

# MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

## LA VISTA CITY COUNCIL MEETING April 21, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on April 21, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Bueth, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resource Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on April 8, 2015. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

### SERVICE AWARD - RANDY RUHGE, BRAD WOOD - 15 YEARS

Mayor Kindig recognized Randy Ruhge and Brad Wood for 15 years of service to the City of La Vista.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE APRIL 7, 2015 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE MARCH 12, 2015 LIBRARY ADVISORY BOARD MEETING
4. APPROVAL OF THE MINUTES OF THE MARCH 18, 2015 PARK & RECREATION ADVISORY BOARD MEETING
5. APPROVAL OF THE MINUTES OF THE MARCH 19, 2015 PLANNING COMMISSION MEETING
6. APPROVAL OF THE MINUTES OF THE APRIL 8, 2015 PARK & RECREATION ADVISORY BOARD MEETING
7. MONTHLY FINANCIAL REPORTS - JANUARY 2015
8. RESOLUTION NO. 15-049 - APPROVAL OF INDIVIDUAL BOND - TREASURER

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING OFFICIAL BOND OF CITY TREASURER.

WHEREAS, Section 16-318 of the Nebraska Revised Statutes, as amended, and Section 31.21 of the City of La Vista Municipal Code ("Code") require that the City Treasurer give a bond in favor of the City in the amount of not less than \$25,000.00 and subject to certain conditions, including the faithful performance of official duties; the premiums of which shall be paid by the City and have been included in the budget of the City adopted for fiscal year 2014-2015; and

WHEREAS, the Statutes and Code specify requirements of bonds when bonds are required; and

WHEREAS, a bond, number 71652885, issued by Western Surety Company as surety ("Bond") has been issued and has been executed by the City Treasurer as principal and by said surety and has been submitted to the City Clerk; and

WHEREAS, the Bond has been presented by the City Clerk at this meeting for approval by the Mayor and City Council; and

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WHEREAS, the submitted Bond is in joint and several form, payable to the City of La Vista, and in such amount(s) as have been fixed by Statutes or the City Council; and

WHEREAS, the Bond has been executed by the principal and the surety and the required oaths have been endorsed thereon; and

WHEREAS, the corporate surety of the Bond is legally authorized to transact business in the State of Nebraska; and

WHEREAS, the Bond obligates the principal and surety named therein for the faithful performance of the duties of the office and position held by the City Treasurer; and

WHEREAS, all applicable legal requirements with respect to said Bond have been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that, the Mayor and City Council have reviewed the penalty amounts set forth in the Bond and hereby set, fix and approve said amount as the required penalty pursuant to Neb. Rev. Stat. Section 16-318 and any other applicable law.

BE IT FURTHER RESOLVED, that, the recitals above are hereby adopted and approved and shall be and constitute findings and determinations of the Mayor and City Council for purposes of this Resolution; the penalty amounts set forth in the Bond are hereby adopted and approved; and the Mayor and City Council find and determine that the Bond for the City Treasurer submitted at this meeting satisfies all requirements of applicable law.

BE IT FURTHER RESOLVED, that said Bond, and the surety named therein, are hereby approved, and the Mayor is hereby authorized to endorse approval of the City Council and surety in writing on the Bond or by attachment incorporating or incorporated into said Bond by reference, which shall be and constitute endorsement of approval upon said Bond.

BE IT FURTHER RESOLVED that the City shall pay the premiums for said Bond (except for any premium that is voluntarily paid by any other person), including all renewal premiums necessary, if any, to continue said bond in effect during the term of office of the Treasurer.

BE IT FURTHER RESOLVED, that the Mayor and/or City Clerk are authorized to take any other action that is necessary or appropriate to carry out the actions approved herein.

## **9. RESOLUTION NO. 15-050 – SPECIAL DESIGNATED LIQUOR LICENSE – SWIZZLE STIX LOUNGE, INC. – BEER GARDEN – LA VISTA DAZE**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A CAR SHOW IN THE PARKING LOT OF SWIZZLE STIX LOUNGE INC. 7101 S 84<sup>TH</sup> STREET ON MAY 22, 2015, IN CONJUNCTION WITH THE ANNUAL SALUTE TO SUMMER CELEBRATION.

WHEREAS, Swizzle Stix Lounge Inc., 7101 S 84<sup>th</sup> Street is located within the City of La Vista; and

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WHEREAS, Swizzle Stix Lounge Inc. has requested approval of a Special Designated Permit to sell and serve beer at a car show in the parking lot on May 22, 2015, in conjunction with the annual Salute to Summer celebration.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer in the parking lot of Swizzle Stix Lounge Inc., 7101 S 84<sup>th</sup> Street on May 22, 2015, in conjunction with the annual Salute to Summer celebration.

## 10. APPROVAL OF CLAIMS

ABE'S PORTABLES INC, supplies	\$57.54
ACTION BATTERIES, supplies	\$455.18
ACTION SIGNS INC., maint.	\$179.50
AED ZONE, services	\$477.00
AKSARBEN HEATING/ARS, bld&grnds	\$512.95
ALAMAR UNIFORMS, apparel	\$180.26
ALL MAKES OFFICE EQUIPMENT, bld&grnds	\$600.00
AMERICAN LEGAL PUBLISHING, services	\$116.00
ANDREA STICKNEY, refund	\$95.00
ASSURANT EMPLOYEE BENEFITS, services	\$1,493.40
BAKER & TAYLOR, books	\$16.39
BARCAL, R., travel	\$56.58
BIBLIONIX LLC, services	\$3,850.00
BISHOP BUSINESS EQUIPMENT, services	\$852.30
BLACK HILLS ENERGY, utilities	\$1,688.81
BLICK ART MATERIALS, supplies	\$67.92
BOBCAT OF OMAHA, maint.	\$482.88
BOMA/OMAHA, services	\$22.00
BUETHE, P., travel	\$531.88
BUILDERS SUPPLY CO., services	\$1,086.67
CARDMEMBER SERVICE-ELAN, services	\$14,649.91
CARNAHAN EVANS CANTWELL & BROWN, services	\$2,451.64
CDW GOVERNMENT INC., services	\$6,680.62
CENTURY LINK BUSN SVCS, phones	\$71.38
CENTURY LINK, phones	\$575.31
CHILD'S WORLD INC., books	\$151.60
CHRIS MADDEN, services	\$5,293.40
CITY OF OMAHA, services	\$739.91
CITY OF OMAHA-WALL/STAGE RENT, services	\$1,855.00
CITY OF PAPILLION PARKS/RECR, services	\$30.00
CNA SURETY, services	\$20.00
COCA-COLA BOTTLING CO., supplies	\$194.62
COMFORT INN-KEARNEY, travel	\$539.70
COMP CHOICE INC, services	\$150.00
CORNHUSKER STATE INDUSTRIES, services	\$83.31
COX COMMUNICATIONS, services	\$221.20
D & D COMMUNICATIONS, services	\$503.00
DASH MEDICAL GLOVES, supplies	\$65.90
DELL MARKETING, supplies	\$1,387.37
DXP ENTERPRISES, maint.	\$262.32
EDGEWEAR SCREEN PRINTING, apparel	\$2,532.25
EXCHANGE BANK, services	\$1,035.79
FELD FIRE, maint.	\$807.94
FELSBURG HOLT & ULLEVIG, services	\$3,833.23
FERRELLGAS, utilities	\$189.94
FILTER CARE, miant.	\$44.80
FITZGERALD SCHORR BARMETTLER, services	\$23,003.06

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FUTUREWARE DISTRIBUTING INC, supplies	\$168.00
GALLS, apparel	\$81.35
GCR TIRES & SERVICE, maint.	\$202.40
GENERAL SERVICE BUREAU, services	\$116.00
GOVERNMENT FINANCE OFFICER'S, services	\$190.00
GRAYBAR ELECTRIC, services	\$1,341.17
GREENKEEPER COMPANY, supplies	\$576.00
GUNN, B., travel	\$81.02
HAMPTON INN-KEARNEY, travel	\$149.00
HARTS AUTO SUPPLY, maint.	\$588.00
HOTSY EQUIPMENT CO., services	\$118.94
HSMC ORIZON LLC, services	\$725.00
INGRAM LIBRARY SERVICES, books	\$1,085.63
J Q OFFICE EQUIPMENT, services	\$54.26
KRIHA FLUID POWER CO., maint.	\$304.30
LEAGUE OF NE MUNICIPALITIES, services	\$1,990.00
LERNER PUBLISHING, books	\$12.74
LIBRARY IDEAS LLC, media	\$8.50
LOGAN CONTRACTORS, maint.	\$807.68
LOU'S SPORTING GOODS, supplies	\$296.50
LOWE'S, services	\$195.60
LUEDERS LOCK & KEY INC, bld&grnds	\$93.00
MATHESON TRI-GAS INC, bld&grnds	\$129.15
MENARDS-RALSTON, bld&grnds	\$194.08
METROPOLITAN UTILITIES DIST., utilities	\$632.65
MID AMERICA PAY PHONES, services	\$50.00
MIDWEST EXCAVATING, services	\$7,252.78
MIDWEST TURF & IRRIGATION, servoces	\$31.20
MILLER PRESS, services	\$660.00
MOORE, DEETTE, refund	\$120.00
NATIONAL ENTERTAINMENT, services	\$840.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$421.57
NE BUSINESS ELECTRONICS, services	\$243.00
NEBRASKA ENVIRONMENTAL PRODS., maint.	\$267.85
NEBRASKA SOFTBALL ASSN DIST#10, services	\$1,490.00
NEBRASKA TURF PRODUCTS, supplies	\$747.50
NEW CENTURY PHYSICIANS, services	\$369.00
NIKE USA INC., supplies	\$776.50
NUTS AND BOLTS INC., maint.	\$63.86
OFFICE DEPOT, supplies	\$1,190.22
OMAHA PUBLIC POWER DISTRICT, utilities	\$50,221.14
ONE CALL CONCEPTS INC, services	\$270.10
ORIENTAL TRADING CO., supplies	\$205.26
PAPILLION SANITATION, services	\$968.86
PARAMOUNT LINEN & UNIFORM, apparel	\$330.16
PERFORMANCE CHRYSLER JEEP, maint.	\$102.78
PERFORMANCE FORD, maint.	\$29.53
PLAINS EQUIPMENT, maint.	\$865.40
PREMIER-MIDWEST BEVERAGE, supplies	\$692.30
PRO-PAPILLION RECREATION ORG., services	\$1,355.00
QUALITY BRANDS OF OMAHA, supplies	\$813.20
RDG PLANNING & DESIGN, services	\$750.00
READY MIXED CONCRETE, maint.	\$2,937.98
REGAL AWARDS, services	\$168.00
REPCO MARKETING INC, supplies	\$25.75
RIVER CITY RECYCLING, maint.	\$340.00
SAM'S CLUB, supplies	\$676.22
SARGUS, H., travel	\$268.12
SINNETT, J., travel	\$8.63
SIRCHIE FINGER PRINT LABS, services	\$154.92

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SPARTAN MEDIA, services	\$700.00
SPRINT, phones	\$832.78
TED'S MOWER SALES, maint.	\$66.55
THERMO KING CHRISTENSEN, maint.	\$239.80
THOMPSON DREESSEN & DORNER, services	\$6,084.39
TITAN MACHINERY, maint.	\$471.84
TORNADO WASH LLC, maint.	\$570.00
UNITE PRIVATE NETWORKS LLC, services	\$8,667.00
UNITED DISTRIBUTORS INC, bld&grnds	\$71.20
UNITED PARCEL, services	\$123.90
VAL VERDE ANIMAL HOSPITAL INC, services	\$75.85
VAN RU CREDIT CORP., services	\$40.58
VIERREGGER ELECTRIC CO., maint.	\$2,480.37
WHITE CAP CONSTR SUPPLY, apparel	\$82.98

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Sheehan reviewed the claims for this period and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Director of Public Works Soucie gave an update on the Thompson Creek projects. Soucie stated that the cleanup days for La Vista are April 24 and 25 and there will be no paper shredding this year.

Director of Administrative Services Pokorny gave an update on the council chambers upgrade.

Library Director Barcal informed Council that 90 people signed up for the Winter Reading Program.

## **B. ZONING TEXT AMENDMENTS – ANIMAL SPECIALTY SERVICES & KENNELS**

### **1. PUBLIC HEARING**

At 7:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendments – Animal Specialty Services & Kennels..

At 7:10 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCE**

Councilmember Sell introduced Ordinance No. 1242 entitled; AN ORDINANCE TO AMEND SECTION 5.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved to strike kennels from C-1 and move to CUP seconded by Councilmember Crawford. Discussion was held regarding changes to the ordinance and it was determined that the suggested changes need to go through the Planning Commission. Councilmember Sheehan and Councilmember Crawford withdrew their motion and second. Councilmember Sheehan moved to table item B 2 until changes could be recommended by the Planning Commission. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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## **C. ZONING TEXT AMENDMENTS – INDUSTRIAL CONDOMINIUMS**

### **1. PUBLIC HEARING**

At 7:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendments – Industrial Condominiums..

At 7:18 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCES**

Councilmember Hale introduced Ordinance No. 1245 entitled; AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1245 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

Councilmember Sell introduced Ordinance No. 1246 entitled; AN ORDINANCE TO AMEND SECTION 5.13 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.13 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Thomas moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1246 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

Councilmember Sheehan introduced Ordinance No. 1247 entitled; AN ORDINANCE TO AMEND SECTION 5.14 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.14 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1247 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **D. CONDITIONAL USE PERMIT – SELF-SERVICE STORAGE FACILITY LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2 (S OF GILES ON 126<sup>TH</sup> ST)**

### **1. PUBLIC HEARING**

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit – Self-Service Storage Facility Lot 1, Sarpy County Industrial Park Replat 2 (S of Giles on 126<sup>th</sup> St).

At 7:33 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTIONS**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-051; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR SGTS, LLC, TO ALLOW FOR A SELF-SERVICE STORAGE FACILITY ON LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3.

WHEREAS, SGTS, LLC has applied for a conditional use permit for to allow for a self-service storage facility on Lot 2, Sarpy County Industrial Park Replat 3, located ½ mile south of Giles Road on the east side of 126<sup>th</sup> Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for SGTS, LLC to allow for a self-service storage facility on Lot 2, Sarpy County Industrial Park Replat 3.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sell introduced and moved for the adoption of Resolution No.15-052; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, TO BE REPLATTED AS LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3, A SUBDIVISION LOCATED IN THE NORTHEAST

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QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lot 1, Sarpy County Industrial Park Replat 2, to be replatted as Lot 2, Sarpy County Industrial Park Replat 3; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on March 19, 2015, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lot 1, Sarpy County Industrial Park Replat 2, to be replatted as Lot 2, Sarpy County Industrial Park Replat 3, a subdivision located in the Northeast  $\frac{1}{4}$  of Section 19, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located  $\frac{1}{2}$  mile of Giles Road on the east side of 126<sup>th</sup> Street be, and hereby is, approved.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sell introduced and moved for the adoption of Resolution No.15-053; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3 SUBDIVISION.

WHEREAS, the City Council did on April 21, 2015, approve the replat for Lot 2, Sarpy County Industrial Park Replat 3 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, SGTS, Inc., has agreed to execute a Subdivision Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the April 21, 2015, City Council meeting for the Sarpy County Industrial Park Replat 3 Subdivision be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute same on behalf of the City, subject to the conditions of Council replat approval and with such modifications that the City Administrator or City Engineer may determine necessary or advisable.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **E. FIREWORKS PERMITS**

### **1. RESOLUTION – ESTABLISH NUMBER OF PERMITS**

Councilmember Crawford introduced and moved for the adoption of Resolution No.15-054; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2015.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."



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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2015 shall not exceed eight.

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. RESOLUTION – ISSUANCE OF PERMITS**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.15-055; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF MONARCH YOUTH WRESTLING, LA VISTA YOUTH FOOTBALL AND CHEER, LA VISTA COMMUNITY FOUNDATION, LA VISTA YOUTH, LA VISTA LANCER SOCCER CLUB, LA VISTA YOUTH BASEBALL ASSOCIATION, CORNERSTONE CHURCH, AND BEAUTIFUL SAVIOR LUTHERAN CHURCH.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, eight (8) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2015 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

Monarch Youth Wrestling, La Vista Youth Football and Cheer, La Vista Community Foundation, La Vista Youth, La Vista Lancer Soccer Club, La Vista Youth Baseball Association, Cornerstone Church, and Beautiful Savior Lutheran Church to sell fireworks within the City of La Vista for the 2015 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit and a representative for their fireworks supplies at a meeting with City staff (date and time to be established).

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

April 21, 2015

No. 729 — REDFELD & COMPANY, INC. OMAHA E1107788LD

## **F. RESOLUTION – HOMETOWN HEROES BANNER PROGRAM**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.15-056; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled "Hometown Heroes Banner Program" has been established to conjunction with the implementation of this program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement entitled "Hometown Heroes Banner Program" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **G. RESOLUTION – INTERLOCAL AGREEMENT – CITY PARK FIELD USAGE**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-057; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY SCHOOL DISTRICT 0027 (COMMONLY KNOWN AS THE PAPILLION LA VISTA SCHOOL DISTRICT) AND THE CITY OF LA VISTA FOR FIELD USAGE AT CITY PARK.

WHEREAS, the School District has a need for athletic fields for the girls high school softball program; and

WHEREAS, the City has fields available at City Park that would satisfy the School District's needs without interfering with City programs; and

WHEREAS, the School District would make significant permanent improvements to fields at City Park at no cost to the City; and

WHEREAS, these types of cooperative efforts between public entities are an efficient use of taxpayer resources; and

WHEREAS, an interlocal agreement between the City of La Vista and Sarpy County School District 0027 for a period of ten years has been proposed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed interlocal agreement between Sarpy County School District 0027 and the City of La Vista for field usage at City park is hereby approved, and that the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

April 21, 2015

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

## **H. RESOLUTION – THOMPSON CREEK, PHASE VI, PART 2 WATERSHED RESTORATION NET GRANT CONTRACT**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-058; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE 2013 GRANT CONTRACT WITH NEBRASKA ENVIRONMENTAL TRUST (NET) FOR FUNDING FROM THEIR ENVIRONMENTAL TRUST FUND FOR ACTIVITIES ASSOCIATED WITH THOMPSON CREEK WATERSHED MANAGEMENT.

WHEREAS, the City Council of the City of La Vista has determined that said Thompson Creek improvements are necessary; and

WHEREAS, the FY 2014/2015 Capital Improvement Program (CIP) has funding budgeted for this project; and

WHEREAS, the grant application was required in order to seek funding from the PNMRD; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an amendment to the 2013 Grant Contract with Nebraska Environmental Trust (NET) for funding from heir environmental trust fund for activities associated with Thompson Creek Watershed Management, in form and content approved by the City Attorney.

Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **I. RESOLUTION – AWARD OF CONTRACT – CONCESSION STAND OPERATIONS**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-059; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A THREE-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SPORTS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. will expire in April of 2015; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for three years; and

WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a three-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Sports Softball Complex , Soccer Complex, City Park and Community Center.

# MINUTE RECORD

April 21, 2015

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

Seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **J. DISCUSSION – BLUE STAR MEMORIAL**

Assistant City Administrator Ramirez gave a synopsis of the purpose for the memorial. This memorial will stand until the large memorial can be done when the park improvement plan comes to fruition. The memorial will be unveiled during the Salute To Summer Festival in May.

## **COMMENTS FROM THE FLOOR**

Comments were heard from the public regarding city wide code enforcement.

## **K. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS**

Mayor Kindig stated that there would not be an executive session.

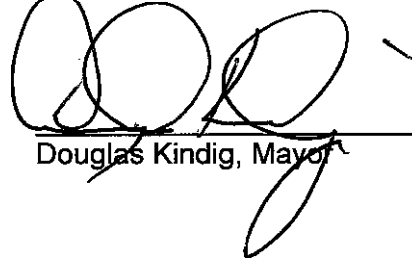
## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sheehan commented on a possible watering system for the raised community gardens.

At 8:09 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

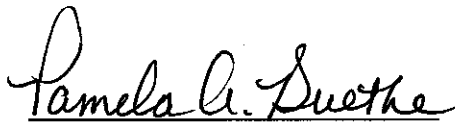
PASSED AND APPROVED THIS 5TH DAY OF MAY, 2015

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk