

# MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING March 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 March 7, 2023. Present were Councilmembers: Ronan, 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, Director of Public Works Soucie, Recreation Director Stopak, City Engineer Dowse, Library Director Barcal and Finance Director Harris.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on February 22, 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.

### **APPOINTMENT OF FINANCE DIRECTOR – MARGARET HARRIS**

#### **1. RESOLUTION – APPROVAL OF BOND OF MARGARET HARRIS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-031: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE OFFICIAL BOND OF MARGARET HARRIS.

WHEREAS, the City Clerk presents at this meeting an individual bond previously filed with her.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council make and approve the following findings: The Bond is in joint and several form, payable to the City of La Vista in the penalty amount of \$25,000, conditioned for the faithful discharge of the duties of the office of the person giving said Bond; the corporate sureties of said Bond are legally authorized to transact business in the State of Nebraska; the Bond has been executed by the principal and sureties thereof and the required oath has been endorsed thereon and executed by the principal; the Bond has been previously filed with the City Clerk; and all applicable legal requirements with respect to said Bond have been satisfied.

BE IT FURTHER RESOLVED, that the Bond, including, but not limited to the penalty amount and all other terms and conditions thereof, is hereby approved, and the Mayor and City Clerk are hereby authorized to endorse the approval of the City Council and surety in writing on the Bond or by attachment incorporating or incorporated into the Bond by reference, which shall be effective as and constitute endorsement of approval upon said Bond.

BE IT FURTHER RESOLVED, that the City shall pay the premium for the Bond.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to take any other action as is necessary or appropriate to carry out the actions approved herein.

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

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**PROCLAMATION – WOMEN IN CONSTRUCTION WEEK**

Mayor Kindig proclaimed March 5 – 11, 2023 as Women in Construction Week and presented the proclamation to members of the National Association of Women in Construction Greater Omaha Chapter.

**PROCLAMATION – GOLD AWARD – MILLIE BELIK**

Mayor Kindig presented Millie Belik with the Gold Award and thanked her for her hard work and dedication to the Girl Scouts of the USA.

**A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2023 CITY COUNCIL MEETING**
- 3. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$18,959.10**
- 4. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY PARK PAVILION TESTING – \$4,301.50**
- 5. REQUEST FOR PAYMENT – SAMPSON CONSTRUCTION – CONSTRUCTION SERVICES – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 – \$663,865**
- 6. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS – \$1,431.69**

**7. APPROVAL OF CLAIMS**

1000 BULBS, bld&grnds	709.85
ABM INDUSTRIES INC, services	10,329.76
ACTIVE NETWORK LLC, services	483.54
AMAZON, supplies	3,486.10
AMERICA'S FENCE STORE, services	145.88
ASSOCIATED FIRE PROTECTION, services	240.00
BACON LETTUCE CREATIVE, services	2,920.00
BADGER BODY & TRUCK EQUIP, maint.	1,275.00
BIG RIG TRUCK ACCESSORIES, services	8,962.00
BRODERSEN, C., reimbursement	95.78
CENTER POINT INC, books	47.34
CENTURY LINK/LUMEN, phones	751.48
CINTAS CORP, services	275.98
CITY OF OMAHA, services	248,507.64
CITY OF PAPILLION, services	14,446.35
CORNHUSKER STATE INDUSTRIES, services	1,106.00
COX COMMUNICATIONS INC, services	290.68
DELL MARKETING, services	1,596.58
DESIGN WORKSHOP INC, services	5,548.75
DOUGLAS COUNTY SHERIFF, services	387.50
ESSENTIAL SCREENS, services	433.10
FASTENAL CO, maint.	66.59
FEDEX, services	15.70
FERGUSON ENTERPRISES INC, maint.	108.84
FITZGERALD SCHORR BARMETTLER, services	26,521.70
FORVIS LLP, services	11,414.81
GALE, books	101.96
GRAINGER, bld&grnds	376.16
GREAT PLAINS UNIFORMS, apparel	3,925.00
GREATAMERICA FINANCIAL, services	2,137.63
GREY HOUSE PUBLISHING, media	345.00
GUARDIAN ALLIANCE TECHNOLOGIES, services	204.00
HEARTLAND TIRES & TREADS, maint.	657.61
HOBBY LOBBY, supplies	70.28
HOME DEPOT, supplies	520.18

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HUSKER AUTO GROUP INC, services	62,393.91
HY-VEE SHADOW LAKE, services	624.00
INGRAM LIBRARY SERVICES, books	1,443.48
JE DUNN CONSTRUCTION CO, services	1,087,119.00
KRIHA FLUID POWER, maint.	108.12
LABRIE, DONALD P, services	225.00
LARSEN SUPPLY CO, bld&grnds	641.55
LEARNER PUBLISHING GROUP, books	6.74
LIBRA INDUSTRIES INC, supplies	186.00
LIBRARY IDEAS LLC, media	11.00
MACKIE CONSTRUCTION, services	72,093.18
MACQUEEN EQUIPMENT LLC, services	8,250.92
MATHESON TRI-GAS INC, services	412.50
MENARDS-RALSTON, supplies	941.62
MUD, utilities	2,212.48
MID-AMERICAN BENEFITS INC, services	2,694.89
MIDWEST TAPE, media	362.41
MIKTOM INC, services	4,000.00
MSC INDUSTRIAL SUPPLY CO, maint.	42.90
MURPHY TRACTOR/POWERPLAN, maint.	724.76
NE DEPT OF MOTOR VEHICLE, services	24.60
NE DEPT OF REVENUE, sales tax	52.46
NE ARBORISTS ASSOC, services	150.00
NE TURFGRASS ASSOC, services	90.00
OFFICE DEPOT INC, supplies	481.54
OPPD, utilities	41,059.96
ON THE SPOT PRODUCTIONS, services	10,000.00
PAPIO-MISSOURI RIVER NRD, services	69,472.19
PAYROLL MAXX, payroll & taxes	425,897.01
PLAN IT SOFTWARE LLC, services	2,400.00
POLKA DOT ENTERTAINMENT LLC, services	200.00
RDG PLANNING & DESIGN, services	3,655.00
REGAL AWARDS INC, services	1,636.90
ROBERT HALF, services	6,739.89
ROBERT T. HENNRICH, maint.	686.46
SARPY COUNTY COURTHOUSE, services	4,496.00
SHERWIN-WILLIAMS, bld&grnds	106.18
SHI INTERNATIONAL CORP, services	36,667.93
SIRCHIE ACQUISITION CO, services	159.08
SIRIUS VET ORTHO CENTER, services	1,020.68
SOUTHERN UNIFORM & TACTICAL, apparel	314.25
STAPLES INC, supplies	122.90
STOREY KENWORTHY, services	895.62
SUBURBAN NEWSPAPERS INC, services	584.81
SUNSET LAW ENFORCEMENT LLC, supplies	6,267.30
TEAMSIDELINE.COM, services	699.00
TED'S MOWER SALES, maint.	234.30
THE COLONIAL PRESS, services	7,093.93
THOMPSON DREESSEN & DORNER, services	8,875.00
TIM JAVORSKY, services	100.00
TK ELEVATOR CORP, services	3,966.51
TRANS UNION RISK, services	75.00
TY'S OUTDOOR POWER, maint.	280.03
U.S. CELLULAR, phones	1,874.06
ULINE INC, supplies	239.22
UNITE PRIVATE NETWORKS LLC, services	4,400.00
UNITED STATES POSTAL SERVICE, postage	1,758.92
VAL VERDE ANIMAL HOSPITAL INC, services	61.20



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VERIZON CONNECT NWF INC, phones	501.89
VERIZON WIRELESS, phones	18.02
WOODHOUSE FORD, maint.	463.73

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

**REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Library Director Barcal provided the annual report for the library.

Communication Manager Beaumont and Communication Specialist Grams gave an update on the Virtual Chatbot.

Director of Public Works Soucie provided updates on the JC Park playground equipment and the Applewood Creek Trail.

**PRESENTATION – 84<sup>TH</sup> STREET BRIDGE DESIGN**

Assistant City Administrator Ramirez presented bridge design options. Council discussion was held.

**B. ORDINANCE – ADOPT MUNICIPAL CODE SECTION 72.29 – PARKING RESTRICTIONS**

Councilmember Thomas introduced Ordinance No. 1476 entitled: AN ORDINANCE TO ADOPT SECTION 72.29 OF THE MUNICIPAL CODE REGARDING PARKING RESTRICTIONS IN MIXED USE CITY CENTRE (MU-CC) ZONING DISTRICT, AND TO REPEAL CONFLICTING PROVISIONS, AND PROVIDE FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Frederick and Sheehan. Motion carried.

Councilmember Thomas made a motion to approve final reading and adopt Ordinance 1476. Councilmember Sell seconded the motion. Upon roll call vote the following Councilmembers voted aye: Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Frederick and Sheehan. 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 – BERGANKDV – AUDIT PREPARATION AMENDMENT**

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 23-032 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH BERGANKDV FOR PROFESSIONAL FINANCIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$12,000.00.

- 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



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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 an amendment to a professional services agreement, in a satisfactory form to the City Administrator, be authorized with BERGANKDV to provide professional financial services in an amount not to exceed \$12,000.00.

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

## **D. RESOLUTION – AUTHORIZE AGREEMENT – BERGANKDV – PROFESSIONAL TRAINING SERVICES**

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-033 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BERGANKDV FOR TRAINING AND ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$7,500.00.

WHEREAS, the City Council of the City of La Vista has determined that professional training 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 a professional services agreement, in a satisfactory form to the City Administrator, be authorized with BERGANKDV for training and assistance in an amount not to exceed \$7,500.00.

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

## **E. RESOLUTION – AMEND INTERLOCAL COOPERATION AGREEMENT – ANIMAL CONTROL SERVICES**

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-034 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE NEBRASKA HUMANE SOCIETY, SARPY COUNTY, CITY OF BELLEVUE, CITY OF GRETNA, CITY OF LAVISTA, CITY OF SPRINGFIELD, CITY OF PAPILLION AND THE CITY OF RALSTON FOR ANIMAL CONTROL SERVICES.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in the best interest of the City to enter into an interlocal cooperation agreement for the purpose of providing animal control services in an efficient and effective manner; and

WHEREAS, the City of La Vista is desirous of coordinating animal control services within the City and County;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Amendment to the Interlocal Cooperation Agreement with The Nebraska Humane Society, Sarpy



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County, City of Bellevue, City of Gretna, City of La Vista, City of Springfield, City of Papillion and the City of Ralston for animal control services subject to modifications as the City Administrator deems necessary to maintain the existing level of service in the City and further direct the City Clerk to attest the same.

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

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

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-035 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING EQUIPMENT AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 3 pieces of equipment to be declared surplus; and

WHEREAS, the City Administrator and City Staff recommend that the following items be declared surplus and sold;

1991 Ford F350 Fire Pickup (VIN 9083)  
1997 E-One Cyclone II Fire Truck (VIN 7791)  
2007 Ford E350 Bus (VIN 3447)

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 3 pieces of equipment be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the Mutual Finance Organization (MFO) will receive the revenue from the sale of the fire equipment and that the City of La Vista general fund will receive the revenue from the sale of the recreation department equipment.

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

## **G. RESOLUTION – AUTHORIZE PURCHASE – PORTABLE RADIOS**

Staff has requested that no action be taken on this item at this time.

## **H. RESOLUTION – AUTHORIZE PURCHASE – NETWORKING EQUIPMENT – THE LINK**

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-036 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE THE PURCHASE OF NETWORKING EQUIPMENT FOR THE LINK FROM MNJ TECHNOLOGIES DIRECT, INC., BUFFALO GROVE, IL IN AN AMOUNT NOT TO EXCEED \$10,582.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of networking equipment for The Link 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 authorize the purchase of networking equipment

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for The Link from MNJ Technologies Direct, Inc., Buffalo Grove, IL in an amount not to exceed \$10,582.00.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

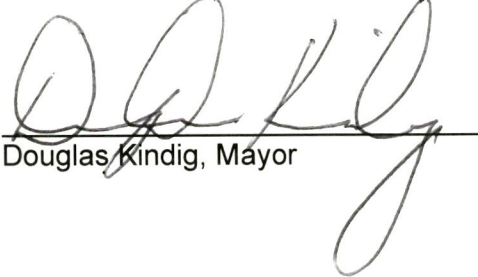
## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig gave a legislative update on LB692.

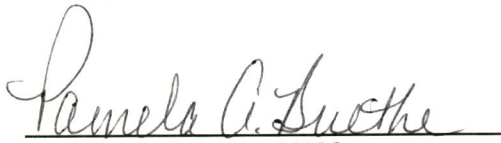
At 7:06 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Frederick and Sheehan. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF MARCH 2023.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk