

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

**LA VISTA CITY COUNCIL
MEETING
November 1, 2022**

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 November 1, 2022. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Chief of Police Lausten, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Community Development Director Fountain, Human Resources Director Lowery and Deputy Director of Public Works Calentine.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on October 19, 2022. 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.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE OCTOBER 18, 2022 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE MARCH 9, 2022 CIVIL SERVICE COMMISSION MEETING
4. APPROVAL OF THE MINUTES OF THE MAY 11, 2022 CIVIL SERVICE COMMISSION MEETING
5. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$48,817.00
6. REQUEST FOR PAYMENT – METALAB, LLC – PROFESSIONAL SERVICES – SERVICES RELATING TO THE ICONIC FEATURE OVER THE 84TH STREET UNDERPASS – \$2,000.00
7. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS – \$1,629.29
8. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$147.25
9. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78TH ST PAVEMENT REHABILITATION – \$8,675.75
10. RESOLUTION NO. 22-106 – AUTHORIZE SIGNATURE – YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO SIGN THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2022.

WHEREAS, State of Nebraska Statutes, Sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

WHEREAS, The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

WHEREAS, The NDOT requires that such certification shall also include a copy of the documentation of the City Street Superintendents appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable)

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and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

WHEREAS, The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of La Vista, Nebraska is hereby authorized to sign the Year-End Certification of City Street Superintendent 2022.

11. RESOLUTION NO. 22-107 – ELECTION OF DIRECTORS TO THE LA VISTA METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ELECT DIRECTORS OF THE LA VISTA/METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS.

WHEREAS, the City of La Vista Facilities Corporation ("City Facility Corporation") and the Metropolitan Community College Facilities Corporation made and entered a Declaration and Master Deed of La Vista Metropolitan Community College Condominium Property Regime dated December 29, 1997 ("Declaration") for the purposes of administering the condominium property regime and maintaining common areas of the Library/Sarpy Center; and

WHEREAS, the La Vista/Metropolitan Community College Condominium Owners Association, Inc., ("Association") was incorporated for purposes of administering the condominium property regime and maintaining the common areas under the Declaration, and the Association is governed by a Board of Directors; and

WHEREAS, pursuant to Article 1.24 of the Declaration, as amended, the City Facilities Corporation delegated to and authorized the City of La Vista ("City") to exercise voting rights with respect to the Association and its Board of Directors, and the City desires to exercise said voting rights to elect Directors of the Association; and

WHEREAS, the following positions (and the individuals holding the titles) have been designated by the Mayor and City Council to be the City's three directors ("City's Director's) on the Association's Board of Director's (Association's Board):

City Administrator
Library Director
Building Superintendent

WHEREAS, the Association will hold its 2022 Annual Meeting on November 2, 2022, at which time and at such meeting the City's Directors voted on behalf of the City and in accordance with the desire of the City Council and the Mayor to nominate and re-elect the City's Director's to the Association's Board; and

WHEREAS, the Mayor and City Council desire to designate, and ratify, affirm and approve the election of the City's Directors;

NOW, THEREFORE, BE IT RESOLVED, that the following are hereby designated and elected to serve as the City's appointees to the Board of Director's of the Association:

City Administrator

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Library Director
Building Superintendent

and further that their attendance, participation, voting and exercise of other rights on behalf of the City (in exercise of the delegated rights of the City Facilities Corporation) to nominate and elect said individuals as directors at the annual meeting of the Association to be held November 2, 2022 (and all other related actions) are hereby ratified, affirmed and approved.

12. APPROVAL OF CLAIMS

911 CUSTOM LLC, services	600.00
A & D TECHNICAL SUPPLY CO, services	117.00
A & L HYDRAULICS INC, maint.	1,327.93
ABM INDUSTRIES INC, services	9,275.10
ACCUCUT LLC, supplies	270.00
ACTION BATTERIES, supplies	75.00
ACTIVE NETWORK LLC, services	84.29
AED ZONE, supplies	507.00
AMAZON, supplies	746.56
A-RELIEF, services	103.00
ARNOLD MOTOR, supplies	840.99
AT&T MOBILITY LLC, phones	97.04
AXON ENTERPRISE INC, supplies	4,856.90
BIBLIOTHECA LLC, media	6,567.46
BIG RED LOCKSMITHS, services	18.00
BIG RIG TRUCK ACCESSORIES, maint.	480.65
BISHOP BUSINESS EQUIPMENT, services	1,396.64
BLACK HILLS ENERGY, utilities	1,939.63
BOK FINANCIAL, bonds	1,101,153.68
BOWERS, S., travel	41.39
BRITE IDEAS DECORATING, services	1,248.00
BS&A SOFTWARE, services	26,011.00
CANIGLIA, KALEB J, payroll	10.19
CARROT-TOP INDUSTRIES INC, supplies	662.25
CENTER POINT INC, books	436.85
CENTURY LINK/LUMEN, phones	778.65
CINTAS CORP, services	424.94
CITY CENTRE MUSIC VENUE, grant	297,711.03
CITY OF PAPILLION, services	16,621.81
COX COMMUNICATIONS INC, services	143.65
COX, J., supplies	62.00
CROWNE PLAZA, travel	499.80
CULLIGAN OF OMAHA, services	55.50
D & K PRODUCTS, bld&grnds	107.50
DATASHIELD CORP, services	120.00
DEMCO INC, supplies	220.82
DESIGN WORKSHOP INC, services	1,902.50
DLR GROUP, services	33,146.82
DOUGLAS COUNTY SHERIFF, services	350.00
DULTMEIER SALES, maint.	128.45
ECHO GROUP INC, bld&grnds	41.48
EDGEWEAR SCREEN PRINTING, apparel	490.00
ERICKSON, BRAEDEN, payroll	4.84
ESSENTIAL SCREENS, services	405.40
EYMAN PLUMBING INC, bld&grnds	700.75
FAC PRINT & PROMO CO, supplies	96.00
FASTENAL CO, maint.	318.67
FELSBURG HOLT & ULLEVIG INC, services	53,565.63

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FIRMATURE, AIDEN, payroll	10.19
FITZGERALD SCHORR BARMETTLER, services	28,182.50
G I CLEANERS & TAILORS, services	204.25
GALE, books	101.96
GILMORE & BELL PC, services	17,735.00
GRAINGER, services	1,472.54
GRAMS, S., travel	147.50
GREATAMERICA FINANCIAL, services	1,528.06
GREGG YOUNG CHEVROLET INC, services	92,464.00
HANEY SHOE STORE, apparel	148.99
HARM'S CONCRETE INC, services	388.48
HEMMINGSON, ANASTASIA, payroll	35.37
HEMPHILL SEARCH GROUP INC, services	11,970.00
HOBBY LOBBY, supplies	61.93
INDUSTRIAL SALES CO, maint.	19.70
INGRAM LIBRARY SERVICES, books	2,895.75
JE DUNN CONSTRUCTION CO, services	699,873.00
JOHNSON, ALLEN L, payroll	168.00
JOHNSTONE SUPPLY CO, maint.	30.50
K & J ELITE SPORTS TURF, services	3,900.00
KISSEL KOHOUT ES ASSOCIATES LLC, services	10,192.19
KOEPPE, AARON P, payroll	10.19
KRIHA FLUID POWER, maint.	70.39
LARSEN SUPPLY CO, supplies	400.16
LIBRARY IDEAS LLC, media	3,607.50
LOVELAND GRASS PAD, bld&grnds	8.58
LUDEMANN, SAVANNAH, payroll	21.82
MACQUEEN EQUIPMENT LLC, supplies	3,974.80
MADSEN, LARRY, payroll	627.41
MARCO INC. services	138.14
MENARDS, supplies	269.94
METRO AREA TRANSIT, services	958.00
MUD, utilities	19,091.91
MICRO PLUMBING INC, bld&grnds	225.00
MID-AMERICAN BENEFITS, services	4,881.47
MIDWEST PLASTICS INC, supplies	75.00
MIDWEST TAPE, media	347.99
MIDWEST TURF, bld&grnds	270.00
NE STATE FIRE MARSHAL, services	120.00
NMC GROUP INC, maint.	7,062.74
ODEYS INC, supplies	131.12
OFFICE DEPOT INC, supplies	894.64
OLSSON INC, services	8,870.50
OPPD, utilities	45,130.39
OMAHA WINNELSON SUPPLY, services	718.33
OMNI ENGINEERING, services	88.94
PALADINO, CHARLIE, payroll	10.19
PAPILLION SANITATION, services	1,478.79
PAPIO VALLEY NURSERY, services	1,083.00
PARISIEN, J., services	72.48
PAYROLL MAXX, payroll & taxes	409,603.68
PELTON, MEREDITH, payroll	10.65
PER MAR SECURITY, services	183.57
PETERSON, OLIVIA, payroll	15.28
PITNEY BOWES, postage	930.00
QUALITY AUTO REPAIR, services	75.00
RDG PLANNING & DESIGN, services	916.71
READY MIXED CONCRETE CO, services	1,725.68

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REGAL AWARDS INC, services	179.70
REVOLUTION WRAPS LLC, services	3,849.95
RIVER CITY RECYCLING, services	605.97
ROBERT HALF, services	5,094.72
ROLLIN GREEN GRADING, services	1,820.00
RTG BUILDING SERVICES INC, bld&grnds	700.00
RUSSELL, KYLE A, payroll	83.15
SARPY FISCAL ADMIN, services	8,344.20
SARPY SHERIFF'S OFFICE, services	5,000.00
SARPY DOUGLAS LAW ACADEMY, services	32,525.17
SCHAEFFER MANUFACTURING CO, maint.	606.80
SECURITY EQUIPMENT INC, bld&grnds	749.75
SHI INTERNATIONAL CORP, services	139.26
SIGN IT, services	570.00
SIRIUS VET ORTHO CENTER, services	101.13
SITE ONE LANDSCAPE, supplies	309.30
SOUTHERN UNIFORM, apparel	320.24
SPIRIT FOOTBALL, services	325.00
NE DEPT OF TRANSPORTATION, services	120,948.77
THE COLONIAL PRESS INC, services	1,267.05
THOMPSON DREESSEN & DORNER INC, services	1,352.00
TRANE U.S. INC, maint.	78.92
TRUCK CENTER COMPANIES, maint.	71.99
TY'S OUTDOOR POWER, maint.	237.97
UNITED PARCEL, services	76.71
US POSTAL SERVICE, postage	1,511.73
VAL VERDE ANIMAL HOSPITAL, services	72.60
VARI SALES CORP, services	2,782.50
VERIZON CONNECT, phones	615.22
VERIZON WIRELESS, phones	18.02
VIERREGGER ELECTRIC CO, services	1,208.00
WATKINS CONCRETE BLOCK, supplies	84.61

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez reported that she will be scheduling a hard hat tour of the City Centre area for the Mayor and City Council.

Papillion Fire Chief Bowes reported on the Fire/EMS call –volumes and response times..

Deputy Director of Public Works Calentine provided an update on the Applewood Creek Trail project and the East La Vista Sewer and Pavement Rehabilitation project.

B. RESOLUTION – ADOPT BUSINESS CONTINUITY & DISASTER RECOVERY PLAN (TABLED FROM THE OCTOBER 18, 2022 MEETING)

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-108 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT THE BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN.

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

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WHEREAS, on July 6, 2021, the City Council approved a contract with Moss Adams for the preparation and development of a Business Continuity and Disaster Recovery Plan; and

WHEREAS, Moss Adams worked with City staff and Sarpy County IT to gather information and data, and to get a full understanding of operations, systems and technologies; and

WHEREAS, the purpose of the Business Continuity Disaster Recovery Plan is to identify the people, processes, partners and technologies required for recovery of the City's business functions and the logical and physical assets that support the City's most critical systems and operations; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby adopt the Business Continuity and Disaster Recovery Plan.

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

C. RESOLUTION – AUTHORIZE PURCHASE – TANDEM AXLE DUMP TRUCK

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-109 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2024 WESTERN STAR 47X TANDEM AXLE DUMP TRUCK FROM TRUCK CENTER COMPANIES, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$327,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Tandem Axle Dump Truck is necessary; and

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

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) 2024 Western Star 47X Tandem Axle Dump Truck from Truck Center Companies, Omaha, Nebraska in an amount not to exceed \$327,500.00.

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

D. RESOLUTION – AUTHORIZE PURCHASE – AWE EDUCATIONAL UNITS

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-110 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF THREE (3) AWE EDUCATIONAL UNITS IN AN AMOUNT NOT TO EXCEED \$8,655.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of three (3) AWE educational units is necessary; and

WHEREAS, the FY23 Library Budget provides includes funding for the proposed purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

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NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of three (3) AWE educational units in an amount not to exceed \$8,655.00.

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

E. RESOLUTION – AUTHORIZE PURCHASE – JOHN DEERE GATOR TX TURF

Councilmember Frey introduced and moved for the adoption of Resolution No. 22-111 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) JOHN DEERE GATOR TX TURF FROM DEERE & COMPANY, CARY, NC IN AN AMOUNT NOT TO EXCEED \$12,469.04.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a John Deere Gator TX Turf is necessary; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) John Deere Gator TX Turf from Deere & Company, Cary, NC in an amount not to exceed \$12,469.04.

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

F. ORDINANCE – AMEND COMPENSATION ORDINANCE

Councilmember Frederick introduced Ordinance No. 1463 entitled: 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.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1463. Councilmember Thomas seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. 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.

G. DISCUSSION – MOBILE APP/WEBSITE CHATBOT

Communication Manager Beaumont gave an overview of the chatbot mobile app.

COMMENTS FROM THE FLOOR

Terrie Russell of 7427 S. 69th Street addressed the Council regarding street repairs.

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COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig commented that he met with Senator Fisher and discussed priorities.

At 6:50 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF NOVEMBER 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk