

# MINUTE RECORD

A-2

No. 729 -- REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING July 18, 2023

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 18, 2023. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Director of Administrative Services Pokorny, City Engineer Dowse, Finance Director Harris, Director of Public Works Soucie, Deputy Community Development Solberg, Library Director Barcal, Police Captain Barcal and Assistant Recreation Director Karlson.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on June 29, 2023. 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 JULY 5, 2023 CITY COUNCIL MEETING
3. MONTHLY FINANCIAL REPORT - MAY 2023
4. REQUEST FOR PAYMENT - HGM ASSOCIATES INC - PROFESSIONAL SERVICES - EAST LA VISTA SEWER AND PAVEMENT REHABILITATION - PHASE 2 FINAL DESIGN - \$43,419.40
5. REQUEST FOR PAYMENT - OLSSON, INC - PROFESSIONAL SERVICES - CITY PARK PAVILION TESTING - \$5,451.00
6. REQUEST FOR PAYMENT - SAMPSON CONSTRUCTION - CONSTRUCTION SERVICES - OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 - \$513,439.00
7. REQUEST FOR PAYMENT - NEBRASKA DEPT. OF TRANSPORTATION - CONSTRUCTION SERVICES - APPLEWOOD CREEK TRAIL - \$73,819.27
8. REQUEST FOR PAYMENT - BENESCH - PROFESSIONAL SERVICES - TERRY DR, LILLIAN AVE & S. 78<sup>TH</sup> ST PAVEMENT REHABILITATION - \$31,647.41

### 9. APPROVAL OF CLAIMS

1-800 RADIATOR, maint.	534.00
4 SEASONS AWARDS, services	41.00
ACAPRICCIO DANCE CO, services	50.00
ACCO UNLIMITED CORP, supplies	962.45
ACTIVE NETWORK LLC, services	287.26
AKRS EQUIPMENT SOLUTIONS INC, maint.	197.02
ALFRED BENESCH & CO, services	1,654.18
AMAZON CAPITAL, supplies	518.99
AMERICAN LEGION POST 32, services	50.00
AMERICA'S FENCE STORE INC, supplies	5.60
ANDERSON AUTO GROUP LINCOLN, services	43,949.00
ARNOLD MOTOR SUPPLY, maint.	28.70
BLAINE KRIZOVSKI, services	125.00
CENTURY LINK/LUMEN, phones	353.73
CINTAS CORP, services	1,881.93
CITY OF PAPILLION, services	241,422.00
CNA SURETY, services	1,177.50
COMP CHOICE INC, services	445.00
CONCRETE SUPPLY, services	2,706.19
CONTROL MASTERS INC, supplies	270.08

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CORNHUSKER INTL TRUCKS INC, maint.	7,692.87
COX COMMUNICATIONS, services	467.15
D & K PRODUCTS, supplies	2,576.20
DATASHIELD CORP, services	20.00
DEMCO INC, supplies	180.24
DIAMOND BLADE DISTRIBUTORS, supplies	243.95
DIAMOND VOGEL PAINTS, supplies	208.00
EBSCO INFORMATION, services	931.00
ECHO GROUP INC, supplies	177.87
ESSENTIAL SCREENS, services	459.28
EYMAN PLUMBING INC, bld&grnds	2,697.55
FAC PRINT & PROMO CO, supplies	882.00
FIKES COMMERCIAL, supplies	62.00
FINDAWAY WORLD, books	309.98
FIRST WIRELESS INC, services	29.90
FLAGSHOOTER INC, supplies	332.88
FNIC, services	6,730.75
GREAT PLAINS COMMUNICATION, services	777.60
GREATAMERICA FINANCIAL, services	128.65
HARM'S CONCRETE INC, services	470.54
HITOUCH BUSINESS SERVICES, supplies	126.00
HONEYMAN RENT, services	473.12
ICMA MEMBERSHIP RENEWALS, dues	200.00
INGRAM LIBRARY SERVICES, books	1,496.73
J & J SMALL ENGINE, services	192.80
JEFF QUINN, services	250.00
KANOPY INC, services	124.00
LABRIE, DONALD P, services	150.00
LAMP RYNEARSON & ASSOC, services	789.70
LARSEN SUPPLY CO, supplies	431.49
LARSON, CRYSTAL, supplies	234.00
LIBRARY IDEAS LLC, media	100.50
LOGAN CONTRACTORS, supplies	74.85
LOWE'S, supplies	255.52
MCGRATH CONSULTING GROUP INC, services	5,000.00
MENARDS-BELLEVUE, bld&grnds	305.82
MENARDS-RALSTON, supplies	1,004.15
METRO COMM COLLEGE, services	15,661.14
MUD, utilities	461.39
MID-AMERICAN BENEFITS INC, services	4,400.13
MID-IOWA SOLID WASTE EQUIP CO, maint.	184.00
MOTOROLA SOLUTIONS INC, services	39,929.58
MPLC (MOTION PICTURE LICENSING COR), services	425.17
MURPHY TRACTOR/POWERPLAN, supplies	28.73
MUZZY ICE SERVICE INC, supplies	270.00
NE DEPT OF REVENUE, sales tax	944.29
NEBR IOWA INDL FASTENERS INC, supplies	8.55
NMC GROUP INC, supplies	168.94
NORM'S DOOR SERVICE, bld&grnds	1,715.00
OCLC INC, services	2,151.92
OFFICE DEPOT INC, supplies	80.85
OMAHA COMPOUND CO, supplies	78.23
OPPD, utilities	42,316.08
OMAHA WINNELSON SUPPLY, bld&grnds	23.04
OMNI ENGINEERING, services	382.85
O'REILLY AUTO PARTS, maint.	1,672.66
PAPILLION LA VISTA SCHOOLS, services	300.00
PAPILLION SANITATION, services	571.06

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PAYROLL MAXX, payroll & taxes	511,011.67
PORT-A-JOHNS, services	1,080.00
PRIMA DISTRIBUTION INC, sup[lies	150.01
RDG PLANNING & DESIGN, services	21,960.83
RED WING, apparel	150.00
RIVER CITY RECYCLING, services	144.00
ROBERT HALF, services	5,430.83
SARPY CHAMBER OF COMMERCE, services	1,375.00
SARPY COUNTY COURTHOUSE, serices	4,496.00
SARPY COUNTY ECONOMIC DEV. CORP, services	25.00
SHI INTERNATIONAL CORP, services	1,734.76
SIRCHIE ACQUISITION CO, services	51.84
SOUTHERN UNIFORM , apparel	118.75
STRAIGHT-LINE STRIPING, services	17,550.00
THE COLONIAL PRESS, services	165.93
THE SCHEMMER ASSOCIATES INC, services	1,277.50
THE WALDINGER CORP, bld&grnds	489.00
THIELE GEOTECH INC, services	915.00
TRANS UNION RISK, services	75.00
VAN-WALL EQUIPMENT INC, supplies	35.88
VERIZON CONNECT FLEET, phones	608.00
VERIZON WIRELESS. phones	365.59
VOIANCE LANGUAGE, services	25.00
WALMART, supplies	2,275.55
WELDON PARTS INC, maint.	144.00
WESTLAKE HARDWARE, supplies	1,578.97
WHITE CAP LP, apparel	3,497.55
WOODHOUSE FORD OF OMAHA, maint.	149.12

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

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Police Captain Barcal introduced Officer Tiberi and new K-9 Flex.

Assistant City Administrator Ramirez reported that a Recreation Director has been hired, Heather Buller from Killeen, Texas.

Deputy Director of Public Works Calentine provided updates on resurfacing projects.

## **B. ORDINANCE - BOND ISSUANCE - HIGHWAY ALLOCATION FUND PLEDGE BOND**

Councilmember Thomas introduced Ordinance No. 1488 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$11,500,000, IN ONE OR MORE SERIES, FOR THE PURPOSE OF PAYING THE COSTS OF CERTAIN STREET IMPROVEMENTS AND RELATED IMPROVEMENTS WITHIN THE CITY; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS IF NECESSARY; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET OR ELECTRONIC FORM; AND RELATED MATTERS.

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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, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sell made a motion to approve final reading and adopt Ordinance 1488. Councilmember Thomas seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. 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.

## **C. RESOLUTION – APPROVE PROFESSIONAL SERVICES AGREEMENT – PUBLIC PARKING SERVICES**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-082 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 ABM INDUSTRY GROUPS, LLC, RALSTON, NEBRASKA, FOR PUBLIC PARKING SERVICES IN AN AMOUNT NOT TO EXCEED \$216,218.00.

WHEREAS, the City Council of the City of La Vista has determined that public parking services are necessary for Parking Structure No.1, Parking Structure No. 2, and on-street public parking areas in the City Centre development; and

WHEREAS, the Off-Street Parking Fund includes funding for these services; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of a professional services agreement with ABM Industry Groups, LLC, Ralston, Nebraska, for public parking services in an amount not to exceed \$216,218.00.

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

## **D. RESOLUTION – APPROVE COUNCIL POLICY STATEMENT – RULES & REGULATIONS FOR USE OF THE LINK**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-083 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A NEW COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to establish Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a new Council Policy Statements has been prepared regarding rules and regulations for use of the Link and it has been reviewed by the City Administrator, Finance Director, City Attorney, Assistant Recreation Director and Events Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement regarding rules and regulations for use of the Link subject to any such changes/modifications by the City Attorney and City Administrator, and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

## **E. ORDINANCE – AMEND MASTER FEE ORDINANCE – PARKING FEES AND LINK USAGE BASE FEE**

Councilmember Thomas introduced Ordinance No. 1489 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1475, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1489. Councilmember Thomas seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. 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.

## **F. RESOLUTION – AUTHORIZE PURCHASE – MOBILE STAGE**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-084 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 20'x16' MOBILE STAGE FROM ASTRA STAGES, PITTSBURGH, KS IN AN AMOUNT NOT TO EXCEED \$61,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) 20'x16' Mobile Stage is necessary; and

WHEREAS, the FY23 Capital 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 approve the purchase of a one (1) 20'x16' Mobile Stage from Astra Stages, Pittsburgh, KS in an amount not to exceed \$61,000.00.

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

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## **G. RESOLUTION -- AUTHORIZE PURCHASE -- PUBLIC SAFETY SOFTWARE**

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-085 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF LEFTA SYSTEMS SHIELD SUITE AND COMMAND CENTER, JACKSONVILLE, FL IN AN AMOUNT NOT TO EXCEED \$7,000.00.

WHEREAS, the City Council of the City of La Vista has determined the purchase of LEFTA Systems SHIELD Suite & Command Center is necessary, and

WHEREAS, the FY23/FY24 General Fund provides funding for the proposed purchase, and

WHEREAS, LEFTA Systems is a sole source vendor and will extend that price to the City of La Vista, and

WHEREAS, LEFTA Systems is a highly qualified specialty public safety software provider, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires 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 approve the purchase of LEFTA Systems SHIELD Suite & Command Center from LEFTA Systems, Jacksonville, FL in an amount not to exceed \$7,000.00.

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig recognized a Boy Scout who was in attendance and working on his Citizenship Badge.

Councilmember Frederick inquired about fiber optics work and who residents should reach out to for questions or concerns. City Engineer Dowse said to contact Public Works or Allo.

## **K. EXECUTIVE SESSION -- CONTRACT NEGOTIATIONS**

At 6:39 p.m. Councilmember Quick made a motion to go into executive session for protection of the public interest for contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 6:47 p.m. the Council came out of executive session. Councilmember Quick made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

At 6:47 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

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PASSED AND APPROVED THIS 1ST DAY OF AUGUST 2023.

CITY OF LA VISTA

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

ATTEST:

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