

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING October 3, 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 October 3, 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 Public Works Soucie, City Engineer Kottmann, Director of Administrative Services Pokorny, Community Development Director Birch, Finance Director Miserez, Recreation Director Stopak and Library Director Barcal.

A notice of the meeting was given in advance thereof by publication in the Times on September 20, 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.

### APPOINTMENT – GREG STACHON – BOARD OF ADJUSTMENT – FILL VACANCY

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Greg Stachon to the Board of Adjustment to fill the vacancy.

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

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 19, 2017 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PARKING FACILITY - \$64,438.88
4. REQUEST FOR PAYMENT – YANO'S NURSERY – THOMPSON CREEK MAINTENANCE - \$5,000.00
5. REQUEST FOR PAYMENT – LAMP RYNEARSON & ASSOCIATES – PROFESSIONAL SERVICES – NEBRASKA MULTISPORTS COMPLEX - \$9,981.54
6. REQUEST FOR PAYMENT - OLSSON ASSOCIATES – PROFESSIONAL SERVICES – 96<sup>TH</sup> & BRENTWOOD TRAFFIC SIGNAL - \$1,880.36
7. REQUEST FOR PAYMENT – OMAHA PUBLIC POWER DISTRICT – RELOCATION SERVICES – LA VISTA CITY CENTER - \$168,767.04
8. REQUEST FOR PAYMENT – UPSTREAM WEEDS – PROFESSIONAL SERVICES – STORMWATER OUTREACH - \$825.00
9. REQUEST FOR PAYMENT - UPSTREAM WEEDS – PROFESSIONAL SERVICES – STORMWATER OUTREACH - \$825.00
10. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – PROFESSIONAL SERVICES – HELL CREEK GRADE CONTROL STABILIZATION - \$1,000.62
11. APPROVE CHANGE IN DATE AND START TIME OF CITY COUNCIL MEETING FROM NOVEMBER 7, 2017 AT 7:00 P.M. TO NOVEMBER 8, 2017 AT 6:00 P.M.

#### 12. APPROVAL OF CLAIMS

A & C TREES. Services	710.00
AA WHEEL & TRUCK, maint.	471.89
ARCOSANTI INC, refund	30.00
A-RELIEF, services	84.00

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ASPHALT & CONCRETE MATERIALS, maint.	142.55
AWARDS PLUS, apparel	168.00
BARCAL, R., travel	122.46
BAUER BUILT TIRE, maint.	2,096.56
BAXTER FORD 144TH & I-80, maint.	418.66
BIBLIOTHECA LLC, services	4,568.75
BISHOP BUSINESS EQUIPMENT, services	1,561.28
BLACK HILLS ENERGY, utilities	1,841.68
BLADE MASTERS GROUNDS MNTNC, services	129,085.05
BUETHE, P., travel	205.47
CENTER POINT PUBLISHING, books	340.35
CENTURY LINK, phones	284.34
CENTURY LINK BUSN SVCS, phones	22.01
CHANDLER, GRACE, services	40.00
CITY OF OMAHA, services	41,450.40
CITY OF PAPILLION, services	8,852.34
CONSOLIDATED MANAGEMENT, services	520.54
COSGRAVE CO, services	810.00
COUNCIL OF STATE GOVERNMENTS, books	112.50
COX COMMUNICATIONS, services	319.56
CUMMINS CENTRAL POWER, services	1,485.81
D & B SALVAGE, services	915.75
D & K PRODUCTS, services	370.00
DEARBORN NAT'L LIFE INS CO, services	1,271.00
HALE,D., travel	65.29
DELL MARKETING L.P., services	199.98
DEMCO INC, supplies	286.76
DI GIORGIO'S SPORTSWEAR, services	280.00
DIAMOND BLADE DISTRIBUTORS, maint.	169.00
EDGEWEAR SCREEN PRINTING, apparel	1,372.00
ENVISIO SOLUTIONS INC, services	14,000.00
ERNCO INC, services	8,975.00
EXCEL PHYSICAL THERAPY, services	50.00
FBG SERVICE CORP, bld&rnds	5,965.00
FIRST NAT'L BANK FREMONT, bonds	1,400,953.00
FOSSIL INDUSTRIES INC., services	459.00
GALE, books	126.70
GCR TIRES & SERVICE, maint.	1,594.42
GRAINGER, bld&grnds	18.68
GRAYBAR ELECTRIC CO, bld&grnds	658.62
H & H CHEVROLET, maint.	305.27
HAMRICK, LYLE, refund	44.92
HEIMES CORP, services	73.04
HOME DEPOT, bld&grnds	163.92
INDUSTRIAL SALES CO, services	173.80
INGRAM LIBRARY SERVICES, books	3,037.87
INTERSTATE POWER SYSTEMS, maint.	924.93
J & J SMALL ENGINE, maint.	138.21
GOSS, J., travel	19.14
KRIHA FLUID POWER CO, maint.	128.26
LAMP RYNEARSON & ASSOC, services	18,619.06
LAUSTEN JR ROBERT S, services	140.00
LIBRARY ADVANTAGE, supplies	700.00
LIBRARY IDEAS LLC, media	6.50
LOVELAND GRASS PAD, services	47.27
MANPOWER, services	2,911.18
MAX I WALKER UNIFORM, services	559.07
MENARDS-RALSTON, bld&grnds	167.65
MUD, utilities	13,335.27
MID-AMERICAN BENEFITS INC, services	1,228.50

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MIDLANDS LIGHTING & ELECTRIC, services	456.42
MIDWEST TAPE, media	64.99
MILLER PRESS, services	460.00
NAT'L EVERYTHING WHOLESALE, supplies	27.63
NE ENVIRONMENTAL PRODS, maint.	2,900.00
NE LAW ENFORCEMENT, services	100.00
NE MOSQUITO/VECTOR ASSN, services	130.00
NEWMAN TRAFFIC SIGNS INC, services	1,645.55
NOVA FITNESS EQUIPMENT, services	13,995.90
OCLC INC, services	149.77
OFFICE DEPOT INC, supplies	505.44
O'KEEFE ELEVATOR CO, services	310.41
OLSSON ASSOC, services	64,474.45
OMAHA COMPOUND CO, supplies	124.91
OMAHA TACTICAL LLC, services	100.00
OMNIGRAPHICS INC, books	283.10
PERSONAL BEST, services	552.50
PETTY CASH, supplies	296.60
PHAM, RACHEL THUY LINH, services	150.00
PLAINS EQUIPMENT GROUP, maint.	343.17
RAINBOW GLASS & SUPPLY, maint.	73.00
READY MIXED CONCRETE CO, services	11,339.59
RETRIEVEX, services	151.49
RUFFNER, J., travel	72.00
SARPY COUNTY TREASURER, services	299,348.50
SCHOLASTIC LIBRARY PUBLISHING, books	406.90
SHAMROCK CONCRETE CO, services	1,816.18
SIGN IT, services	350.00
SOUCIE, J., travel	489.82
THOMPSON DREESSEN & DORNER, services	12,210.15
THORNBURG, J., travel	72.00
TRAF-SYS INC, services	451.00
UNITED RENT-ALL, services	171.98
VEJRODA, MADELINE P., services	40.00
VERITEXT CORP, services	952.75
VERIZON WIRELESS, phones	128.86
VIERREGGER ELECTRIC CO, services	199.97
WAL-MART, supplies	364.07
WEST OMAHA WINSUPPLY CO, services	1,068.02
WHITE CAP CONSTR SUPPLY, maint.	141.96
WICK'S STERLING TRUCKS INC, maint.	80.70
WOODHOUSE LINCLN-MAZDA, maint.	127.02

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Sell. Councilmember Ronan 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

Community Relations Coordinator Beaumont asked Council to let Executive Assistant Larson know which date would work best for Council to help at Santa's Workshop this holiday season.

Police Chief Lausten announced that the Police Department is participating in project Pink Patch during October. Coffee with a Cop will be at Dunkin' Donuts on October 12<sup>th</sup>. New police officer Lucas Tiberi started October 2<sup>nd</sup> and will be sworn in October 17. Mike Czarnik will be sworn in as a Sergeant on that date also. Scot Wagner, the new Police Academy Training Coordinator, will begin work October 16.

Director of Public Works Soucie reported on current projects going on.

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## **B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT**

### **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 EDP Report. Jeff Schovanec was present to answer any questions.

At 7:10 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.

## **C. RESOLUTION – ADVERTISEMENT FOR BIDS – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1 – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT**

Councilmember Thomas introduced and moved for the adoption of Resolution No.17-117 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1 ASSOCIATED WITH THE PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA.

WHEREAS, the Mayor and Council have determined that offstreet parking 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, the schedule for awarding this contract is as follows:

Publish Notice to Contractors	October 11 and 18, 2017
Mandatory Pre-Bid Meeting	October 20, 2017 at 10:30 am City Hall
Open Bids	October 30, 2017 at 10:00 am City Hall
Council Award Contract	November 21, 2017 (Tentative)

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista Nebraska hereby authorize the advertisement for bids for Offstreet Parking District No. 2 – Structure No. 1 associated with the public improvement redevelopment project in the 84<sup>th</sup> street redevelopment area.

Seconded by Councilmember Hale. A representative from DLR gave a short presentation on this portion of the project. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **D. RESOLUTION – AUTHORIZE PURCHASE – COMPUTER EQUIPMENT**

Councilmember Quick introduced and moved for the adoption of Resolution No.17-118 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) BARRACUDA NETWORK STORAGE SERVER FROM MNJ TECHNOLOGIES DIRECT, INC., FOR AN AMOUNT NOT TO EXCEED \$16,660.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a network storage server is necessary, and

WHEREAS, the FY17/18 Biennial Budget includes funding for the proposed purchase, and

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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 one (1) Barracuda Network Storage Server from MNJ Technologies Direct, Inc., for an amount not to exceed \$16,660.00.

Seconded by Councilmember Sell. Councilmember Thomas asked what the projected capacity would be for this server. Director of Administrative Services Pokorny stated that it should last at least 3 years. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **E. RESOLUTION – AWARD CONTRACT – ROOF REPLACEMENT**

Councilmember Thomas introduced and moved for the adoption of Resolution No.17-119 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO THE GUTTER TRUCK LLC LA VISTA, NEBRASKA FOR REPLACEMENT OF THE FORMER GOLF COURSE CLUBHOUSE BUILDING ROOF IN AN AMOUNT NOT TO EXCEED \$17,955.00.

WHEREAS, the City Council of the City of La Vista has determined that replacement of the existing roof is necessary; and

WHEREAS, the FY17/18 Biennial Budget includes funding for the proposed project; and

WHEREAS, Three quotes were received, and

WHEREAS, The Gutter Truck LLC, La Vista, Nebraska has submitted the low qualified quote, 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 The Gutter Truck LLC, La Vista, Nebraska for replacement of the former golf course clubhouse roof in an amount not to exceed \$17,955.00.

Seconded by Councilmember Sell. Councilmember Sell asked if a metal roof was appropriate. Deputy Director of Public Works Calentine stated a metal roof will be useful when decorating Santa's workshop for years to come. Mayor Kindig asked if this could be performed in-house instead. Deputy Director of Public Works Calentine stated yes, but it is time sensitive with the holiday season quickly approaching. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **F. RESOLUTION – AUTHORIZE AGREEMENT – SERVICE LINE WARRANTY PROGRAM**

Councilmember Sell introduced and moved for the adoption of Resolution No.17-120 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC DBA SERVICE LINE WARRANTIES OF AMERICA.

WHEREAS, The Mayor and City Council have determined that a service line warranty program is necessary; and

WHEREAS, Utility Service Partners Private Label dba Service Line Warranties of America provides such program; and

WHEREAS, There is no fiscal impact on the City of La Vista for this program; and

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a marketing agreement with Utility Service Partners Private Label dba Service Line Warranties of America, in form and content approved by the City Attorney and City Administrator.

Seconded by Councilmember Thomas. Discussion was held.

Councilmember Sell motioned to table this matter until the October 17, 2017 City Council Meeting. Seconded by Councilmember Thomas.

Councilmembers voting aye on the motion to table: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **G. RESOLUTION – AUTHORIZE PURCHASE – BLEACHERS AND SOCCER GOALS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 17-121 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) 4-ROW BLEACHERS AND TWO (2) SEMI-PERMANENT SOCCER GOALS FROM ALUMINUM ATHLETIC EQUIPMENT CO., ROYERSFORD, PENNSYLVANIA FOR AN AMOUNT NOT TO EXCEED \$11,555.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of bleachers and soccer goals for the Soccer Complex is necessary, and

WHEREAS, the FY18 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, the Metro Wolves Soccer Club has agreed to donate \$3,328.00 toward the purchase of the ne soccer goals, 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 two (2) 4-row bleachers and two (2) semi-permanent soccer goals from Aluminum Athletic Equipment Co., Royersford, Pennsylvania for an amount not to exceed \$11,555.00.

Seconded by Councilmember Sell. Councilmember Sheehan asked where these would be placed. Director of Public Works Soucie stated at the goals would be placed at the City soccer complex and the bleachers would be placed at City Park and the Soccer Complex. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **H. RESOLUTION – AUTHORIZE PURCHASE – BATTERY BACK-UP TRAFFIC SIGNALS**

Councilmember Hale introduced and moved for the adoption of Resolution No. 17-122 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIVE (5) ZINCFIVE BATTERY BACK-UP TRAFFIC SIGNAL SYSTEMS FROM MOBOTREX, INC., DAVENPORT, IOWA FOR AN AMOUNT NOT TO EXCEED \$35,229.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of battery back-up traffic signal systems is necessary, and

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

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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 five (5) ZincFive Battery Back-Up Traffic Signal Systems from Mobotrex, Inc., Davenport, Iowa for an amount not to exceed \$35,229.00.

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

## **I. RESOLUTION – AUTHORIZE PURCHASE – ARROW BOARDS**

Councilmember Thomas introduced and moved for the adoption of Resolution No.17-123 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) WANCO SOLAR POWERED ARROW BOARDS FROM MICHAEL TODD AND COMPANY INC., OMAHA, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$8,696.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of arrow boards is necessary, and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchase, 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 two (2) WANCO solar powered arrow boards from Michael Todd and Company Inc., Omaha, Nebraska for an amount not to exceed \$8,696.00.

Seconded by Councilmember Hale. Councilmember Sell asked what the life expectancy of these would be. Director of Public Works Soucie advised the life expectancy is 15 years for the unit and 10 years for the battery pack. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **J. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – DIXON RESOURCES UNLIMITED**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-124 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DIXON RESOURCES UNLIMITED.

WHEREAS, The Mayor and City Council have determined that professional services associated with public parking operations and planning is necessary; and

WHEREAS, Dixon Resources Unlimited will aide in public parking operations and planning on an "on-call or as-needed" basis; and

WHEREAS, hourly billing rates are identified in Exhibit A; and

WHEREAS, the FY17/18 Biennial Budget provides funding for professional services, 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.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a professional services agreement with Dixon Resources Unlimited, in form and content approved by the City Attorney and City Administrator.

Seconded by Councilmember Thomas. Councilmember Sheehan asked what the total cost would be. City Administrator Gunn stated it depends on how much service is needed. Assistant City Administrator Ramirez stated this is for the overall plan to include all parking lots.

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

**K. ACQUISITION OF DEMOLITION AND SITE PREPARATION RIGHTS – CHILI'S BAR & GRILL, LOT 8, LA VISTA CITY CENTRE – 84<sup>TH</sup> STREET REDEVELOPMENT AREA**

**1. PUBLIC HEARING**

At 7:48p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Acquisition of Demolition and site preparation rights - Chili's Bar & Grill, Lot 8, La Vista City Centre – 84<sup>th</sup> Street Redevelopment Area.

At 7:49 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**2. RESOLUTION – APPROVE AGREEMENTS FOR ACQUISITION OF DEMOLITION AND SITE PREPARATION RIGHTS**

Councilmember Sell introduced and moved for the adoption of Resolution No.17-125 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AGREEMENTS FOR ACQUISITION OF DEMOLITION RIGHTS WITH RESPECT TO LEASEHOLD IMPROVEMENTS OF THE CHILI'S GRILL AND BAR IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA.

WHEREAS, the La Vista Community Development Agency ("Agency") and City of La Vista entered an agreement ("City - Agency Agreement") for the Agency to act as lead agent and contract and otherwise provide for all actions or requirements for demolition and site preparation of the former Brentwood Crossing shopping area located in the vicinity of 84<sup>th</sup> Street and Brentwood Drive, with the City Engineer designated as the project manager and the City to fund and pay for all costs arising under the agreement from proceeds of the additional one-half of one percent local sales and use tax approved by voters in 2014 for public infrastructure projects within the 84<sup>th</sup> Street Redevelopment Area, or other available resources; and

WHEREAS, the City Council, acting as the La Vista Community Development Agency and based on advice of the City Engineer, determined that acquisition of demolition rights is necessary to carry out such demolition and site preparation ("Demolition Rights"); and

WHEREAS, proposed agreements are presented to acquire such Demolition Rights with respect to building and other improvements of the Chili's Grill and Bar located in the vicinity of 84<sup>th</sup> Street and Brentwood Drive.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, acting on behalf of the City of La Vista and pursuant to the City - Agency Agreement and the Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area, as amended by Amendment No. 1, hereby approves the agreements, as presented, subject to any additions, subtractions, or modifications as the City Administrator or City Engineer determines necessary or advisable ("Agreements"), and completion of any applicable statutory or regulatory requirements to the satisfaction of the Mayor, City Administrator, or any designee of the Mayor or City Administrator.

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BE IT FURTHER RESOLVED, that the City shall fund and pay for all costs of the Agency arising under the Agreements from proceeds of the additional one-half of one percent local sales and use tax approved by voters in 2014 for public infrastructure projects within the 84<sup>th</sup> Street Redevelopment Area, or other available resources

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, or City Engineer, or any designee of the Mayor, City Administrator, or City Engineer, shall be authorized to take all actions on behalf of the City as he or she determines necessary or appropriate to carry out the Agreements, this Resolution, or any actions approved herein, including, without limitation, executing and delivering any documents or instruments.

BE IT FURTHER RESOLVED, that recitals at the beginning of this Resolution are incorporated into this Resolution by reference.

Seconded by Councilmember Thomas. Councilmember Crawford asked what the City's cost of demolition will be. City Attorney McKeon advised \$1.1 million. Councilmember Sheehan asked if the City is kicking anyone out. City Attorney McKeon advised that all parties are in mutual agreement.

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

**L. RESOLUTION – APPROVE AGREEMENTS FOR ACQUISITION OF  
DEMOLITION AND SITE PREPARATION RIGHTS - CHILI'S BAR & GRILL,  
LOT 8, LA VISTA CITY CENTRE – 84TH STREET REDEVELOPMENT  
AREA (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA  
COMMUNITY DEVELOPMENT AGENCY)**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 17-126 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING AGREEMENTS FOR ACQUISITION OF DEMOLITION RIGHTS WITH RESPECT TO LEASEHOLD IMPROVEMENTS OF THE CHILI'S GRILL AND BAR IN THE 84<sup>th</sup> STREET REDEVELOPMENT AREA.

WHEREAS, the La Vista Community Development Agency ("Agency") and City of La Vista entered an agreement ("City - Agency Agreement") for the Agency to act as lead agent and contract and otherwise provide for all actions or requirements for demolition and site preparation of the former Brentwood Crossing shopping area located in the vicinity of 84<sup>th</sup> Street and Brentwood Drive, with the City Engineer designated as the project manager and the City to fund and pay for all costs arising under the agreement from proceeds of the additional one-half of one percent local sales and use tax approved by voters in 2014 for public infrastructure projects within the 84<sup>th</sup> Street Redevelopment Area, or other available resources; and

WHEREAS, the City Council, acting as the La Vista Community Development Agency and based on advice of the City Engineer, determines that acquisition of demolition rights is necessary to carry out such demolition and site preparation ("Demolition Rights"); and

WHEREAS, proposed agreements are presented to acquire such Demolition Rights with respect to building and other improvements of the Chili's Grill and Bar located in the vicinity of 84<sup>th</sup> Street and Brentwood Drive.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, acting as the La Vista Community Development Agency and pursuant to the City - Agency Agreement and the Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area, as amended by Amendment No. 1, hereby approves the agreements, as presented, subject to any additions, subtractions, or modifications as the City Administrator or City Engineer determines necessary or advisable ("Agreements"), and completion of any applicable statutory or regulatory requirements to

# MINUTE RECORD

October 3, 2017

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

the satisfaction of the Mayor, City Administrator, or any designee of the Mayor or City Administrator.

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, or City Engineer, or any designee of the Mayor, City Administrator, or City Engineer, shall be authorized to take all actions on behalf of the Agency as he or she determines necessary or appropriate to enter or carry out the Agreements, this Resolution, or any actions approved herein, including, without limitation, executing and delivering the Agreements or any other documents or instruments.

BE IT FURTHER RESOLVED, that recitals at the beginning of this Resolution are incorporated into this Resolution by reference.

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

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

There was no Executive Session.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

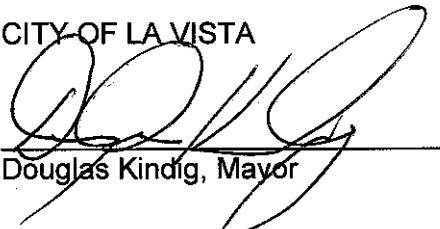
## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sheehan asked if there was any news on Gretna's proposed annexation package. City Administrator Gunn stated she is reviewing it. Councilmember Crawford asked which part of the proposed plan affects La Vista. City Administrator Gunn stated there is a small area that is in La Vista's future growth area along with their proposed ETJ conflicting with the growth area agreement.

Councilmember Hale stated she attended the League of Nebraska Municipalities Conference.

At 7:56 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF OCTOBER, 2017.

CITY OF LA VISTA  
  
Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk