Air Filter Inc: \$627.60/supplies; Nebraska Golf & Turf: \$108.94/parts; Nebraska Salt & Grain LLC: \$7797.94/supplies; Nebraska Title Company: \$2686.11/service; Nebraska-Iowa Industrial Fasteners Corp: \$605.70/supplies; Newman Signs Inc: \$696.07/supplies; NMC Inc: \$274545.00/supplies; O'Flaherty Services Inc: \$635.52/service; Omaha Compound Company: \$3062.62/supplies; Omaha Running Club: \$400.00/contract; Omaha Slings Inc: \$269.76/supplies; Omaha World-Herald: \$314.39/subscription; OMNI Engineering: \$718.90/supplies; O'Reilly Auto Parts: \$2333.34/supplies; P & H Electric Inc: \$598.00/supplies; Papio Valley Nursery Inc: \$1180.00/landscaping; Papio-Missouri River NRD: \$30000.00/service; Perry Reid Construction: \$124.84/refund; PING: \$178.14/merchandise; Pioneer Manufacturing Company: \$1755.60/supplies; Pitney Bowes Global Financial Services: \$159.57/service; Pump's Tire Service Inc: \$1067.87/supplies; Positive Concepts Inc: \$1850.00/supplies; Prairie Mechanical Corporation: \$10634.00/service; Precision Race Results LLC: \$1757.00/service; Premier-Midwest Beverage Co: \$4751.55/merchandise; Presto-X: \$116.39/service; Price

Chopper Wristbands: \$3777.64/supplies; Proquest LLC: \$1582.10/subscription; Quadient Finance USA Inc: \$1013.29/service; Quality Brands of Omaha Inc: \$6543.51/merchandise; Quill Corporation: \$522.48/supplies; R&R Products Inc: \$2239.00/service; Rainbow Glass & Supply Inc: \$213.12/service; RAKA: \$1249.55/supplies; Ready Mixed Concrete Company: \$13593.62/supplies; Red Wing Business Advantage Account: \$271.48/supplies; Regal Awards Inc: \$2002.62/service; RJ Miracle: \$516.30/refund; RNDC: \$392.00/merchandise; Rotella's Italian Bakery Inc: \$606.60/supplies; Roth Enterprises Inc: \$500.00/supplies; Roundhouse Bunker Gear Services: \$266.69/apparel; Sandry Fire Supply LLC: \$2122.90/supplies; Sapp Bros Inc - Omaha: \$11001.96/fuel; Sarpy County & Cities Wastewater Agency: \$182464.89/service; Sarpy County Chamber of Commerce: \$4350.00/membership; Sarpy County: \$49062.36/service; Schaeffer Mfg Co: \$621.00/supplies; Security Equipment Inc: \$4080.00/service; SHI International Corp: \$47488.24/supplies; Showcases: \$75.60/supplies; Siemens Industry Inc: \$7115.00/service; SignIT: \$415.00/supplies; SiteOne Landscape Supply LLC: \$82.23/supplies; SouthSide Plumbing LLC: \$915.00/services; Spin Linen Management: \$514.09/supplies; Sprint: \$50.28/utilities; SRIXON/Cleveland Golf/XXIO: \$3383.12/merchandise; Staples Inc: \$214.76/supplies; Steve Farrens: \$18.00/reimbursement; Steve Thornburg: \$1242.01/reimbursement; Suburban Newspapers Inc: \$240.97/service; Swank Motion Pictures Inc: \$3430.00/supplies; Targets Online: \$188.00/supplies; Taylor Made Golf Company: \$116.35/merchandise; Ted's Mower Sales & Service Inc: \$1037.50/supplies; The Bike Way Inc: \$1528.20/supplies; The Home Depot Pro: \$259.38/supplies; The Schemmer Associates Inc: \$40188.75/service; The Sherwin-Williams Co: \$135.31/supplies; Thomson Reuters - West Payment Center: \$397.55/supplies; Thryv Inc: \$151.24/service; TK Elevator Corporation: \$423.30/service; Todd Dudas: \$46.92/reimbursement; Tractor Supply Company: \$99.98/supplies; Trademark Homes: \$76.82/refund; Travis M Rozeboom: \$324.50/reimbursement; TruGreen Commercial: \$804.07/service; Ty's Outdoor Power & Service: \$120.00/supplies; Uline Inc: \$2612.17/supplies; Union Bank & Trust Company: \$199411.40/bonds; US Foods Inc: \$3105.82/supplies; USABlueBook: \$691.90/supplies; Utility Equipment Company: \$599.54/supplies; Verizon Wireless: \$818.72/utilities; Vessco Inc: \$5262.27/supplies; Vierregger Electric Company Inc: \$1900.00/service; VW Golf Inc: \$145.76/re-sale items; Walmart Community/Capital One: \$573.52/supplies; Waste Management: \$174.99/service; Waystar Health: \$164.35/service; Wells Fargo Financial Leasing: \$892.00/service; Wenninghoff's Inc: \$657.02/supplies; Westlake Ace Hardware: \$938.51/merchandise; White Cap LP: \$2598.75/supplies; WinCan LLC: \$5050.00/services; Woodhouse Parts Direct: \$109.46/service; ZeroFriction LLC: \$62.56/supplies; Zimco Supply Co: \$3135.97/supplies; Payroll for 5-12-23: \$987,918.54; Payroll for 5-26-23: \$993,637.17;
Total: \$4,274,514.77.

ORDINANCES FIRST READING:

ORD. 2000 – An ordinance to amend Chapter 9 of the Papillion Municipal Code to repeal Article X, “Papillion Arts Council” – Amber Powers – 827-1111. Introduced by Councilmember Engberg.

ORDINANCES SECOND READING AND PUBLIC HEARING:

ORD. 1996 – An ordinance to amend Chapter 170 (Subdivision of Land), Article V (Subdivision Design Standards) to provide for access management and subdivision through route regulations and to provide for an effective date. The applicant is the City of Papillion. (Access Management Amendment) – Travis Gibbons – 597-2077. Mayor Black opened the public hearing and called for proponents and opponents. No one came forward and the public hearing was closed.

ORD. 1998 – An ordinance to annex certain real estate to the City of Papillion, Nebraska, and to provide for an effective date thereof (2023 Annexation #3) – 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.

ORD. 1999 – 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 (2023 Annexation #3) – Travis Gibbons – 597-2077. 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:

RES. R23-0091 – A resolution to approve an agreement with Waste Connections of Nebraska Inc for trash and recycling services at City-owned facilities – Tony Gowan – 597-2049. Motion to approve RES. R23-0091 by Councilmember Engberg, second by Councilmember Mumgaard. Mayor Black called for proponents and opponents. None came forward. Upon roll call vote, Sunde, Mumgaard, Gaines, Fanslau, and Engberg all voted yes. Voting no: none. Absent: Glover, Kluch, and Stubbe. Motion passed.

RES. R23-0096 – PUBLIC HEARING AND VOTE – A resolution to approve a Class I Liquor License for First Watch Restaurants Inc d/b/a First Watch #6004, 304 Olson Dr Ste 117, Papillion, NE 68046, and Manager Application for Dylan R Fegan – Nicole Brown – 597-2021. Mayor Black opened the public hearing and called for proponents and opponents.

Proponents: A representative from First Watch briefly explained that they are putting their liquor license back under their corporate office and stated that they were available for any questions.

Opponents: None.

No one else came forward and the public hearing was closed. Motion to approve RES. R23-0096 by Councilmember Gaines, second by Councilmember Fanslau. Upon roll call vote, Sunde, Mumgaard, Gaines, Fanslau, and Engberg all voted yes. Voting no: none. Absent: Glover, Kluch, and Stubbe. Motion passed.

RES. R23-0097 – PUBLIC HEARING AND VOTE – A resolution to approve a Class I Liquor License for B&A Mex Omaha LLC d/b/a On the Border Mexican Grill and Cantina, 8810 S 71st Plz, Papillion, NE 68133, and Manager Application for Brian R Larson – Nicole Brown – 597-2021. Mayor opened the public hearing and called for proponents and opponents.

Proponents: Frederick Stehlik came forward representing the applicant and introduced the owners, Bryant and Amy Morrison. Mr. Stehlik provided a brief background of the restaurant.

Councilmember Mumgaard asked Mr. and Mrs. Morrison why they picked Papillion for their restaurant. Ms. Morrison explained that they became aware of this community after purchasing the Sonic restaurants in the area. Councilmember Mumgaard stated that the city is very excited to have them. Councilmember Fanslau asked when the restaurant will be opening. Mr. Morrison stated that they are scheduled to open July 5th, but that may be postponed another week.

Opponents: None.

No one else came forward and the public hearing was closed. Motion to approve RES. R23-0097 by Councilmember Sunde, second by Councilmember Fanslau. Upon roll call vote, Sunde, Mumgaard, Gaines, Fanslau, and Engberg all voted yes. Voting no: none. Absent: Glover, Kluch, and Stubbe. Motion passed.

RES. R23-0102 – A resolution to approve a Memorandum of Understanding between the City of Papillion and the Papillion Arts Foundation – Amber Powers – 827-1111. Motion to approve RES. R23-0102 by Councilmember Engberg, second by Councilmember Mumgaard. Mayor Black called for proponents and opponents.

Proponents: Chuck Wilcox, 901 Rawhide Rd, briefly explained the background of the Papillion Arts Council and the different art organizations within Papillion. Mr. Wilcox explained the importance of this Memorandum of Understanding (MOU) and the formation of the Papillion Arts Foundation. Mayor Black explained the purpose of the MOU, stated that the funds to support the Foundation would come from community betterment fund, and explained when annual payments would be made.

Opponents: None.

Councilmember Engberg thanked Mayor Black for his work in creating the Papillion Arts Foundation and stated that he thinks this will be great for the arts community. Councilmember Sunde stated that he has great respect for this charitable foundation; however, he believes that public funds should not be used to fund charities. Mayor Black briefly explained the obligated funding stated in the MOU, which is allocated from the community betterment fund (keno revenues) and a small percentage of hotel tax. Councilmember Mumgaard stated that this MOU would help with the quality of life for Papillion residents.

Upon roll call vote, Mumgaard, Gaines, Fanslau, Engberg, and Mayor Black voted yes. Voting no: Sunde. Absent: Glover, Kluch, and Stubbe. Motion passed.

Councilmember Sunde asked for clarification on the voting tally. Mayor Black explained why he voted and the legislation that governs situations in which a mayor can vote. Mr. Thelen provided further clarification regarding new legislation that became effective June 6, 2023. Councilmember Gaines stated that as he interpreted the law, this vote would be considered premature. Councilmember Sunde suggested letting one of the councilmembers who is absent tonight request a motion for reconsideration.

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 and staff attended the Sarpy County Chamber, State of the County; (2) Mayor Black and staff attended the Nation of Patriots Tour Kickoff Ceremony; (3) Mayor Black and staff attended the Papillion Half Marathon; (4) Mayor Black and Ms. Powers attended the United Cities Meeting; (5) Mayor Black attended the Papillion Arts Foundation Meeting; (6) Mayor Black attended the Sarpy County and Cities Wastewater Agency Board Meeting; (7) Mayor Black attended the presentation of Eagle Scout Connor Miller's project: Gaga Ball Pit at Overland Hills Park; (8) Mayor Black and staff attended the Ribbon Cutting for Fovero Greek & Homestyle Kitchen; (9) Mayor Black attended the Memorial Day Ceremonies at Cedardale Cemetery and the Omaha National Cemetery.

ADJOURNMENT:

Motion to adjourn by Councilmember Gaines, second by Councilmember Sunde. Upon roll call vote, Sunde, Mumgaard, Gaines, Fanslau, and Engberg all voted yes. Voting no: none. Absent: Glover, Kluch, and Stubbe. Motion passed. Meeting adjourned at 7:32 PM.

CITY OF PAPIILLION

DAVID P. BLACK, MAYOR

ATTEST:

NICOLE BROWN, CITY CLERK

(SEAL)