

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING November 17, 2020

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on November 17, 2020. 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, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Library Director Barcal, Recreation Director Stopak, City Engineer Dowse, and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Times on November 4, 2020. 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 and made the announcements.

### **SERVICE AWARDS: ROB GEORGE AND DUTCH SEVENER – 15 YEARS; BRAD BABER AND BRENDA THOMPSON – 10 YEARS**

Mayor Kindig recognized Rob George and Dutch Sevener for 15 years of service to the City, and he recognized Brad Baber and Brenda Thompson for 10 years of service to the City.

### **REAPPOINTMENT – BILL ULRICH – CIVIL SERVICE COMMISSION – 5 YEAR TERM**

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Bill Ulrich to the Civil Service Commission for a 5-year term.

Councilmember Sell made a motion to approve the re-appointment. 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 NOVEMBER 3, 2020 CITY COUNCIL MEETING**
- 3. MONTHLY FINANCIAL REPORT – SEPTEMBER 2020**
- 4. REQUEST FOR PAYMENT – COMMERCIAL SEEDING CONTRACTORS – CONSTRUCTION SERVICES – 84TH ST. REDEVELOPMENT – \$3,490.00**
- 5. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT SERVICES FOR PUBLIC IMPROVEMENTS – \$513.67**
- 6. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE 1 INVESTIGATION – \$258.75**
- 7. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL SERVICES – 2020 BRIDGE INSPECTION – \$2,630.44**
- 8. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$1,821.50**
- 9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 – \$5,354.75**
- 10. APPROVAL OF CLAIMS**

AA WHEEL & TRUCK SUPPLY INC, maint.	324.42
AKRS EQUIPMENT SOLUTIONS INC, maint.	701.78
AMAZON, supplies	1,119.42
ASPEN EQUIPMENT CO, maint.	2,899.50
AUTOSOUND & MORE, maint.	12.00

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BAXTER CHRYSLER DODGE, maint.	79.50
BISHOP BUSINESS EQUIPMENT, supplies	261.72
BKD LLP, services	975.00
BRITE IDEAS DECORATING, supplies	210.00
BS&A SOFTWARE, services	22,581.00
BUILDERS SUPPLY CO, maint.	62.40
CARROT-TOP INDUSTRIES, supplies	2,199.30
CENTURY LINK, phones	6.00
CENTURY LINK BUSN SVCS, phones	110.28
CINTAS CORP, services	255.31
CITY OF OMAHA, services	141,512.00
COMP CHOICE INC, services	257.50
CONTROL MASTERS INC, services	3,317.16
COX COMMUNICATIONS INC, services	280.55
CULLIGAN OF OMAHA, supplies	46.00
D & K PRODUCTS, supplies	98.75
DEMCO INC, supplies	293.73
DITCH WITCH OF OMAHA, services	1,141.17
DLR GROUP, services	4,376.00
DULTMEIER SALES LLC, supplies	70.80
DXP ENTERPRISES INC, maint.	235.55
EDGEWEAR SCREEN PRINTING, apparel	2,516.20
FEDEX, services	42.78
FIRST WIRELESS INC, supplies	784.00
GENUINE PARTS CO, maint.	504.13
HARM'S CONCRETE INC, maint.	130.00
HEARTLAND TIRES & TREADS, maint.	315.65
HEIM, JAMES A, services	3,354.00
HEIMES CORP, services	88.29
HELGET SAFETY, supplies	436.82
HY-VEE INC, services	36.00
IDEAL IMAGES INC, apparel	275.00
INGRAM LIBRARY SERVICES, books	2,320.69
INTERSTATE POWER SYSTEMS INC, maint.	1,565.01
IVERSON, DENNIS, apparel	150.00
J & J SMALL ENGINE, maint.	81.36
KANOPIY INC, services	106.00
KEVIN KUSH PUBLIC SPEAKING, services	156.00
KEYMASTERS LOCKSMITH, bld&grnds	132.49
KRIHA FLUID POWER, maint.	190.83
LABRIE, DONALD P, services	150.00
LAMP RYNEARSON & ASSOC, services	1,423.10
LARSEN SUPPLY CO, supplies	585.71
LOGAN CONTRACTORS, supplies	456.48
LOVELAND GRASS PAD, services	56.85
LOWE'S, supplies	89.08
MARCO INC, services	120.46
MENARDS-RALSTON, supplies	287.04
METRO AREA TRANSIT, services	1,086.00
METROCOUNT USA INC, services	1,075.00
MIDWEST RIGHT OF WAY, services	95.00
MIDWEST TAPE, media	115.35
NE CITY MANAGERS ASSOC, services	631.99
NEELS TRAILER OUTLET INC, maint.	80.00
NEWMAN SIGNS INC, services	1,461.26
NOLL, MARGARET M, services	120.00
OCLC INC, media	161.21
OFFICE DEPOT INC, supplies	333.95
OMAHA UNITED SOCCER, refund	80.00
OMNI ENGINEERING, services	511.70

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ONE CALL CONCEPTS INC, services	311.82
O'REILLY AUTO PARTS, maint.	1,083.89
ORIENTAL TRADING CO, supplies	69.92
PAPILLION SANITATION, services	2,392.97
RDG PLANNING & DESIGN, services	7,525.57
READY MIXED CONCRETE CO, services	8,489.58
RED WING BUSINESS ACCT, apparel	150.00
SAPP BROS INC, maint.	1,262.88
SARPY COUNTY COURTHOUSE, services	996.84
SARPY COUNTY FISCAL ADMIN, services	18,182.54
SID 237 - CIMARRON WOODS, services	25,000.00
SIGN IT, services	176.00
SUBURBAN NEWSPAPERS INC, services	78.00
SUCCESS FACTORS INC, services	643.95
THE HARRY A KOCH CO, services	234,320.75
THE PENWORTHY CO, books	329.88
THE SCHEMMER ASSOC, services	647.50
THOMPSON DREESSEN & DORNER INC, services	4,620.30
TRANS UNION RISK, services	50.00
TRUCK CENTER COMPANIES, maint.	567.24
U.S. CELLULAR, phones	1,696.11
US POSTAL, services	1,401.28
WESTLAKE HARDWARE INC, supplies	820.31
WOODHOUSE PARTS DIRECT, maint.	327.13

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

Recreation Director Stopak reported on a senior outing and future events.

Library Director Barcal reported on the Virtual Legos.

Director of Public Works Soucie reported the high winds caused a tree to fall on Thorn Apple Lane and there was a water main break at 98th St. and Melissa St. He also reported there is a beaver living in Thompson Creek near 72nd St.

## B. ORDINANCE – ANNEXATION – ORIENTAL TRADING COMPANY BUSINESS PARK – FINAL READING

City Clerk Buethe stated that the City has complied with the requirements of subsection 16-130(6) of Nebraska Statutes and then read Ordinance No. 1400 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (LOTS 1 THRU 3, ALONG WITH OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NE), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1399. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1400 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.

## C. ORDINANCE – AMEND THE COMPENSATION ORDINANCE

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Councilmember Frederick introduced Ordinance No. 1401 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 Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale 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 passed.

Councilmember Sell made a motion to approve final reading and adopt Ordinance 1399. Councilmember Crawford seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1401 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 – AUTHORIZE AGREEMENT – SIGNAGE AND WAYFINDING PLAN**

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-109 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 DESIGN WORKSHOP, DENVER COLORADO FOR DEVELOPMENT OF A SIGNAGE AND WAYFINDING PLAN IN AN AMOUNT NOT TO EXCEED \$60,000.

WHEREAS, the Mayor and City Council have determined that design and plan development are necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Design Workshop, Denver, Colorado for development of a signage and wayfinding plan in an amount not to exceed \$60,000.

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

## **E. RESOLUTION – AUTHORIZE PURCHASE – SPECIAL TRANSIT SERVICE VEHICLE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-110 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A SPECIAL TRANSIT SERVICE VEHICLE IN PARTNERSHIP WITH STATE OF NEBRASKA, DEPARTMENT OF TRANSPORTATION IN AN AMOUNT NOT TO EXCEED \$11,094.00.

WHEREAS, the City Council has previously participated in a partnership with the City of Ralston and State of Nebraska, Department of Transportation to provide transportation services to the elderly and handicapped residents of the cities; and

WHEREAS, a determination has been made that one of the vehicles in the existing fleet is in need of replacement; and

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WHEREAS, the City of La Vista would be responsible for 20% of the cost of the new vehicle with the remaining cost being paid by federal funds through State of Nebraska, Department of Transportation; 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 La Vista, Nebraska, do hereby establish the need to purchase a replacement special services vehicle in conjunction with State of Nebraska, Department of Transportation and authorize payment of the City's share of the cost not to exceed \$11,094.00.

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

## **F. RESOLUTION – AUTHORIZE AMENDMENT NO. 1 – PROFESSIONAL SERVICES AGREEMENT – BRIDGE INSPECTIONS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 20-111 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH HGM ASSOCIATES INC. FOR BRIDGE INSPECTION SERVICES IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$2,000.

WHEREAS, the City Council of the City of La Vista has determined that bridge inspection services are necessary; and

WHEREAS, HGM's work on the reports has revealed that some coding on the reports was incomplete on previous submittals and needs to be updated; and

WHEREAS, the agreement has a total not-to-exceed cost of \$7,700. for the scope of services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of amendment no. 1 to a professional services agreement with HGM Associates Inc. for bridge inspection services in an additional amount not to exceed \$2,000.

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

## **G. RESOLUTION – AMEND COUNCIL POLICY STATEMENT – EMPLOYEE COMPENSATION – PAY FOR PERFORMANCE**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 20-112 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AMENDMENT TO A COUNCIL POLICY STATEMENT.

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

WHEREAS, a Council Policy Statement entitled "Employee Compensation – Pay for Performance" was established and an amendment is recommended;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the amendment Council Policy Statement entitled "Employee Compensation – Pay for Performance" and do further hereby direct the distribution of said amended Council Policy Statement to the appropriate City Departments.

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

## **H. POSITION DESCRIPTION**

Councilmember Sell made a motion to receive and file the updated description for the position of Information Technology Manager. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Crawford motioned to move Comments from the Floor up on the agenda ahead of item I. Executive Session. Seconded by Councilmember Thomas. 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.

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

At 7:03 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for negotiating guidance regarding 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 7:20 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. 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**

Councilmember Hale commented on the virtual National League of Cities Conference.

Councilmember Frederick made a motion for an emergency amendment to the agenda to add an item providing direction to staff regarding a mask ordinance. Councilmember Thomas seconded the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: None. Motion carried.

Discussion was held. There was Council consensus to have staff provide information on a possible mask ordinance at an emergency meeting on November 24, 2020.

At 8:01 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 1ST DAY OF DECEMBER 2020.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC  
City Clerk