

# MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING August 2, 2022

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 August 2, 2022. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Chief of Police Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Finance Director Miserez, 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 Papillion Times on July 27, 2022. 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 AWARDS: BRENDA GUNN – 25 YEARS; JOHN FRANCAVILLA – 10 YEARS; PATRICIA ROBEY – 5 YEARS**

Mayor Kindig recognized Brenda Gunn for 25 years of service to the City, John Francavilla for 10 years of service to the City and Patricia Robey for 5 years of service to the City.

#### **A. CONSENT AGENDA**

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 18, 2022 BUDGET WORKSHOP
3. APPROVAL OF THE MINUTES OF THE JULY 19, 2022 CITY COUNCIL MEETING
4. APPROVAL OF THE MINUTES OF THE JULY 19, 2022 BUDGET WORKSHOP
5. REQUEST FOR PAYMENT – CITY CENTRE MUSIC VENUE, LLC & ASTRO THEATER, LLC – DISBURSEMENT OF EDP AWARD FUNDS – \$585,451.37
6. REQUEST FOR PAYMENT – HGM ASSOCIATES INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE 2 FINAL DESIGN – \$2,022.50
7. REQUEST FOR PAYMENT – NEBRASKA DEPARTMENT OF TRANSPORTATION – CONSTRUCTION - APPLEWOOD CREEK TRAIL – \$131,498.80
8. REQUEST FOR PAYMENT – HEIMES CORPORATION – CONSTRUCTION – THOMPSON CREEK-CENTRAL PARK EAST – \$65,736.95
9. APPROVAL OF CLAIMS

1000 BULBS, supplies	101.99
1-2-GO PRODUCTIONS-KAYLYN SAHS, services	1,600.00
ABM INDUSTRIES INC, services	10,395.96
ACCO UNLIMITED CORP, supplies	884.35
ACTION BATTERIES, maint.	164.85
ACTIVE NETWORK LLC, services	92.46
AED ZONE, services	20.00
AMAZON, supplies	790.84
AMERICAN HERITAGE LIFE INS CO, services	1,250.74
AMERICAN PLANNING ASSOC, services	1,283.50
A-RELIEF services	128.00
AT&T MOBILITY LLC, phones	97.76
AUTOGRAPHIX INC, services	3,050.00

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AXON ENTERPRISE INC, supplies	332.92
BISHOP BUSINESS EQUIPMENT CO, services	284.46
BOK FINANCIAL, bonds	910,982.70
BUETHE, P., travel	100.00
BUILDERS SUPPLY CO, supplies	154.47
CCAP AUTO LEASE, services	840.12
CENTER POINT INC, books	419.46
CENTURY LINK/LUMEN, phones	612.44
CINTAS CORP, services	25.50
CITY OF PAPILLION, services	233,475.00
COX COMMUNICATIONS, services	147.03
DATASHIELD CORP, services	140.00
DEARBORN NAT'L LIFE INS CO, services	7,737.28
DELL MARKETING, services	384.79
DLR GROUP, services	15,535.60
DOUGLAS COUNTY SHERIFF'S OFC, services	737.50
EARNEST CONSTRUCTION GROUP, services	4,830.73
EBSCO INFORMATION, services	887.00
ELITE TOURS, services	6,500.00
ESSENTIAL SCREENS, services	275.10
FIRST WIRELESS INC, services	615.00
FITZGERALD SCHORR BARMETTLER, services	20,950.30
FUN SERVICES, supplies	391.00
GALE, books	128.95
GALLS LLC, supplies	115.90
GENERAL FIRE & SAFETY, services	495.25
GIRL SCOUTS SPIRIT OF NE, services	100.00
GREAT PLAINS UNIFORMS, apparel	893.98
GREATAMERICA FINANCIAL, services	1,322.52
HARTS AUTO SUPPLY, maint.	960.00
HITOUCHE BUSINESS SERVICES, supplies	91.95
HOBBY LOBBY, supplies	88.45
HY-VEE INC, services	578.85
ID WHOLESALER, services	199.00
INGRAM LIBRARY SERVICES, books	2,097.95
INTERNATIONAL CODE COUNCIL, services	145.00
JOHNSTONE SUPPLY CO, maint.	31.34
KRIHA FLUID POWER CO, maint.	210.34
LARSEN SUPPLY CO, supplies	167.90
LIBRA INDUSTRIES INC, apparel	7.00
LIBRARY IDEAS LLC, media	5.00
LOGAN CONTRACTORS SUPPLY, bld&grnds	248.64
LOU'S SPORTING GOODS, supplies	116.87
MARCO INC, services	143.18
MEDICA INSURANCE CO, services	115,432.29
MENARDS-RALSTON, bld&grnds	322.61
METALAB LLC, services	10,000.00
METLIFE, services	1,100.34
MUD, utilities	20,731.05
MID-AMERICAN BENEFITS INC, services	10,565.13
MOSS ADAMS, services	618.92
NE DEPT OF REVENUE, sales tax	1,085.46
NE LIFE MAGAZINE, services	25.00
NE SOFTBALL ASSOC, services	245.00
NMC GROUP INC, maint.	258.37
OFFICE DEPOT INC, supplies	304.40
OLSSON INC, services	2,625.25
OMAHA COMPOUND CO, supplies	177.20
OPPD, utilities	45,287.59
OMAHA WINNELSON SUPPLY, bld&grnds	1,907.20
OMNI ENGINEERING, maint.	1,054.40

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PAYROLL MAXX, payroll & taxes	419,014.15
PEPSI COLA CO, supplies	949.79
PROGRESSIVE BUSINESS TECH, services	215.95
QUALITY AUTO REPAIR, services	210.10
READY MIXED CONCRETE CO, maint.	759.40
RIVER CITY RECYCLING, services	62.36
RTG BUILDING SERVICES INC, bld&grnds	6,665.00
SARPY COUNTY COURTHOUSE, services	4,452.00
SARPY COUNTY FISCAL ADMIN, services	23,306.43
SARPY DOUGLAS LAW ENFORCE, services	3,343.00
SHI INTERNATIONAL CORP, services	927.60
SIGN IT, services	5,601.50
SOUTHERN UNIFORM, apparel	643.35
SUN COUNTRY DISTRIBUTING, supplies	178.21
SWANK MOTION PICTURES INC, services	700.00
TDI LLC, apparel	370.00
THE FILTER SHOP INC, bld&grnds	273.80
THE SCHEMMER ASSOC, services	4,482.50
THEATRICAL MEDIA, services	320.00
TODCO LLC, services	1,000.00
TOSHIBA FINANCIAL, services	138.00
UNITED PARCEL, services	44.58
V & V MANUFACTURING INC, apparel	700.65
VAL VERDE ANIMAL HOSPITAL INC, services	42.48
WALMART, supplies	2,036.81
WILL PARKER, services	300.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Communication Manager Beaumont introduced the new Communication Specialist, Stephanie Grams.

Assistant Recreation Director Karlson reported on Pickleball and activities at the Recreation Center.

City Engineer Dowse provided an update on the Link and Parking Garage.

## B. ORDINANCE – AMEND MASTER FEE ORDINANCE – SEWER CONNECTION FEE – PARK/COMMON AREA

Councilmember Sell introduced Ordinance No. 1454 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1448, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Quick 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, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion passed.

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Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1454. Councilmember Frederick seconded the motion. Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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. FISCAL YEAR 22/23 AND FISCAL YEAR 23/24 MUNICIPAL BUDGETS**

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

Councilmember Thomas introduced Ordinance No. 1455 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2023 AND ENDING ON SEPTEMBER 30, 2024 SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Hale made a motion to approve Ordinance No. 1455 on its first reading and pass it on to a second reading. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **D. RESOLUTION – LEASE AND INTERLOCAL AGREEMENT – METROPOLITAN COMMUNITY COLLEGE – DOG PARK**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-071 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE RENEWAL OF A LEASE AND INTERLOCAL COOPERATION AGREEMENT WITH METROPOLITAN COMMUNITY COLLEGE FOR CONTINUED OPERATION OF THE DOG PARK ON UNIMPROVED LAND IN THE NORTHERLY PORTION OF THE SARPY CENTER PROPERTY.

WHEREAS, the La Vista City Council finds it necessary to provide a dog park in the City; and

WHEREAS, the site chosen is jointly owned by the City of La Vista and The Metropolitan Community College; and

WHEREAS, the City of La Vista and The Metropolitan Community College agree to renew the lease and interlocal agreement allowing the dog park on to remain on this site; and

WHEREAS, the term of this agreement will commence on June 1, 2022, and end on May 31, 2025 unless terminated sooner and is subject to renewal and extension of upon the mutual written agreement of the parties; and

WHEREAS, Pursuant to the Interlocal Cooperation Act, Nebraska Revised Statute §13-801, *et seq.*, the Parties wish to permit their local government units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista that the renewal of the Lease and Interlocal Cooperation Agreement with Metropolitan Community College is hereby approved.

BE IT FURTHER RESOLVED, the Mayor is hereby authorized to sign and execute the necessary documents to the Lease and Interlocal Cooperation Agreement on behalf of the City of La Vista.

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

Councilmember Frederick motioned to move Comments from the Floor up on the agenda ahead of item E. Executive Session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 – PERSONNEL

At 6:27 p.m. Councilmember Quick made a motion to go into executive session for protection of an individual to discuss personnel matters. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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.

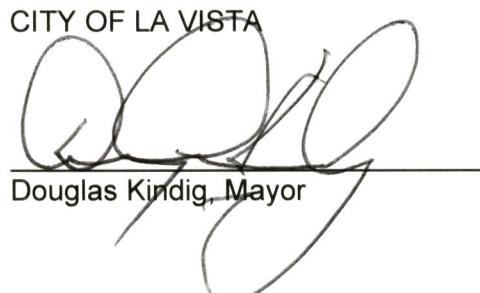
At 7:40 p.m. the Council came out of executive session. Councilmember Quick made a motion to reconvene in open and public session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

There were no comments from Mayor and Council.

At 7:41 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF AUGUST 2022.

CITY OF LA VISTA  
  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk