

## LA VISTA CITY COUNCIL MEETING AGENDA

January 5, 2021

6:00 p.m.

Harold "Andy" Anderson Council Chamber  
La Vista City Hall  
8116 Park View Blvd

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Service Awards: Robert Lausten and Rita Ramirez – 30 Years; Randy Seffron – 10 Years**
- **Appointments**
  - Park and Recreation Advisory Committee – Reappoint Bobette Jones – 2 year term
  - Board of Adjustment/Appeals – Reappoint Trish Donoghue – 3 year term
  - Board of Health – Appoint Hans Dethlefs – 1 year term

*All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**A. CONSENT AGENDA**

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the December 15, 2020 City Council Meeting**
3. **Approval of the Minutes of the December 10, 2020 Planning Commission Meeting**
4. **Approval of the Minutes of the September 10, 2020 Library Advisory Board Meeting**
5. **Occupation Tax Report**
6. **Request for Payment – DLR Group – Professional Services – City Centre Parking Structure 2 – \$547.00**
7. **Request for Payment – HGM Associates Inc. – Professional Services – 2020 Bridge Inspection Services – \$5,069.56**
8. **Request for Payment – K Electric Co. – Construction Services – Installation of Electrical Outlets – Civic Center Park – \$6,525.93**
9. **Request for Payment – Midwest Right of Way Services, Inc. – Professional Services – 120th & Giles – \$237.50**
10. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LA Services – \$10,444.16**
11. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – \$600.00**
12. **Approval of Claims**

- **Reports from City Administrator and Department Heads**

**B. Black Sage Arms, LLC – Conditional Use Permit – Lot 29 Stonybrook South – Home Occupation – Gunsmithing**

1. **Public Hearing**
2. **Resolution**

**C. Resolution – Preliminary Plat – Dorwill, LLC – Lot 1 I-80 Business Park 2nd Addition Replat 1**

**D. Position Description – Signal Technician**

**E. Ordinance – Amend Compensation Ordinance**

- **Comments from the Floor**
- **Comments from Mayor and Council**
- **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO **ROBERT LAUSTEN** OF THE LA VISTA POLICE DEPARTMENT, FOR 30 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Robert Lausten** has served the City of La Vista since December 17, 1990; and

WHEREAS, **Robert Lausten's** input and contributions to the City of La Vista have contributed to the success of the City;

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Robert Lausten** on behalf of the City of La Vista for 30 years of service to the City.

DATED THIS 5TH DAY OF JANUARY 2021.

A handwritten signature of Mike Crawford.

Mike Crawford  
Councilmember, Ward I

A handwritten signature of Ronald Sheehan.

Ronald Sheehan  
Councilmember, Ward II

A handwritten signature of Deb Hale.

Deb Hale  
Councilmember, Ward III

A handwritten signature of Kelly R. Sell.

Kelly R. Sell  
Councilmember, Ward IV

A handwritten signature of Douglas Kipdig.

Douglas Kipdig, Mayor

A handwritten signature of Kim J. Thomas.

Kim J. Thomas  
Councilmember, Ward I

A handwritten signature of Terrilyn Quick.

Terrilyn Quick  
Councilmember, Ward II

A handwritten signature of Alan W. Ronan.

Alan W. Ronan  
Councilmember, Ward III

A handwritten signature of Jim Frederick.

Jim Frederick  
Councilmember, Ward IV

ATTEST:

A handwritten signature of Pamela A. Buethe.

Pamela A. Buethe, CMC  
City Clerk





CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

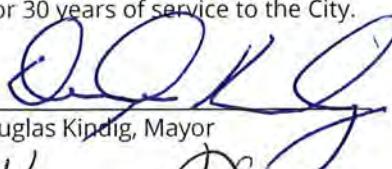
A CERTIFICATE OF APPRECIATION PRESENTED TO **RITA RAMIREZ** OF THE LA VISTA ADMINISTRATION DEPARTMENT, FOR 30 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Rita Ramirez** has served the City of La Vista since December 31, 1990; and

WHEREAS, **Rita Ramirez's** input and contributions to the City of La Vista have contributed to the success of the City;

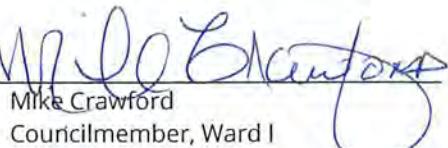
NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Rita Ramirez** on behalf of the City of La Vista for 30 years of service to the City.

DATED THIS 5TH DAY OF JANUARY 2021.

  
Douglas Kipdig, Mayor

  
Kim J. Thomas

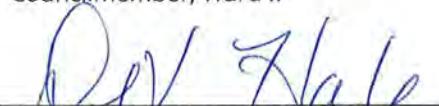
Councilmember, Ward I

  
Mike Crawford

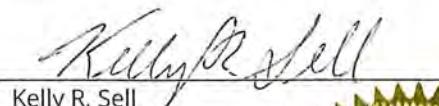
Councilmember, Ward I

  
Ronald Sheehan

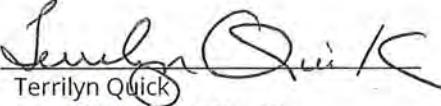
Councilmember, Ward II

  
Deb Hale

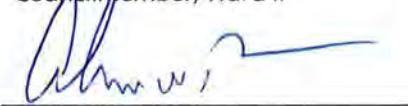
Councilmember, Ward III

  
Kelly R. Sell

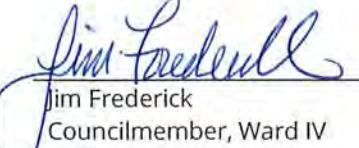
Councilmember, Ward IV

  
Terrilyn Quick

Councilmember, Ward II

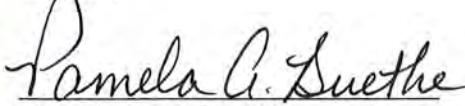
  
Alan W. Ronan

Councilmember, Ward III

  
Jim Frederick

Councilmember, Ward IV

ATTEST:

  
Pamela A. Buethe

CMC

City Clerk





CITY OF LA VISTA

**CERTIFICATE OF APPRECIATION**

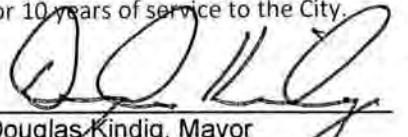
A CERTIFICATE OF APPRECIATION PRESENTED TO **RANDY SEFFRON** OF LA VISTA PUBLIC WORKS, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Randy Seffron** has served the City of La Vista since November 22, 2010; and

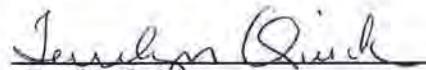
WHEREAS, **Randy Seffron's** input and contributions to the City of La Vista have contributed to the success of the City;

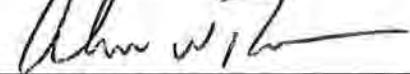
NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Randy Seffron** on behalf of the City of La Vista for 10 years of service to the City.

DATED THIS 15TH DAY OF DECEMBER 2020.

  
Douglas Kindig, Mayor

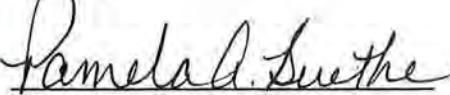
  
Kim J. Thomas  
Councilmember, Ward I

  
Terrilyn Quick  
Councilmember, Ward II

  
Alan W. Ronan  
Councilmember, Ward III

  
Jim Frederick  
Councilmember, Ward IV

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk



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# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING December 15, 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 December 15, 2020. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, City Engineer Dowse, and Deputy Community Development Director Solberg.

A notice of the meeting was given in advance thereof by publication in the Times on December 2, 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. 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.

### **SERVICE AWARDS: MARY SHAW – 20 YEARS; RANDY SEFFRON – 10 YEARS**

Mayor Kindig recognized Mary Marjorie Shaw for 20 years of service to the City. Mr. Seffron was unable to attend.

APPOINTMENTS- LIBRARY BOARD – REAPPOINT CAROL WESTLUND,  
CONNIE NOVACEK, HUYEN-YEN HOANG – 2 YEAR TERM; PLANNING  
COMMISSION – REAPPOINT MIKE KRZYWICKI AND JASON DALE – 3 YEAR  
TERM; BOARD OF ADJUSTMENT/APPEALS – REAPPOINT BRAD  
STRITTMATTER – 3 YEAR TERM; BOARD OF HEALTH – APPOINT DOUGLAS  
KINDIG, KIM THOMAS AND ROBERT LAUSTEN – 1 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Carol Westlund, Connie Novacek, and Huyen-Yen Hoang to the library Board for 2 year terms; re-appoint Mike Krzywicki and Jason Dale to the Planning Commission for 3 year terms; re-appoint Brad Strittmatter to the Board of Adjustment/Appeals for a 3 year term; and appoint Douglas Kindig, Kim Thomas, and Robert Lausten to the Board of Health for 1 year terms. Councilmember Crawford motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

### **A. CONSENT AGENDA**

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE DECEMBER 1, 2020 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE DECEMBER 1, 2020 CITY COUNCIL ORGANIZATIONAL MEETING
4. APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2020 PLANNING COMMISSION MEETING
5. MONTHLY FINANCIAL REPORT – OCTOBER 2020
6. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$5,500
7. REQUEST FOR PAYMENT – SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – PROFESSIONAL SERVICES – 2020 ANNUAL INVESTMENT VISIONARY LEVEL – \$8,500
8. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY INC, maint.	88.85
ACTION BATTERIES, maint.	272.79
AKRS EQUIPMENT SOLUTIONS, maint.	211.10
ALFRED BENESCH & CO, services	724.00
AMAZON, supplies	902.87

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

ANDERSON FORD OF LINCOLN, services	148,875.00
ASHLEY ERICKSON, refund	22.00
ASP ENTERPRISES INC, services	40.00
AWARDS & MORE CO, services	71.62
BAUER BUILT INC, maint.	1,296.50
BAXTER CHRYSLER DODGE, maint.	19.77
BISHOP BUSINESS EQUIPMENT CO, services	2,294.03
BLACHERE ILLUMINATION, services	448.00
BLIZZARD BOYS, maint.	125.42
BOBCAT OF OMAHA, maint.	1,236.66
BRITE IDEAS DECORATING, services	368.15
CAREERLINK LLC, services	3,539.00
CENTER POINT INC, books	408.66
CINTAS CORP, services	309.28
CITY OF PAPILLION, services	215,728.56
COLIBRI SYSTEMS, maint.	2,074.46
CONNER PSYCHOLOGICAL, services	770.00
CONTROL MASTERS INC, bld&grnds	2,031.50
CULLIGAN OF OMAHA, services	71.00
CUMMINS CENTRAL POWER LLC, maint.	244.45
D & K PRODUCTS, supplies	669.71
DARE IOWA INC, services	100.00
DATASHIELD CORP, services	20.00
DEMCO INC, supplies	101.64
DLR GROUP, services	1,641.00
DULTMEIER SALES, maint.	69.00
EYMAN PLUMBING INC, bld&grnds	282.16
FBG SERVICE CORP, bld&grnds	5,965.00
FERRELLGAS, services	12.00
GALE, books	173.93
GENERAL FIRE & SAFETY, bld&grnds	506.70
GENUINE PARTS CO, maint.	167.90
GRAYBAR ELECTRIC CO, bld&grnds	28.50
GROSS BELGIANS INC, services	1,400.00
HAWKEYE TRUCK EQUIPMENT, services	1,068.40
HAYES MECHANICAL LLC, bld&grnds	611.86
HOME DEPOT, bld&grnds	51.76
ICMA MEMBERSHIP RENEWALS, services	1,019.36
INDUSTRIAL SALES CO INC, maint.	37.39
INGRAM LIBRARY SERVICES, books	2,184.59
INLAND TRUCK PARTS, maint.	492.79
J & J SMALL ENGINE, maint.	823.79
JESSICA SWANDA, refund	65.00
KANOPIY INC, media	91.00
KEVIN KUSH PUBLIC SPEAKING INC, services	117.00
KEYMASTERS LOCKSMITH, bld&grnds	91.00
KRIHA FLUID POWER CO, maint.	65.68
LABRIE, DONALD P, services	150.00
LARSEN SUPPLY CO, supplies	247.21
LAUSTEN JR ROBERT S, services	2,820.00
LIBRA INDUSTRIES INC, supplies	109.50
LIBRARY ADVANTAGE, supplies	2,240.00
LIBRARY IDEAS LLC, books	930.35
MATHESON TRI-GAS INC, supplies	461.99
MENARDS-RALSTON, maint.	1,161.79
METRO COMMUNITY COLLEGE, services	12,664.95
MIDWEST TAPE, media	49.02
MIDWEST TURF & IRRIGATION, maint.	170.27
MOBOTREX INC, services	17,093.00
MSC INDUSTRIAL, supplies	612.70

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

NE DEPT OF TRANSPORTATION, services	11,094.00
NE ENVIRONMENTAL PRODUCTS, services	2,275.42
NEBRASKA WELDING LTD, maint.	130.25
NMC EXCHANGE LLC, maint.	7,611.25
NOLL, MARGARET M, services	210.00
OCLC INC, services	161.21
OFFICE DEPOT INC, supplies	318.82
OMAHA WORLD-HERALD, services	1,595.15
OMNI ENGINEERING, services	202.50
ON YOUR MARKS, services	3,856.34
ONE CALL CONCEPTS INC, services	240.71
O'REILLY AUTO PARTS, maint.	1,222.82
ORIENTAL TRADING CO, supplies	372.48
PAPILLION SANITATION, services	252.03
PAY-LESS OFFICE PRODUCTS, supplies	197.16
PITNEY BOWES, services	526.71
QUALITY AUTO REPAIR, services	80.00
RDG PLANNING & DESIGN, services	5,880.86
REACH SPORTS MARKETING GROUP, services	350.00
REF'S SPORTS BAR & GRILL, services	1,567.32
SCHOLASTIC LIBRARY PUBLISHING, books	163.80
SECURITY EQUIPMENT INC, services	126.40
SIGN IT, supplies	145.25
SNOW PROOF SIGNALS LLC. Supplies	589.09
SOUTHERN UNIFORM, apparel	403.96
THE CHILD'S WORLD, books	347.10
THE COLONIAL PRESS, services	2,525.34
THE HARRY A KOCH CO, services	6,725.75
THE SCHEMMER ASSOCIATES INC, services	682.50
THEATRICAL MEDIA, services	4,085.11
TRAFFIC AND CONTROL CO, maint.	587.74
TRANS UNION RISK, services	153.50
U.S. CELLULAR, phones	1,921.29
UNITE PRIVATE NETWORKS LLC, services	8,800.00
UNITED PARCEL, services	13.63
VAL VERDE ANIMAL HOSPITAL INC, services	40.25
VERIZON CONNECT NWF, phones	631.41
VERIZON WIRELESS, phones	681.42
WESTLAKE HARDWARE, supplies	1,609.28
WOODHOUSE FORD, maint.	111.73

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Community Relations Coordinator Beaumont reported that both Walkin' in La Vista Wonderland events were well attended.

Public Works Director Soucie reported on the first snowfall and that there will be two Christmas tree drop-off sites, La Vista Sports Complex and Kelly Fields East, from December 26 through January 19.

City Engineer Dowse reported that the City of La Vista was presented with the 2019-2020 Award for Engineering Excellence from the Eastern Chapter of the Nebraska Society of Professional Engineers for the La Vista City Centre project.

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No. 729 -- REEDFIELD & COMPANY, INC. OMAHA E1310556LD

## SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – 3RD QUARTER REPORT

Josh Charvat presented the 3rd Quarter Report for the Sarpy County Economic Development Corporation.

### B. COMPREHENSIVE PLAN AMENDMENT – FUTURE LAND USE MAP – STRECK, INC. WORKFORCE HOUSING – PORTION OF LOT 1 HARRISON HILLS

#### 1. PUBLIC HEARING

At 6:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Comprehensive Plan amendment. George Achola from Burlington Capital gave a brief presentation on behalf of the applicant.

At 6:20 p.m. Councilmember Frederick made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

#### 2. ORDINANCE

Councilmember Sheehan introduced Ordinance No. 1404 entitled: AN ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NO. 1382 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN AND RELATED FUTURE LAND USE MAP; TO REPEAL SECTION 1 OF ORDINANCE NO. 1382 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY OTHER CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

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, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion passed.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1404. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1404 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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. ZONING MAP AMENDMENT – STRECK, INC. WORKFORCE HOUSING – PORTION OF LOT 1 HARRISON HILLS

#### 1. PUBLIC HEARING

At 6:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Zoning Map amendment.

At 6:23 p.m. Councilmember Frederick made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

#### 2. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1405 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to

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

suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion passed.

Councilmember Sell made a motion to approve final reading and adopt Ordinance 1405. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1405 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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 – AWARD CONTRACT – SANITARY SEWER REPAIR**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-123 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MIDLANDS CONTRACTING, INC. OF KEARNEY, NEBRASKA, FOR SANITARY SEWER REPAIRS IN AN AMOUNT NOT TO EXCEED \$17,964.00.

WHEREAS, the City Council of the City of La Vista has determined that sanitary sewer repairs at 8110 Park View Blvd. are necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed repairs; and

WHEREAS, bids were solicited, and three bids were received; 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 award a contract in a form satisfactory to the City Administrator and City Attorney to Midlands Contracting, Inc. of Kearney, Nebraska for sanitary sewer repairs in an amount not to exceed \$17,964.00.

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

## **E. RESOLUTION – APPROVE PLANS – SID 237 CIMARRON WOODS – PARKING LOT IMPROVEMENTS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-124 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE CIMARRON WOODS PARK PARKING LOT IMPROVEMENTS IN SANITARY DISTRICT NO. 237 CIMARRON WOODS.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning public park improvements within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer who has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose.

# MINUTE RECORD

December 15, 2020

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

WHEREAS, The La Vista Public Works Department has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications for construction of the Cimarron Woods Park Parking Lot Improvements, copies of which have been filed with the City Clerk, approved by the City Engineer.

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

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

## F. RESOLUTION – APPROVE AGREEMENT – ICMA-RC ADMINISTRATIVE SERVICES

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-125 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 INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION (“IMCA-RC”) FOR ADMINISTRATIVE SERVICES FOR THE CITY’S RETIREMENT PLANS.

WHEREAS, the Mayor and City Council have determined that administrative services for the City’s retirement plans are necessary; and

WHEREAS, on April 3, 2001, the City Council designated the ICMA-RC as the plan administrator for the City of La Vista’s Retirement Plan (“Plan”) including the police and civilian 401(a) and 457(b) plans; and

WHEREAS, on June 19, 2001, the City Council approved documentation including an Administrative Services Agreement to move the Plan to ICMA-RC; and

WHEREAS, the Plan has been operating under the original Administrative Services Agreement since 2001; and

WHEREAS, the new Administrative Services Agreement would result in a combined annual savings of approximately \$77,142.27; 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 International City Management Association Retirement Corporation for the provision of administrative services for the City of La Vista’s Retirement Plan.

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

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

# MINUTE RECORD

December 15, 2020

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

## **G. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS**

At 6:43 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for negotiating guidance regarding contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:06 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

## **COMMENTS FROM MAYOR AND COUNCIL**

There were no comments from Mayor and Council.

At 7:08 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF JANUARY 2021.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
8116 PARK VIEW BOULEVARD  
LA VISTA, NE 68128  
P: (402) 331-4343**

**PLANNING COMMISSION MINUTES  
DECEMBER 10, 2020 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, December 10, 2020 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Mike Circo, Jason Dale, John Gahan, Kathleen Alexander, and Josh Frey. Members absent were: Patrick Coghlan and Harold Sargus. Also, in attendance were Chris Solberg, Deputy Community Development Director; Pat Dowse, City Engineer; and Meghan Engberg, Permit Technician.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**1. Call to Order**

The meeting was called to order by Chairman Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – November 19, 2020**

*Gahan moved, seconded by Malmquist to approve the November 19th minutes. Ayes: Krzywicki, Dale, Wetuski, Circo, Frey, and Malmquist. Nays: None. Abstain: Gahan and Alexander. Absent: Coghlan and Sargus. Motion Carried, (6-0-2)*

**3. Old Business**

None.

**4. New Business**

**A. Preliminary Plat – Lot 1 I-80 Business Park 2<sup>nd</sup> Addition – Dorwill, LLC**

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that the applicant, Dorwill, LLC, is asking for a Preliminary Plat for Lot 1 I-80 Business Park 2<sup>nd</sup> Addition and 2 pieces of former DOT Right of Way near I-80 in the I-80 Business Park 2<sup>nd</sup> Addition Replat 1. This area is Northwest of the intersection of S. 118<sup>th</sup> St. and Harry Anderson Avenue.

Solberg said that this is the first step of many for them to develop the property. Staff recommends approval of the Preliminary Plat for Lot 1 I-80 Industrial Park 2<sup>nd</sup>

Addition Replat 1, as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations, and Zoning Ordinance.

Krzywicki asked if the location of the single entrance into the property would cause any issues in relation to the intersection.

Solberg said that he isn't sure of the distance, but it's the best location. They were requested to go from Harry Anderson Ave. and turn directly onto the property that way. He said that there probably isn't enough queuing down there off of 118<sup>th</sup> St. to cause concern about traffic coming in and out and entering into that queue.

Richard Essi, the applicant said that he is requesting the lots be combined and offered to answer any questions the Commission may have.

- ii. **Recommendation:** *Gahan* moved, seconded by *Malmquist*, to recommend approval of the Preliminary Plat for lot 1 I-80 Industrial Park 2<sup>nd</sup> Addition Replat 1, as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations and Zoning Ordinance. **Ayes:** *Krzywicki, Dale, Wetuski, Alexander, Dale, Circo, Frey, and Malmquist*. **Nays:** *None*. **Abstain:** *None*. **Absent:** *Coghlan and Sargus*. **Motion Carried, (8-0)**

#### **B. Conditional Use Permit – 7423 S 139<sup>th</sup> St. – Black Sage Arms, LLC**

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that the applicant, Black Sage Arms, LLC, is requesting a Conditional Use Permit for a home occupation for a gunsmithing business on Lot 29 Stonybrook South, generally located at the intersection of S. 139<sup>th</sup> St. and Margo St. Staff recommends approval of the Conditional Use Permit for Lot 29 Stonybrook South, subject to any revisions deemed necessary by the City Attorney, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.
- ii. **Public Hearing; Wetuski opened the Public Hearing.**

The applicant, Louis Wagner, spoke on behalf of his request. He said that he has been in business for 13 years selling various parts and pieces having to do with firearms. He said that he is currently working on his certification for gunsmithing. Wagner said that he does have the equipment at his home and that he is trying to take his hobby to the next level. He said that there will not be any signage or anything to detract from the neighborhood. Wagner also said that he has 3 active security cameras, one is monitored by ADT and he is working with the Fire Marshall to make sure everything is set up properly. He then invited the Commission to ask any questions they may have.

Malmquist asked how long he had been gunsmithing.

Wagner said that he is not currently gunsmithing because he is working towards getting his license, but he has about 30 years of experience with firearms. He said that he wants to teach new firearm owners how to care for them and use them properly.

Frey brought up that there was a neighbor that didn't sign and asked if there was a reason they didn't sign.

Wagner said that the neighbor didn't want to sign. He said that they didn't object to the business, they just didn't want their signature on there.

**Wetuski closed the Public Hearing as no members of the public came forward.**

- iii. **Recommendation:** Frey moved, seconded by Alexander, to recommend approval of the Conditional Use Permit for Lot 29 Stonybrook South, subject to any revisions deemed necessary by the City Attorney, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance. **Ayes: Krzywicki, Dale, Wetuski, Alexander, Dale, Circo, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Coghlann and Sargus. Motion Carried, (8-0)**

#### **C. 2021 Review Schedule**

- i. **Recommendation:** Krzywicki moved, seconded by Malmquist to approve the 2021 Review Schedule as presented. **Ayes: Krzywicki, Dale, Wetuski, Alexander, Dale, Circo, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Coghlann and Sargus. Motion Carried, (8-0)**

#### **5. Comments from the Floor**

No members of the public were present.

#### **6. Comments from the Planning Commission**

Gahan asked about the grading work being done on the East side of 108<sup>th</sup> St.

Solberg said that Rotella's purchased the McKesson building, and they are adding on to it as well as creating an overpass between Rotella's and McKesson's with a conveyer belt inside of it. He said that the addition to the McKesson's building is for cold storage.

**7. Comments from the Staff**

Solberg thanked the Commission for adjusting to this whole process we are going through and to be prepared for more adjustments that may be coming down the road. He also said that Echo Hills is currently under construction and that the new Casey's off of Harrison just opened today.

**8. Adjournment**

Wetuski adjourned the meeting at 6:48 p.m.

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chair

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Date

**MEETING OF THE LIBRARY ADVISORY BOARD  
CITY OF LA VISTA**

**MINUTES OF MEETING  
September 10, 2020**

Members Present: Rose Barcal Huyen-Yen Hoang Valerie Russell  
Carol Westlund

Members Absent: Connie Novacek Kim Schmit-Pokorny

Agenda Item #1: Call to Order

The meeting was called to order at 5:36 p.m.

Agenda Item #2: Announcement of Location of Posted Open Meetings Act

An announcement was made of the location of the posted copy of the Open Meetings Act for public reference.

Agenda Item #3: Introductions

There were no introductions made.

Agenda Item #4: Approval of Minutes of September 10, 2020 Meeting

It was moved by Westlund and seconded by Russell that the September 10, 2020 minutes be accepted as presented. Board members voting aye: Hoang, Russell, and Westlund. Nays: none. Abstain: none. Absent: Novacek and Schmit-Pokorny. Motion carried.

Agenda Item #5: Library Director's Report

- a. Programs: highlights of programming were given including the virtual sessions and the increase of blood drives at the library due to COVID-19.
- b. Employee updates included the addition of Michaela Heilesen and Emily Sutherland to the library team. Resignations were accepted from Wendy Allen and Jennie Tobler-Gaston.
- c. Library Meetings were reviewed including the online meeting with the Biblioteca representative to try to increase use for the library's Cloud electronic book collection. The Sarpy County public library directors met virtually.
- d. General Library Information included the Bibliostat (state statistic reporting system) sessions on November 16<sup>th</sup> and 17<sup>th</sup>.

Agenda Item #6: Circulation Report

Barcal distributed monthly circulation reports.

Agenda Item #7: Old Business

- a. Grants
  - i. Nebraska Library Commission: Library Innovation Studios. The placement of kits and workstations has been placed on hold until COVID-19 restrictions have lessened. The intern grant is on hold as well.
- b. Active Duty Military Membership: update. During the October 6<sup>th</sup> City Council meeting, a Council Policy Statement – Issuance of Military Library Cards was placed on the agenda and the library board members were informed of this agenda item. During the council

meeting the item was tabled. The item was placed on the November 3<sup>rd</sup> City Council meeting. Councilmember Crawford made a motion to approve the resolution and Council Policy Statement. The motion failed for a lack of a second. Councilmember Sheehan made a motion to approve the resolution and Council Policy Statement with the option of "Military personnel (active duty and dependents only) residing in Sarpy County outside the city limits may apply for a card at no charge. Military ID must be presented." The motion passed with five votes aye and three nay votes.

- c. COVID-19 Update. The public continue to utilize the library but with less foot traffic. In October, the computer lab was used 667 times. Printing was also popular. While collection use continues to recover, there has been less usage of the library's databases but other electronic resources (ebooks, eaudio, emovies, and streaming songs) continue to have higher use than the previous year. Staff continue to be vigilant in cleaning and protecting themselves with hand sanitizer and masks.
- d. Department Plan Development Strategy. A draft of this has been sent to city administration. Once it has been approved, it will be shared with the library board.
- e. Summer Reading 2020 Final Report: Reader Zone. The children aged 0-6 read 4,800 books. Children aged 7+ read 215,131 minutes equaling 3,585.5 hours.

#### Agenda Item #8: New Business

- a. Policy Review: Collection Development. The policy was discussed. It was moved by Russell and seconded by Hoang to accept the policy as presented with an edit. Board members voting aye: Hoang, Russell, and Westlund. Nays: none. Abstain: none. Absent: Novacek and Schmit-Pokorny. Motion carried.
- b. Policy Review: Finance. The policy was discussed. It was determined that there were no edits or changes to be made to the policy as this time.
- c. Policy Review: Interlibrary Loan. The policy was discussed. It was determined that there were no edits or changes to be made to the policy as this time.
- d. Policy Review: Library Meeting Room. The policy was discussed. It was determined that there were no edits or changes to be made to the policy as this time.
- e. Policy Review: Patron Behavior. The policy was discussed. It was determined that there were no edits or changes to be made to the policy as this time.
- f. Library Board Meeting Dates 2021:
  - i. January 14
  - ii. March 11
  - iii. May 13
  - iv. July 8
  - v. September 9
  - vi. November 11

It was moved by Hoang and seconded by Russell to accept meeting dates for 2021 as presented. Board members voting aye: Hoang, Russell, and Westlund. Nays: none. Abstain: none. Absent: Novacek and Schmit-Pokorny. Motion carried.

#### Agenda Item #9: Comments from the Floor

There were no comments from the Floor.

#### Agenda Item #10: Comments from the Board

Russell shared her continued education experience of an hour-long session sponsored by the Nebraska Library Association on Makerspaces. This Zoom session was recorded so if any other board members are interested, it is available.

There was a motion by Westlund and second by Hoang to adjourn the meeting at 6:16 p.m.

The next meeting is scheduled for January 14<sup>th</sup>, 2021 at 5:30 p.m. at the La Vista Public Library, Conference Room #138.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 5, 2021 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ANNUAL OCCUPATION TAX REPORT	RESOLUTION ORDINANCES ◆ RECEIVE/FILE	CINDY MISEREZ FINANCE DIRECTOR

**SYNOPSIS**

A report has been prepared in accordance with Nebraska Revised Statutes 18-1208 requiring an annual report on the City's collection of occupation taxes.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

N/A

**BACKGROUND**

On the effective date of September 1, 2019, LB 445 required municipalities that impose occupation taxes to provide an annual report on the collection and use of the occupation taxes within 90 days of the end of a fiscal year. The following Annual Occupation Tax Report satisfies the state law requirements.

**City of La Vista**  
**Annual Occupation Tax Report**  
**Fiscal Year Ending September 30, 2020**

Occupation Tax	Amount	Fund	Purpose	Termination
Liquor and Tobacco	\$ 37,623	General	69% to General Fund Operating Expenses & 31% distributed to Papillion-La Vista Public Schools	None
Entertainment	2,205	General	General Fund Operations	None
Phone Occupation Tax	267,835	General	General Fund Operations	None
Hotel Occupation Tax	659,528	General	General Fund Operations	None
Restaurants and Drinking Places Occupation Tax	762,852	General	General Fund Operations	None
Professional Services	26,310	General	General Fund Operations	None
Business Occupation Tax	58,648	General	General Fund Operations	None
<b>Total</b>	<b>\$ 1,815,001</b>			

In accordance with Neb. Rev. Statutes 18-1208 as amended by LB445 effective September 1, 2019

A-6

## Invoice

 DLR Group

 listen.DESIGN.deliver  
 6457 Frances Street, Suite 200  
 Omaha, NE 68106  
 402-393-4100 Fax 402-393-8747

Pat Dowse  
 Director Public Works  
 City of La Vista  
 Email Inv: pdowse@cityoflavista.org  
 City of La Vista  
 8116 Park View Boulevard  
 La Vista, NE 68128-2198

December 10, 2020  
 Project No: 10-17105-40  
 Invoice No: 0183526

Project 10-17105-40 La Vista City Cntr Parking Structure 2  
 PO 20-008373

Billing Period: November 1, 2020 to November 30, 2020

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Schematic Design	109,400.00	100.00	109,400.00	109,400.00	0.00
Design Development	164,100.00	100.00	164,100.00	164,100.00	0.00
Construction Documents	218,800.00	98.00	214,424.00	213,877.00	547.00
Bid Negotiation	54,700.00	0.00	0.00	0.00	0.00
<b>Total Fee</b>	<b>547,000.00</b>		<b>487,924.00</b>	<b>487,377.00</b>	<b>547.00</b>
		<b>Total Fee</b>			<b>547.00</b>

**Billing Limits**

	Current	Prior	To-Date
Expenses	0.00	1,575.15	1,575.15
Limit			10,000.00
Remaining			8,424.85

Total this Invoice

\$547.00

**Outstanding Invoices**

Number	Date	Balance
0182751	11/10/2020	1,641.00
<b>Total</b>		<b>1,641.00</b>

**Billings to Date**

	Current	Prior	Total
Fee	547.00	487,377.00	487,924.00
Expense	0.00	1,575.15	1,575.15
<b>Totals</b>	<b>547.00</b>	<b>488,952.15</b>	<b>489,499.15</b>

OK TO PAY  
 12/28/2020

We appreciate your confidence in us and thank you in advance for your payment.  
 Being environmentally friendly, we encourage payments via Wire Transfer.  
 Routing number: 121000248 Account Number: 4945435436

Matthew Gulsvig, AIA, LEED AP

Payment due and interest charged per contract terms. Remit to address at the top of this invoice.

Consent Agenda 01/05/2021

(K)



5022 S 114th Street  
Suite 200  
Omaha, NE 68137  
(712) 323-0530

## INVOICE

Invoice Number: 703020-2  
Date: December 10, 2020  
Client Code: 7220

**City of LaVista**  
Attn: Mr. Patrick Dowse, P.E.  
9900 Portal Road  
LaVista, NE 68128

Progress billing for engineering services for the 2020 Bridge Inspection of 10 Structures for the City of LaVista, per agreement dated August 21, 2020. Through: November 30, 2020

	Hours	Rate	Current Period	Billed To Date
<b>001: Field &amp; Forms (NTE \$7,700)</b>				
Engineer Technician I	43.00	112.72	\$4,846.96	
Senior Design Engineer	1.00	125.43	\$125.43	
Senior Project Engineer	1.00	201.66	<u>\$201.66</u>	
			\$5,174.05	\$7,804.49
Adjustment				(\$104.49)

Total Amount Billed	\$7,700.00
Less Previous Invoices	<u>\$2,630.44</u>
<b>Invoice Total</b>	<b><u>\$5,069.56</u></b> ↵

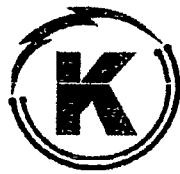
### Outstanding Invoices

Invoice	0 - 30	31 - 60	61-90	Over 90	Balance
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OHIC PA-1  
PmD 12/28/2020  
01.20.0314

Consent Agenda 01/05/2021

(K)



**K ELECTRIC CO.**  
COMMERCIAL • INDUSTRIAL

8916 H Street  
Omaha, NE 68127  
(402) 331-4151

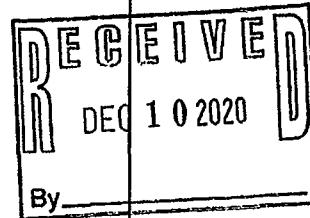
**Invoice**

**BILL TO**

City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128

DATE	INVOICE #
12/2/2020	25645
P.O. No.	JOB #
	3250

DESCRIPTION	QTY	AMOUNT
Install J-Box and Power for Christmas Display		
Labor		1,893.36
gry 2gang wp 55" 1 cvr	2	22.16
pvc schedule 40 conduit 1-1/4	100	93.08
pvc terminal adapter 1-1/4	2	0.80
locknut 1-1/4 stl	2	0.87
bushing 1-1/4 insltd plastic	2	0.62
pvc glue - pint	1	7.56
pvc schedule 40 conduit 3"	10	26.14
2g rcp cover	2	57.33
pvc terminal adapter 3/4	4	0.96
20a 125v receptacle	2	50.90
pvc schedule 40 conduit 3/4	100	44.13
20a 125v receptacle	2	50.90
3 gauge str. black wire	2,000	2,655.23
6 gauge str. green wire	500	512.01
10-14awg insd tap con	8	173.26
pvc coupling 3"	1	1.44
open bottom box 24x24x24	1	620.22
cover 24x24 "electric"	1	290.25
pvc coupling 3"	4	7.89
pvc elbow 90deg 3"	2	16.82



**Thank you for your Business**

**Total** \$6,525.93

All payments are due 30 days from the invoice date. If arrangements are not made for payment, an interest rate of 1.5% per month will be billed on the overdue balance.

email:  
kelectricco@yahoo.com  
sales@kelectriccompany.com

Consent Agenda 01/05/2021

Re

08 81.0303.054 per Mitch

# MIDWEST

## Right of Way Services, Inc.

[www.midwestrow.com](http://www.midwestrow.com)

November 16, 2020

Pat Dowse - City Engineer  
 City of La Vista  
 8116 Park View Boulevard  
 La Vista, Nebraska 68128

**Invoice No.: 5667**  
 Midwest Right of Way Services #539  
 Services in connection with the  
 City of LaVista - 120th & Giles - Total Acquisition

<b>Total Contract</b>	<b>\$</b>	<b>-</b>
<b>Amount Previously Invoiced</b>	<b>\$</b>	<b>5,641.42</b>

For the period of      October 3, 2020      through    October 30, 2020

Project Manager	2.50	hours at	\$95	per hour	\$	237.50
Acquisition Agent	-	hours at	\$85	per hour	\$	-
Miles	-	miles	\$0.575	per mile	\$	-

<b>Total Amount Due for this Invoice:</b>	<b>\$</b>	<b>237.50</b>
---	-----------	---------------

<b>Total Remaining on Contract (after this invoice)</b>	<b>\$</b>	<b>-</b>
---	-----------	----------

<b>Past Due Invoices:</b>		
<b>5641 - 10/09/2020</b>	<b>\$</b>	<b>95.00</b>
<b>Total Amount for Past Due Invoices:</b>	<b>\$</b>	<b>95.00</b>

<b>TOTAL AMOUNT CURRENTLY DUE:</b>	<b>\$</b>	<b>332.50</b>
------------------------------------	-----------	---------------

047CPA-1  
 PMO 12/21/2020  
 05.71.0899.003

For questions regarding this invoice, please call JohnBorgmeyer at 402-955-2900.

Consent Agenda 01/05/21  
 (1)

A-10



PLANNING • DESIGN

November 30, 2020

Project No: R3003.066.00

Invoice No: 48053

Rita Ramirez  
Assistant City Administrator  
City of La Vista  
8116 Parkview Blvd  
La Vista, NE 68128

Project R3003.066.00 LaVista, City of - Placemaking & LA Svcs

Professional Services through November 30, 2020

Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee	
Planning	237,167.50	89.40	212,027.74	201,592.38	10,435.36	
Schematic Design	12,482.50	0.00	0.00	0.00	0.00	
Total Fee	249,650.00		212,027.74	201,592.38	10,435.36	
<b>Total Fee</b>						<b>10,435.36</b>

**Reimbursable Expenses**

Printing	8.80
<b>Total Reimbursables</b>	<b>8.80</b>
<b>Total this Invoice</b>	<b>\$10,444.16</b>

PO Number: 20-008351

R. Ramirez  
12/28/20

Consent Agenda 01/05/2021

RC



A-11



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
PAT DOWSE  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 141103  
Date 12/04/2020

Project 0171-400 CITY OF LA VISTA-  
MISCELLANEOUS SERVICES 2012-  
CURRENT, CIVIL

Professional Services from October 1, 2020 through November 15, 2020

Description	Current Billed
<b>Civil Engineering Services</b>	600.00
On-call - PW: Communicate with E & A about BNSF Culvert Design	37.50
On-call - CD: Meeting with Community Development staff about alternate pool sites.	187.50
On-call - CD: Prepare for and attend monthly CD meeting.	225.00
On-call - PW: Communications, review file plans, and site visit for City Center storm diversion modification.	150.00
<b>Construction Materials Testing and Special Inspections</b>	0.00
	<b>Total</b> 600.00

Invoice total 600.00

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
141103	12/04/2020	600.00	600.00				
	Total	600.00	600.00	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

Ch/Pay  
PMO 12/12/2020  
1.19.0303.00

Consent Agenda 01/05/2021

K

User: mgustafson

DB: La Vista

A-12

Check #	Check Date	Vendor Name	Amount	Voided
133813	12/16/2020	A & L HYDRAULICS INC	2,508.92	N
133814	12/16/2020	BEACON ATHLETICS LLC	1,373.00	N
133815	12/16/2020	BOARD OF EXAMINERS-CTY HWY AND	25.00	N
133816	12/16/2020	CENTURY LINK	6.00	N
133817	12/16/2020	CITY OF PAPILLION	8,428.46	N
133818	12/16/2020	COMP CHOICE INC	1,234.22	N
133819	12/16/2020	COX COMMUNICATIONS, INC.	280.55	N
133820	12/16/2020	FBG SERVICE CORPORATION	5,965.00	N
133821	12/16/2020	FITZGERALD SCHORR BARMETTLER	80,463.70	N
133823	12/16/2020	HOBBY LOBBY STORES INC	65.62	N
133824	12/16/2020	HUNTEL COMMUNICATIONS, INC	2,059.58	N
133825	12/16/2020	JAMIE BROWN	1,043.80	N
133826	12/16/2020	MARK A KLINKER	400.00	N
133827	12/16/2020	MENARDS-RALSTON	524.49	N
133828	12/16/2020	NMC EXCHANGE LLC	1,479.81	N
133829	12/16/2020	OLSSON, INC.	5,500.00	N
133830	12/16/2020	PAPILLION SANITATION	3,908.70	N
133831	12/16/2020	PETTY CASH-PAM BUETHE	50.00	N
133832	12/16/2020	SARPY COUNTY COURTHOUSE	8,627.92	N
133833	12/16/2020	SARPY COUNTY ECONOMIC DEV. COR	8,500.00	N
133834	01/05/2021	ACTION BATTERIES UNLTD INC	480.84	N
133835	01/05/2021	AKRS EQUIPMENT SOLUTIONS, INC.	470.09	N
133836	01/05/2021	AMAZON CAPITAL SERVICES, INC.	1,034.61	N
133837	01/05/2021	ASPEN EQUIPMENT COMPANY	713.73	N
133838	01/05/2021	AT&T MOBILITY LLC	97.34	N
133839	01/05/2021	AXON ENTERPRISE INC	918.00	N
133840	01/05/2021	BAUER BUILT INC	1,836.16	N
133841	01/05/2021	BEAUMONT, MITCH	1,007.00	N
133842	01/05/2021	BERRY DUNN	2,600.00	N
133843	01/05/2021	BIBLIOTHECA LLC	3.96	N
133844	01/05/2021	BISHOP BUSINESS EQUIPMENT COMPA	663.50	N
133845	01/05/2021	BRITE IDEAS DECORATING	38.00	N
133846	01/05/2021	BROADCAST MUSIC INC	364.00	N
133847	01/05/2021	CAPSTONE	838.09	N
133848	01/05/2021	CELEBRITE INC	3,700.00	N
133849	01/05/2021	CENTER POINT, INC.	44.34	N
133850	01/05/2021	CENTURION TECHNOLOGIES	162.50	N
133851	01/05/2021	CINTAS CORPORATION NO. 2	283.19	N
133852	01/05/2021	CINTAS CORPORTATION NO. 2	121.24	N
133853	01/05/2021	CITY OF PAPILLION	4,732.27	N
133854	01/05/2021	CITY OF PAPILLION	208,707.00	N
133855	01/05/2021	CONSOLIDATED MANAGEMENT CO	26.22	N
133856	01/05/2021	CONTINENTAL RESEARCH CORPORATI	1,333.60	N
133857	01/05/2021	COX COMMUNICATIONS, INC.	147.03	N
133858	01/05/2021	CRIMINAL ADDICTION INC	300.00	N
133859	01/05/2021	D & K PRODUCTS	255.00	N
133860	01/05/2021	DANIELSON TECH SUPPLY INC	424.80	N
133861	01/05/2021	DATASHIELD CORPORATION	120.00	N
133862	01/05/2021	DIAMOND VOGEL PAINTS	586.97	N
133863	01/05/2021	DULTMEIER SALES LLC	1,360.00	N
133864	01/05/2021	EDGEWEAR SCREEN PRINTING	848.00	N
133865	01/05/2021	EYMAN PLUMBING INC	2,727.64	N
133866	01/05/2021	FEDEX	136.41	N
133867	01/05/2021	FERGUSON ENTERPRISES INC #226	70.37	N
133868	01/05/2021	FILTER CARE OF NEBRASKA	32.75	N
133869	01/05/2021	GALE	74.22	N
133870	01/05/2021	GENERAL FIRE & SAFETY EQUIP CO	125.00	N
133871	01/05/2021	GREAT PLAINS UNIFORMS	240.00	N
133872	01/05/2021	GUIDEPOINT SECURITY, LLC	5,991.48	N
133873	01/05/2021	HEARTLAND TIRES AND TREADS	230.15	N

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
133874	01/05/2021	HOME DEPOT CREDIT SERVICES	49.97	N
133875	01/05/2021	HY-VEE INC	135.60	N
133876	01/05/2021	J & J SMALL ENGINE SERVICE	449.99	N
133877	01/05/2021	JESSICA PRETZ	24.99	N
133878	01/05/2021	KRIHA FLUID POWER CO INC	93.59	N
133879	01/05/2021	LABRIE, DONALD P	750.00	N
133880	01/05/2021	LARSEN SUPPLY COMPANY	82.08	N
133881	01/05/2021	LEXIS NEXIS MATTHEW BENDER	266.10	N
133882	01/05/2021	LIBRA INDUSTRIES INC	84.00	N
133883	01/05/2021	LOGAN CONTRACTORS SUPPLY	278.09	N
133884	01/05/2021	LOGO LOGIX EMBROIDERY & SCREEN	1,410.00	N
133885	01/05/2021	MARCO INCORPORATED	272.43	N
133886	01/05/2021	MARTIN MARIETTA MATERIALS, INC	253.40	N
133887	01/05/2021	MATHESON TRI-GAS INC	390.09	N
133888	01/05/2021	MENARDS-RALSTON	434.52	N
133889	01/05/2021	METROPOLITAN CHIEFS ASSOCIATION	75.00	N
133890	01/05/2021	METROPOLITAN COMMUNITY COLLEG	13,460.84	N
133891	01/05/2021	MIDLANDS LIGHTING & ELECTRIC SUP	56.40	N
133892	01/05/2021	MIDWEST TAPE	316.93	N
133893	01/05/2021	MIDWEST TURF & IRRIGATION	416.74	N
133894	01/05/2021	MILLARD METAL SERVICES INC	43.00	N
133895	01/05/2021	MURPHY TRACTOR & EQUIPMENT CO I	172.55	N
133896	01/05/2021	NEBRASKA ARBORISTS ASSOCIATION	220.00	N
133897	01/05/2021	NEBRASKA IOWA INDL FASTENERS INC	2.15	N
133898	01/05/2021	NEBRASKA LAW ENFORCEMENT	50.00	N
133899	01/05/2021	NMC EXCHANGE LLC	155.80	N
133900	01/05/2021	NOLL, MARGARET M	150.00	N
133901	01/05/2021	NORTH AMERICAN RESCUE HOLDINGS	373.97	N
133902	01/05/2021	O'KEEFE ELEVATOR COMPANY INC	180.00	N
133903	01/05/2021	OFFICE DEPOT INC	757.10	N
133904	01/05/2021	OMNI ENGINEERING	370.30	N
133905	01/05/2021	ON YOUR MARKS	609.83	N
133906	01/05/2021	ORIENTAL TRADING COMPANY	69.10	N
133907	01/05/2021	PAPILLION LA VISTA COMMUNITY SCH	11,797.50	N
133908	01/05/2021	PAPILLION TIRE INCORPORATED	87.67	N
133909	01/05/2021	PAY-LESS OFFICE PRODUCTS INC	96.51	N
133910	01/05/2021	PETTY CASH-PAM BUETHE	483.37	N
133911	01/05/2021	POLICE CHIEFS ASSN OF NEBR	50.00	N
133912	01/05/2021	PROJECT LIFESAVER INC	115.39	N
133913	01/05/2021	RAINBOW GLASS & SUPPLY INC	1,481.16	N
133914	01/05/2021	RAY ALLEN MANUFACTURING CO INC	139.99	N
133915	01/05/2021	REF'S SPORTS BAR & GRILL	1,000.00	N
133916	01/05/2021	ROLLIN GREEN GRADING & SOD LLC	1,025.00	N
133917	01/05/2021	SECURITY EQUIPMENT INC.	341.50	N
133918	01/05/2021	SIGN IT	18.00	N
133919	01/05/2021	SOUTHERN UNIFORM & EQUIPMENT	295.37	N
133920	01/05/2021	STOREY KENWORTHY / MATT PARROT	793.77	N
133921	01/05/2021	SWAN ENGINEERING LLC	11.64	N
133922	01/05/2021	TED'S MOWER SALES & SERVICE INC	146.61	N
133923	01/05/2021	THE SCHEMMER ASSOCIATES INC	1,900.00	N
133924	01/05/2021	TRACTOR SUPPLY CREDIT PLAN	96.13	N
133925	01/05/2021	TRIMBLE INC.	129.00	N
133926	01/05/2021	TRUCK CENTER COMPANIES	23.44	N
133927	01/05/2021	TY'S OUTDOOR POWER & SERVICE	270.82	N
133928	01/05/2021	ULINE, INC.	231.27	N
133929	01/05/2021	UNITED PARCEL SERVICE	19.45	N
133930	01/05/2021	VAL VERDE ANIMAL HOSPITAL INC	474.00	N
133931	01/05/2021	VERIZON WIRELESS	343.84	N
133932	01/05/2021	WELLINGTON EXPERIENCE, INC.	3,625.00	N
133933	01/05/2021	WHITE CAP CONSTR SUPPLY/HDS	45.79	N

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
133934	01/05/2021	WOODHOUSE FORD-BLAIR	137.38	N
			TOTAL:	423,924.43

APPROVED BY COUNCIL MEMBERS ON: 01/05/2021

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COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 5, 2021 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
BLACK SAGE ARMS, LLC – CONDITIONAL USE PERMIT LOT 29 STONYBROOK SOUTH HOME OCCUPATION- GUNSMITHING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG, AICP DEPUTY COMM. DEV. DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and resolution prepared for Council to consider an application for a Conditional Use Permit by Black Sage Arms, LLC to operate a home occupation gunsmithing business on Lot 29 Stonybrook South, located at 7423 S. 139<sup>th</sup> Street.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled and resolution prepared to consider an application submitted by Black Sage Arms, LLC for a Conditional Use Permit to operate a home occupation gunsmithing business on Lot 29 Stonybrook South, generally located at the intersection of S. 139<sup>th</sup> Street and Margo Street.

The applicant must maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The process to obtain an FFL includes a background check, interview, and home inspection. The application has been reviewed by the Fire Marshall and La Vista Police Department and conditions have been added to the Conditional Use Permit to ensure that firearms and materials are handled and stored safely and securely. Additional conditions included in the draft permit are discussed in the attached, detailed staff report.

The Planning Commission held a public hearing on December 10, 2020, and unanimously voted to recommend approval of the Conditional Use Permit, subject to any revisions deemed necessary by the City Attorney, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR BLACK SAGE ARMS, LLC TO OPERATE A HOME OCCUPATION GUNSMITHING BUSINESS ON LOT 29 STONYBROOK SOUTH.

WHEREAS, Black Sage Arms, LLC has applied for approval of a conditional use permit for a home occupation gunsmithing business on Lot 29 Stonybrook South, generally located at the intersection of S. 139<sup>th</sup> Street and Margo Street.; and

WHEREAS, the La Vista Planning Commission reviewed the application on December 10, 2020 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Black Sage Arms, LLC to allow for a home occupation gunsmithing business on Lot 29 Stonybrook South.

PASSED AND APPROVED THIS 5TH DAY OF JANUARY 2021.

CITY OF LA VISTA

ATTEST:

---

Douglas Kindig, Mayor

---

Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
PLANNING DIVISION  
RECOMMENDATION REPORT**

CASE NUMBERS: PCUP20-0001;

FOR HEARING OF: JANUARY 5, 2021  
REPORT PREPARED ON: DECEMBER 21, 2020

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Black Sage Arms, LLC  
Attn: Louis Wagner  
7423 S. 139<sup>th</sup> Street  
Omaha, NE 68138

**B. PROPERTY OWNER:**

Louis Wagner  
7423 S. 139<sup>th</sup> Street  
Omaha, NE 68138

**C. LOCATION:** 7423 S. 139<sup>th</sup> Street, Omaha, NE 68138; East of the intersection of S. 139<sup>th</sup> Street and Margo Street.

**D. LEGAL DESCRIPTION:** Lot 29 Stonybrook South.

**E. REQUESTED ACTION(S):** Approval of a Conditional Use Permit for a gunsmithing home occupation.

**F. EXISTING ZONING AND LAND USE:** R-1 Single-Family Residential.

**G. PURPOSE OF REQUEST:** Allow for the operation of a gunsmithing business in a portion of the single-family home located at 7423 S. 139<sup>th</sup> Street.

**H. SIZE OF SITE:** Approximately .25 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** The property slopes slightly downward to the west.

## B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	Medium-Density Residential	R-1 Single-Family Residential	Single-family homes; Stonybrook South Neighborhood
East	Medium-Density Residential	R-1 Single-Family Residential	Single-family homes; Southridge Neighborhood
South	Medium-Density Residential; Parks & Recreation	R-1 Single-Family Residential	Single-family home, and Stonybrook South Park
West	Medium-Density Residential	R-1 Single-Family Residential	Single-family homes; Stonybrook South Neighborhood

## C. RELEVANT CASE HISTORY: N/A

## D. APPLICABLE REGULATIONS:

1. Section 5.06 of the Zoning Regulations – R-1 Single-Family Residential
2. Article 6 of the Zoning Regulations – Conditional Use Permits
3. Section 7.10 of the Zoning Regulations – Home Occupations
4. Regulations of the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the requirements of the Federal Firearms License (FFL)

## III. ANALYSIS

### A. COMPREHENSIVE PLAN: N/A

### B. OTHER PLANS: N/A.

### C. TRAFFIC AND ACCESS:

1. The property has driveway access to S 139<sup>th</sup> Street and Margo Street along the western edge of the property.

### D. UTILITIES: N/A

### E. PARKING REQUIREMENTS:

1. Client parking will be limited to the driveway of the property.

## IV. REVIEW COMMENTS:

- A. The activities included in the proposed home-occupation include firearm cleaning, coating, and repair, manufacturing of firearm

components and alterations of firearms, manufacturing of custom match-grade, small-batch ammunition, firearm sales and transfers, instruction of case reloading, and web development.

- B. The applicant must maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The process to obtain an FFL includes a background check, interview, and inspection. If the applicant's FFL lapses, expires, or terminates, the Conditional Use Permit authorizing the gunsmithing Home Occupation will also terminate. Confirmation of local zoning approval (a valid conditional use permit) is part of the process for the applicant to obtain his FFL.
- C. The Fire Marshal reviewed the application and has expressed that he is comfortable with the Conditional Use Permit request with the addition of the following conditions, included in the draft CUP attached as Exhibit "D":
  1. Owner shall comply with all sections of the International Fire Code, and NFPA 495 (2010) Sections 14.3-14.5 regarding the storage of small arms ammunition and its components in an R occupancy.
  2. Owner shall comply (and shall ensure that all, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local laws, regulations, or other requirements, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
  3. Fire escape routes shall be properly designated.
  4. There will be no test firing or discharge of the firearms on the premises.
- D. The Police Department has reviewed the application and has no concerns with the proposal since the property owner will need to comply with all the requirements of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The Police Department did request to receive copies of any inspection reports issued by the ATF to the applicant, and a condition has been included in the draft Conditional Use Permit to require the forwarding of such inspection reports to the City immediately upon receipt.
- E. As the proposed home-occupation would result in customers coming to the home, it is considered a "Major Home Occupation" per the La Vista Zoning Ordinance. One requirement of Major Home Occupations is that a minimum of seventy-five percent (75%) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation. The applicant has provided the

City with a “no objections form” that includes signatures from 80% of the required surrounding properties (20 of 25). This “No Objections Form” satisfies the City’s requirement, and is attached to this staff report as Exhibit “C”.

- F. Waste materials from activities shall be properly disposed of as per Nebraska Department of Environmental Quality (NDEQ) guidelines.
- G. All firearms on the premises shall be stored in acceptable safes while they are not being worked on or looked at by a prospective buyer.
- H. Any class being instructed on the property shall be limited to 4 students. No student shall be allowed to bring firearms on the premises while attending class, and all students must be given a full safety briefing and be provided with proper safety equipment. Student parking shall be limited to the driveway and no deliveries or client appointments may be scheduled during the time when a class is in session. Classes shall be limited to 2 times per month.
- I. Additional information about the proposed use and the safety measures is included in the “Operating Statement” as an attachment to the Draft Conditional Use Permit attached to this staff report as Exhibit “E”. Additional information regarding the storage of materials on the site is also included in the e-mail attached to this staff report as Exhibit “D”.
- J. In accordance with the Operating Statement provided by the applicant, the Conditional Use Permit will expire 5 years after the date of issuance.

**V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:**

Staff recommends approval of the Conditional Use Permit for Lot 29 Stonybrook South, subject to any revisions deemed necessary by the City Attorney, as the request is consistent with La Vista’s Comprehensive Plan and Zoning Ordinance.

**VI. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:**

The Planning Commission held a public hearing on December 10, 2020 and voted unanimously to recommend approval of the Conditional Use Permit for Lot 29 Stonybrook South, subject to any revisions deemed necessary by the City Attorney, as the request is consistent with La Vista’s Comprehensive Plan and Zoning Ordinance.

**VII. ATTACHMENTS TO REPORT:**

- A. Vicinity Map
- B. Review Letters
- C. No Objections Form
- D. Storage Details - Email
- E. Draft Conditional Use Permit

**VIII. COPIES OF REPORT SENT TO:**

- A. Louis Wagner, Black Sage Arms, LLC
- B. Public Upon Request

*Cale Brodersen*

---

Prepared by: Assistant Planner

*Bru A. Taiti*

12/23/2020

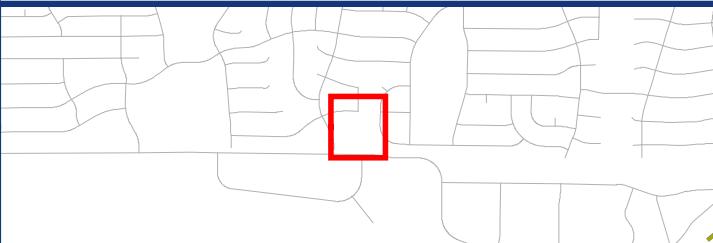
---

Community Development Director

Date



### Conditional Use Permit Vicinity Map



**Black Sage Arms, LLC**  
**7423 S. 139th Street**  
11/19/2020 CB





January 22, 2020

Louis Wagner  
Black Sage Arms, LLC  
7423 S. 139<sup>th</sup> Street  
Omaha, NE 68138

RE: Conditional Use Permit – Initial Review  
Lot 29 Stonybrook South  
Home Occupation – Gunsmithing

Louis:

Thank you for your submittal of the above referenced Conditional Use Permit (CUP) application. Staff has reviewed the initial submittal and has provided the following initial comments:

#### **Section 6.05.01:**

1. In regard to storage and/or use of chemical compounds in cleaning and/or coating operations, if deemed potentially hazardous to the environment and/or human interaction, this should be addressed within the Project Information/Proposed Use statement. Address if chemicals would require specialized transportation, storage, application practices, and/or delivery methods, as well as have on file any required documentation on said chemical compounds.

#### **Section 6.05.10:**

1. It would appear within the Project Information/Proposed Use statement that parking may be needed for as many as four (4) individuals at one time, in which parking is to be confined to the driveway. If the intent is to also have customer appointments during these times, applicant may need to schedule appointments appropriately and/or require that parking only be only confined to the driveway during times the applicant is open for business.
2. If the applicant is anticipating commercial couriers at a greater frequency than a typical residential setting. Applicant will need to schedule pickups/deliveries that would be of least impact to neighborhood traffic.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

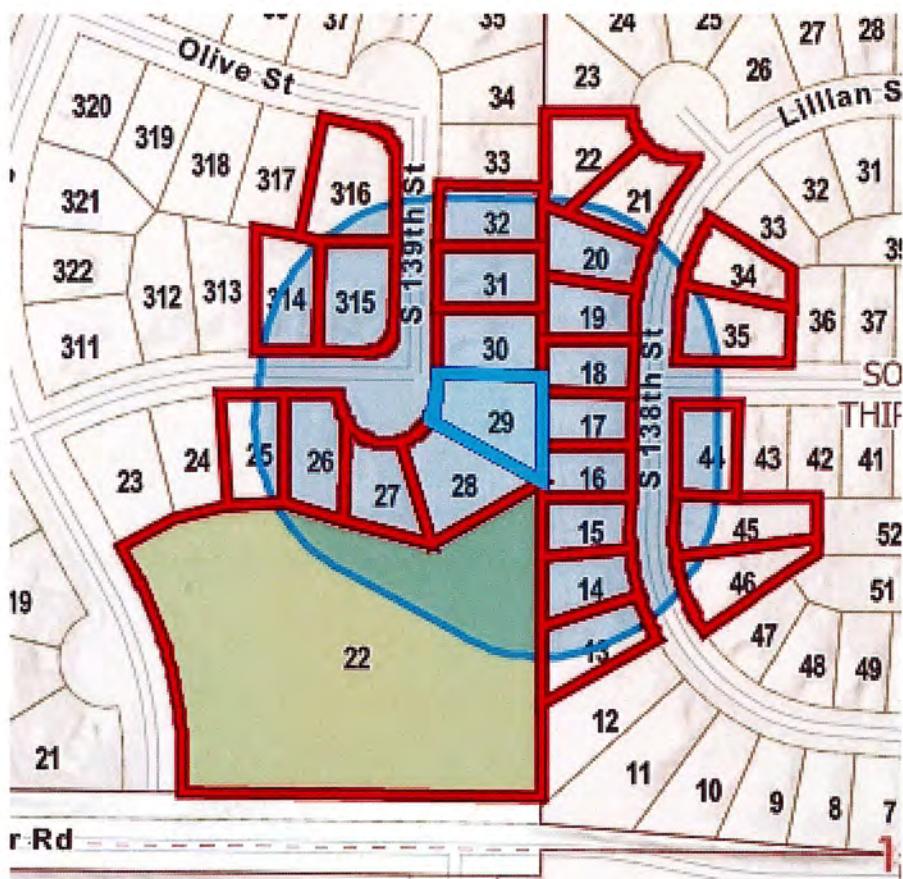
**Public Buildings & Grounds**  
8112 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

**General Comments:**

1. For major Home Occupations requiring a Conditional Use Permit, a minimum of seventy-five percent (75 %) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation, per Section 2.09 of the La Vista Zoning Ordinance. A "no objections" signature form is attached to this letter and said residents shall sign next to their respective address. Please visit with the necessary neighbors (lots shown in the picture below and addresses listed in the attached form) and return the completed attached form as quickly as possible.



2. Is there an ATF requirement that you must be "open" to the public during set operating hours in order to allow for their ability to do drop-in inspections without notice? We were made aware of this from other jurisdictions in the area.

A draft Conditional Use Permit (CUP) will be developed after your information resubmittal based on the comments in this letter. Please submit 4 full size copies (along with electronic copies) of the revised documents. A timeline for review by Planning Commission and City Council will be determined after review of the revised documents.

Should you have any questions please contact me at 402-593-6405 or [cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org).

Sincerely,

A handwritten signature in blue ink that reads "Cale Brodersen". A horizontal blue line extends from the end of the signature.

Cale Brodersen  
Assistant Planner

Cc:     Bruce Fountain, Community Development Director  
          Chris Solberg, Deputy Community Development Director



November 17, 2020

Louis Wagner  
Black Sage Arms, LLC  
7423 S. 139<sup>th</sup> Street  
Omaha, NE 68138

RE: Conditional Use Permit – Second Review  
Lot 29 Stonybrook South  
Home Occupation – Gunsmithing

Louis:

Thank you for your submittal of the required “no-objection” signatures for the above referenced Conditional Use Permit (CUP) application. Staff has the following remaining questions and comments:

**Section 6.05.01:**

1. As noted in the Initial Review Letter dated January 22, 2020, please address what chemicals may be used in the operation of your home occupation and if any chemicals are deemed potentially hazardous. In the Operating Statement, please discuss any required specialized transportation, storage, application practices, and/or delivery methods for any potentially hazardous chemical compounds.
2. Our Fire Marshall with the Papillion Fire Department has requested the following information for review:
  - a. What are the maximum amounts of stored black powder and smokeless propellant that you may have on-site at any given time?
  - b. What is the maximum storage quantity of primers that you may have on-site at any given time?

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
402.331.4343 P  
402.331.4375 F

**Community Development**  
8116 Park View Blvd.  
402.593.6400 P  
402.593.6445 F

**Library**  
9110 Giles Rd.  
402.537.3900 P  
402.537.3902 F

**Police**  
7701 S. 96th St.  
402.331.1582 P  
402.331.7210 F

**Public Works**  
9900 Portal Rd.  
402.331.8927 P  
402.331.1051 F

**Recreation**  
8116 Park View Blvd.  
402.331.3455 P  
402.331.0299 F

- c. What is the maximum storage quantity and what is the storage arrangement of completed ammunition that you may have on-site at any given time?

Any specific details that you can provide regarding the storage of these materials will be helpful in performing an efficient and accurate review.

**General Comments:**

1. Please provide an answer to the following question posed in the Initial Review Letter dated January 22, 2020: Is there an ATF requirement that you must be “open” to the public during set operating hours in order to allow for their ability to do drop-in inspections without notice? We were made aware of this from other jurisdictions in the area.
2. Number 7 of the provided operating statement mentions that the BATF will inspect the property once the permit has been issued. We will request that a copy of the inspection report be provided to the City when it comes back from the BATF.

A draft Conditional Use Permit (CUP) is being prepared and will be shared with you upon completion. Please submit a response electronically that addresses all of the comments in this letter. A timeline for review by Planning Commission and City Council will be determined after review of the revised documents. Feel free to contact me with any questions.

Sincerely,



Cale Brodersen  
Assistant Planner  
City of La Vista  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

Cc: Bruce Fountain, Community Development Director  
Chris Solberg, Deputy Community Development Director



## No Objection Form – City of La Vista Home Occupations

For major home occupations, per the La Vista Zoning Ordinance, a minimum of seventy-five percent (75) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation. Black Sage Arms, LLC has applied for a Conditional Use Permit to operate a major home occupation at 7423 S 139<sup>th</sup> Street, Omaha, NE 68138, within the planning jurisdiction of the City of La Vista. If you are a resident or property owner within 200 feet of the address listed above and you have no objections to the proposed home occupation, please sign this form on the line that corresponds with your property.

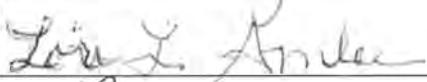
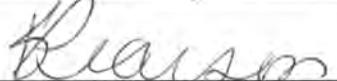
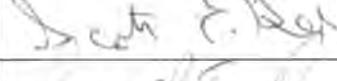
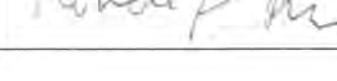
Parcel Id	Site Address	Owner Name	Postal Address	City, State, Zip	Resident/Owner Signature
10940820	X 7415 S 139th St <i>Corneback</i>	Bessembinders, Timothy J	7415 S 139th St	Omaha, NE 68138	<i>Timothy J. Bessembinders</i>
11214678	13719 Margo St <i>*</i>	Klesitz Realty LLC	3205 N 90th St Ste 202	Omaha, NE 68134	
11214384	X 7532 S 138th St <i>Corneback</i> <i>X</i>	Bowen Jr, John R & Barbara	7532 S 138th St	Omaha, NE 68138	<i>Not want to sign</i>
10940863	13905 Margo St <i>Corneback</i>	Dutcher, Richard & Corinne	13905 Margo St	Omaha, NE 68138	<i>Richard Dutcher</i>
11214562	X 7523 S 138th St <i>*</i>	Pleskac, Joseph B & Mary K	7523 S 138th St	Omaha, NE 68138	<i>Joseph B. Pleskac</i>
10940871	X 13909 Margo St <i>*</i>	Lhotak, Jeanette G & Jan J	13909 Margo St	Omaha, NE 68138	
10940855	Z X 13901 Margo St	Corwine, Richard L	13901 Margo St	Omaha, NE 68138	<i>Richard L. Corwine</i>
10937714	X 13910 Margo St <i>Corne</i>	Warren, Joseph P, John, & Susan	13910 Margo St	Omaha, NE 68138	<i>Warren</i>
11214694	X 7615 S 138th St	White, Sinda L	16014 N Cir	Omaha, NE 68135	<i>Sinda L. White</i>

will  
call



### No Objection Form – City of La Vista Home Occupations

For major home occupations, per the La Vista Zoning Ordinance, a minimum of seventy-five percent (75) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation. Black Sage Arms, LLC has applied for a Conditional Use Permit to operate a major home occupation at 7423 S 139<sup>th</sup> Street, Omaha, NE 68138, within the planning jurisdiction of the City of La Vista. If you are a resident or property owner within 200 feet of the address listed above and you have no objections to the proposed home occupation, please sign this form on the line that corresponds with your property.

<u>Parcel Id</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Postal Address</u>	<u>City, State, Zip</u>	<u>Resident/Owner Signature</u>
11214392	7528 S 138th St	Bencker, Jeremiah S & Sarah A <i>ALFREDO RODRIGUEZ</i>	7528 S 138th St	Omaha, NE 68138	
11214686	7611 S 138th St	Palmer, Phillip J & Keri A	7611 S 138th St	Omaha, NE 68138	
11214368	7608 S 138th St	Toledo, Judith K	14934 Dayton St	Omaha, NE 68137	
11214414	13736 Lillian Cir	Ringer, Kenneth E	13736 Lillian Cir	Omaha, NE 68138	
11214325	7620 S 138th St	Amlee, Scott A & Lori L Corwine	7620 S 138th St	Omaha, NE 68138	
10937692	13907 Olive St	Pearson, Kathleen M	13907 Olive St	Omaha, NE 68138	
10937706	13906 Margo St	Figgins, Jeffrey S	13906 Margo St	Omaha, NE 68138	
11214570	7527 S 138th St	Hess, Scott E & Christine L	7527 S 138th St	Omaha, NE 68138	
10940812	7411 S 139th St	Richards, Ronald F & Gail D	7411 S 139th St	Omaha, NE 68138	



## No Objection Form – City of La Vista Home Occupations

For major home occupations, per the La Vista Zoning Ordinance, a minimum of seventy-five percent (75) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation. Black Sage Arms, LLC has applied for a Conditional Use Permit to operate a major home occupation at 7423 S 139<sup>th</sup> Street, Omaha, NE 68138, within the planning jurisdiction of the City of La Vista. If you are a resident or property owner within 200 feet of the address listed above and you have no objections to the proposed home occupation, please sign this form on the line that corresponds with your property.

<u>Parcel Id</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Postal Address</u>	<u>City, State, Zip</u>	<u>Resident/Owner Signature</u>
11214406	7524 S 138th St	Townsend, Thomas J Charlotte	7524 S 138th St	Omaha, NE 68138	<i>No objection won't sign Verbal confirmation</i>
10940839	7419 S 139th St	Lawrenson, Travis J & Brandy E	7419 S 139th St	Omaha, NE 68138	<i>T. Lawrenson</i>
10940847	7423 S 139th St <del>XX</del>	Wagner, Louis, & Shedd-Wagner, Tracy	7423 S 139th St	Omaha, NE 68138	<i>L. Wagner T. Wagner</i>
11214376 <del>XX</del>	7604 S 138th St	Fick, Shane	7604 S 138th St	Omaha, NE 68138	<i>Shane Fick</i>
11214422	13732 Lillian Cir	McKeighan, John E & Matthew M	13732 Lillian Cir	Omaha, NE 68138	<i>John McKeighan</i>
10940898	13913 Margo St	Harrill, David L & Sandra K	13913 Margo St	Omaha, NE 68138	<i>David L. Harrill</i>
11214341 <del>XX</del>	7612 S 138th St	Rodgers, Keith A & Erin	7612 S 138th St	Omaha, NE 68138	<i>Keith A. Rodgers</i>
11214333	7616 S 138th St	Snyder, Ryan Matthew & Tiffany L	7616 S 138th St	Omaha, NE 68138	<i>Ryan Snyder</i>

*Catch  
outside*

**From:** Zack Wagner <zack.wagner@blacksagearms.com>  
**Sent:** Wednesday, December 2, 2020 12:33 AM  
**To:** Cale Brodersen <cbrodersen@cityoflavista.org>; 'Steve Thornburg' <sthornburg@papillion.org>  
**Cc:** Christopher Solberg <csolberg@cityoflavista.org>; Bruce Fountain <bfountain@cityoflavista.org>  
**Subject:** RE: [EXT]RE: Check-In

Steve and Cale,

Thank you for replying to me. Sorry I haven't gotten back to you sooner. Between work, deer season, and the holidays, I haven't had much time go get back to this.

To be honest, the moment I knew I was going to try for a business, I built the exact cabinet for powder that I am required to have. It is padlocked with a bar across it to keep people out as well as vented at both the top and bottom to keep excess pressure from building in case there is a fire. I have it labeled and an MSDS is behind the sign for anyone to review. Below is a photo of the cabinet. I can send you photos of it's construction if you wish to see them.



As far as the Hoppes #9 Bore Cleaner, like Walmart, it sits on a shelf until used. I have 2 bottles of it in my possession. There is a 5oz bottle that I have been working on for the past 5 years, and a 32oz bottle that I keep under my bench until the 5oz bottle runs out, then I will probably just refill it in a few years. It really doesn't take much to do the work.

I currently do not have any Cerakote Coatings at the house. This is on the radar after I get my Conditional Use Permit and FFL. When I do get that, it is my intention that these will be in a locked cage in the garage where there is plenty of ventilation. There is no specialized transportation. If there is proper ventilation with the Cerakote, and I have half a brain and wear a respirator, then there is no danger. Regarding any other solvents, such as the isopropyl alcohol and the acetone, again, proper ventilation, it's sitting on a shelf until needed, and there is not a need for any specialized storage or transportation. (as far as I know) Everything I am using can pretty much be purchased at Home Depot or Walmart.

If I plan on moving propellant (smokeless gun powder or black powder) to any gun shows, I will need to build another cabinet for the transportation of any powder, each canister separated by 1" plywood. This will be in a large box as prescribed by the ATF.

As far as black powder, I do not have any in canisters. I have one box of pre-measured tablets that I use for my personal use. It's less than on pound an I keep that for my black powder rifle. Though I plan on reloading as part of the business, I do not plan on running anything in bulk. That's not my business model and I am not set up to do it. Regarding ammunition. Again, the business does not have any completed ammunition. I have my own personal ammunition and that is stored in a safe. Once the business starts acquiring ammunition, I will store it in a keyed storage locker to keep it safe. The idea will be to not load ammunition until it is ordered, then either ship said ammunition (per ATF, Fedex and UPS guidelines) or have the client come and pick it up. Though I can store a fair amount of it, if I am not moving it, it isn't making me any money... So the plan is to load only what I can sell. Though right now it is really hard to get supplies.

As far as my planned dates and times, as I am a home based gunsmith, I will be Monday – Saturday by appointment only. We will be open to the public Sundays from 1PM – 5PM. This is a rather common practice for home based gunsmiths with a "day job". The ATF is welcome to come and inspect my set up at any time.

I am going to be blunt. I don't want to work out of my house, but I do not have the operating capital to move into a retail space. My plan is that if I am not in a commercial or industrial space within 5 years, I plan on shutting down the business. I am a gunsmith. On January 4<sup>th</sup>, I will become a certified gunsmith. 16 weeks after that, I will have an associates degree in Firearms Technologies from Sonoran Desert Institute. (This along with my Associate Degree in Electronics Engineering from ITT, and my Bachelor's from Bellevue University in Management of Information Systems). I just want a career change and I can't just jump in without building a client base.

Thank you,

~Louis "Zack" Wagner



Zack Wagner - BlackSage Arms LLC  
Omaha, Nebraska  
402-235-6512  
<http://www.blacksagearms.com>

## **City of La Vista Conditional Use Permit**

### **Conditional Use Permit for Home Occupation (Gunsmith)**

This Conditional Use Permit issued this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Black Sage Arms, LLC ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate a home occupation (Gunsmith) in a single-family dwelling at 7423 S. 139<sup>th</sup> Street upon the following legally described property of land within the City of La Vista zoning jurisdiction:

Lot 29 Stonybrook South, a Subdivision of Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a home occupation (Gunsmith); and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area of the property described herein for a home occupation (Gunsmith), said use hereinafter being referred to as "Permitted Use or Use".

#### **Conditions of Permit**

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
  - a. Operation of this home occupation must be in accordance with the "Operating Statement" attached to this permit as "Exhibit A".
  - b. Permitted use will utilize approximately 245 square feet in the basement and 90 square feet in the garage.
  - c. Hours of operation will generally be from 9:00 a.m. to 8:00 p.m. Monday through Sunday, by appointment only.
  - d. No external evidence of the home occupation is allowed with the exception of one unlighted nameplate of not more than two (2) square feet in area attached flat against the building. Advertising displays and advertising devices displayed through a window of the building shall not be permitted.
  - e. There will be no employees.
  - f. Owner will maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the ATF.
  - g. Waste material from activities shall be properly disposed of as per all Nebraska Department of Environmental Quality (NDEQ) guidelines and other applicable laws, regulations and requirements as in effect or amended from time to time.

- h. There will be no test firing or discharge of the firearms on the premises.
- i. Any class being instructed on the property shall be limited to 4 students. No student shall be allowed to bring firearms on the premises while attending class, and all students must be given a full safety brief and be provided with proper safety equipment.
- j. Only ten firearms, other than those owned by the property owner, will be on site at any one time. All firearms shall be secured in an acceptable gun safe whenever the operator is not actively working with the firearms.
- k. Fire escape routes shall be properly designated.
- l. There shall be no storage, placement or display of goods or supplies outside described areas relating to permitted use.
- m. Client parking will consist of owner's driveway.
- n. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Building Inspector.
- o. Owner shall comply with all sections of the International Fire Code, and NFPA 495 (2010) Sections 14.3-14.5 regarding the storage of small arms ammunition and its components in an R occupancy.
- p. Owner shall comply (and shall ensure that all, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local laws, regulations, or other requirements, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
- q. Owner shall forward any and all inspection reports received of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) per the requirements of the Federal Firearms License to the City of La Vista Community Development Department immediately upon receipt.
- r. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his/her agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:

- a. An annual renewal of a home occupation license and annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
- b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
- c. All obsolete or unused structures and accessory facilities or materials specifically pertaining to such permitted use shall be removed at owner's expense within twelve (12) months of cessation of the conditional use, if required by the City.

4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as a permitted use hereunder upon the first of the following to occur:

- a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
- b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
- c. Owner's breach of any other terms hereof and his/her failure to correct such breach within ten (10) days of City's giving notice thereof.
- d. A period of 5 years have passed since the issuance date of this Conditional Use Permit noted on page 1.

5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

#### **Miscellaneous**

The conditions and terms of this permit shall be binding upon owner, his/her successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach, and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

**Contact Name and Address:** Black Sage Arms, LLC  
Attn: Louis Wagner  
7423 S. 139th Street  
Omaha, NE 68138

#### **Effective Date:**

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By \_\_\_\_\_  
Douglas Kindig, Mayor

Attest:

---

Pam Buethe  
City Clerk

### CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: \_\_\_\_\_

Title: owner/operator \_\_\_\_\_

Date: \_\_\_\_\_

### ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)

) ss.

COUNTY OF \_\_\_\_\_

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

\_\_\_\_\_  
Notary Public

### ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)

) ss.

COUNTY OF \_\_\_\_\_

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Louis Wagner personally known by me to be the owner/operator of Black Sage Arms, LLC, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

\_\_\_\_\_  
Notary Public

## EXHIBIT A

### Project Information (Proposed Use):

1. Black Sage Arms LLC intends to use both 245 Sq Ft of the Basement as well as 90 Sq Ft of the garage.
2. Hours of Operation will generally be Monday Through Sunday by 9AM through 8PM by appointment only.
3. There will not be any on site advertisements, billboards, signage regarding the business other than a 2" X 8" sticker on the bottom right of the glass storm door to denote the location of the business. (White vinyl, no colors, only letters)
4. Client parking will consist of the owner's driveway.
5. There will be no employees, only partners within the LLC. Currently, these are limited to Louis Wagner, Tracy Shedd-Wagner and Kelsey Shedd.
6. Activities will include:
  - a. Firearm Cleaning
  - b. Firearm Coating
  - c. Firearm Repair
  - d. Manufacturing of Firearms and components for Firearms in accordance with all State and Federal Laws as well as all ATF Regulations.
  - e. Alterations of Firearms in accordance with all State and Federal Laws as well as all ATF Regulations.
  - f. Manufacturing of custom, match grade, small batch, ammunition in accordance with all State and Federal Laws as well as all ATF Regulations.
  - g. Firearms Sales and Transfers as regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
  - h. Instruction of NRA Certified Metallic Case Reloading to no more than 4 students at a time.
    - i. Web development for the Firearm Community and Second Amendment Advocates.
7. Safety:
  - a. Firearms will not be fired or discharged on premises, but at a gun range or other location.
  - b. There are minimum 3 fire extinguishers within the facility
  - c. Security System is monitored by Cox Communications
  - d. There currently 3 camera systems at the location with a 4th more robust system currently being installed.
  - e. All firearms are secured in one of 2 safes on premises.
  - f. All Ammunition for the business is stored in a locked cabinet
  - g. All primers are stored in a locked and labeled storage crate with ventilation to prevent detonation as well as separately from all propellant.
  - h. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) will be on site to inspect the premises once the use permit has been granted as well as follow up inspections as the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) deems necessary.

- i. All students for the reloading class will be given a full safety brief as well as the proper safety equipment.
- j. All students for the reloading class will not be allowed to bring firearms on the premises while attending the class.
- k. There will not be more than 10 firearms, other than the firearms owned by the property owner, on site at any one time.
- l. Fire escape routes shall be properly designated.
- m. Waste materials from activities shall be properly disposed of as part of the Nebraska Department of Environmental Quality (NDEQ) guidelines and other applicable laws, regulations, and requirements as in effect or amended from time to time.
- n. All deliveries will be signed for by one of the partners of the LLC as this is part of the requirements of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

8. Plan:

- a. There is no plan to forever run it out of a home, but to grow the business to move it to its own location.
- b. If we have not grown the business to the point where it can have its own location within 5 years of approval, the business will be either shut down until such time as a location can be found for it or dissolved and the assets liquidated.

9. Status:

- a. Black Sage Arms LLC has been in business since October, 2013 and is in good standing with the Federal Government and the State of Nebraska. We have done web development, parts and accessories, NRA Metallic Case Reloading instruction, and been a part of the Omaha firearm community.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 5, 2021 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PRELIMINARY PLAT - DORWILL, LLC LOT 1 I-80 BUSINESS PARK 2 <sup>ND</sup> ADDITION REPLAT 1	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG, AICP DEPUTY COMM. DEV. DIRECTOR

**SYNOPSIS**

A resolution has been prepared for City Council to consider an application for a Preliminary Plat for Lot 1 I-80 Business Park 2<sup>nd</sup> Addition Replat 1 to combine three parcels to allow for the development of a 2,800 square foot industrial building with two bays, located northwest of the intersection of S. 118<sup>th</sup> Street and Harry Andersen Avenue.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A Preliminary Plat application has been submitted by Dorwill, LLC for approximately 29,564 square feet (or 0.68 acres) currently described as Lot 1 I-80 Business Park 2<sup>nd</sup> Addition, Pt Harry Andersen Ave Adj to Lot 1 I-80 Business Park 2<sup>nd</sup> Addition, and Pt State Row Adj To Lot 1 I-80 Business Park 2<sup>nd</sup> Addition, to be replatted as Lot 1 I-80 Business Park 2<sup>nd</sup> Addition Replat 1. The purpose of the request is to combine the parcels into one lot in order to possibly build a small light industrial building in the near future.. A detailed staff report is attached.

The Planning Commission held a meeting on December 10, 2020 and voted unanimously to recommended approval of the Preliminary Plat as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations, and Zoning Ordinance.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE PRELIMINARY PLAT FOR LOT 1 I-80 BUSINESS PARK 2ND ADDITION AND PT HARRY ANDERSEN AVE ADJ TO LOT 1 I-80 BUSINESS PARK 2ND ADDITION LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T14, R12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND PT STATE ROW ADJ TO LOT 1 I-80 BUSINESS PARK 2ND ADDITION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 18, T14, R12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, TO BE REPLATTED AS LOT 1 I-80 BUSINESS PARK 2ND ADDITION REPLAT 1 LOCATED IN SECTIONS 17 AND 18, T14, R12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owner of the above described pieces of property has made application for approval of a preliminary plat as presented at this meeting for Lot 1 I-80 Business Park 2nd Addition Replat 1 ("Preliminary Plat"); and

WHEREAS, the City Engineer has reviewed the Preliminary Plat; and

WHEREAS, on December 10, 2020, the La Vista Planning Commission reviewed the Preliminary Plat and recommended approval;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Preliminary Plat for Lot 1 I-80 Business Park 2nd Addition, Pt Harry Andersen Ave Adj to Lot 1 I-80 Business Park 2nd Addition, and Pt State Row Adj to Lot 1 I-80 Business Park 2nd Addition, to be replatted as Lot 1 I-80 Business Park 2nd Addition Replat 1, located in the northwest 1/4 of the northwest 1/4 of Section 17, and the northeast 1/4 of the northeast 1/4 of Section 18, both in Township 14, Range 12E, generally located northwest of the intersection of S. 118th Street and Harry Anderson Avenue be, and hereby is, approved, contingent on the approval and recording of the Final Plat and related Subdivision Agreement.

PASSED AND APPROVED THIS 5TH DAY OF JANUARY 2021.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
PLANNING DIVISION  
RECOMMENDATION REPORT**

CASE NUMBERS: PSPP20-0001;

FOR HEARING OF: JANUARY 5, 2021

REPORT PREPARED ON: DECEMBER 21, 2020

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Dorwill, LLC  
Attn: Richard Essi  
8231 S. 107<sup>th</sup> Street  
La Vista, NE 68128

**B. PROPERTY OWNER:**

Dorwill, LLC  
8231 S. 107<sup>th</sup> Street  
La Vista, NE 68128

**C. LOCATION:** Northwest of the intersection of S. 118<sup>th</sup> Street and Harry Anderson Avenue;

**D. LEGAL DESCRIPTION:** Lot 1 I-80 Business Park 2<sup>nd</sup> Addition, Pt Harry Andersen Ave Adj To Lot 1-80 Business Park 2<sup>nd</sup> Addition, and Pt State Row Adj To Lot 1 I-80 Business Park 2<sup>nd</sup> Addition.

**E. REQUESTED ACTION(S):** Approval of a Preliminary Plat to combine Lot 1 I-80 Business Park 2<sup>nd</sup> Addition with two small pieces of former right-of-way sold by the State of Nebraska in 2019 to create Lot 1 I-80 Business Park 2<sup>nd</sup> Addition Replat 1.

**F. EXISTING ZONING AND LAND USE:** I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District).

**G. PURPOSE OF REQUEST:** To create a larger parcel of land that would allow for the potential development of a 2,800 square foot industrial building with two tenant bays. One bay would be used by the owner and one would be leased out.

**H. SIZE OF SITE:** 29,564 square feet (0.68 acres).

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** The property slopes downward to the south and to the west.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	NA; Interstate 80 Right of Way	NA; Interstate 80 Right of Way	Interstate-80
East	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District)	Vacant land
South	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District)	Progressive Casualty Insurance Company Building
West	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District)	Interstate-80

**C. RELEVANT CASE HISTORY:**

1. Dorwill, LLC submitted an application on August 4, 2020 to the La Vista Board of Adjustment for three variances from setback requirements in the La Vista Zoning Ordinance, noting the hardships associated with the small buildable area on the lots in question and a utility easement that runs through them. The La Vista Board of Adjustment granted the following three variances from Section 5.13.05 of the La Vista Zoning Ordinance to Dorwill, LLC on September 2, 2020:
  - i. Front yard setback along S. 118<sup>th</sup> Street reduced from 35 feet to 30 feet;
  - ii. Removal of the 60 foot setback requirement for front yards with parking in the front of the property; and
  - iii. Reduction in the side yard setback along the west lot line from 30 feet to 15 feet.

**D. APPLICABLE REGULATIONS:**

1. Section 5.13 of the Zoning Regulations – I-1 Light Industrial
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Section 5.18 of the Zoning Regulations – FF/FW Flood Plain District (Overlay District)
4. Section 7.17 of the Zoning Regulations – Landscaping Requirements

5. Article 8 of the Zoning Regulations – Board of Adjustment

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Comprehensive Plan Future Land Use Map designates this property for industrial development. This proposal is consistent with the comprehensive plan.

**B. OTHER PLANS:** N/A.

**C. TRAFFIC AND ACCESS:**

1. The property will have driveway access off of S 118<sup>th</sup> Street.
2. No future direct access shall be permitted onto Harry Anderson Avenue.
3. Vehicle traffic to the site will be very limited. The owner intends to use one of the two bays to store equipment and supplies for RE Contracting. The owner also anticipates leasing the adjacent bay for a similar, low-traffic generating use.
4. Per Section 4.2 of La Vista's Subdivision Regulations, the minimum distance between the edge of a sidewalk and the curb shall be six (6) feet. The applicant is requesting a reduction in this distance for a section of the sidewalk on the northeast corner of the property due to topographical constraints. To allow for a reduction in the 6-foot requirement, the applicant will need to be granted a waiver through the Final Plat review process, as authorized per Section 8.01 of La Vista's Subdivision Regulations.

**D. UTILITIES:**

1. The property will have access to water, sanitary sewer, gas, power and communication utilities.

**E. PARKING REQUIREMENTS:**

1. The proposed development includes 5 parking stalls (4 standard and 1 van-accessible), which exceeds the 1 stall minimum parking requirement per the La Vista Zoning Ordinance. As industrial flex space, 1 parking space is required per 3,000 square feet of gross floor area, and the proposed industrial building is smaller than 3,000 square feet.

**IV. REVIEW COMMENTS:**

**A.** The building design for the proposed 2,800 square foot industrial flex building is currently under review through the City's design review process as required for developments within the Gateway Corridor Overlay District. The applicant has received initial comments from the City's third-party design review architect.

- B. As two of the parcels being combined in this proposal are formerly NDOT right-of-way, the combination of these lots must be completed through separate Preliminary and Final plats, per the City of La Vista Subdivision Regulations. Upon final approval of this Preliminary Plat, the Planning Commission and City Council will be asked to review the Final Plat.
- C. Prior to issuance of final building permits, the applicant will need to submit a full drainage study for review by the City Engineer. The applicant will also need to gain approval of the FAA due to the proximity of the site to the Millard Airport.

**V. STAFF RECOMMENDATION – PRELIMINARY PLAT:**

Staff recommends approval of the Preliminary Plat for Lot 1 I-80 Industrial Park 2<sup>nd</sup> Addition Replat 1, as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations, and Zoning Ordinance.

**VI. PLANNING COMMISSION RECOMMENDATION – PRELIMINARY PLAT:**

The Planning Commission reviewed Dorwill, LLC's Preliminary Plat application during the meeting on December 10, 2020 and voted unanimously to recommend approval of the Preliminary Plat for Lot 1 I-80 Industrial Park 2<sup>nd</sup> Addition Replat 1, as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations, and Zoning Ordinance.

**VII. ATTACHMENTS TO REPORT:**

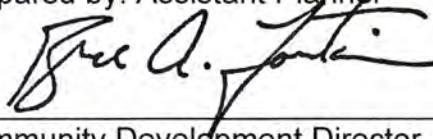
- A. Vicinity Map
- B. Review Letters
- C. Preliminary Plat Plan Set

**VIII. COPIES OF REPORT SENT TO:**

- A. Rich Essi, Dorwill, LLC
- B. Public Upon Request



Prepared by: Assistant Planner



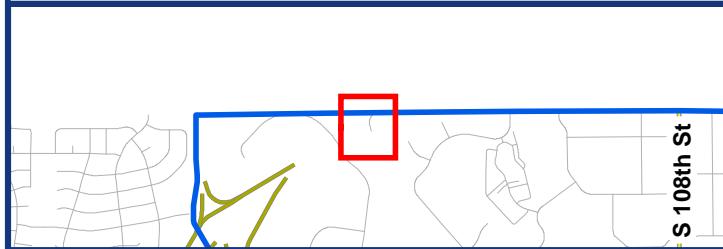
12/23/2020

Community Development Director

Date



### Preliminary Plat Vicinity Map



**Dorwill, LLC**  
**Lot 1 I-80 Business Park 2nd Add.**

11/30/2020 CB





October 14, 2020

Dorwill, LLC  
Attn: Rich Essi  
8231 S 107<sup>th</sup> Street  
La Vista, NE 68128

RE: Preliminary Plat – Initial Review  
I-80 Business Park 2<sup>nd</sup> Addition Replat 1

Mr. Essi,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations, the City has the following comments:

1. Section 3.03.02 – Please submit any proposed grading plans with the preliminary plat.
2. Section 3.03.10 – Please include any locations for proposed improvements such as sanitary sewer, storm sewer, water, building footprint, etc.
3. Section 3.03.14 – Please illustrate building setback lines with a note referencing the variances that were granted by the Board of Adjustment on September 2, 2020.
4. Section 3.3.20 – A Post Construction Stormwater Management plan should be included that demonstrates the project will address stormwater management criteria as per Section 154 of the City Municipal Code.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
402.331.4343 402.331.4375

**Community Development**  
8116 Park View Blvd.  
402.593.6400 402.593.6445

**Library**  
9110 Giles Rd.  
402.537.3900 402.537.3902

**Police**  
7701 S. 96th St.  
402.331.1582 402.331.7210

**Public Works**  
9900 Portal Rd.  
402.331.8927 402.331.1051

**Recreation**  
8116 Park View Blvd.  
402.331.3455 402.331.0299

5. General comment: Building height will need to be reviewed by the FAA as project progresses due to the proximity of the site to the Millard Airport. Approval will be required prior to issuance of a building permit.

Please submit 3 full size revised copies of the plat and related documents (along with electronic copies) to the City for further review. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed.

If you have any questions regarding these comments, please feel free to contact me at any time. Thank you,



Cale Brodersen  
Assistant Planner  
City of La Vista  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

cc:

Christopher Solberg, Deputy Community Development Director  
Bruce Fountain, Community Development Director  
Pat Dowse, City Engineer  
Jeff Daharesh, Cornerstone Surveying, LLC  
Roger Doehling, LYNC Architecture



November 4, 2020

Dorwill, LLC  
Attn: Rich Essi  
8231 S 107<sup>th</sup> Street  
La Vista, NE 68128

RE: Preliminary Plat – Second Review  
I-80 Business Park 2<sup>nd</sup> Addition Replat 1

Mr. Essi,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations, the City has the following comments:

1. Section 3.03.10 – Preliminary design of the improvements is shown, however, the location of the sidewalk does not appear to be consistent with the subdivision regulations, and the driveway thickness does not appear to be consistent with the City of Omaha Driveway Guidelines. Detailed improvement drawings of the project and connections to existing public utilities need to be submitted prior to issuance of a building permit.
2. Section 3.03.16 – The grading plan does not show all erosion control BMPs. Please include these.
3. Section 3.03.20 – The Grading/PCSMP Plan shows stormwater BMPs, however, a detailed drainage report was not submitted. A detailed drainage report with the complete PCSMP plans will need to be submitted prior to issuance of a building permit.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
402.331.4343 P  
402.331.4375 F

**Community Development**  
8116 Park View Blvd.  
402.593.6400 P  
402.593.6445 F

**Library**  
9110 Giles Rd.  
402.537.3900 P  
402.537.3902 F

**Police**  
7701 S. 96th St.  
402.331.1582 P  
402.331.7210 F

**Public Works**  
9900 Portal Rd.  
402.331.8927 P  
402.331.1051 F

**Recreation**  
8116 Park View Blvd.  
402.331.3455 P  
402.331.0299 F

Please resubmit digitally to the City for further review. If you are able to resubmit by Tuesday, November 10<sup>th</sup> and adequately address these comments, this item may be placed on the Planning Commission Agenda for the November 19<sup>th</sup>, 2020 meeting. If this timeline is not feasible or if there are remaining items, the next Planning Commission meeting will be on December 3, 2020.

If you have any questions regarding these comments or the timeline, please feel free to contact me at any time. Thank you,



Cale Brodersen  
Assistant Planner  
City of La Vista  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

cc:

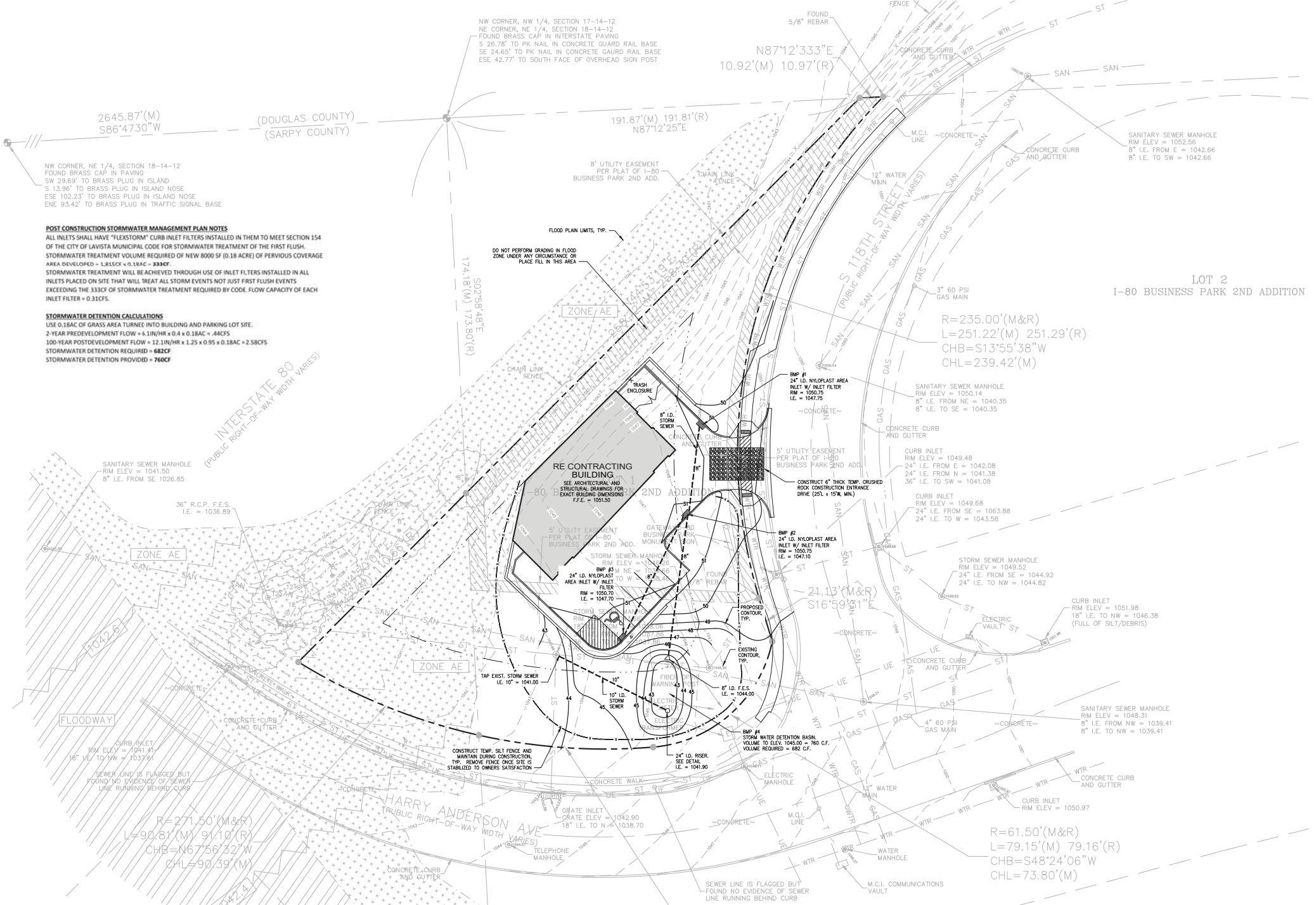
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Pat Dowse, City Engineer  
Jeff Daharesh, Cornerstone Surveying, LLC  
Roger Doehling, LYNC Architecture  
Brad Blakeman, Blakeman Engineering





RE CONTRACTING BUILDING  
LOT 1, I-80 BUSINESS PARK 2ND ADDITION

LAVISTA, NE



**BLAKEMAN  
ENGINEERING © 2020**

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AWN BY: JSP  
ECKED BY: BKB  
UED: PERMITS  
TE: 10-23-2020

C1.1



RE CONTRACTING BUILDING  
LOT 1, I-80 BUSINESS PARK 2ND ADDITION

SSPA

**BLAKEMAN  
ENGINEERING © 2020**

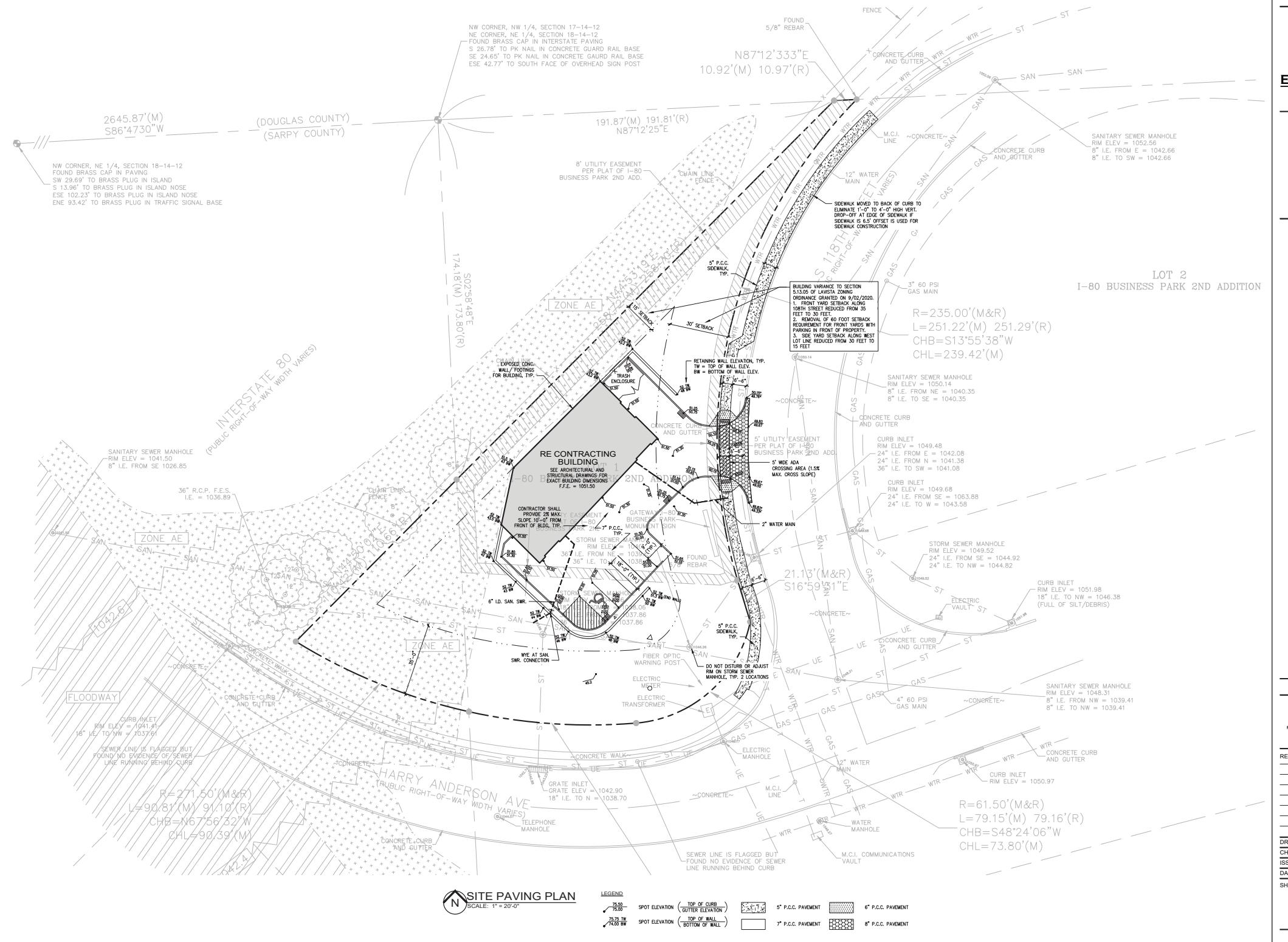
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#### VISIONS

AWN BY:	JSP
ECHECKED BY:	BKB
UED:	PERMITS
TE:	10-23-2020
ET NO:	

C2.1



**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 5, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
POSITION DESCRIPTION – SIGNAL TECHNICIAN	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	RANDY TRAIL HUMAN RESOURCES DIRECTOR

**SYNOPSIS**

A position description for that of Signal Technician is presented for review.

**FISCAL IMPACT**

The FY21/22 Biennial Budget provides funding for this position.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Traffic control has historically fallen within the responsibility of the Maintenance Worker II – Streets position. However, it has been managed by one individual who has gained the skill and knowledge required to keep traffic moving efficiently within the City.

Because of the increasing complexity of traffic control devices and the experience and knowledge required to maintain them, the duties no longer match those of the Maintenance Worker II – Streets position.

To recognize the technical nature of managing and maintaining traffic control devices and to ensure our ability to hire and retain personnel to do so, the new position of Signal Technician is needed. This position is rated as a grade 14 with a wage range of \$22.37 - \$32.74 per hour and is included in the FY21 budget.

A complete job description for this position has been included for review.

## POSITION DESCRIPTION CITY OF LA VISTA

**Position Title:** Signal Technician  
**Position Reports To:** Street Superintendent  
**Position Supervises:**

### Description

Under the direction of the Street Superintendent, the Signal Technician installs, maintains and repairs traffic signal control equipment, signs and pavement markings.

### Essential Functions (with or without reasonable accommodation)

1. Perform field and shop repairs on computer operated traffic signal control equipment including, but not limited to, locating and correcting power and traffic controller signal failures.
2. Inspect, maintain and repair electrical motors, controllers, signal lights, flasher units, time clocks, relays, switches, control boxes, tubes, fuse boxes and other components of traffic signals.
3. Replace and repair signals bulbs, visors and cables.
4. Check timing of signal intervals and perform complex adjustments to equipment.
5. Operate a lift truck in the performance of signal repairs.
6. Replace and/or repair signs, sign hardware, and signposts.
7. Paint street markings, pavement lines and curb markings.
8. Maintain records of work performed, signal and sign locations, inventories of signal and sign parts and material.
9. Perform job duties in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
10. Modify existing equipment when necessary.
11. Fabricate unavailable parts and circuitry when possible.
12. Conduct traffic count studies by using automated machinery and associated software programs.
13. Utilize critical thinking and exercise considerable professional discretion in the resolution of traffic signal issues.
14. Operate heavy and light equipment during snow removal operations.
15. Operates heavy and light construction equipment as required.
16. Request utility locates and manage locate information.
17. Provide technical staff assistance to the Street Superintendent and City Engineer.
18. Address citizen questions and inquiries.
19. Procure necessary materials, supplies and equipment.
20. Assist in the set-up and tear-down of special events.
21. Must be available for 24-hour contact or call-out.
22. Perform other duties as directed or as the situation dictates.

### **Essential Physical and Environmental Demands**

1. Work indoors and outdoors year-round and during periods of inclement weather.
2. Perform work in areas that could be dusty, noisy, confined or present routine maintenance and construction hazards.
3. Perform a considerable amount of physical activity, including walking, standing, kneeling, bending, crouching, reaching, climbing, scooping, raking and shoveling.
4. See, including the requirements of close vision, distance vision, peripheral vision, depth perception and the ability to adjust focus.
5. Hearing correctable to a level adequate to communicate verbally.
6. Perform heavy work exerting in excess of 75 pounds of force occasionally, 50 pounds of force routinely, and 30 pounds of force frequently, to lift, carry, push, pull, tighten or loosen.
7. Ascend and descend ladders to, and work from heights of 20 feet or more.
8. Safely enter, exit and operate motor vehicles and equipment including but not limited to snowplows, dump trucks, picks, street cleaners, mowers, tractors, back hoes and skid steers.
9. Regular attendance as scheduled, or as otherwise necessary to fulfill the requirements of the position.
10. Access and maneuver rough terrain.
11. Enter and exit confined spaces such as sanitary manholes and utility vaults.

### **Education, Training, License, Certification and Experience**

1. Graduation from an accredited high school or GED.
2. Must possess and maintain a valid driver's license.
3. Must be able to acquire a valid class "AO" commercial driver's license and all CDL endorsements the City deems necessary, within six months of hire.
4. Three (3) years of public works experience.
5. The City may accept any equivalent combination of education and experience.
6. Must obtain the following IMSA certifications within 24-months of hire and maintain throughout the course of employment:
  - Work Zone Traffic Control Safety
  - Signs and Markings Level I
  - Signs and Markings Level II
  - Traffic Signal Technician Level I
  - Traffic Signal Field Technician II

### **Knowledge, Skills and Abilities**

1. Ability to work a varying schedule, including evenings, weekends and holidays, when necessary.
3. Knowledge of the assembly and operation of computer-operated traffic signal equipment.
4. Knowledge of materials, methods, practices and equipment used in the maintenance and repair of traffic signals, signs and pavement markings.
5. Knowledge of traffic signal functions and standard practices in the field of traffic control.

6. Knowledge of the occupational hazards and ability to apply safety precautions of electrical work.
7. Ability to safely and effectively perform job duties at various heights while working from a truck mounted lift apparatus.
8. Ability to apply the MUTCD and departmental policies and procedures in the performance of job duties.
9. Ability to communicate clearly and concisely, both orally and in writing.
10. Ability to read and understand blueprints and schematics.
11. Intermediate computer skills, including knowledge of MS Office programs Outlook, Word and Excel; traffic signal programming and ability to learn other computer skills.
12. Ability to work independently without supervision.
13. Ability to analyze situations and adopt an effective course of action.
14. Knowledge and understanding of safety principles.
15. Ability to establish and maintain effective working relations with City officials, fellow employees, contractors, patrons and the general public.
16. Ability to maintain regular and dependable attendance on the job, including attendance and job performance for possibly prolonged periods of time when called out on short notice due to weather conditions, emergencies and similar situations of public necessity.

### **Contributions this Position Makes to the City**

This position provides critical professional assistance to the Street Superintendent and contributes to the success of the City and the safety of its residents by working closely with the Public Works staff to maintain and repair traffic signals, signs and pavement markings.

### **Disclaimer**

This position description does not constitute an employment agreement between the City and the employee, and is subject to change by the employer as the needs of the City and the requirements of the position change over time.

**Note: Background checks and drug screening tests will follow all conditional offers of employment.**

I have read and understand the requirements of this position description.

---

Signature

---

Date

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 5, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMENDING THE COMPENSATION ORDINANCE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

An ordinance has been prepared to amend the compensation ordinance to reflect the new position of Signal Technician.

**FISCAL IMPACT**

The FY21/FY22 Biennial Budget provides funding for this position.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On this agenda, the City Council will consider approving a job description for a Signal Technician position. If the City Council approves this position, the compensation ordinance will need to be amended to reflect this change.

**ORDINANCE NO. 1403**

AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

**Section 1. City Council.** The compensation of members of the City Council shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$8,000 per year for each of the members of the City Council.

**Section 2. Mayor.** The compensation of the Mayor shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$16,000 per year.

**Section 3. City Administrator.** The compensation of the City Administrator shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be established by contractual agreement.

**Section 4. Management Exempt Employees.** The management exempt employees hereafter named shall, in addition to such vehicle and other allowances as may from time to time be fixed by Resolution of the City Council, receive annualized salaries fixed in accordance with the schedules, set forth in Section 20 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Pay Grade
Asst. City Administrator/Dir. Community Services	28
City Clerk	22
City Engineer	24
Community Development Director	25
Director of Administrative Services	28
Director of Public Works	28
Finance Director	24
Human Resources Director	23
Library Director	22
Police Chief/Director of Public Safety	28
Recreation Director	22

**Section 5. Salaried Exempt Employees.** The monthly salary compensation rates of the salaried exempt employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules set forth in Section 20 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Pay Grade
Accountant	19
Asst. to City Administrator	18
Asst. Planner	17
Asst. Recreation Director	19
Chief Building Official	20
Community Relations Coordinator	18
Deputy City Clerk	13
Deputy Director Public Works	24
Deputy Community Development Director	21
Financial Analyst	18
Human Resources Generalist	15
Information Technology Manager	20
Librarian II – Inter-Library Loan/Public Services	16
Librarian III	18
Operations Manager	18
Park Superintendent	20
Police Captain	23
Police Records Manager/Office Manager	14
Police Training Coordinator	21
Senior Services Manager	18

Street Superintendent	20
Youth and Adult Sports Manager	17

**Section 6. Hourly Non-Exempt Employees.** The hourly compensation rates of the hourly (non-exempt) employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules set forth in Section 20 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	Pay Grade
Administrative Assistant I	5
Administrative Assistant II	8
Administrative Assistant III	10
Building Inspector II	16
Building Maintenance Worker I	9
Building Maintenance Worker II	11
Building Technician	14
Code Enforcement Officer	12
Executive Assistant	13
Librarian I	15
Librarian II – Computer/Reference Services	16
Maintenance Worker I	9
Maintenance Worker II	11
Mechanic	11
Park Foreman	14
Permit Technician	8
Police Sergeant	426
Police Officer	423
Police Data Entry Clerk	6
Sewer Foreman	14
Shop Foreman	14
<b>Signal Technician</b>	<b>14</b>
Street Foreman	14

**Section 7. Part-Time, Seasonal and Temporary Employees.** The hourly compensation rates of part-time, seasonal and temporary employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules set forth in Section 20 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	Pay Grade
Assistant Pool Manager	C
Circulation Clerk I	A
Circulation Clerk II	D
Clerical Assistant/Receptionist	D
Custodian	C
Evidence Technician	F
Intern/Special Projects	D
Lifeguard	A
Pool Manager	E
Recreation Attendant	A
Seasonal PW All Divisions 1-5 Years	A
Seasonal PW All Divisions 5+ Years	C
Shop Assistant	A
Special Services Bus Driver	C
Temporary/PT Professional (PW)	H

Part-time employees shall receive no benefits other than salary or such benefits as established in accordance with such rules as have been or may be established by Resolution of the City Council.

**Section 8. Pay for Performance.** Employees not covered by a collective bargaining agreement or express employment contract shall be subject to the City's Pay for Performance (PFP) compensation system as outlined in Council Policy Statement. PFP salary ranges are set forth in Section 20 of this Ordinance. For Fiscal year 2021 the range for salary increases will be 0-7% in accordance with the adopted pay matrix.

**Section 9. Legal Counsel.** Compensation of the legal counsel other than special City Prosecutor for the City shall be, and the per diem rates respecting same shall be, at 90% of

the standard hourly rate the firm may from time to time charge. Compensation for Special City prosecution shall be as agreed upon at the time of specific employment.

Section 10. Engineers. Compensation of Engineers for the City shall be, and the same hereby is, fixed in accordance with such schedules of hourly and per diem or percentage rates as shall from time to time be approved by Resolution of the City Council. Travel allowances respecting same shall be as may from time to time be fixed by Resolution of such City Council.

Section 11. Health, Dental Life and Long Term Disability Insurance. Subject to the terms, conditions and eligibility requirements of the applicable insurance plan documents and policies, regular full-time employees of the City of La Vista and their families shall be entitled to be enrolled in the group life, health, and dental insurance program maintained by the City. Regular full-time employees shall also be entitled to be enrolled in the long term disability insurance program maintained by the City.

Unless otherwise provided by collective bargaining agreement, or other applicable agreement, the City's employer share shall be ninety (90) percent of the amount of the actual premium and the employee shall pay the ten percent (10%) balance of the actual premium via payroll deduction for employees enrolled in single coverage. The City's employer share shall be eighty percent (80%) of the amount of the actual premium and the employee shall pay the twenty percent (20%) balance of the actual premium via payroll deduction for any employee enrolled in a level of coverage other than single. Those employees electing not to participate in these programs will receive no other form of compensation in lieu of this benefit.

Section 12. Establishment of Shifts. The City may establish duty shifts of such length, and to have such beginning and ending times, and to have such meal and break times, as it may deem appropriate or necessary, respecting employees of the City.

Section 13. Special Provisions.

- A. Employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska, covering the period from October 1, 2018 through September 30, 2023," shall receive compensation and benefits and enjoy working conditions, as described, provided and limited by such Agreement. The terms of such Agreement shall supersede any provisions of this Ordinance inconsistent therewith, and be deemed incorporated herein by this reference.
- B. Holiday Pay shall be compensated as set forth in the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista for police officers and as set forth in the Personnel Manual for all other full time employees.
- C. Subject to subsection 14.D. hereof, each full time hourly non-exempt employee of the City shall be entitled to receive overtime pay at the rate of one and one half times the employee's regular rate for each hour worked in excess of forty hours during a work week. If called out at any time other than during regular assigned work hours during the pay period, such employee shall be entitled to compensation at the rate of one and one half times the regular rate for each hour so worked, provided that in no case shall an employee receive less than two hours over time pay for such call out work, and further provided there shall be no pyramiding of hours for purposes of computing overtime. For purposes of this subsection an employee's "regular rate" shall be the sum of his or her hourly rate specified in Section 6 of this Ordinance and any longevity pay due under this Ordinance.
- D. Police Department employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska," described in subsection 14.A hereof shall, as provided in such Agreement, be paid overtime at one and one half times the employee's hourly rate (including any longevity allowance) for each hour worked in excess of 80 hours during any 14 day work period coinciding with the pay period established by Section 16 of this Ordinance.
- E. All Management Exempt Employees and all Salaried Exempt Employees are considered to be salaried employees and shall not be eligible for overtime pay, holiday pay, or other special pay as provided by this section.

- F. Public Works Employees who are required to wear protective footwear may submit to the City for reimbursement for the cost of work boots in an amount not to exceed \$150.
- G. Public Works Employees may submit to the City for reimbursement for the difference in cost between a Nebraska Driver's License and a "CDL" driver's license within 30 days of obtaining a CDL license when a CDL license is required as a part of the covered employee's job description.
- H. Public Works Employees shall be provided by the City five safety work shirts in each fiscal year at no cost to the employee.
- I. Employees not covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista" and who are otherwise eligible, shall be paid overtime at the rate of one and one-half times the employee's hourly rate for all hours worked over forty in the pay periods that encompass the annual La Vista Days celebration, except, that if an employee uses any sick leave, vacation leave, personal leave, or comp time during the corresponding pay periods, such leave time shall offset any overtime earned. Overtime earned will not be offset by any holiday that falls during the above referenced pay periods.
- J. An increase of the fixed dollar amount specified in Section 1 above shall take effect with respect to all members of the City Council on and after the first day of the first full term of office of any member of the City Council that begins after the Ordinance making the increase is effective. An increase of the fixed dollar amount specified in Section 2 above shall take effect on and after the first day of the first full term of office of Mayor that begins after the Ordinance making the increase is effective

Section 14. Pay for Unused Sick Leave Upon Retirement or Death. Employees who voluntarily retire after twenty or more years of service with the City and have no pending disciplinary action at the time of their retirement, shall be paid for any unused sick leave. Employees who began their employment with the City after January 1, 2005, or who began their employment prior to this date but elected to waive their eligibility for emergency sick leave, shall be paid for any unused sick leave, if they voluntarily leave City employment and have no pending disciplinary action, according to the following sliding schedule: After 10 years of employment – 100% of sick leave hours accrued over 660 and up to 880; after 15 years of employment – 100% of sick leave hours accrued over 440 hours and up to 880; after 20 years of employment – 100% of sick leave hours accrued up to 880. No other employee shall be paid for any unused sick leave upon termination of employment.

A regular full-time employee's unused sick leave shall also be paid if, after October 1, 1999, the employee sustains an injury which is compensable by the City or the City's insurer under the Nebraska Workers' Compensation Act and such injury causes the death of the employee within two years after the date of injury. Any payment made pursuant to the preceding sentence shall be made to the surviving spouse of the employee; provided, such payment shall be made to the employee's estate if the employee leaves no surviving spouse or if, prior to his or her death, the employee filed with the City Clerk a written designation of his or her estate as beneficiary of such payment.

Section 15. Pay Periods. All employees of the City of La Vista shall be paid on a bi-weekly basis. The pay period will commence at 12:01 a.m. Sunday and will conclude at 11:59 p.m. on the second succeeding Saturday. On the Friday following the conclusion of the pay period, all employees shall be paid for all compensated time that they have been accredited with during the pay period just concluded.

Section 16. Public Works Lunch and Clean-up Times. Lunch period for employees of the Public Works Department shall be one half hour (30 minutes) in duration. Public Works employees shall be granted a 5 minute clean-up period prior to start of lunch period, and shall be granted an additional 5 minutes clean-up period prior to the end of the work day.

Section 17. Sick Leave and Personal Leave. Sick leave and personal leave will be awarded and administered in conjunction with the provisions set forth in the personnel manual and the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, as applicable to the employee in question.

Section 18. Vacation Leave. Upon satisfactory completion of six months continuous service, regular full-time employees and permanent part-time employees shall be entitled

to vacation leave. Such vacation shall not be used in installments of less than one hour. Increments of vacation leave of less than four hours must have 48 hours prior approval and can be taken only at the beginning or at the end of the work day.

Section 19. Vacation Entitlement.

- A. All full-time employees whose employment is governed by the Agreement described in Section 14, Paragraph A. of this Ordinance shall earn, accrue and be eligible for vacation as provided in such Agreement.
- B. All other full-time Hourly Non-Exempt Employees shall earn: six (6) days of paid vacation during the first year of continuous full-time employment; eleven (11) days of paid vacation during the second year of continuous full-time employment; and thereafter, eleven (11) days of paid vacation during each subsequent year of continuous full-time employment, plus one (1) additional day of paid vacation for each year of continuous full-time employment in excess of two years. Notwithstanding the foregoing, no employee shall earn more than twenty-three (23) days of paid vacation per employment year.
- C. All Management Exempt Employees, and Salaried Exempt Employees, shall earn ten (10) days paid vacation during the first year of continuous employment, and one (1) additional vacation day for each additional year of continuous employment not to exceed twenty-six (26) days.
- D. All Permanent Part Time Employees working a minimum of twenty (20) hours per week shall earn forty (40) hours of paid vacation time per year after six (6) months of employment. Total paid vacation time earned per year shall not exceed forty (40) hours.
- E. Full Time Exempt and Non-Exempt Employees shall be allowed to accrue unused vacation leave from previous years to a maximum of 220 hours.
- F. Permanent Part Time Employees shall be allowed to accrue unused vacation leave from previous years to a maximum of 110 hours.

Section 20. Wage Tables.**Full Time Wages**

Grade		Minimum	Maximum
32	Hourly	70.62	98.90
	Annual	146,890	205,712
31	Hourly	65.95	92.36
	Annual	137,176	192,109
30	Hourly	61.62	86.30
	Annual	128,170	179,504
29	Hourly	57.63	80.72
	Annual	119,870	167,898
28	Hourly	53.91	75.50
	Annual	112,133	157,040
27	Hourly	50.50	70.73
	Annual	105,036	147,118
26	Hourly	47.32	66.28
	Annual	98,426	137,862
25	Hourly	44.36	62.13
	Annual	92,269	129,230
24	Hourly	41.66	58.34
	Annual	86,653	121,347
23	Hourly	39.11	54.78
	Annual	81,349	113,942
22	Hourly	36.78	51.51
	Annual	76,502	107,141
21	Hourly	34.63	48.50
	Annual	72,030	100,880
20	Hourly	32.63	45.71
	Annual	67,870	95,077
19	Hourly	30.77	43.10
	Annual	64,002	89,648
18	Hourly	29.07	40.71
	Annual	60,466	84,677
17	Hourly	27.47	38.47
	Annual	57,138	80,018

Grade		Minimum	Maximum
16	Hourly	26.00	36.41
	Annual	54,080	75,733
15	Hourly	24.63	34.50
	Annual	51,230	71,760
14	Hourly	23.37	32.74
	Annual	48,610	68,099
13	Hourly	22.22	31.12
	Annual	46,218	64,730
12	Hourly	21.12	29.58
	Annual	43,930	61,526
11	Hourly	20.12	28.18
	Annual	41,850	58,614
10	Hourly	19.20	26.90
	Annual	39,936	55,952
9	Hourly	18.34	25.68
	Annual	38,147	53,414
8	Hourly	17.55	24.58
	Annual	36,504	51,126
7	Hourly	16.82	23.55
	Annual	34,986	48,984
6	Hourly	16.13	22.60
	Annual	33,550	47,008
5	Hourly	15.51	21.72
	Annual	32,261	45,178
4	Hourly	14.90	20.87
	Annual	30,992	43,410
3	Hourly	14.38	20.14
	Annual	29,910	41,891
2	Hourly	13.88	19.44
	Annual	28,870	40,435

**Part-Time, Seasonal and Temporary Employees Wages**

Grade		Minimum	Maximum
A	Hourly	11.03	15.42
	Annual	11,471	16,037
B	Hourly	12.65	17.71
	Annual	13,156	18,418
C	Hourly	13.69	19.10
	Annual	14,238	19,864
D	Hourly	13.76	19.24
	Annual	14,310	20,010
E	Hourly	15.70	22.00

	Annual	16,328	22,880
F	Hourly	16.42	23.05
	Annual	17,077	23,972
G	Hourly	18.06	25.30
	Annual	18,782	26,312
H	Hourly	23.32	32.60
	Annual	24,253	33,904

**Fraternal Order of Police**

Rate	A	B	C	D	E	F
<b>426 Pay Grade</b>						
Hourly				\$ 41.27	\$ 41.63	\$ 45.71
Monthly				\$ 7,153	\$ 7,216	\$ 7,923
Annually				\$85,842	\$ 86,590	\$ 95,077
<b>423 Pay Grade</b>						
Hourly	\$ 27.05	\$ 28.88	\$ 31.75	\$ 33.60	\$ 36.67	\$ 38.58
Monthly	\$ 4,689	\$ 5,006	\$ 5,503	\$ 5,824	\$ 6,356	\$ 6,687
Annually	\$ 56,264	\$ 60,070	\$ 66,040	\$ 69,888	\$ 76,274	\$ 80,246

Section 21. Repeal of Ordinance No.. Ordinance No. 1403 originally passed and approved on the 17th-1st day of NovemberDecember 2020 is hereby repealed.

Section 22. Effective Date. This Ordinance shall take effect after, approval and publication as provided by law ~~on January 1, 2021.~~

Section 23. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 1ST 5TH DAY OF DECEMBER 2020JANUARY 2021.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk