

# MINUTE RECORD

No. 729 — REDIELD & COMPANY, INC. OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING September 5, 2017

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 September 5, 2017. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Deputy Director of Public Works Calentine, City Engineer Kottmann, City Planner Solberg, Finance Director Miserez, Library Director Barcal and Assistant Recreation Director Karlson.

A notice of the meeting was given in advance thereof by publication in the Times on August 23, 2017. 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.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 15, 2017 CITY COUNCIL  
MEETING
3. REQUEST FOR PAYMENT – THOMPSON DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$111.45
4. REQUEST FOR PAYMENT THOMPSON DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – BIG PAPIO CREEK SIPHON REPAIR - \$582.65
5. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL  
SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS AND  
OTHER WORKS - \$17,694.76
6. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA  
VISTA CITY CENTRE PARKING FACILITIES - \$117,456.00
7. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL  
SERVICES – LA VISTA 96<sup>TH</sup> & BRENTWOOD TRAFFIC SIGNAL - \$10,798.23
8. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL  
SERVICES – LA VISTA NEBRASKA MULTISPORT COMPLEX - \$2,824.19
9. RESOLUTION – CHANGE ORDER NO. 1 – PHASE 1 GRADING – GOLF  
COURSE TRANSFORMATION

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH BLADE MASTERS GROUNDS MNTC, INC., BENNINGTON, NEBRASKA, TO PROVIDE FOR ADDITIONS AND DELETIONS OF WORK TO THE CONTRACT DECREASING THE CONTRACT AMOUNT BY \$26,537.18.

WHEREAS, the City has determined it is necessary to make changes to provide for additions and deletions or work as per terms of the contract; and

WHEREAS, the FY17/18 Biennial Budget Capital Improvement Program provides funding for the project. The change order is a decrease from \$1,121,368.50 to 1,094,831.32 for a decreased amount of \$26,537.18.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order to the contract with Blade Masters Grounds Mntc, Inc., Bennington, Nebraska, to provide for additions and deletions of work to the contract decreasing the contract amount by \$26,537.18.

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## 10. RESOLUTION – APPROVE PURCHASE – ICE CONTROL SALT

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$58,125.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for this purchase; and

WHEREAS, the ice control salt is used by Public Works for winter operations; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$58,125.00.

## 11. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	\$7.50
AA WHEEL & TRUCK SUPPLY INC, maint.	\$9.50
ACCO UNLIMITED CORP, services	\$94.50
ACTION BATTERIES, services	\$975.52
AKSARBEN GARAGE DOOR, bld&grnds	\$170.00
ALLIANCE FOR INNOVATION, services	\$225.00
AMERICAN PLANNING ASSOC, services	\$31.00
ANDERSON ELECTRIC, services	\$40.00
ANDERSON EXCAVATING CO, SERVICES	\$27,403.94
ANN TROE, services	\$980.00
A-RELIEF, services	\$266.22
ASHLEIGH D FUSON, services	\$587.50
ASPHALT & CONCRETE MATERIALS, maint.	\$965.36
ATLAS AWNING CO INC, services	\$400.00
BARONE SECURITY SYSTEMS, services	\$105.00
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$393.59
BAXTER FORD, maint.	\$197.15
BIG RIG TRUCK ACCESSORIES INC, maint.	\$500.00
BISHOP BUSINESS EQUIPMENT, services	\$1,754.79
BLACK HILLS ENERGY, utilities	\$1,814.91
BLADE MASTERS GROUNDS MNTNC, services	\$135,001.09
BOB'S RADIATOR REPAIR, maint.	\$352.00
BOOKPAGE, books	\$528.00
BRAD J EVERET, services	\$337.50
BUETHE, PAM, travel	\$149.80
BUILDERS SUPPLY CO, bld&grnds	\$254.40
CENTER POINT PUBLISHING, books	\$318.18
CENTURY LINK, phones	\$198.60
CHRIS MADDEN, services	\$1,125.00
CITY OF OMAHA, services	\$204,618.62
CITY OF PAPILLION PARKS/RECREATION, services	\$40.00
CITY OF PAPILLION, services	\$8,572.25
CJ HODGE, refund	\$235.00
CLASS C SOLUTIONS GROUP, maint.	\$268.38
CONSOLIDATED MANAGEMENT, services	\$127.02
CORNHUSKER STATE INDUSTRIES, services	\$4,854.00
COSGRAVE CO, services	\$104.50
COX COMMUNICATIONS, services	\$2.26
CULLIGAN OF OMAHA, services	\$21.00
CUMMINS CENTRAL POWER LLC, maint.	\$707.83

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DARE CATALOG, books	\$564.94
DIAMOND VOGEL PAINTS, bld&grds	\$637.79
DULTMEIER SALES & SERVICE, maint.	\$32.38
EDGEWEAR SCREEN PRINTING, apparel	\$699.00
EMBLEM INC, apparel	\$256.00
EXCHANGE BANK, services	\$307.58
EXPRESS DISTRIBUTION LLC, supplies	\$44.24
FIRST WIRELESS INC, phones	\$100.00
FOCUS PRINTING, services	\$208.00
GALE, books	\$395.09
GATEWAY COLLISION CENTER LLC, maint.	\$154.06
GCR TIRES & SERVICE, maint.	\$525.78
GENERAL FIRE & SAFETY, services	\$213.00
GILLOON, TIMOTHY DANIEL, services	\$150.00
H & H CHEVROLET, maint.	\$278.00
HANNAYA HEALING, services	\$220.00
HARBOR FREIGHT TOOLS, maint.	\$39.99
HARM'S CONCRETE INC, maint.	\$120.00
HEIMES CORP, maint.	\$274.80
HERITAGE CRYSTAL CLEAN LLC, services	\$437.25
HOCKENBERGS, supplies	\$75.72
HUMANITIES NE, services	\$100.00
HY-VEE INC, services	\$78.04
INDUSTRIAL SALES CO, services	\$447.93
INGRAM LIBRARY SERVICES, books	\$2,258.55
INTERNATIONAL CODE COUNCIL, services	\$135.00
JONES AUTOMOTIVE INC, services	\$1,163.45
KRIHA FLUID POWER CO, maint.	\$138.35
KRUEGER, JOSEPH, services	\$600.00
LEAGUE OF NE MUNICIPALITIES, services	\$43,736.00
LIGHT AND SIREN, services	\$350.00
LOGAN CONTRACTORS SUPPLY, maint.	\$962.25
LOU'S SPORTING GOODS, supplies	\$630.00
LOVELAND GRASS PAD, maint.	\$392.42
LUKASIEWICZ, BRIAN, supplies	\$230.00
MANPOWER, services	\$2,773.98
MARCO INC, services	\$192.32
MARK WAYNE CONSULTING, services	\$1,170.00
MAX I WALKER UNIFORM RENTAL, services	\$1,210.24
MENARDS-RALSTON, bld&grnds	\$355.52
MID CON SYSTEMS INC, supplies	\$630.10
MIDLANDS LIGHTING & ELECTRIC, services	\$395.62
MIDWEST TAPE, media	\$351.06
MIDWEST TURF & IRRIGATION, maint.	\$17.19
MOFFITT, CHASE, services	\$250.00
MONARCH OIL INC, maint.	\$395.50
MUD, utilities	\$14,568.78
NMC EXCHANGE LLC, services	\$51,613.20
NOELLE LAMOREUX, services	\$320.00
NUTS AND BOLTS INC, maint.	\$0.48
OCLC INC, services	\$149.77
ODEY'S INC, services	\$2,734.74
OFFICE DEPOT INC, supplies	\$637.40
OMAHA WORLD-HERALD, services	\$1,805.60
OMNIGRAPHICS INC, books	\$223.40
ONE CALL CONCEPTS INC, services	\$298.59
O'REILLY AUTOMOTIVE STORES, maint.	\$313.20
ORIENTAL TRADING CO, supplies	\$295.60
PAPILLION LA VISTA SCHOOL FNDTN, services	\$525.00
PAPILLION TIRE INC, maint.	\$87.67

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PAYLESS OFFICE PRODUCTS INC, supplies	\$279.74
PEPSI COLA CO, supplies	\$249.70
PHAM, RACHEL THUY LINH, services	\$160.00
PITNEY BOWES, services	\$991.00
PLAINS EQUIPMENT GROUP, maint.	\$365.24
POWER DMS INC, services	\$5,017.50
QUALITY AUTO REPAIR & TOWING, services	\$160.00
RALSTON AREA BASEBALL ASSN, services	\$2,210.00
READY MIXED CONCRETE CO, maint.	\$3,517.24
RECORDED BOOKS, LLC, media	\$750.00
REDFIELD & CO, supplies	\$471.67
RETRIEVEX, services	\$151.49
ROBERT FINOCHIARO, refund	\$115.00
ROBERT S LAUSTEN JR, services	\$320.00
ROWMAN & LITTLEFIELD PUBLISHING CO, books	\$46.22
RYAN KIECKHAFER, refund	\$580.00
SALEM PRESS, books	\$1,152.00
SAPP BROS PETROLEUM INC, services	\$382.57
SCHAEFFER MANUFACTURING CO, maint.	\$612.67
SCHEMMER ASSOCIATES INC, services	\$4,942.78
SHAMROCK CONCRETE CO, maint.	\$1,215.89
SHEPPARD'S BUSINESS INTERIORS, services	\$4,461.14
SIRCHIE FINGER PRINT LABS, services	\$319.01
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$574.77
STEVENS REAL ESTATE, services	\$2,500.00
STOLTENBERG NURSERIES, services	\$176.00
SUCCESS ENTERPRISES, services	\$1,500.00
SUPERIOR SPA & POOL, supplies	\$8.99
SWAN ENGINEERING LLC, maint.	\$9.76
TED'S MOWER SALES, services	\$1,419.98
THERMO KING CHRISTENSEN, maint.	\$217.56
THREE RIVERS LIBRARY SYSTEM, services	\$10.00
TROUT, DONNA L, services	\$250.00
VERIZON WIRELESS, phones	\$128.84
VIERREGGER ELECTRIC CO, services	\$13,880.00
WAL-MART, supplies	\$1,519.72
WICK'S STERLING TRUCKS INC, maint.	\$46.84

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe asked the Council to consider rescheduling the November 7<sup>th</sup> meeting due to a scheduling conflict. Council will consider and respond at the September 19<sup>th</sup> meeting.

Police Chief Lausten advised Council that officers will now carry Narcon in each cruiser in the event of exposure to Phentenol which is extremely toxic. 10-12 kits will cost \$600-700 per year.

Deputy Director of Public Works Calentine reported Public Works has met with FEMA regarding the storm on June 16, 2017.

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## **B. AMEND FISCAL YEARS 17 AND 18 MUNICIPAL BUDGET ADOPTED 9/6/2016 FOR CHANGES TO FISCAL YEAR 18**

### **1. APPROPRIATIONS ORDINANCE – FINAL READING**

City Clerk Buethe read Ordinance No. 1312 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1289 AND THE BIENNIAL BUDGET APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2017 AND ENDING ON SEPTEMBER 30, 2018, AND SPECIFICALLY TO AMEND AMOUNTS APPROPRIATED FOR THE SECOND YEAR OF SUCH BIENNIAL BUDGET FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES OR RESOLUTIONS AS ORIGINALLY ENACTED; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1312. Councilmember Hale seconded the motion to approve final reading with the amendment and adopt Ordinance 1312. The Mayor then stated the question, "Shall Ordinance No. 1312 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas Crawford, Quick, 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.

### **2. MASTER FEE ORDINANCE – FINAL READING**

City Clerk Buethe read Ordinance No. 1313 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1311, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Thomas made a motion to approve final reading and adopt Ordinance 1313. Councilmember Hale seconded the motion to approve final reading and adopt Ordinance 1313. The Mayor then stated the question, "Shall Ordinance No. 1313 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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.

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## **3. SETTING THE PROPERTY TAX LEVY**

### **a. PUBLIC HEARING**

At 7:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on setting the property tax levy.

At 7:09 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **b. RESOLUTION**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.17-102 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUESTS FOR FISCAL YEAR 18.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for fiscal year 18 be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:

The FY18 property tax requests be set at \$8,232,522.00 which would require a mill levy of \$0.55.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and City council of the City of La Vista Nebraska that the property tax to be distributed as follows:

General Fund - \$6,136,971.00 (\$0.41 mill levy)

Bond Fund - \$2,095,551.00 (\$0.14 mill levy)

A copy of this resolution be certified and forwarded to the County Clerk prior to October 12, 2017.

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

## **C. ORDINANCE – AMEND THE COMPENSATION ORDINANCE**

Councilmember Sheehan introduced Ordinance No. 1315 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

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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. 1315 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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. RESOLUTION – AMENDMENT TO COMMERCIAL SUBDIVISION AGREEMENT – WOODHOUSE PLACE**

Councilmember Sell introduced and moved for the adoption of Resolution No.17-103 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE COMMERCIAL SUBDIVISION AGREEMENT FOR WOODHOUSE PLACE IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City Council did on April 4, 2017, approve the Commercial Subdivision Agreement for Woodhouse Place; and

WHEREAS, the City has proposed an amendment to Section 15 of the agreement relating to the ownership and maintenance of public storm and sanitary sewers in the subdivision; and

NOW THEREFORE, BE IT RESOLVED, that an Amendment to the Commercial Subdivision Agreement presented at the September 5, 2017, City Council meeting for Woodhouse Place 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 any additions, subtractions, or revisions thereto that the City Administrator and City Attorney may determine necessary or appropriate.

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

## **E. RESOLUTION – AUTHORIZE PURCHASE – PLAYGROUND SURFACING FOR VAL VERDE PARK**

Councilmember Sell introduced and moved for the adoption of Resolution No.17-104 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF RUBBER TILE PLAYGROUND SURFACING FOR VAL VERDE PARK FROM CROUCH RECREATION, OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$35,147.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of rubber tile playground surfacing for Val Verde Park is necessary, and

WHEREAS, the FY17 Lottery Fund Budget provides funding for the proposed purchase, and

WHEREAS, Crouch Recreation is the only vendor that allows the City to purchase the tiles, do the certification training and install the tile surfacing in-house; and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of rubber tile playground surfacing for Val Verde Park from Crouch Recreation, Omaha Nebraska in an amount not to exceed \$35,147.

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Seconded by Councilmember Thomas. Councilmember Sell asked about the expected lifespan. Deputy Director of Public Works Calentine said he will verify with the vendor and follow-up with Council. Councilmember Sheehan asked if this was the total cost. Deputy Public Works Director Calentine stated that it is as Public Works will install the product, the training to do so is included in the cost of purchase. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **F. RESOLUTION - APPROVE AGREEMENT - NDOT – STATE HWY N-85 RESURFACING (84<sup>TH</sup> STREET)**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-105 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) THAT PROVIDES FOR PAVEMENT REPAIRS AND RESURFACING OF STATE HIGHWAY N-85 (84<sup>TH</sup> STREET).

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined pavement repairs and resurfacing of State Highway N-85 (84<sup>th</sup> Street) is necessary; and

WHEREAS, on August 2, 2017 the City Council on behalf of the City of La Vista approved a professional services agreement with Olsson Associates to provide the design services needed for this project; and

WHEREAS, The FY17/18 Biennial Budget Capital Improvement Program provides funding for this project; and

WHEREAS, The NDOT agrees to pay for all construction costs of the improvements for the four (4) through lanes on N-85; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the execution of an agreement with Nebraska Department of Transportation (NDOT) that provides for pavement repairs and resurfacing of State Highway N-85 (84<sup>th</sup> Street).

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

## **G. RESOLUTION – AWARD CONTRACT – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT - PHASE 1B PAVEMENT & SEWERS**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-106 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO KSI CONSTRUCTION, INC. OF OMAHA NEBRASKA FOR CONSTRUCTION OF PHASE 1B PAVEMENT & SEWERS FOR THE PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA, IN AN AMOUNT NOT TO EXCEED \$314,544.02.

WHEREAS, the Mayor and Council have determined that pavement and sewer construction in the 84<sup>th</sup> street redevelopment area is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding in the Capital Improvement Program for the proposed project; and

WHEREAS, Bids were accepted on July 26, 2017 at which time one (1) bid was received which was over the Engineer's estimate bids were rejected on August 15, 2017, and

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WHEREAS, KSI Construction, INC. was contacted and provided a bid at a significantly lower cost, and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to KSI Construction Inc., Omaha, Nebraska for construction of Phase 1B pavement and sewers for the public improvement redevelopment project in the 84<sup>th</sup> Street redevelopment area, in an amount not to exceed \$314,544.02.

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

## **H. RESOLUTION – AMEND CONTRACT – EASTERN NEBRASKA OFFICE ON AGING**

Councilmember Quick introduced and moved for the adoption of Resolution No.17-107 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE EASTERN NEBRASKA OFFICE ON AGING FOR PROVISION OF A NUTRITION PROGRAM.

WHEREAS, the City of La Vista's Community Center has annually served as a hot meal site for senior citizens in conjunction with the Nutrition program of the Eastern Nebraska Office on Aging (ENOA); and

WHEREAS, the Mayor and City Council believe it is desirable to continue to participate in this important program; and

WHEREAS, a contract is currently in place with the Eastern Nebraska Office on Aging to provide a nutrition program through June of 2018; and

WHEREAS, the Eastern Nebraska Office on Aging has proposed an amendment to said contract to expand the program from three days per week to five days per week.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City of La Vista be, and hereby are, authorized to execute an amendment to the agreement with the Eastern Nebraska Office on Aging to expand the nutrition program from three days per week to five days per week.

Seconded by Councilmember Sell. Councilmember Quick asked who will be supplying the food. Assistant Director of Recreation Carlson stated Treat America through ENOA will be handling this. Councilmember Quick asked if the payments would be spread throughout the year. Assistant Director of Recreation Carlson stated yes, in equal payments. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale and Sell. Nays: None. Abstain: Crawford. Absent: None. Motion carried.

## **I. RESOLUTION - AMEND MUNICIPAL RETIREMENT PLAN – CITY ADMINISTRATOR**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-108 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND THE CITY OF LA VISTA CITY ADMINISTRATORS' DEFINED CONTRIBUTION PENSION PLAN AND TRUST, AND TO AUTHORIZE FURTHER ACTIONS.

BE IT RESOLVED:

SECTION 1. Pursuant to Nebraska Statutes, Section 19-3501, the Mayor and Council of the City of La Vista maintain the City of La Vista City Administrators' Defined Contribution Pension Plan and Trust, embodied in plan documents including an adoption agreement and basic plan document constituting an integral part thereof, as well as various prior amendments ("Plan").

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SECTION 2. The City desires to amend the Plan, including the adoption agreement and basic plan document, as provided in the Plan Amendment presented at this meeting ("Plan Amendment").

SECTION 3. The City does hereby approve and adopt said Plan Amendment, effective as of the date(s) specified therein. Except for the changes made in the Plan Amendment, the Plan shall remain in effect as previously adopted.

SECTION 4. That the Mayor or his designee is authorized to execute said Plan Amendment on behalf of the City, and the City Administrator or her designee is authorized and directed to provide the same to the Trustee (for its written acceptance, if determined necessary or appropriate), and if directed in this resolution or the City Administrator or her designee otherwise determines necessary or advisable, to cause said Plan Amendment to be submitted, together with such supporting documents and data as may be necessary or advisable and applicable application fee, to the Internal Revenue Service for ruling as to whether the same complies with the pertinent provisions of the Internal Revenue Code of the United States and, in particular, Sections 401(a) and 501(a) thereof, with authority to make any changes in or to the designations, elections or provisions under or of said Plan Amendment or any other plan documents and take such further actions as the City Administrator or her designee determines necessary or appropriate to obtain a favorable ruling or as otherwise required for the qualified status of the Plan. The Mayor or his designee further is authorized to take all actions on behalf of the City as the Mayor or his designee determines necessary or appropriate to implement or carry out the Plan Amendment or Resolution, including without limitation entering and executing any contracts or contract amendments or other agreements, amendments, documents, or instruments to implement, carry out, or conform with the Plan Amendment or this Resolution.

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

## **J. STRATEGIC PLANNING – REPORT & RECOMMENDATIONS**

City Administrator Gunn presented the Strategic Plan and asked for input on things Mayor and Council liked or disliked. Discussion was held on the area of rebranding.

Councilmember Crawford made a motion to move Comments from the Floor ahead of Item K. Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

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

At 7:30 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:39 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **COMMENTS FROM MAYOR AND COUNCIL**

There were no comments from Mayor and Council.

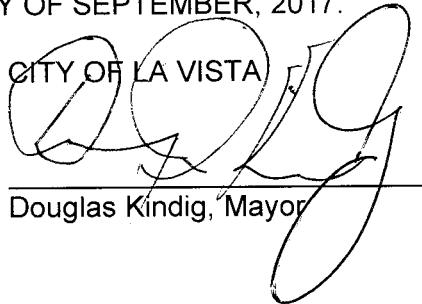
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At 7:40 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF SEPTEMBER, 2017.

  
CITY OF LA VISTA  
Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk