LA VISTA CITY COUNCIL
MEETING
April 17, 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 April 17, 2018. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, 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, Finance Director Miserez, Community Development Director Birch, Library Director Barcal, Recreation Director Stopak and HR Director Czarnick.

A notice of the meeting was given in advance thereof by publication in the Times on April 4, 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.

A. CONSENT AGENDA

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE MINUTES OF THE APRIL 3, 2018 CITY COUNCIL MEETING**
3. **MONTHLY FINANCIAL REPORT – FEBRUARY 2018**
4. **REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES – 84TH STREET REDEVELOPMENT SITE PREPARATION - $3,100.00**
5. **REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES – 96TH AND BRENTWOOD TRAFFIC SIGNAL - $5,003.72**
6. **REQUEST FOR PAYMENT – THOMPSON DREESSEN & DORNER – PROFESSIONAL SERVICES – LA VISTA PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS - $5,369.07**
7. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN - $9,747.09**
8. **RESOLUTION NO. 18-041 – CHANGE ORDER NO. 1 – VIERREGGER ELECTRIC – 96TH & BRENTWOOD TRAFFIC SIGNAL**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH VIERREGGER ELECTRIC CO. OF OMAHA NEBRASKA, TO PROVIDE FOR DELETION OF WORK TO THE CONTRACT IN AN AMOUNT NOT TO EXCEED $418.00.

WHEREAS, the City has determined it is necessary to make changes to the contract for the 96th and Brentwood Traffic Signal project; and

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

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 Vierregger Electric Co., Omaha, Nebraska, to provide for deletion of work to the contract in an amount not to exceed $418.00.

9. **RESOLUTION NO. 18-042 – CHANGE ORDER NO. 2 – VIERREGGER ELECTRIC – 96TH & BRENTWOOD TRAFFIC SIGNAL**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 2 TO THE CONTRACT WITH VIERREGGER ELECTRIC CO. OF OMAHA NEBRASKA, TO PROVIDE FOR ADDITION OF WORK TO THE CONTRACT IN AN AMOUNT NOT TO EXCEED $4,580.90.

WHEREAS, the City has determined it is necessary to make changes to the contract for the 96th and Brentwood Traffic Signal project; and

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

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 Vierregger Electric Co., Omaha, Nebraska, to provide for additions of work to the contract in an amount not to exceed $4,580.90.

10. REQUEST FOR PAYMENT – VIERREGGER ELECTRIC CO. – CONSTRUCTION SERVICES – 96TH & BRENTWOOD TRAFFIC SIGNAL - $75,186.59

11. APPROVE MANAGER APPLICATION – CLASS I LIQUOR LICENSE – SSL OPERATING GROUP LLC DBA SWIZZLE STIX LOUNGE – GRANT D LUNDIN

12. APPROVE CHANGE IN START TIME OF CITY COUNCIL MEETING ON JULY 17, 2018 FROM 7:00 P.M. TO 6:00 P.M.

13. APPROVAL OF CLAIMS:

911 CUSTOM LLC, services	$	300.00
ACTION BATTERIES, maint.	$	217.96
ACTION SIGNS INC, services	$	840.80
AMANDA SALAK, refund	$	120.00
ASPHALT & CONCRETE MATERIALS, maint.	$	948.70
BAXTER FORD, maint.	$	86.74
BISHOP BUSINESS EQUIPMENT, services	$	4,249.34
BKD LLP, services	$	18,500.00
BLACK HILLS ENERGY, utilities	$	1,242.39
BOOT BARN, apparel	$	300.00
BURKE, B., travel	$	324.00
BRYAN ROCK PRODUCTS, services	$	4,829.24
BUETHE, P., travel	$	1,298.43
CENTER POINT PUBLISHING, books	$	273.84
CENTURY LINK, phones	$	604.18
CENTURY LINK BUSN SVCS, phones	$	283.70
CHRIS MADDEN, services	$	825.00
CITY OF PAPILLION, services	$	10,026.07
COMFORT INN-KEARNEY, travel	$	189.90
COMP CHOICE INC, services	$	733.11
CONTINENTAL RESEARCH CORP, services	$	383.66
COX COMMUNICATIONS, services	$	277.40
CREATIVE PRODUCT STORE, supplies	$	392.42
CULLIGAN OF OMAHA, services	$	27.00
DASH MEDICAL GLOVES, services	$	70.90
DELL MARKETING L.P., services	$	3,174.72
DHHS REG/LIC-POOL PERMIT, services	$	40.00
DIAMOND VOGEL PAINTS, bld&grnds	$	26.59
DIXON RESOURCES UNLIMITED, services	$	4,700.00
DLR GROUP, services	$	3,073.08
DXP ENTERPRISES INC, services	$	53.93
EMBASSY SUITES HOTEL, travel	$	218.00
EN POINTE TECHNOLOGIES SALES, services	$	1,824.57
ENCYCLOPAEDIA BRITANNICA INC, media	$	830.00
EXCEL PHYSICAL THERAPY, services	$	50.00
EXPRESS DISTRIBUTION LLC, supplies	$	119.94
EYMAN PLUMBING INC, bld&grnds	$	2,435.00
FBG SERVICE CORP, services	$	5,965.00
FIRST NATIONAL BANK FREMONT, bonds	$	104,826.88
FOCUS PRINTING, services	$	360.17
GALE, books	$	167.18
GCR TIRES & SERVICE, maint.	$	154.52

GENUINE PARTS CO, maint.	$	526.06
GRAHAM CONSTRUCTION, INC, services	$	28,888.82
GRAYBAR ELECTRIC CO, bld&grnds	$	182.58
GREAT PLAINS ELECTRIC, services	$	250.00
GREATAMERICA FINANCIAL, services	$	805.00
HDR ENGINEERING INC, services	$	15,766.44
HOBBY LOBBY STORES, supplies	$	9.98
HOME DEPOT, bld&grnds	$	280.03
HUNTEL COMMUNICATIONS, services	$	57.50
INCIDENT RESPONSE TECHNOLOGIES, services	$	2,100.00
INGRAM LIBRARY SERVICES, books	$	1,685.04
IVERSON, D., travel	$	474.00
JOHN GAHAN, travel	$	202.25
KRIHA FLUID POWER, maint.	$	19.40
LIBRARY IDEAS LLC, media	$	1,997.40
LOU'S SPORTING GOODS, supplies	$	466.80
LOWE'S, bld&grnds	$	68.74
MALLOY ELECTRIC, bld&grnds	$	99.00
MARCO INC, services	$	148.20
MAX I WALKER, services	$	632.66
MENARDS-RALSTON, bld&grnds	$	39.11
METRO AREA TRANSIT, services	$	1,098.00
METRO LANDSCAPE MATERIALS, services	$	3,640.00
METRO COMM COLLEGE, services	$	17,065.73
MIDWEST TAPE, media	$	25.59
MIDWEST TURF & IRRIGATION, services	$	36.56
MISEREZ, C., travel	$	193.00
MOBOTREX MOBILITY & TRAFFIC, services	$	42.00
NATIONAL ENTERTAINMENT, supplies	$	1,150.00
NATIONAL LEAGUE OF CITIES, services	$	1,489.00
NE LANDSCAPE SOLUTIONS, supplies	$	1,568.46
NE LIBRARY COMMISSION, services	$	2,671.17
NE SALT & GRAIN CO, maint.	$	6,757.82
NE TURF PRODUCTS, supplies	$	801.00
NLA-NE LIBRARY ASSN, services	$	500.00
NPZA-NE PLANNING/ZONING ASSN, services	$	610.00
ODEY'S INC, bld&grnds	$	3,398.85
OFFICE DEPOT INC, supplies	$	729.45
O'KEEFE ELEVATOR CO, bld&grnds	$	513.41
OPPD, utilities	$	44,659.83
OMAHA WORLD-HERALD, services	$	1,423.97
ONE CALL CONCEPTS, services	$	248.70
O'REILLY AUTOMOTIVE, maint.	$	83.51
ORIENTAL TRADING CO, supplies	$	520.76
PAPILLION SANITATION, services	$	1,012.90
PCS MOBILE, services	$	1,179.45
PENWORTHY CO, books	$	872.28
PLAINS EQUIPMENT GROUP, services	$	893.97
RDG PLANNING & DESIGN, services	$	22,515.46
RED MUNICIPAL & INDUSTRIAL EQUIP, services	$	25,760.00
SARPY COUNTY REGISTER OF DEEDS, services	$	44.00
SARPY COUNTY TREASURER, services	$	3,378.75
SCHEMMER ASSOCIATES INC, services	$	2,040.00
SID DILLON COMMERCIAL/FLEET, services	$	35,745.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	$	131.98
SPENCER FANE LLP, services	$	9,289.50
THEATRICAL MEDIA, services	$	368.00
THERMAL SERVICES, refund	$	335.24
THOMPSON DREESSEN & DORNER, services	$	487.50
TORNADO WASH LLC, maint.	$	520.00

TOSHIBA FINANCIAL, services	$	138.00
TRANS UNION RISK, services	$	67.40
TRIMBLE INC., services	$	695.00
TURF FACTORY DIRECT, LLC, bld&grnds	$	1,848.00
U.S. CELLULAR, phones	$	995.00
UNITE PRIVATE NETWORKS LLC, services	$	3,850.00
UNITED DISTRIBUTORS INC, maint.	$	76.19
UNITED PARCEL, services	$	16.26
UPS STORE, services	$	10.16
VIERREGGER ELECTRIC CO, services	$	109,000.85
WESTLAKE HARDWARE INC, bld&grnds	$	932.94
WOODHAVEN COUNSELING ASSOCS, services	$	365.00

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe asked Council if they would like to move the first meeting in August due to National Night Out. It was discussed to move the meeting to August 8th. City Clerk Buethe will put the change on the next agenda for approval.

Director of Administrative Services Pokorny stated each Councilmember was given a book on Government Finance and budgeting.

Library Director Barcal introduced new library staff member Cedate Schultz.

Recreation Director Stopak said the Parks and Recreation Advisory board meeting is tomorrow. He also announced that the City has received the Tree City Award for the 27th year. Stopak stated the Arbor Day celebration will be held on April 26th at the Community Center.

Police Chief Lausten stated the Sarpy County Crime Stoppers Lunch will be held on April 26th.Police Academy Training Coordinator Wagner informed Council that the August 6th start date for the Academy has been approved. Police Captain Brian Waugh reported that an event they have been planning for 18 months is called Operation Bruin Safety and will take place May 18th from 9-Noon.

Fire Chief Bill Bowes reported the call volume has leveled off after the initial 20% increase, which occurred after Papillion took over the fire/rescue service for La Vista.

Director of Public Works Soucie stated the Jr. High is doing a cleanup at Thompson Creek this weekend.

B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT

1. PUBLIC HEARING

At 7:01 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizen Advisory Review Committee's EDP Report. Citizen Advisory Review Committee member Jeff Schovanic gave the report.

At 7:04 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: Quick. Motion carried.

C. RESOLUTION - FY 2016/2017 AUDIT REPORT – BKD, LLP

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-043 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2016-2017 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF BKD, LLP, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of BKD, LLP, Omaha, Nebraska, to complete an audit of the City's fiscal year 2016-2017 municipal operations; and

WHEREAS, BKD, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the 2016-2017 municipal audit is hereby accepted and approved.

Seconded by Councilmember Frederick. Amy Schrock of BKD, LLP explained the reports to the Mayor and City Council. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

D. APPROVAL OF A CLASS I LIQUOR LICENSE – KARRAYS CAFÉ LLC DBA KARRAYS CAFÉ

1. PUBLIC HEARING

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion of the Class I Liquor License for Karrays Café LLC dba Karrays Café.

At 7:27 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: Quick. Motion carried.

2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No.18-044 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS I LIQUOR LICENSE APPLICATION FOR KARRAYS CAFE, LLC DBA KARRAYS CAFE, IN LA VISTA, NEBRASKA.

WHEREAS, Karrays Café, LLC dba Karrays Cafe, 9819 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class I Liquor License application submitted by Karrays Café, LLC dba Karrays Cafe, 9819 Giles Road, La Vista, Sarpy County, Nebraska.

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

E. APPROVAL OF A CLASS C LIQUOR LICENSE – FROEHLICH INVESTMENTS LLC DBA REF'S SPORTS BAR & GRILL

1. PUBLIC HEARING

At 7:28 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion of the Class C Liquor License for Froehlich Investments LLC dba Ref's Sprots Bar & Grill.

At 7:29 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: Quick. Motion carried.

2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No.18-045 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION FOR FROEHLICH INVESTMENTS LLC DBA REF'S SPORTS BAR & GRILL, IN LA VISTA, NEBRASKA.

WHEREAS, Froehlich Investments, LLC dba Ref's sports Bar & Grill, 9723-9725 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Froehlich Investments, LLC dba Ref's sports Bar & Grill, 9723-9725 Giles Road, La Vista, Sarpy County, Nebraska.

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

F. RESOLUTION – APPROVAL – SATELLITE KENO LOCATION – REF'S SPORTS BAR & GRILL

Councilmember Sell introduced and moved for the adoption of Resolution No.18-046 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A SATELLITE KENO LOCATION FOR THE CITY'S KENO LOTTERY GAME AT FROEHLICH INVESTMENTS LLC. D/B/A REF'S SPORTS BAR & GRILL, 9723 & 9725 GILES ROAD LA VISTA NEBRASKA EFFECTIVE UPON RECEIPT OF THE KENO LICENSE FROM STATE.

WHEREAS, the current Keno Lottery Operator Agreement between the City of La Vista and La Vista Keno, Inc., dated August 8, 2008, and assigned and assumed to and by LVK Holdings LLC on April 5 2016 requires LVK Holdings LLC to obtain prior written consent of the City to establish a satellite location; and further that the satellite location shall comply with such qualification standards as adopted by the City pursuant to Nebraska Statutes, Section 9-642.01, governing lottery sales outlet locations, and such other terms and conditions determined necessary or advisable; and

WHEREAS, the City of La Vista, by Ordinance No. 1073, set forth qualification standards for Keno Lottery Sales Outlet Locations, which includes satellite locations ("Ordinance"); and

WHEREAS, LVK Holdings LLC has proposed a satellite location for the City's keno lottery game at Froehlich Investments LLC dba Ref's Sports Bar & Grill, located at 9723 & 9725 Giles Road, La Vista, Nebraska pursuant to a Satellite Agreement between said parties dated March 9, 2018, a copy of which has been presented at this meeting ("Satellite Agreement"); and

WHEREAS, the requirements of the Lottery Operator Agreement and other Keno Requirements as defined in the Ordinance are incorporated into the Satellite Agreement pursuant to said Ordinance; and

WHEREAS, the City Clerk has determined that the standards for the Keno Lottery Sales Outlet Location at Ref's Sports Bar & Grill, located at 9723 & 9725 Giles Road, La Vista NE, have been met.

NOW, THEREFORE, BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize and approve a satellite keno location for the City's keno lottery game at Ref's Sports Bar & Grill, located at 9723 & 9725 Giles Road, La Vista NE, and further approve the owner and operator thereof, Froehlich Investments LLC, effective upon receipt of the keno license from that State and subject to the following:

a. Submittal of all Exhibits to the Satellite Agreement in form and content satisfactory to the City;

b. Any change of ownership or control of the satellite, Froehlich Investments, LLC, or any stock of Froehlich Investments, LLC, shall require prior written approval of the City of La Vista;

c. The satellite, Froehlich Investments, LLC and stockholders of Froehlich Investments, LLC shall be bound by the Lottery Operator Agreement between the City of La Vista and LVK Holdings LLC and owe to LVK Holdings LLC all responsibilities and obligations which LVK Holdings LLC and its owner by said Lottery Operator Agreement, as secured, owe to the City of La Vista. The City of La Vista shall be a beneficiary entitled to enforce such responsibilities and obligations of the satellite, Froehlich Investments, LLC and its stockholders;

d. City of La Vista shall have access at any time to the satellite location and keno-related funds, documents and records in the possession or control of the satellite owner or operator;

e. City of La Vista shall be named as an additional named insured on any insurance required of the satellite owner or operator by the Satellite Agreement;

f. City of La Vista, as owner of the La Vista keno game, retains authority over use of the term "La Vista keno"; and all uses of said term shall be subject to review and approval of the City and cease upon termination of the Satellite Agreement;

g. Funds of the La Vista keno game handled by the satellite shall be the sole and exclusive property and held in trust for the benefit of the City of La Vista until properly paid in accordance with the Lottery Operator Agreement or Satellite Agreement; and

h. Ongoing satisfaction by the satellite owner and operator of the Satellite Agreement and this Resolution, as well as the Lottery Operator Agreement, Ordinance and other Keno Requirements, as defined in said Ordinance.

BE IT FURTHER RESOLVED that, in addition to devices for satellite keno, the following gambling devices are hereby authorized at the satellite premises pursuant to Section 2(H) of the Ordinance: pickle card device.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign such documents, including, but not limited to, Nebraska Department of Revenue Form(s) 50G, and take such further actions as necessary or appropriate to carry out the actions approved herein.

Seconded by Councilmember Hale. Katrina Coffey appeared on behalf of Ref's. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

G. FIREWORKS PERMITS

1. RESOLUTION – ESTABLISH NUMBER OF PERMITS

Councilmember Hale introduced and moved for the adoption of Resolution No.18-047 entitled: 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 2018.

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."

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 2018 shall not exceed nine.

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

2. RESOLUTION – ISSUANCE OF PERMITS

Councilmember Hale introduced and moved for the adoption of Resolution No.18-048 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATIONS OF PAPILLION LA VISTA YOUTH ATHLETIC ASSOCIATION, MONARCH YOUTH WRESTLING, PAPILLION LA VISTA SPIRIT FOOTBALL, LA VISTA COMMUNITY FOUNDATION, LA VISTA YOUTH & COMMUNITY BETTERMENT, 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, nine (9) 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 2018 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:

Papillion La Vista Youth Athletic Association, Monarch Youth Wrestling, Papillion La Vista Spirit Football, 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 2018 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: Quick. Motion carried.

H. RESOLUTION – AUTHORIZE PURCHASE – TREES FOR THOMPSON CREEK CORRIDOR

Councilmember Thomas introduced and moved for the adoption of Resolution No. 18-049 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF FIFTY TWO (52) TREES FROM MULHALL'S, OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED $14,475.48.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a trees as part of the Thompson Creek Restoration Project is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchase; 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 fifty two (52) trees from Mulhall's, Omaha Nebraska in an amount not to exceed $14,475.48.

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

I. POSITION DESCRIPTION UPDATES

Councilmember Sell motioned to receive and file the position description updates. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

J. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; LITIGATION

Executive Session was not held.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 7:39 p.m. Councilmember Frederick made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 1ST DAY OF MAY 2018.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk