

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING January 16, 2024

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 January 16, 2024. Present were Mayor Kindig and Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Director of Administrative Services Pokorny, Police Captain Barcal, Director of Public Works Soucie, Finance Director Harris, Recreation Director Buller, Human Resources Director Lowery, Community Development Director Fountain, City Engineer Dowse and Library Director Barcal.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on January 3, 2024. 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.

SWEAR IN POLICE OFFICER – COLTON HARDING

Mayor Kindig swore in Colton Harding as a Police Officer for the City of La Vista.

APPOINTMENTS – PLANNING COMMISSION – REAPPOINT PATRICK COGHLAN AND MICHAEL KRZYWICKI – 3 YEAR TERM; BOARD OF ADJUSTMENT – REAPPOINT BRAD STRITTMATTER – 3 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to reappoint Patrick Coghlan and Michael Krzywicki to the Planning Commission for a 3 year term and reappoint Brad Strittmatter to the Board of Adjustment for a 3 year term. Councilmember Thomas motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. 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 JANUARY 2, 2024 CITY COUNCIL MEETING**
- 3. MONTHLY FINANCIAL REPORT – DECEMBER 2023**
- 4. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PARKING STRUCTURE 2 – \$8,000.00**
- 5. REQUEST FOR PAYMENT - NL & L CONCRETE, INC – CONSTRUCTION SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION - \$255,593.84**
- 6. APPROVAL OF CLAIMS**

1000 BULBS, maint.	194.09
ACTION BATTERIES UNLTD, maint.	79.60
ACTIVE NETWORK, services	36.83
AKRS EQUIPMENT SOLUTIONS, maint.	83.47
ALFRED BENESCH & CO, services	2,361.74
ALLEN, J, travel	211.50
AMAZON, supplies	725.54
AMERICAN LEGAL PUBLISHING CO, services	1,078.38
ANTHEM SPORTS, services	7,311.64
ARNOLD MOTOR SUPPLY, maint.	67.77
AWARDS AND MORE CO, services	178.39
BACON LETTUCE CREATIVE, services	1,600.00
BLACK HILLS ENERGY, utilities	6,966.51
BOOT BARN, apparel	676.96
BOSANEK, GARY, services	1,900.00

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CENTER POINT, books	236.10
CENTURY LINK/LUMEN, phones	81.10
CITY OF OMAHA, services	4,291.65
CITY OF PAPILLION, services	237,694.00
CLEARVIEW PET CARE CENTRE, services	251.70
COLLAB. SUMMER LIBRARY PROGRAM, supplies	284.27
COMP CHOICE, services	694.33
COX COMMUNICATIONS, services	893.65
CROUCH RECREATION, services	83,743.00
CULLIGAN OF OMAHA, services	12.50
CUMMINS SALES AND SERVICE, maint.	2,838.72
D & K PRODUCTS, supplies	858.00
DATASHIELD CORP, services	180.00
DFC FLOORING SPECIALISTS, services	9,678.62
DIAMOND VOGEL PAINTS, supplies	173.90
DLR GROUP, services	1,365.00
EBSCO INFORMATION, services	2,936.18
EYMAN PLUMBING, services	174.00
FASTENAL CO, supplies	679.26
FELSBURG HOLT & ULLEVIG, services	400.00
FERRELLGAS, supplies	1,246.59
FIKES COMMERCIAL, supplies	66.00
FLAGSHOOTER, supplies	221.01
FNIC, services	6,730.75
FOCUS PRINTING, services	456.00
GALLS, supplies	231.59
GENERAL FIRE & SAFETY, services	425.05
GENUINE PARTS CO, supplies	348.84
GREAT PLAINS UNIFORMS, apparel	1,351.26
GREATAMERICA FINANCIAL, services	1,795.62
HANEY SHOE STORE, apparel	300.00
HARBOR FREIGHT TOOLS, supplies	472.91
HOBBY LOBBY, supplies	22.84
HOME DEPOT, supplies	59.05
HOUSTON ENGINEERING, services	8,657.00
HY-VEE, supplies	592.29
INGRAM LIBRARY SERVICES, books	1,856.56
J & J SMALL ENGINE, services	682.42
J P COOKE CO, supplies	81.79
JE DUNN CONSTRUCTION CO, services	597,117.00
JOHANNSEN, A, travel	211.50
JOHNSTONE SUPPLY CO, bldg & grnds	52.02
KANOPY, services	186.00
KEYSTONE RIDGE DESIGNS, services	2,443.00
KIMBALL MIDWEST, supplies	550.03
KRIHA FLUID POWER CO, maint.	28.12
LABRIE, DONALD, services	150.00
LAMP RYNEARSON & ASSOC, services	5,607.70
LARSEN SUPPLY CO, supplies	164.54
LARSON, C, supplies	86.66
LEXIS NEXIS MATTHEW BENDER, services	400.31
LIBRARY IDEAS, books	43.96
LOWE'S, supplies	534.53
MACQUEEN EQUIPMENT, services	921.37
MATHESON TRI-GAS INC, bldg & grnds	405.50

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MENARDS, supplies	307.78
MUD, utilities	76.84
MICHAEL TODD & CO, supplies	280.22
MID AMERICAN SIGNAL, maint.	1,275.00
MID-AMERICAN BENEFITS, services	8,125.83
MIDWEST TAPE, media	332.47
MORRIS, S, apparel	136.00
MSC INDUSTRIAL SUPPLY CO, supplies	605.64
NE DEPT OF MOTOR VEHICLE, license	16.40
NE DEPT OF REVENUE, taxes	533.00
NE IA INDL FASTENERS, maint.	143.92
NE STATE FIRE MARSHAL, services	120.00
NE TURFGRASS ASSOC, services	80.00
NMC GROUP, maint.	367.55
OFFICE DEPOT, supplies	515.85
OLSSON, services	900.00
OMAHA GLASS PRO, maint.	504.00
ONE CALL CONCEPTS, services	366.04
O'REILLY AUTO PARTS, supplies	4,325.19
PAPILLION SANITATION, services	5,423.19
PAYROLL MAXX, payroll & taxes	447,015.23
PREDATOR CUSTOM TRAILER, maint.	30.00
PRIMA DISTRIBUTION, supplies	105.93
RDG PLANNING & DESIGN, services	47,790.85
SARPY COUNTY ECONOMIC DEV. CORP, services	8,500.00
SARPY COUNTY SHERIFF'S OFFICE, services	350.00
SESAC, services	581.00
SHERWIN-WILLIAMS, supplies	440.75
SHI INTERNATIONAL CORP, services	49,543.86
SIGN IT, services	1,051.00
SORENSEN SOD, supplies	2,560.00
STERLING COMPUTER CORP, services	1,026.91
SUSPENSION SHOP, maint.	1,513.02
TED'S MOWER SALES, maint.	45.74
THE PENWORTHY CO, books	299.45
THE SCHEMMER ASSOC, services	140.00
THE WALDINGER CORP, bldg & grnds	6,094.04
TK ELEVATOR CORP, services	1,452.48
TORNADO WASH, services	371.00
TRANS UNION RISK, services	75.00
TURFWERKS, supplies	75,425.73
UNITE PRIVATE NETWORKS, services	3,850.00
UPS, services	26.64
VAL VERDE ANIMAL HOSPITAL, services	293.77
VERIZON CONNECT, phones	608.00
VERIZON WIRELESS, phones	383.85
VIERREGGER ELECTRIC CO, services	2,740.00
VOIANCE LANGUAGE, services	25.00
WALMART, supplies	2,186.65
WELDON PARTS, supplies	327.34
WESTLAKE HARDWARE, supplies	1,804.75

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Sell. Councilmember Ronan reviewed the bills and had no questions. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

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REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Harris reported that the Finance Department is working on the FY23 audit and provided a financial report overview.

Recreation Director Buller reported on the winter spring break program.

Library Director Barcal provided council with a winter reading handout.

Fire Chief Gottsch gave a review of what was going on with fire service.

Police Captain Barcal reported on events during our latest snow event and gave kudos to Public Works for their clean up after the snow event.

Director of Public Works Soucie provided a snow recap and that they are now in clean up mode.

B. RESOLUTION – APPROVE PROFESSIONAL SERVICES AGREEMENT – GILES ROAD REHABILITATION AND WIDENING – PHASE 1

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-002 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 ALFRED BENESCH AND COMPANY, OMAHA, NEBRASKA FOR ENGINEERING AND DESIGN SERVICES ASSOCIATED WITH THE REHABILITATION AND WIDENING OF GILES ROAD IN AN AMOUNT NOT TO EXCEED \$211,749.82.

WHEREAS, the Mayor and City Council have determined that professional services are necessary; and

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

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 Alfred Benesch and Company, Omaha, Nebraska for engineering and design services associated with the rehabilitation and widening of Giles Road in an amount not to exceed \$211,749.82.

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

C. APPROVE MEMORANDUM OF UNDERSTANDING AND INTERLOCAL AGREEMENT – OUTDOOR WARNING SIRENS

1. RESOLUTION – APPROVE MEMORANDUM OF UNDERSTANDING

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-003 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH SARPY COUNTY FOR OWNERSHIP, OPERATIONAL CONTROL, REPAIR AND MAINTENANCE OF THE CITY OF LA VISTA OUTDOOR WARNING SIRENS.

WHEREAS, the City desires to enter into a Memorandum of Understanding with Sarpy County for ownership, operational control, repair and maintenance of the City's outdoor warning sirens; and

WHEREAS, the Memorandum of Understanding identifies the roles and responsibilities of the parties as they relate to outdoor warning siren operation and maintenance; and

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WHEREAS, the City will maintain ownership and be responsible for all costs associated with operation repair, and maintenance of the sirens within the city limits; and

WHEREAS, the City relinquishes operational control to the County who agrees to operationally control sirens on behalf of the City; and

WHEREAS, the Memorandum of Understanding shall remain in effect from the date of execution until a party chooses to terminate it by giving thirty (30) days written notice.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize execution of a Memorandum of Understanding with the Sarpy County for ownership, operational control, repair and maintenance of the City of La Vista Outdoor warning sirens.

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

2. RESOLUTION – APPROVE INTERLOCAL AGREEMENT

Councilmember Quick introduced and moved for the adoption of Resolution No. 24-004 entitled: A RESOLUTION AMENDING RESOLUTION NO. 17-074, AS AMENDED BY RESOLUTION NO. 23-095, RELATING TO TAX INCREMENT REVENUE NOTE (LA VISTA CITY CENTRE PHASE IB PROJECT), SERIES 2017, OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, TO ALLOW SEPARATE NOTES ISSUED THEREUNDER TO BE SECURED BY SPECIFIC PARCELS RATHER THAN SECURED EQUALLY UNDER THE RESOLUTION; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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 improvements to the outdoor warning siren system; and

WHEREAS, the City of La Vista desires to collaborate with Sarpy County for the improvements to the city outdoor warning siren system.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Sarpy County for improvements to the outdoor warning siren system through previously approved American Rescue Plan Act (ARPA) funds received by Sarpy County 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 Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

D. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – EDGEWOOD BLVD, VALLEY RD, GREENLEAF DR PAVEMENT REHABILITATION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-005 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR PAVEMENT REHABILITATION.

WHEREAS, the Mayor and Council have determined that the pavement rehabilitation on Edgewood Boulevard, Valley Road and Greenleaf Drive is necessary; and

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

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WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors January 24, 2024 and January 31, 2024

Open Bids February 9, 2024 at 10:00am at City Hall

City Council Award Contract February 20, 2024

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for pavement rehabilitation.

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

E. RESOLUTION – AUTHORIZE PURCHASE – THE HEART AND MIND OF THE GUARDIAN, TRAIN THE TRAINER COURSE

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-006 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF THE HEART AND MIND OF THE GUARDIAN, TRAIN THE TRAINER COURSE FROM BLUE COURAGE, ELMHURST, IL IN AN AMOUNT NOT TO EXCEED \$22,280.00.

WHEREAS, the City Council of the City of La Vista has determined the purchase of this training course is necessary for the continuing education in de-escalation skills for sworn and civilian employees of the La Vista Police Department.

WHEREAS, the FY22 Law Enforcement Agency De-Escalation Grants - Community Policing Development Solicitation grant provides funding for the proposed purchase; and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires 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 The Heart and Mind of the Guardian, Train the Trainer course from Blue Courage, Elmhurst, IL in an amount not to exceed \$22,280.00.

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

F. RESOLUTION – AUTHORIZE PURCHASE – MARKED POLICE VEHICLES

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-007 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) 2024 CHEVROLET TAHOE POLICE VEHICLES FROM GREG YOUNG CHEVROLET AUTO GROUP, OMAHA, NEBRASKA, AND UP-FITTING FROM JONES AUTOMOTIVE, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$148,580.26.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) new marked police vehicles are necessary, and

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

WHEREAS, the cost of this purchase is below the Nebraska State Bid cost, 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 authorize the purchase of two (2) 2024 Chevrolet Tahoe Police vehicles from Greg Young Chevrolet Auto Group, Omaha, Nebraska, and up-fitting from Jones Automotive, Omaha, Nebraska in an amount not to exceed \$148,580.26.

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

G. RESOLUTION – AUTHORIZE PURCHASE – TURF TANK ROBOT PAINTER

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-008 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) TURF TANK ROBOT PAINTER FROM TURF TANK, LA VISTA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$45,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) Turf Tank Robot Painter 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 a one (1) Turf Tank Robot Painter from Turf Tank, La Vista, Nebraska in an amount not to exceed \$45,000.00.

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

Councilmember Frederick motioned to move Comments from the Floor up on the agenda ahead of item H. Executive Session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

Terry Frecks 7741 Park View Blvd addressed the Council regarding concerns in his neighborhood.

H. EXECUTIVE SESSION – PERSONNEL

At 6:52 p.m. Councilmember Quick made a motion to go into executive session for the protection of an individual to discuss personnel matters. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matters contained in the motion.

At 7:09 p.m. the Council came out of executive session. Councilmember Sell made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

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COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig provided an update on the legislative session.

At 7:11 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2024.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk