

MINUTE RECORD

No. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

**LA VISTA CITY COUNCIL
MEETING
MARCH 17, 2020**

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 17, 2020. Present via teleconference were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Present in the Council Chambers were Mayor Douglas Kindig, City Attorney McKeon, Assistant City Administrator Ramirez, Police Chief Lausten, and City Clerk Buethe.

A notice of the meeting was given in advance thereof by publication in the Times on March 4, 2020. 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 in person and via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance to the meeting facility. 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.

A. CONSENT AGENDA

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE AGENDA AS PRESENTED**
3. **APPROVAL OF THE MINUTES OF THE MARCH 3, 2020 CITY COUNCIL
MEETING**
4. **MONTHLY FINANCIAL REPORT – JANUARY 2020**
5. **REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY
CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$6,714.25**
6. **REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL
SERVICES – PLACEMAKING & LA SERVICES – \$5,991.92**
7. **APPROVE MANAGER APPLICATION – CLASS C LIQUOR LICENSE –
OZZY'S ROADHOUSE – HALIE HULSEY**
8. **APPROVAL OF CLAIMS**

AED ZONE, services	120.00
AGA, services	140.00
AMAZON CAPITAL, services	1,069.74
APWA-AMER PUBLIC WORKS ASSN, services	875.00
BADGER BODY, maint.	49.00
BAUER BUILT INC, maint	344.00
BERGANKDV LLC, services	2,466.00
BERRY DUNN, services	4,500.00
BETH GEORGE, refund	2.88
BISHOP BUSINESS EQUIPMENT, services	237.91
BIZCO, INC, services	1,688.15
BKD LLP, services	7,500.00
BLACK HILLS ENERGY, utilities	1,007.67
BOBCAT OF OMAHA, services	3,271.80
BRITE IDEAS DECORATING, services	291.99
BUETHE, P., travel	151.00
CARL, R., travel	76.00
CARROT-TOP INDUSTRIES, services	698.99
CCH INC, services	2,057.00
CENTER POINT, INC, books	44.34
CENTURY LINK, phones	584.27
CENTURY LINK BUSN SVCS, phones	305.77
CINTAS CORP, services	576.24
CITY OF OMAHA, services	184,912.48

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CITY OF PAPILLION, services	12,549.79
CODE 2 CANINE, services	400.00
CORNHUSKER INTL TRUCKS, maint.	2,564.82
COX COMMUNICATIONS, services	282.86
CRIMINAL ADDICTION INC, services	300.00
CULLIGAN OF OMAHA, services	18.00
CUMMINS CENTRAL POWER, services	296.00
DELL MARKETING LP, services	319.56
DHHS REG/LIC-POOL PERMIT, services	240.00
DIGITAL EXPRESS, services	413.36
DOUGLAS COUNTY SHERIFF'S OFC, services	80.00
ENCYCLOPEDIA BRITANNICA INC, services	875.00
FBG SERVICE CORP, bld&grnds	11,930.00
FERGUSON ENTERPRISES INC, bld&grnds	78.86
FOCUS PRINTING, services	7,942.49
GALE, books	162.68
GRAHAM CONSTRUCTION, INC, services	435,278.72
HAWKEYE TRUCK EQUIPMENT, maint.	402.34
HAYES MECHANICAL LLC, bld& grnds	513.70
HDR ENGINEERING INC, services	973.07
HEARTLAND PNEUMATIC, maint.	252.85
HEARTLAND TIRES & TREADS, maint.	137.40
HOME DEPOT, bld&grnds	18.97
HOTSY EQUIPMENT CO, bld&grnds	2,084.32
HUE LIFE LLC, services	4,900.00
HUNDEN STRATEGIC PARTNERS, services	4,900.00
INGRAM LIBRARY SERVICES, books	2,119.00
JOHNSON CONTROLS, bld&grnds	571.50
JONES AUTOMOTIVE INC, maint.	39.62
LARSEN SUPPLY CO, bld&grnds	941.94
LAUSTEN JR ROBERT, services	930.00
LIBRARY IDEAS LLC, books	6.00
LOGAN CONTRACTORS SUPPLY, bld&grnds	100.56
LOWE'S, bld&grnds	137.70
MARCO INC, services	127.28
MARK A KLINKER, services	200.00
MENARDS-RALSTON, bld&grnds	299.35
METRO COMM COLLEGE, services	16,852.08
MUD, utilities	59.75
MIDWEST TAPE, books	1,004.64
MISEREZ, C., travel	390.18
MSC INDUSTRIAL, supplies	175.53
NE DEPT OF LABOR, services	426.00
NE ENVIRONMENTAL PRODUCTS, services	3,510.77
NE STATE FIRE MARSHAL, services	30.00
NMC EXCHANGE LLC, maint.	537.84
NOBBIES INC, supplies	131.67
NU DRYWALL INC, bld&grnds	850.00
OCLC INC, services	161.21
ODEYS INC, supplies	74.50
OFFICE DEPOT INC, supplies	496.18
OLD NEWS, media	17.00
OMAHA POLICE DEPARTMENT, services	59.84
OPPD, utilities	49,174.70
OMNI ENGINEERING, maint.	446.85
ONE CALL CONCEPTS INC, services	123.01
O'REILLY AUTO PARTS, maint.	618.85
PAPILLION LA VISTA COMM SCHOOL, services	250.00
PAPILLION SANITATION, services	2,242.68
PAY-LESS OFFICE, supplies	100.05

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PLAINS EQUIPMENT GROUP, maint.	508.15
POWER DMS INC, services	219.66
PROTECH ELECTRIC SERVICES INC, services	1,775.00
RDG PLANNING & DESIGN, services	3,154.19
RED WING, apparel	150.00
REDSHAW PAINT SUPPLY, maint.	27.20
REGAL AWARDS INC, services	11.00
REPCO MARKETING INC, services	40.05
SARPY COUNTY COURTHOUSE, services	4,207.68
SARPY COUNTY FISCAL ADMIN, services	12,103.75
SCHEMMER ASSOCIATES INC, services	2,115.00
SCHOLASTIC LIBRARY PUBLISHING, books	145.60
SOLBERG, C., travel	22.53
SOUTHERN UNIFORM, apparel	411.62
STONE PLANNING LLC, services	2,500.00
SUN VALLEY LANDSCAPING, services	2,315.11
THE HARRY A KOCH CO, services	6,725.75
THE NEW YORK TIMES, services	650.00
THOMPSON DREESSEN & DORNER, INC, services	2,058.15
TITAN MACHINERY, maint.	473.42
TORNADO WASH LLC, maint.	625.00
TRANE U.S. INC, bld&grnds	155.20
TRANS UNION RISK, services	50.00
TRUCK CENTER COMPANIES, maint.	643.56
TURFWERKS, services	28,256.00
U.S. CELLULAR, phones	1,602.36
U.S. POSTAL, services	2,088.87
UTILITY EQUIPMENT CO, services	246.12
VAL VERDE ANIMAL HOSPITAL INC, services	248.01
VERIZON CONNECT, phones	731.25
WELLINGTON EXPERIENCE, INC, services	372.50
WESTLAKE HARDWARE, bld&grnds	305.48
WINTER EQUIPMENT CO, services	108.59
ZIMCO, supplies	130.00

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

PRESENTATION – LA VISTA KENO

Mayor Kindig announced that the La Vista Keno presentation had been postponed

UPDATE – SARPY/CASS HEALTH DEPARTMENT – CORONAVIRUS (COVID-19)

Sarah Schram, Director of the Sarpy/Cass Health Department, gave a presentation on Coronavirus (COVID-19).

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported on the City's response to COVID-19.

Papillion Fire Chief Bowes reported on steps that the Fire Department has taken in response to COVID-19.

B. ORDINANCE – DECLARATION OF SURPLUS PROPERTY – PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE

Councilmember Hale introduced Ordinance No. 1390 entitled: AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 1383 MAKING FINDINGS AND DETERMINATIONS AND DECLARING A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, (BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR) AS SURPLUS

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PROPERTY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1390 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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. ORDINANCE – DIRECTING CONVEYANCE – PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE

Councilmember Frederick introduced Ordinance No. 1391 entitled: AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 1384 DIRECTING CONVEYANCE OF REAL ESTATE, A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, (BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR) AND THE MANNER AND TERMS THEREOF; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1391 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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.

D. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – SUPPLEMENT NO. 1 – APPLEWOOD CREEK TRAIL

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-037 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF SUPPLEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ALFRED BENESCH & COMPANY FOR THE PROVISION OF ENVIRONMENTAL SERVICES FOR THE APPLEWOOD CREEK TRAIL PROJECT.

WHEREAS, City of La Vista is developing a transportation project for which it intends to obtain Federal funds; and

WHEREAS, City of La Vista as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations policies and guidelines applicable to the funding of the Federal-aid project; and

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WHEREAS, City of La Vista and Alfred Benesch & Company, wish to enter into a Professional Services Agreement to provide environmental services for the Federal-aid project;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of La Vista that Douglas Kindig, Mayor of the City of La Vista City Council, is hereby authorized to sign the attached environmental services agreement between City of La Vista, Nebraska and Alfred Benesch & Company.

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

E. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – 96TH STREET AND 108TH STREET PAVEMENT REHABILITATION

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-038 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 SERVICES IN AN AMOUNT NOT TO EXCEED \$116,995.00.

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

WHEREAS, the FY19/20 Biennial Budget provides funding for the proposed services;

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 the provision of engineering services in an amount not to exceed \$116,995.00.

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

F. RESOLUTION – INTERLOCAL AGREEMENT – MAINTENANCE & ACCESS ROAD – SID 237

Councilmember Frederick introduced and moved for the adoption of Resolution No. 20-039 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SANITARY & IMPROVEMENT DISTRICT NO. 237 OF SARPY COUNTY FOR THE CONSTRUCTION OF A MAINTENANCE AND ACCESS ROAD AND OTHER WORK IN AN AMOUNT NOT TO EXCEED \$25,000

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and

WHEREAS, the Mayor and City Council have determined that the construction of a maintenance and access road and other work in the vicinity of a culvert under the BNSF railroad tracks and open drainageway, Outlot E, Cimarron Woods and Outlot E, Val Vista are necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for this project;

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation

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Agreement with Sanitary & Improvement District No. 237 of Sarpy County for the construction of a maintenance and access road and other work in an amount not to exceed \$25,000.

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

G. RESOLUTION – APPROVE PURCHASE – POLICE MOBILE (CAR) RADIOS

Councilmember Frederick introduced and moved for the adoption of Resolution No. 20-040 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO MOTOROLA SOLUTIONS, CHICAGO, IL, FOR THE PURCHASE OF THREE (3) MOTOROLA APX 6500 PORTABLE RADIOS AND ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$15,500.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new Motorola mobile radios and accessories is necessary; and

WHEREAS, the FY20 General Fund budget does include funds for the purchase of three (3) Motorola portable radios and accessories; and

WHEREAS, Motorola Solutions is a sole source vendor and will extend that price to the City of La Vista; and

WHEREAS, Motorola Solutions is a highly qualified specialty public safety communications provider, 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 accept the requisition and authorize the purchase of three (3) Motorola APX 6500 portable radios and accessories from Motorola Solutions, Chicago, IL, in an amount not to exceed \$15,500.

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

H. POSITION DESCRIPTION

Councilmember Thomas made a motion to receive and file the updated description for the position of Communication Intern (Student). Seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 6:49 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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PASSED AND APPROVED THIS 7TH DAY OF APRIL 2020

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk