

# MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING February 7, 2023

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 February 7, 2023. Present were Councilmembers: Frederick, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Chief of Police Lausten, Director of Administrative Services Pokorny, Community Development Director Fountain, Recreation Director Stopak, City Engineer Dowse, Library Director Barcal and Human Resources Director Lowery.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on January 25, 2023. 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.

### **POLICE DEPARTMENT LIFE SAVING AWARDS: JOHN DANDERAND AND NICK JEANETTE**

Chief Lausten presented Life Saving Awards to Officer John Danderand and Officer Nick Jeanette.

### **CITIZEN CERTIFICATE OF APPRECIATION: MEGHAN ENGBERG**

Chief Lausten presented the Citizen Certificate of Appreciation to Meghan Engberg.

### **SERVICE AWARD: RON KELLER – 20 YEARS**

Mayor Kindig recognized Ron Keller for 20 years of service to the City.

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

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE JANUARY 17, 2023 CITY COUNCIL MEETING**
- 3. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$5,512.31**
- 4. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS – \$2,181.23**
- 5. REQUEST FOR PAYMENT – CITY CENTRE MUSIC VENUE, LLC & ASTRO THEATER, LLC – DISBURSEMENT OF EDP AWARD FUNDS – \$230,271.49**
- 6. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY PARK PAVILION TESTING – \$4,864.75**
- 7. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78<sup>TH</sup> ST PAVEMENT REHABILITATION – \$2,706.00**
- 8. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78<sup>TH</sup> ST PAVEMENT REHABILITATION – \$5,580.50**
- 9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$5,438.60**
- 10. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$22,047.70**
- 11. REQUEST FOR PAYMENT – SAMPSON CONSTRUCTION – CONSTRUCTION SERVICES – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 – \$760,465.00**
- 12. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS – \$1,956.21**
- 13. APPROVAL OF CLAIMS**

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1000 BULBS, bld&grnds	62.75
4 SEASONS AWARDS, services	41.00
ABM INDUSTRIES INC, services	7,754.71
ACI-NE CHAPTER, services	35.00
ACTION BATTERIES, maint.	230.70
ACTIVE NETWORK, services	296.92
AKRS EQUIP SOLUTIONS, supplies	3,565.75
ALCOLOCK USA, services	129.80
ALLEN, B., travel	241.50
AMAZON, supplies	1,478.25
AMERICAN LEGAL PUBLISHING CO, services	399.00
ARNOLD MOTOR SUPPLY, maint.	388.25
ASPEN EQUIPMENT CO, maint.	182.30
AT&T MOBILITY LLC, phones	98.32
AWARDS & MORE CO, services	56.62
BADGER BODY & TRUCK EQUIP, maint.	169.00
BALLOON BRIGADE, services	1,695.00
BERGANKDV LLC, services	28,400.00
BIG RIG TRUCK ACCESSORIES, maint	175.00
BISHOP BUSINESS EQUIPMENT, services	2,372.94
BOK FINANCIAL, bonds	2,987,664.20
BOOT BARN, apparel	1,803.90
BOWERS, S., refund	73.00
CENTER - INTERNET SECURITY INC, services	9,900.00
CENTER POINT INC, books	430.26
CENTURY LINK, phones	833.93
CHERYL HELLER, refund	20.36
CINTAS CORP, services	536.66
CITY OF OMAHA, services	2,655.82
CITY OF PAPILLION, services	256,357.05
COX COMMUNICATIONS InC, services	3.38
CUMMINS CENTRAL POWER LLC, maint.	5,223.33
DASH MEDICAL GLOVES, supplies	177.40
DATASHIELD CORP, services	60.00
DEERE & CO, services	12,469.04
DELL MARKETING LP, services	2,965.50
DESIGN WORKSHOP INC, services	4,058.74
DIAMOND VOGEL PAINTS, bld&grnds	1,805.64
ECHO GROUP INC, maint.	359.48
EDGEWEAR SCREEN PRINTING, apparel	1,415.25
EVENT STRUCTURE SOLUTIONS LLC, services	3,465.68
FERGUSON ENTERPRISES INC, bld&grnds	265.53
FORVIS LLP, services	9,060.19
GALE, books	128.20
GENUINE PARTS CO, maint.	81.36
GRAINGER, supplies	10.64
GRAYBAR ELECTRIC CO, maint.	26.76
GREAT PLAINS UNIFORMS, apparel	159.50
GREATAMERICA FINANCIAL, services	1,664.63
HANEY SHOE STORE, apparel	123.99
HAPPY TREES LLC, services	4,500.00
HDR ENGINEERING INC, services	1,114.85
HEARTLAND PNEUMATIC, maint.	195.00
HOBBY LOBBY, supplies	159.91
HOME DEPOT, maint.	996.00
HUNTEL COMMUNICATIONS, services	62.50
INGRAM LIBRARY SERVICES, books	2,447.79
J & A TRAFFIC PRODUCTS, services	3,845.40

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JE DUNN CONSTRUCTION CO, services	1,124,594.00
JOHANNSEN, A., travel	144.00
KANOPIY INC, services	151.00
KEYMASTERS LOCKSMITH, services	13.00
KIMBALL MIDWEST, maint.	1,567.51
KINDIG, D., travel	78.38
LIBRARY IDEAS LLC, media	4.00
LOU'S SPORTING GOODS, supplies	114.85
MACQUEEN EQUIPMENT LLC, services	4,538.89
MADSEN, L., apparel	128.95
MARCO INC, services	149.87
MATHESON TRI-GAS INC, supplies	255.67
MENARDS-BELLEVUE, supplies	373.98
MENARDS-RALSTON, supplies	1,556.37
METRO AREA TRANSIT, services	846.00
METRO COMM COLLEGE, bld&grnds	19,454.34
MUD, utilities	2,120.75
MID-AMERICAN BENEFITS INC, services	15,316.56
MIDWEST TAPE, media	164.17
MOMAR INC, maint.	261.55
MSC INDUSTRIAL SUPPLY CO, supplies	320.08
MURPHY TRACTOR, maint.	353.03
NAPA-GENUINE AUTO PARTS, maint.	337.14
NE DEPT OF REVENUE, lottery	76,149.00
NE DEPT OF REVENUE, sales tax	64.98
NE IOWA DOOR SERVICES INC, bld&grnds	715.38
NE TURFGRASS ASSOC, services	80.00
NORM'S DOOR SERVICE bld&grnds	637.40
NORTH AMERICAN RESCUE, supplies	994.86
OFFICE DEPOT INC, supplies	363.38
OLD NEWS, services	17.00
OPPD, utilities	46,438.06
OMAHA TACTICAL LLC, supplies	200.00
OMAHA WINNELSON SUPPLY, bld&grnds	2,256.67
OMNI ENGINEERING, services	1,062.25
O'REILLY AUTO PARTS, maint.	2,969.56
PAPILLION SANITATION, services	1,901.34
PAYROLL MAXX, payroll & taxes	826,577.12
PER MAR SECURITY, services	235.80
PITNEY BOWES, postage	1,636.99
PRIMA DISTRIBUTION INC, supplies	114.65
RDG PLANNING & DESIGN, services	2,650.00
RED EQUIPMENT LLC, services	2,726.44
REGAL AWARDS INC, services	29.95
ROBERT HALF, services	7,359.04
ROCKMOUNT RESEARCH & ALLOYS, maint.	112.52
RTG BUILDING SERVICES INC, bld&grnds	7,165.00
SARPY COUNTY, services	29,705.54
SARPY DOUGLAS LAW ACADEMY, services	3,000.00
SHERWIN-WILLIAMS, supplies	52.25
SIGN IT, services	130.00
SIRCHIE ACQUISITION CO, supplies	180.00
SOUTHERN UNIFORM, apparel	390.25
SPORTS FACILITY MAINTENANCE, services	1,335.00
SUBURBAN NEWSPAPERS INC, services	1,942.35
THE CHILD'S WORLD INC, books	2,317.05
THE COLONIAL PRESS, services	6,474.96
THE PENWORTHY CO, books	304.87

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TRACTOR SUPPLY, maint.	79.50
TRANE U.S. INC, bld&grnds	128.55
TRUCK CENTER COMPANIES, maint.	224.94
TURFWERKS, maint.	486.44
U.S. CELLULAR, phones	1,871.90
UNITE PRIVATE NETWORKS LLC, services	4,400.00
UNITED RENT-ALL, services	773.43
US BANK NATIONAL ASSOC, supplies	18,158.03
VAL VERDE ANIMAL HOSPITAL INC, services	94.80
VERIZON WIRELESS, phones	18.02
VIERREGGER ELECTRIC CO, services	1,030.00
WALMART, supplies	262.75
WESTLAKE HARDWARE, supplies	685.40
WOODHOUSE FORD-BLAIR, maint.	353.74

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, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported on the medical incident that happened at the Recreation Center and gave credit to those at City Hall and the Recreation Center for helping to save a life.

Director of Administrative Services Pokorny reported that the city received the GFOA (Government Finance Officers Association) Award for last year's annual report.

Assistant City Administrator Ramirez reported that the beams from City Centre were delivered today and are available to sign at city hall and the library.

Library Director Barcal introduced the new Library Intern, Val Ninas.

Papillion Fire Chief Bowes reported on the Fire/EMS call statistics and an update on the search for his successor.

Deputy Director of Public Works Calentine reported that the pavement maintenance plan is being followed which contributed to fewer pot holes and complaints.

## B. ORDINANCE – AMEND MASTER FEE ORDINANCE – RESTAURANTS AND DRINKING PLACES OCCUPATION TAX REDUCTION

Councilmember Thomas introduced Ordinance No. 1475 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1456, 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 Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

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Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1475. Councilmember Sell seconded the motion. After discussion the motion was amended and the second to approve the ordinance with a March 1 effective date and not the April 1 date that was in the ordinance for the decrease in Restaurant and Drinking Places Occupation Tax. Upon roll call vote the following Councilmembers voted aye: Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: Frederick. Abstain: None. Absent: Ronan. Motion carried. 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. RESOLUTION – AUTHORIZE AGREEMENT – FORVIS – AUDIT PREPARATION AMENDMENT**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-008 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 FORVIS FOR PROFESSIONAL FINANCIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$10,000.00.

WHEREAS, the City Council of the City of La Vista has determined that additional professional financial services are necessary; and  
WHEREAS, the FY23/FY24 Biennial Budget provides funding for this agreement; 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 hereby approve Amendment No. 1 to a professional services agreement with ForVis to provide professional financial services in an amount not to exceed \$10,000.00.

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

## **D. RESOLUTION – AUTHORIZE AGREEMENT – LAMP RYNEARSON – 2023 PAVEMENT CONDITION ASSESSMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 23-009 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 LAMP RYNEARSON, OMAHA, NE FOR THE 2023 PAVEMENT CONDITION ASSESSMENT IN AN AMOUNT NOT TO EXCEED \$40,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the collection of pavement assessment data and street related asset data are necessary; and  
WHEREAS, the FY23/FY24 Biennial Budget includes funding for these 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 purchases over \$5,000;

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 Lamp Rynearson, Omaha, NE for the 2023 Pavement Condition Assessment in an amount not to exceed \$40,000.00.

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

## **E. RESOLUTION – AUTHORIZE AGREEMENT – MAPA – ACTIVE MOBILITY PLAN**

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-010 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH THE METROPOLITAN AREA PLANNING AGENCY (MAPA) TO PROCURE AND ADMINISTER FUNDING FOR AN ACTIVE MOBILITY PLAN FOR THE CITY OF LA VISTA.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that the contracting of a consultant for the preparation of an Active Mobility Plan (Bicycle and Pedestrian Master Plan) ("Plan") is necessary; and

WHEREAS, the City of La Vista applied for and has been awarded funding through MAPA's Heartland 2050 mini-grant program for the project in the amount of \$80,000 for a total project cost of \$100,000 including a 20% local match; and

WHEREAS, the City of La Vista has elected to utilize MAPA's expertise in the administration of the federal funds and coordination with the Nebraska Department of Transportation; and

WHEREAS, a proposed agreement between the City and MAPA ("Agreement") is presented with this resolution for MAPA to contract with a consultant and administer funding to complete such Plan; and

WHEREAS, the FY22/FY23 Biennial Budget contains \$20,000 in local match funding for this project; 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 do hereby approve (i) the Agreement, subject to any additions, subtractions or modifications the City Administrator or her designee determines necessary or appropriate and (ii) the City of La Vista's share of the cost of such Plan in an amount not to exceed \$20,000.00.

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

## **F. RESOLUTION – APPROVE CONTRACT – CALEA ACCREDITATION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-011 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A CONTRACT WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC. (CALEA) IN AN AMOUNT NOT EXCEED \$11,450.00.

WHEREAS, the City Council of the City of La Vista has determined national accreditation of the police department is necessary, and

WHEREAS, the Police Department received an accreditation specific grant award from the Department of Justice in amount of \$155,035, and

WHEREAS, funding within the grant has been approved for the funding of accreditation program fees, 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 approve a contract with the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) in an amount not to exceed \$11,450.00.

Seconded by Councilmember Hale. Council discussion was held. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **G. RESOLUTION – APPROVE CONTRACT – DAIGLE LAW GROUP**

Councilmember Sell introduced and moved for the adoption of Resolution No. 23-012 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A CONTRACT WITH DAIGLE LAW GROUP, PLANTSVILLE, CT, FOR ACCREDITATION ASSISTANCE IN AN AMOUNT NOT EXCEED \$70,000.00.

WHEREAS, the City Council of the City of La Vista has determined national accreditation of the police department is necessary, and

WHEREAS, the Police Department received an accreditation specific grant award from the Department of Justice in amount of \$155,035, and

WHEREAS, funding within the grant has been approved for professional accreditation assistance, 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 approve a contract between the City of La Vista and Daigle Law Group for accreditation assistance in an amount not to exceed \$70,000.00.

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

## **H. RESOLUTION – APPROVE CONTRACT – GUARDIAN TRACKING PERFORMANCE MANAGEMENT SYSTEM**

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 23-013 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A 24-MONTH CONTRACT WITH TARGETSOLUTIONS, LLC D/B/A VECTOR SOLUTIONS, TAMPA, FL FOR A TRACKING PERFORMANCE MANAGEMENT SYSTEM IN AN AMOUNT NOT EXCEED \$10,561.00.

WHEREAS, the City Council of the City of La Vista has determined national accreditation of the police department is necessary, and

WHEREAS, the Police Department received an accreditation specific grant award from the Department of Justice in amount of \$155,035, and

WHEREAS, funding within the grant has been approved for the funding of performance management software, 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.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a 24-month contract with TargetSolutions, LLC, d/b/a Vector Solutions, Tampa, FL, in an amount not to exceed \$10,561.00.

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

## **I. RESOLUTION – AUTHORIZE PURCHASE – TRAINING SIMULATOR**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-014 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF AN INTERACTIVE TRAINING SIMULATOR AND ON-SITE TRAINING FROM DIGIMATION/DART RANGE, LAKE MARY, FL IN AN AMOUNT NOT TO EXCEED \$33,000.00.

WHEREAS, the City Council of the City of La Vista has determined on-going training of police department is necessary, and

WHEREAS, the Police Department received a “de-escalation” specific grant award from the Department of Justice in the amount of \$75,000, and

WHEREAS, funding within the grant allows for acquisition of a training simulator and on-site training, 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 approving the purchase of an interactive training simulator and on-site training from Digimation/DART Range, Lake Mary, FL in an amount not to exceed \$33,000.00.

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

## **J. RESOLUTION – DECLARE EQUIPMENT SURPLUS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-015 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 10 pieces of equipment located at the Public Works Facility to be surplused; and

WHEREAS, the City Administrator and Director of Public Works recommend that the above-mentioned items be declared surplus and sold;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 10 pieces of equipment located at the Public Works Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

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

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## K. RESOLUTION – AUTHORIZE PURCHASE – UTILITY VEHICLE & TOPDRESSER

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-016 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF ONE (1) JACOBSEN UTILITY VEHICLE AND ONE (1) TOPDRESSER FROM TURFWERKS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$33,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) Jacobsen Utility Vehicle and one (1) Topdresser is necessary; and

WHEREAS, the FY23/FY24 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 La Vista, Nebraska, do hereby approve the purchase of a one (1) Jacobsen Utility Vehicle and one (1) Topdresser from TurfWerks, Omaha, Nebraska in an amount not to exceed \$33,000.00.

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

## L. RESOLUTION – AUTHORIZE PURCHASE – EQUIPMENT TRAILER

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-017 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF ONE (1) 24 FOOT EQUIPMENT TRAILER FROM BIG RIG REPAIR, INC, GRETNNA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$9,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) 24 Foot Equipment Trailer is necessary; and

WHEREAS, the FY23/FY24 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 La Vista, Nebraska, do hereby approve the purchase of a one (1) 24 Foot Equipment Trailer from Big Rig Repair, Inc, Gretna, Nebraska in an amount not to exceed \$9,000.00.

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

## M. RESOLUTION – AUTHORIZE PURCHASE – COMPUTER EQUIPMENT

Councilmember Sell introduced and moved for the adoption of Resolution No. 23-018 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF FORTY (40) DELL COMPUTERS AND ACCESSORIES ON THE STATE CONTRACT BID FROM DELL IN AN AMOUNT NOT TO EXCEED \$77,092.15.

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WHEREAS, the City Council of the City of La Vista has determined that the purchase of forty-one (40) computers and accessories for various City departments is necessary; and

WHEREAS, the FY23 Information Technology budget provides funding for the proposed computer equipment 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 La Vista, Nebraska, do hereby approve the purchase of forty (40) Dell Computers and accessories on the state contract bid from Dell in an amount not to exceed \$77,092.15.

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

## **N. RESOLUTION – CHANGE ORDER NO. 3 – SAMPSON CONSTRUCTION – PARKING STRUCTURE NO. 2**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-019 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 3 TO THE CONTRACT WITH SAMPSON CONSTRUCTION, OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONAL ITEMS OF WORK FOR PARKING GARAGE NO. 1 AND PARKING GARAGE NO. 2 IN THE AMOUNT OF \$63,411.44. THE CONTRACT PRICE WILL NOT EXCEED \$12,533,686.87.

WHEREAS, the City has determined it is necessary for additions of work to the contract; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the project; and

WHEREAS, the contract amount will increase by \$63,411.44 for a contract total of \$12,533,686.87 with change order number 3;

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 Change Order No. 3 to the contract with Sampson Construction, Omaha, Nebraska, to provide for additional items of work in the amount of \$63,411.44.

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

## **O. RESOLUTION – PERSONNEL MANUAL UPDATE**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-020 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION 7 OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL REGARDING OVERTIME HOURS CALCULATION.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, has determined that a need exists to make changes to the existing La Vista City Personnel Policy and Procedures Manual as adopted on December 20, 2005; and

WHEREAS, it is being proposed that Subsection 7.10 in the manual regarding overtime calculation be amended to include vacation and personal leave hours; and

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WHEREAS, it is the desire of the City Council to amend Section 7 of the Personnel Policy and Procedures Manual to incorporate the change to the above listed subsection.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista City Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed change to Subsection 7.10 as submitted at the City Council meeting.

Seconded by Councilmember Wetuski. Council discussion was held. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **P. RESOLUTION – APPROVE SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2022-2023 BUDGET**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-021 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2022-2023 BUDGET.

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the First Amendment to the FY2022-2023 Budget on January 2, 2023; and

WHEREAS, the City Council deems it appropriate and advisable to approve the First Amendment to the FY2022-2023 Budget which has been approved by the Agency Board and is attached to this Resolution as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the First Amendment to the FY2022-2023 Amendment Budget is hereby approved.

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

## **COMMENTS FROM THE FLOOR**

Terrie Russell of 7427 S. 69<sup>th</sup> Street addressed the Council regarding snow removal on sidewalks.

## **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig commented on the Legislature session being in full swing.

At 7:26 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

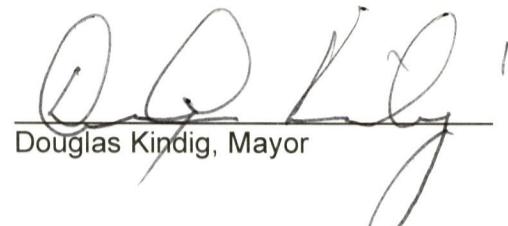
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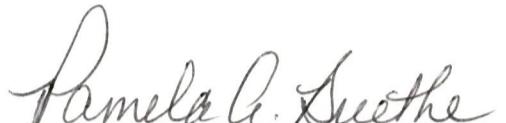
PASSED AND APPROVED THIS 21ST DAY OF FEBRUARY 2023.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, MMC  
City Clerk