

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING July 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 July 16, 2024. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Director of Administrative Services Pokorny, Chief of Police Schofield, Director of Public Works Soucie, Community Development Director Fountain, Finance Director Harris, Human Resources Director Lowery, Recreation Director Buller, Assistant Library Director Norton and City Engineer Dowse.

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

POLICE DEPARTMENT LIFE SAVING AWARDS – OFFICER TYLER COLEMAN, OFFICER ANDREW MAVENCAMP AND OFFICER ALEX GRESS

Mayor Kindig and Chief of Police Schofield presented Life Saving Awards to Officer Tyler Coleman, Officer Andrew Mavencamp and Officer Alex Gress.

SERVICE AWARD: JEFF COX – 5 YEARS

Mayor Kindig recognized Jeff Cox for 5 years of service to the City.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE CORRECTED MINUTES OF THE JUNE 18, 2024, CITY COUNCIL MEETING**
- 3. APPROVAL OF THE MINUTES OF THE JULY 2, 2024, CITY COUNCIL MEETING**
- 4. MONTHLY FINANCIAL REPORT – JUNE 2024**
- 5. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – POOL DEMO – \$8,550.00**
- 6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$1,904.00**
- 7. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – GILES ROAD WIDENING – \$7,944.97**
- 8. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – GILES ROAD WIDENING – \$702.00**
- 9. REQUEST FOR PAYMENT – PUBLIC RESTROOM COMPANY – PROFESSIONAL SERVICES – PARK RESTROOM – \$83,467.00**
- 10. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE SURFACE PARKING LOT – \$16,575.00**
- 11. REQUEST FOR PAYMENT – MCANANY CONSTRUCTION – CONSTRUCTION SERVICES – UBAS STREET MAINTENANCE PROJECT – \$280,160.00**
- 12. RESOLUTION NO. 24-078 – AUTHORIZE PAYMENT – VIERREGGER ELECTRIC COMPANY – ELECTRICAL CIRCUIT REPAIR**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING PAYMENT TO VIERREGGER ELECTRIC COMPANY, OMAHA, NEBRASKA FOR EMERGENCY REPAIRS TO A STREETLIGHT LUMINAIRE CIRCUIT IN AN AMOUNT NOT TO EXCEED \$7,641.00.

WHEREAS, the City Council of the City of La Vista has determined that emergency repairs to the streetlight luminaire circuit near the intersection of Bartmettler Drive and Main Street was necessary; and

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

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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 authorize payment to Vierregger Electric Company, Omaha, Nebraska for emergency repairs to a streetlight luminaire circuit in an amount not to exceed \$7,641.00.

13. APPROVAL OF CLAIMS

ACCO UNLIMITED CORP, supplies	775.42
ACTIVE NETWORK, services	658.63
AKRS EQUIP SOLUTIONS, maint.	21,832.36
AMAZON, supplies	1,592.00
BOHLMANN INC, bldg & grnds	1,454.88
BOK FINANCIAL, services	905,679.45
BSN SPORTS, supplies	760.00
BUETHE, P, training	228.50
CENTER POINT, books	242.10
CENTURY LINK/LUMEN, phones	177.45
CITY OF OMAHA, services	250,410.82
CITY OF PAPILLION, services	237,694.00
COLONIAL RESEARCH CHEMICAL, bldg & grnds	674.20
COMP CHOICE, services	3,020.00
CORNHUSKER SIGN, supplies	590.00
D & K PRODUCTS, supplies	2,689.78
DLR GROUP, services	3,900.00
DOUGLAS CO SHERIFF'S OFC, services	100.00
ENTERTAINMENT GRP, services	475.00
ESSENTIAL SCREENS, services	89.20
FAC PRINT & PROMO, services	840.00
FASTENAL CO, maint.	710.18
FELSBURG HOLT & ULLEVIG, services	3,795.51
FIRST RESPONDER OUTFITTERS, apparel	1,932.06
GARDIAN ALLIANCE TECH, services	50.00
GENERAL FIRE & SAFETY EQUIP, bldg & grnds	203.25
GENUINE PARTS CO, supplies	189.82
GREAT PLAINS UNIFORMS, services	1,540.84
HOME DEPOT, supplies	217.76
HONEYMAN RENT-ALL, services	351.71
INDUSTRIAL SALES CO, supplies	742.88
INGRAM LIBRARY SVCS, books	2,414.79
INT'L CODE COUNCIL, books	180.52
ITPROTV, mbmshp	299.40
J & J SMALL ENGINE, maint.	127.87
KANOPY, media	142.00
LA VISTA COMM FOUNDATION, payroll	240.00
LARSEN SUPPLY CO, supplies	267.72
MALLOY ELECTRIC, maint.	4,225.85
MARCO INC, services	153.87
MATHESON TRI-GAS, services	230.52
METRO COMM COLLEGE, services	21,055.07
MUD, utilities	78.87
MID-AMERICAN BENEFITS, services	9,203.86
MIDWEST TAPE, media	203.54
OFFICE DEPOT, supplies	405.85
OLSSON, services	4,500.00

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OMAHA STORM CHASERS BASEBALL, services	1,000.00
O'REILLY AUTO PARTS, supplies	3,141.53
PLCS, sponsorship	250.00
PAPILLION SANITATION, services	1,424.68
PAYROLL MAXX, payroll & taxes	515,232.98
POINT C HEALTH, services	9,619.76
RDG PLANNING & DESIGN, services	23,960.00
SARPY CO CHAMBER, training	1,450.00
SARPY CO COURTHOUSE, services	4,627.00
SARPY CO FISCAL ADMIN, services	10,129.50
SHI INT'L CORP, services	617.35
SIGN IT, supplies	97.50
SITE ONE LANDSCAPE, supplies	1,176.58
STERLING COMPUTER CORP, services	2,388.02
STOREY KENWORTHY CORP, supplies	550.31
SUBURBAN NEWSPAPERS, services	264.16
THE COLONIAL PRESS, services	391.00
TMS, services	966.48
TRAVELERS, services	223.00
U.S. CELLULAR, phones	2,270.07
UNITE PRIVATE NETWORKS, services	4,950.00
UNIVERSITY OF NE, services	50.00
UNMC, services	721.00
VERIZON CONNECT FLEET, phones	608.00
VERIZON WIRELESS, phones	18.02
WALMART, supplies	988.49
WESTLAKE HARDWARE, supplies	37.97
WHITE, SCOTT, services	1400.00
ZIMCO SUPPLY CO, maint.	1,169.00

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Harris reported that the monthly financial report is in the packet.

Director of Public Works Soucie reported that the restroom facilities for Central Park has arrived.

B. APPROVAL OF CLASS I LIQUOR LICENSE APPLICATION – BAMBOO BEAUTY, LLC DBA BAMBOO NAIL SPA

1. PUBLIC HEARING

At 6:08 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the Class I Liquor License Application for Bamboo Beauty, LLC dba Bamboo Nail Spa.

At 6:08 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

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2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-079 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS I LIQUOR LICENSE FOR BAMBOO BEAUTY, LLC DBA BAMBOO NAIL SPA IN LA VISTA, NEBRASKA.

WHEREAS, Bamboo Beauty, LLC dba Bamboo Nail Spa, 7826 S. 123rd Plaza, Suite A, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License; and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application; and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission; and

WHEREAS, said licensing standards have been considered by the City Council in making its decision;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class I Liquor License submitted by Bamboo Beauty, LLC dba Bamboo Nail Spa, 7826 S. 123rd Plaza, Suite A, La Vista, Sarpy County, Nebraska.

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

C. PUD SITE PLAN AMENDMENT – LOT 2, SOUTHPORT EAST REPLAT TWO

1. PUBLIC HEARING

At 6:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the PUD Site Plan Amendment – Lot 2, Southport East Replat Two. Joe Dethlefs with TD2 gave an overview.

At 6:14 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Quick introduced and moved for the adoption of Resolution No. 24-080 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN AMENDMENT FOR LOT 2, SOUTHPORT EAST REPLAT TWO, A SUBDIVISION LOCATED IN THE SOUTHEAST ¼ OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, CPM-SFI, LLC, of the above-described piece of property has made an application for approval of a PUD site plan amendment for Lot 2, Southport East Replat Two; and

WHEREAS, the Deputy Community Development Director and the City Engineer have reviewed the PUD site plan; and

WHEREAS, on June 20, 2024, the La Vista Planning Commission held a public hearing and reviewed the amendment to the PUD site plan and recommended approval as the PUD Site Plan Amendment is consistent with the Comprehensive Plan and Zoning Ordinance.

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NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the PUD Site Plan for Lot 2, Southport East Replat Two, a subdivision located in the Southeast ¼ of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of Eastport Parkway and Giles Road, be, and hereby is, approved.

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

D. RESOLUTION – APPROVE AMENDMENT NO. 4 – PROFESSIONAL SERVICES AGREEMENT – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION PROJECT

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-081 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HGM ASSOCIATES, INC., OMAHA, NEBRASKA FOR CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE EAST LA VISTA SEWER AND PAVEMENT REHABILITATION PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$222,455.00.

WHEREAS, the Mayor and City Council have determined that professional services for the construction phase services associated with the East La Vista Sewer and Pavement Rehabilitation Project are necessary; and

WHEREAS, the FY23/FY24 Biennial Budget includes funding for this project; 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, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment No. 4 to the professional services agreement with HGM Associates, Inc. to provide construction phase services associated with the East La Vista Sewer and Pavement Rehabilitation Project in an additional amount not to exceed \$222,455.00.

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

COMMENTS FROM THE FLOOR

Martin Ware 7311 Lillian Avenue addressed the Council with concerns.

E. EXECUTIVE SESSION – LITIGATION

At 6:24 p.m. Councilmember Quick made a motion to go into executive session for the protection of the public interest for possible litigation. 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 matter contained in the motion.

At 6:31 p.m. the Council came out of executive session. Councilmember Thomas made a motion to reconvene in open and public session. Seconded by Councilmember

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

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick thanked the Public Works Department for their work on the roads and thanked everyone for their work on the budget process.

Councilmember Quick commented on her personal tax statement.

At 6:37 p.m. Mayor declared the meeting adjourned. There were no objections.

PASSED AND APPROVED THIS 6TH DAY OF AUGUST 2024.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk