

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING July 6, 2021

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on July 6, 2021. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, 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, Recreation Director Stopak, City Engineer Dowse, Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Times on June 23, 2021. 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.

### PROCLAMATION – OMAHA BEER WEEK

Mayor Kindig proclaimed July 17–24, 2021 as Omaha Beer Week and presented the proclamation to Kira Hubbel & Royce Sheibal.

### APPOINTMENTS – BOARD OF HEALTH – APPOINT MARY BRENNAN – 1 YEAR TERM – LIBRARY ADVISORY BOARD – APPOINT CINDI HEARN – 2 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Mary Brennan to the Board of Health for a 1 year term and appoint Cindi Hearn to the Library Advisory Board for a 2 year term. Councilmember Thomas motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JUNE 15, 2021 CITY COUNCIL  
MEETING
3. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL  
SERVICES – PLACEMAKING & LA SERVICES – \$1,248.24
4. REQUEST FOR PAYMENT – SCHEMMER – PROFESSIONAL SERVICES –  
APPLEWOOD CREEK H&H REVIEW - \$995.00
5. REQUEST FOR PAYMENT – SCHEMMER – PROFESSIONAL SERVICES –  
APPLEWOOD CREEK H&H REVIEW - \$2,620.00
6. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY –  
PROFESSIONAL SERVICES – 96<sup>TH</sup> & 108<sup>TH</sup> STREET PAVEMENT  
RECONSTRUCTION & REHABILITATION - \$28,243.32
7. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA  
VISTA CITY CENTER PARKING STRUCTURE 2 - \$2,194.96
8. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL  
RESOURCES DISTRICT – ANNUAL CONTRIBUTION – PAPILLION CREEK  
WATERSHED PARTNERSHIP – \$10,750.00
9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – MISCELLANEOUS SERVICES – \$6,900.00
10. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES –  
CITY CENTRE – \$1,895.75
11. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION  
SERVICES – 96<sup>TH</sup> & 108<sup>TH</sup> STREET PAVEMENT RECONSTRUCTION &  
REHABILITATION – \$962,988.99
12. APPROVAL OF CLAIMS

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3C PAYMENT USA CORP, services	100.00
ABM INDUSTRIES INC, services	11,165.15
ACCENT DRYWALL SUPPLY, bld&grnds	121.92
ACCO UNLIMITED CORP, supplies	756.25
ACTIVE NETWORK LLC, services	536.59
AE SUPPLY, bld&grnds	75.00
AKRS EQUIPMENT SOLUTIONS, maint.	1,933.82
AMAZON, supplies	445.76
AMERICAN HERITAGE LIFE INS CO, services	1,191.83
A-RELIEF, services	1,580.00
ASPEN EQUIPMENT CO, maint.	653.60
AT&T MOBILITY LLC, phones	97.40
AXON ENTERPRISE INC, services	5,820.00
BACON LETTUCE CREATIVE, services	2,516.00
BADGER BODY & TRUCK EQUIP, maint.	3,980.00
BAUER BUILT INC, maint.	1,711.36
BERGANKDV LLC, services	1,000.00
BIBLIOTHECA LLC, media	2.68
BISHOP BUSINESS EQUIPMENT, services	1,369.03
BLACK HILLS ENERGY, utilities	1,792.95
BLUE EMBER TECHNOLOGIES, services	123.90
BOK FINANCIAL, services	119,637.08
BROADCAST MUSIC INC, services	364.00
BROWN, JAMIE, tuition	900.00
CALENTINE, JEFFREY, tuition	1,500.00
CCAP AUTO LEASE LTD, services	840.12
CENTER POINT INC, books	364.32
CENTURY LINK/LUMEN, phones	1,164.65
CINTAS CORP, services	405.11
CITY OF OMAHA, services	212,866.73
CITY OF PAPILLION, services	218,660.44
COMP CHOICE INC, services	1,022.50
CONCRETE SUPPLY INC, services	1,359.34
CONNER PSYCHOLOGICAL, services	385.00
CONTROL MASTERS INC, bld&grds	1,940.50
CORE BANK, services	189,344.95
COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, services	63.50
CUMMINS CENTRAL POWER LLC, maint.	78.87
D & K PRODUCTS, maint.	4,705.09
DEARBORN NAT'L LIFE INS, services	7,712.88
DELL MARKETING L.p, services	73.99
DEMCO INC, supplies	227.52
DESIGN WORKSHOP INC, services	5,425.00
DIAMOND VOGEL PAINTS, supplies	300.20
DOUGLAS CTY SHERIFF'S OFC, services	387.50
DULTMEIER SALES LLC, maint.	183.00
EBSCO INFORMATION, services	6.02
EDGEWEAR SCREEN PRINTING, apparel	293.00
ESSENTIAL SCREENS, services	418.00
FASTENAL CO, apparel	112.98
FASTSIGNS, services	629.07
FIKES COMMERCIAL HYGIENE LLC, supplies	60.00
FINDAWAY WORLD LLC, supplies	69.99
FIRST BANKCARD, supplies	12,594.44
FIRST STATE BANK, services	12,205.78
FITZGERALD SCHORR BARMETTLER, services	58,130.70
FLEETPRIDE, maint.	206.20
FNIC, services	6,728.75
GALE, books	123.70

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GENERAL FIRE & SAFETY EQUIP CO, bld&grnds	144.00
GRAINGER, supplies	70.93
GREATAMERICA FINANCIALm services	1,127.00
HARM'S CONCRETE INC, services	4,095.00
HDR ENGINEERING INC. services	550.23
HEIMES CORP, services	93.96
HERITAGE CRYSTAL CLEAN LLC, services	806.81
HOSE & HANDLING INC, maint.	149.93
HOTSY EQUIPMENT CO, supplies	99.00
HUNTEL COMMUNICATIONS INC, services	425.00
HY-VEE INC, services	337.00
INDUSTRIAL SALES CO, supplies	354.34
INGRAM LIBRARY SERVICES, books	1,937.36
KERFORD LIMESTONE CO, services	119.19
KEYMASTERS LOCKSMITH, bld&grnds	135.00
KRIHA FLUID POWER CO, maint.	248.01
LABRIE, DONALD P, services	150.00
LARSEN SUPPLY CO, services	694.90
LIBRA INDUSTRIES INC, apparel	250.95
LIBRARY IDEAS LLC, books	92.90
LINCOLN NATIONAL LIFE INS CO, services	6,393.03
LOGAN CONTRACTORS, supplies	131.50
LOGO LOGIX EMBROIDERY, apparel	2,302.00
MARCO INC, services	135.12
MAX I WALKER UNIFORM, services	33.25
MEDICA INSURANCE CO, services	112,516.52
MENARDS-RALSTON, services	198.99
METRO COMM COLLEGE, services	11,035.92
MUD, utilities	5,284.48
MID-AMERICAN BENEFITS INC, services	17,716.56
MID-IOWA SOLID WASTE EQUIP CO, maint.	2,188.01
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	784.78
MIDWEST TAPE, media	209.83
MOTOROLA SOLUTIONS INC, services	4,662.88
MR ICE CREAM LLC, services	3,512.00
MSC INDUSTRIAL SUPPLY CO, services	1,592.86
NE DEPT OF REVENUE, sales tax	220.55
NEBRASKA CITY MANAGERS ASSOC, services	100.00
NE LIFE MAGAZINE, services	24.00
NICHE ACADEMY LLC, maint.	36.48
ODEYS INC, supplies	185.40
OFFICE DEPOT INC, supplies	901.35
OMAHA DOOR & WINDOW CO INC, bld&grnds	764.15
OPPD, utilities	52,653.31
OMNI ENGINEERING, services	1,237.18
ON YOUR MARKS INC, supplies	313.51
ONE CALL CONCEPTS INC, services	351.47
PAPILLION SANITATION, services	1,226.52
PASTOR C PANTALEON JR, services	800.00
PAY-LESS OFFICE PRODUCTS INC, supplies	94.77
PAYROLL MAXX, payroll & taxes	385,822.75
PITNEY BOWES, postage	1,455.00
PROPHOENIX CORP, services	1,785.00
RDG PLANNING & DESIGN, services	420.00
RED WING, apparel	150.00
REGAL AWARDS INC, services	41.92
RIVER CITY RECYCLING, services	91.64
RON TURLEY ASSOC, services	2,200.00
ROSE EQUIPMENT INC, maint.	2,719.66
ROWMAN & LITTLEFIELD PUBLISHING, books	48.92

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SARPY CHAMBER OF COMMERCE, services	300.00
SARPY FISCAL ADMIN, services	12,523.65
SECURITY EQUIPMENT INC, services	169.00
SHI INTERNATIONAL CORP, services	1,593.51
SIGN IT, services	144.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	185.77
STOREY KENWORTHY, supplies	222.03
STREICHER'S INC, services	1,067.40
SUN COUNTRY DISTRIBUTING, supplies	84.25
TED'S MOWER SALES & SERVICE, supplies	148.08
THE ARMOR SHOP, apparel	754.00
THE FILTER SHOP INC, bld&grnds	123.20
THE PENWORTHY CO, books	405.04
THE SCHEMMER ASSOCIATES INC, services	1,600.00
THE WALDINGER CORP, bld&grds	909.25
THREE RIVERS LIBRARY SYSTEM, services	10.00
TODCO LLC, services	95.00
TOSHIBA FINANCIAL, services	265.40
TURFWERKS, maint.	325.13
UNITED HEALTHCARE INS CO, services	1,056.29
UNITED PARCEL, services	9.46
UNITED STATES TREASURY, services	266.00
USB USA LLC, maint.	1,704.00
VERIZON CONNECT NWF, phones	631.41
VERIZON WIRELESS, phones	562.07
WATERLINK INC, services	600.00
WESTLAKE HARDWARE, supplies	1,642.97
WHBG OF OMAHA INC, maint.	1,755.56
WOODHOUSE FORD-BLAIR, maint.	135.56
ZIMCO SUPPLY CO, bld&grnds	960.00

Councilmember Hale requested that consent agenda item A-11 be moved to the regular agenda for discussion.

Councilmember Hale made a motion to approve the consent agenda minus consent agenda item A-11. Seconded by Councilmember Crawford. Councilmember Sell reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported there will be a Budget Workshop after the City Council Meeting on July 20, 2021 and a swimming pool meeting will be held in mid to late August or early September.

Accountant Buurman and Director of Administrative Services Pokorny reported on American Rescue Plan Act updates.

Recreation Director Stopak reported on swimming lessons and other programs through the Recreation Department.

Community Relations Coordinator Beaumont reported on upcoming Salute to Summer events.

Community Development Director Fountain reported on the Rental Inspection Program.

Chief of Police Lausten reported on firework complaints, traffic monitoring & enforcement on Plum Dale Road and the missing child case.

Papillion Fire Chief Bowes reported they are back to pre-covid conditions, call numbers are back to normal and they are planning for the future.

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Director of Public Works Soucie reported there was minimal damage to property from fireworks and a buckle in the concrete on Westport Parkway between Cabela's and the Conference Center has been repaired.

City Engineer Dowse reported on the 108<sup>th</sup> Street project and Park View Blvd panel replacement.

**A-11 REQUEST FOR PAYMENT – SWAIN CONSTRUCTION –  
CONSTRUCTION SERVICES – 96<sup>TH</sup> & 108<sup>TH</sup> STREET PAVEMENT  
RECONSTRUCTION & REHABILITATION – \$962,988.99**

Discussion was held regarding the payment request for Swain Construction. Councilmember Hale made a motion to approve agenda item A-11. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**B. RESOLUTION – APPROVE AMENDMENT NO. 2 – PROFESSIONAL  
SERVICES AGREEMENT – EAST LA VISTA SEWER AND PAVEMENT  
REHABILITATION PROJECT**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-078 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH HGM ASSOCIATES INC. FOR ADDITIONAL SERVICES RELATED TO THE EAST LA VISTA SEWER AND PAVEMENT REHABILITATION PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$334,090.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined the East La Vista Sewer and Pavement Rehabilitation Project is necessary; and that

WHEREAS, The FY21/FY22 Biennial Budget provides funding for this project; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any expenditure over \$5,000.00.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of Amendment No. 2 to a professional services agreement with HGM Associates Inc. for additional services related to the East La Vista Sewer and Pavement Rehabilitation project in an additional amount not to exceed \$334,090.

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

**C. APPROVE CHANGE ORDER NO.1 – 96<sup>TH</sup> STREET & 108<sup>TH</sup> STREET  
PAVEMENT RECONSTRUCTION AND REHABILITATION**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 21-079 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA AUTHORIZING THE CHANGE ORDER NO. 1 TO A CONTRACT WITH SWAIN CONSTRUCTION TO PROVIDE AN ADDITIONAL ITEM OF WORK IN THE AMOUNT OF \$53,465.74, INCREASING THE CONTRACT PRICE TO AN AMOUNT NOT TO EXCEED \$3,794,262.31.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined that the 96th Street & 108th Street reconstruction project is necessary; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for this project; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any expenditure over \$5,000.00.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve change order No. 1 to a contract with Swain Construction to provide an additional item of work in the amount of \$53,465.74, increasing the contract price to an amount not to exceed \$3,794,262.31

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

## **D. RESOLUTION – AUTHORIZE CONSULTANT SELECTION – BUSINESS CONTINUITY & DISASTER RECOVERY PLAN**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-080 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SELECTION OF A CONSULTANT AND THE NEGOTIATION OF A CONTRACT FOR THE PREPARATION OF A BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN IN AN AMOUNT NOT TO EXCEED \$65,000.

WHEREAS, the Mayor and City Council have determined that the development of a business continuity and disaster recovery plan is necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for this project; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the city administrator secure Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the selection of a consultant and the negotiation of a contract for the preparation of a business continuity and disaster recovery plan.

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

## **E. RESOLUTION – APPROVE LEASE & INTERLOCAL COOPERATION AGREEMENT – METROPOLITAN COMMUNITY COLLEGE – DOG PARK**

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-081 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A LEASE AND INTERLOCAL COOPERATION AGREEMENT WITH THE METROPOLITAN COMMUNITY COLLEGE FOR PLACEMENT OF A DOG PARK ON LAND JOINTLY OWNED BY THE CITY OF LA VISTA AND THE METROPOLITAN COMMUNITY COLLEGE.

WHEREAS, the La Vista City Council finds it necessary to provide a dog park in the City; and

WHEREAS, the site chosen is jointly owned by the City of La Vista and The Metropolitan Community College; and

WHEREAS, the City of La Vista and The Metropolitan Community College agree to a lease and interlocal agreement allowing the dog park on this site; and

WHEREAS, the term of this agreement will commence on August 1, 2021 and end on May 31, 2022 unless terminated sooner and is subject to renewal and extension upon the mutual written agreement of the parties; and

WHEREAS, Pursuant to the Interlocal Cooperation Act, Nebraska Revised Statute §13-801, et seq., the Parties wish to permit their local government units to make the most efficient use of their powers by enabling them to

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cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista that the Lease and Interlocal Cooperation Agreement with The Metropolitan Community College is hereby approved.

BE IT FURTHER RESOLVED, the Mayor is hereby authorized to sign and execute the necessary documents to the Lease and Interlocal Cooperation Agreement on behalf of the City of La Vista.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick thanked Deputy Director of Public Works Calentine for the tour of the city and the information about concrete.

Councilmember Sheehan commented on the preliminary valuation numbers.

At 7:15 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF JULY 2021.

CITY OF LA VISTA

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

ATTEST:

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