**LA VISTA CITY COUNCIL**
**MEETING**
**February 20, 2018**

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 February 20, 2018. 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, Public Works Director Soucie, City Engineer Kottmann, Director of Administrative Services Pokorny, Community Development Director Birch, Human Resources Director Czarnick, Library Director Barcal, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on February 7, 2018. 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.

**SERVICE AWARD – RON KELLER - 15 YEARS**

Mayor Kindig recognized Ron Keller 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 FEBRUARY 6, 2018 CITY COUNCIL MEETING**
3. **REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – LA VISTA PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS - $7,973.36**
4. **REQUEST FOR PAYMENT – NEBRASKA DEPARTMENT OF TRANSPORTATION – GILES ROAD RESURFACING PROJECT - $395,000.00**
5. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN - $38,237.22**
6. **APPROVAL OF CLAIMS**

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| 4 SEASONS AWARDS, supplies | $32.00 |
| 911 CUSTOM LLC, services | $240.00 |
| AA WHEEL & TRUCK SUPPLY INC, maint. | $22.68 |
| ACTION BATTERIES, maint. | $227.48 |
| ASPHALT & CONCRETE MATERIALS, services | $1,399.40 |
| ATLAS AWNING CO INC, bld&grnds | $360.00 |
| BARCAL, R., travel | $119.90 |
| BARONE SECURITY SYSTEMS, services | $460.15 |
| BARTON SOLVENTS, INC., supplies | $547.00 |
| BAXTER FORD, maint. | $5.92 |
| BCBS WELLNESS, services | $50.00 |
| BEST CARE EMPLOYEE ASST PROGRM, services | $3,480.75 |
| BIG RIG TRUCK ACCESSORIES INC, maint. | $796.89 |
| BKD LLP, services | $30,250.00 |
| BLACK HILLS ENERGY, utilities | $2,331.26 |
| BLADE MASTERS GROUNDS MNTNC , services | $74,181.46 |
| BUILDERS SUPPLY CO, bld&grnds | $10.00 |
| CENTER POINT PUBLISHING, books | $44.34 |
| CENTURION TECHNOLOGIES, services | $162.50 |

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| CENTURY LINK BUSN SVCS, phones | $95.26 |
| CENTURY LINK, phones | $505.04 |
| CHILD'S WORLD INC, books | $215.40 |
| CITY OF OMAHA, services | $17.85 |
| CITY OF PAPILLION, services | $175,777.00 |
| COMMERCIAL AIR MANAGEMENT, bld&grnds | $224.00 |
| COMP CHOICE INC, services | $1,544.50 |
| CONTROL MASTERS INC, services | $4,188.00 |
| CORNHUSKER INTL TRUCKS INC, maint. | $288.03 |
| COX COMMUNICATIONS, services | $277.40 |
| CULLIGAN OF OMAHA, services | $38.00 |
| DEMCO INC, supplies | $168.00 |
| DIAMOND VOGEL PAINTS, bld&grnds | $172.45 |
| DIXON RESOURCES UNLIMITED, services | $11,642.80 |
| DLR GROUP, services | $984.57 |
| DOUGLAS COUNTY SHERIFF'S OFC, services | $150.00 |
| DULTMEIER SALES & SERVICE, maint. | $25.43 |
| DXP ENTERPRISES INC, maint. | $28.50 |
| EXPRESS DISTRIBUTION LLC, supplies | $62.86 |
| EXPRESS ENTERPRISES, bld&grnds | $98.00 |
| FBG SERVICE CORP, services | $5,965.00 |
| FELSBURG HOLT & ULLEVIG, services | $2,675.51 |
| FERRELLGAS, services | $12.00 |
| FIRST NATIONAL BANK FREMONT, bonds | $310,397.50 |
| FITZGERALD SCHORR BARMETTLER, services | $28,373.10 |
| FOCUS PRINTING, supplies | $4,401.94 |
| GALE, books | $74.22 |
| GCR TIRES & SERVICE, maint. | $768.78 |
| GENUINE PARTS CO-OMAHA, maint. | $1,027.01 |
| GREAT PLAINS UNIFORMS, services | $21.50 |
| GREATAMERICA FINANCIAL, services | $894.50 |
| GREATMATS.COM CORP, bld&grnds | $4,595.58 |
| H W WILSON CO, services | $345.00 |
| HANEY SHOE STORE, apparel | $135.99 |
| HARRIS COMPUTER SYSTEMS, services | $2,941.00 |
| HDR ENGINEERING INC, services | $18,650.98 |
| HEARTLAND PAPER, suplies | $235.00 |
| HEIMES CORP, services | $10.00 |
| HERITAGE CRYSTAL CLEAN, maint. | $693.28 |
| HOBBY LOBBY STORES, supplies | $39.59 |
| INGRAM LIBRARY SERVICES, books | $1,011.10 |
| INLAND TRUCK PARTS, maint. | $51.42 |
| INSIGHT PUBLIC SECTOR, supplies | $757.54 |
| JENNIFER GOSS, travel | $455.12 |
| KRIHA FLUID POWER CO. maint. | $88.13 |
| KSI CONSTRUCTION, services | $88,923.74 |
| LARRY'S BOILER SERVICE, bld&grnds | $163.50 |
| LAUSTEN JR ROBERT S, services | $260.00 |
| LV COMM FOUNDATION, payroll | $60.00 |
| MARCO INC, servcies | $437.27 |
| MASTER MECHANICAL SERVICE, bld&grnds | $2,378.00 |
| MAX I WALKER UNIFORM, services | $653.58 |
| MC CANN PLUMBING, services | $89.00 |
| MENARDS-RALSTON, bld&grnds | $616.13 |
| MICHAEL TODD AND CO, services | $2,247.54 |
| MIDWEST TAPE, media | $59.98 |
| MILLER PRESS, supplies | $405.00 |
| MINITEX - CPP, supplies | $370.00 |
| MSC INDUSTRIAL SUPPLY CO, bld&grnds | $119.22 |
| NE DEPT OF REVENUE, sales tax | $652.18 |

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| NEVCO SPORTS LLC, bld&grnds | $46.64 |
| NMC EXCHANGE LLC, maint. | $450.86 |
| NORTH AMERICAN RESCUE LLC, supplies | $1,354.70 |
| NUTS & BOLTS INC, maint. | $256.65 |
| OFFICE DEPOT INC, supplies | $710.45 |
| OMAHA WINNELSON, bld&grnds | $126.62 |
| OMAHA WORLD-HERALD, services | $901.18 |
| ONE CALL CONCEPTS INC, services | $516.81 |
| OPPD, utilities | $45,541.68 |
| O'REILLY AUTO STORES INC, maint. | $32.53 |
| PAPILLION SANITATION, services | $918.94 |
| PETTY CASH, supplies | $234.08 |
| PLAINS EQUIPMENT GROUP, maint. | $632.30 |
| RDG GEOSCIENCE & ENGINEERING, services | $5,391.69 |
| RDG PLANNING & DESIGN, services | $4,033.49 |
| SAPP BROS PETROLEUM INC, maint | $442.75 |
| SARPY COUNTY COURTHOUSE, services | $4,100.03 |
| SCHEMMER ASSOCIATES INC, services | $2,840.00 |
| SIGN IT, services | $175.00 |
| SOUTHERN UNIFORM & EQUIPMENT, apparel | $439.23 |
| TRANS UNION RISK, services | $91.10 |
| TY'S OUTDOOR POWER, services | $7,434.52 |
| U.S. CELLULAR, phones | $825.89 |
| ULTRAMAX, supplies | $4,704.00 |
| UNITED PARCEL, services | $15.74 |
| VAL VERDE ANIMAL HOSPITAL, services | $278.18 |
| WAL-MART, supplies | $933.00 |
| WHITE CAP CONSTR SUPPLY, supplies | $130.05 |
| WICK'S STERLING TRUCKS INC, maint. | $82.68 |

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Frederick 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

Library Director Barcal announced they have received a grant from the La Vista Keno Foundation in conjunction with Beyond School Bells and with support from the La Vista Community foundation for a Think, Make, Create trailer. La Vista is the first public library in Nebraska to have this resource for STEM learning. The reveal celebration will be March 7 at 10 a.m. at the La Vista Library.

Police Chief Lausten reported that yesterday LVPD investigated eight car accidents. A Police car was hit twice at 118th and Harrison. Bill Muldoon, the new Sarpy County 911 Director, will start March 5. The August Police Training Academy class has 16 recruits. On February 21 the La Vista Police Department will host another K-9 for the day. The next Citizens Police Academy will begin in 2 weeks. Officer Jamie Brown received a Staff Recognition award from the school and is doing very well in her new position as School Resource Officer (SRO).

Maddie Vasquez reported on behalf of the Mayor's Youth Leadership Council (MYLC). She reported that the MYLC has held regular monthly meetings and leadership sessions where they have explored topics of leadership development including active listening, team building, leadership styles and goal setting. The MYLC has participated in several City events including, Halloween Safe-Night, Santa's Workshop and Shop-with-a-Cop. Additionally the MYLC has taken an active role as a stakeholder group in the 84th Street Streetscape project, where they have shared and presented their vision for a redeveloped 84th Street. Councilmember Quick asked what their next goal is. Ms. Vasquez advised the MYLC will be working on arranging a canned food drive.

## B. QUIK TRIP CORPORATION – CONDITIONAL USE PERMIT, IMPROVEMENTS AGREEMENT & RIGHT-OF-WAY DEDICATIONS LOT 3, BROOK VALLEY II BUSINESS PARK (117TH & GILES ROAD)

### 1. PUBLIC HEARING

At 7:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit, Improvements Agreement and Right-of-Way Dedications Lot 3, Brook Valley II Business Park at 117th and Giles Road. Mr. Eckhart representing Quik Trip gave a presentation of the project.

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

### 2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT

Councilmember Quick introduced and moved for the adoption of Resolution No.18-016 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR QUIK TRIP CORPORATION, TO OPERATE A CONVENIENCE STORE WITH LIMITED FUEL SALES ON LOT 3, BROOK VALLEY II BUSINESS PARK.

WHEREAS, Quik Trip Corporation has applied for approval of a conditional use permit for a convenience store with limited fuel sales on Lot 3, Brook Valley II Business Park, located southeast of 117th Street and Giles Road; 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, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Quik Trip Corporation to allow for a convenience store with limited fuel sales on Lot 3, Brook Valley II Business Park.

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

### 3. RESOLUTION – APPROVE IMPROVEMENTS AGREEMENT

Councilmember Sell introduced and moved for the adoption of Resolution No.18-017 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN IMPROVEMENTS AGREEMENT FOR LOT 3, BROOK VALLEY II BUSINESS PARK.

WHEREAS, the City Council did on February 20, 2018, approve a Conditional Use Permit for a convenience store with limited fuel sales on Lot 3, Brook Valley II Business Park subject to certain conditions; and

WHEREAS, the Developer, Quik Trip Corporation, and the Seller, Gordo-79, LLC, have agreed to execute an Improvements Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Improvements Agreement presented at the February 20, 2018, City Council meeting for Lot 3, Brook Valley II Business Park 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 Conditional Use Permit approval and with such modifications that the City Administrator or City Engineer may determine necessary or advisable.

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

**4. RESOLUTION – APPROVE RIGHT OF WAY DEDICATION**

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-018 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE DEDICATION AND DEED FOR PUBLIC STREET RIGHT-OF-WAY FOR THE IRREGULAR PARCEL OF REAL ESTATE, LOCATED IN THE SOUTHEAST ¼ OF SECTION 17 AND THE NORTHEAST ¼ OF SECTION 20, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, the City Council approved Resolution No. 18-017 which called for the seller and the developer of Lot 3, Brook Valley II Business Park, to construct certain public improvements; and

WHEREAS, the improvements require the dedication and deed for an irregular parcel of real estate described on Exhibit "A" for public right-of-way; and

WHEREAS, the City Council recommends approval of the dedication and deed document as attached for the irregular parcel, located in the Southeast ¼ of Section 17 and Northeast ¼ of Section 20, T14N, R12E of the 6th P.M., Sarpy County, Nebraska as identified in the attached Exhibit "A"; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the dedication and deed for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the deed and dedication.

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

**5. RESOLUTION – APPROVE RIGHT OF WAY DEDICATION**

Councilmember Frederick introduced and moved for the adoption of Resolution No.18-019 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE DEDICATION AND DEED FOR PUBLIC STREET RIGHT-OF-WAY FOR THE IRREGULAR PARCEL OF REAL ESTATE, LOCATED IN THE SOUTHEAST ¼ OF SECTION 17 AND THE NORTHEAST ¼ OF SECTION 20, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, the City Council approved Resolution No. 18-017 which called for the seller and the developer of Lot 3, Brook Valley II Business Park, to construct certain public improvements; and

WHEREAS, the improvements require the dedication and deed for an irregular parcel of real estate described on Exhibit "A" for public right-of-way; and

WHEREAS, the City Council recommends approval of the dedication and deed document as attached for the irregular parcel, located in the Southeast ¼ of Section 17 and Northeast ¼ of Section 20, T14N, R12E of the 6th P.M., Sarpy County, Nebraska as identified in the attached Exhibit "A"; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of

La Vista, Nebraska, do hereby approve the dedication and deed for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the deed and dedication.

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

## C. RESOLUTION – AUTHORIZE PURCHASE – PUSH CAMERA

Councilmember Quick introduced and moved for the adoption of Resolution No.18-020 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) VERISIGHT PRO+ PUSH CAMERA FROM NEBRASKA ENVIRONMENTAL PRODUCTS IN AN AMOUNT NOT TO EXCEED $10,116.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a push camera is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchases; 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 purchase 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 purchase of one (1) VeriSight Pro+ Push Camera from Nebraska Environmental Products in an amount not to exceed $10,116.00.

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

## D. RESOLUTION – AUTHORIZE PURCHASE – TREADMILL AND RECUMBENT STEPPER

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-021 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) TRUE TCS650 TREADMILL AND ONE (1) NUSTEP T4R RECUMBENT STEPPER FOR THE COMMUNITY CENTER FROM BODY BASICS FITNESS EQUIPMENT, OMAHA, NE, IN AN AMOUNT NOT TO EXCEED $7,720.00.

WHEREAS, the Mayor and City Council have determined that the purchase of a treadmill and recumbent stepper for the Community Center is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchases, 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 purchase 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 purchase of one (1) True TCS650 Treadmill and one (1) Nustep T4R Recumbent Stepper for the Community Center from Body Basics Fitness Equipment, Omaha, NE, in an amount not to exceed $7,720.00.

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

Councilmember Crawford made a motion to move Comments from the Floor ahead of Item E. Executive Session. Seconded by Councilmember Frederick. 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.

## E. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; LITIGATION

At 7:26 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations, land acquisition and litigation. 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 7:34 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, and Hale. Nays: None. Abstain: None. Absent: Quick and Sell. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council that the City Council Work Session will be held at 8:00am on Saturday, February 24 in the Annex.

At 7:35 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 6TH DAY OF MARCH, 2018.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

# MINUTE RECORD

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