

**LA VISTA CITY COUNCIL
MEETING
September 19, 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 September 19, 2023. Present were Councilmembers: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Bueth, Director of Administrative Services Pokorny, Director of Public Works Soucie, Finance Director Harris, Library Director Barcal, Police Captain Barcal, Recreation Director Buller, City Engineer Dowse and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on September 6, 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.

Acting Mayor Thomas called the meeting to order, let 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 SEPTEMBER 5, 2023 CITY COUNCIL MEETING**
3. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 7, 2023 PLANNING COMMISSION MEETING**
4. **MONTHLY FINANCIAL REPORT – JULY 2023**
5. **REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS – \$1,701.81**
6. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREET BRIDGE – \$6,380.00**
7. **REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78TH ST PAVEMENT REHABILITATION – \$16,638.05**
8. **REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78TH ST PAVEMENT REHABILITATION – \$11,845.50**
9. **REQUEST FOR PAYMENT – SPENCER MANAGEMENT, LLC – PROFESSIONAL SERVICES – 2023 PAVEMENT REHABILITATION AND RESURFACING – \$202,182.88**
10. **REQUEST FOR PAYMENT – NEBRASKA DEPT. OF TRANSPORTATION – CONSTRUCTION SERVICES – APPLEWOOD CREEK TRAIL – \$34,504.57**
11. **REQUEST FOR PAYMENT – JE DUNN CONSTRUCTION CO – CONSTRUCTION SERVICES – CENTRAL PARK PAVILION AND SITE IMPROVEMENTS – \$1,052,550.00**
12. **RESOLUTION NO. 23-116 – AUTHORIZE PAYMENT – ELECTRIC VEHICLE CHARGING STATION REPAIR**

Councilmember Sell introduced and moved for the adoption of Resolution No. 23-116 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE REPAIR OF AN ELECTRONIC VEHICLE CHARGING STATION LOCATED IN OFF-STREET PARKING DISTRICT #1 IN AN AMOUNT NOT TO EXCEED \$13,272.00.

WHEREAS, the City Council of the City of La Vista has determined that repair of the electronic vehicle charging station is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget includes funding for the proposed repair; and

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

September 19, 2023

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 Acting Mayor and City Council of La Vista, Nebraska authorize the repair of an electronic vehicle charging station in off-street parking district #1 in an amount not to exceed \$13,272.00.

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

13. APPROVAL OF CLAIMS

1000 BULBS, supplies	275.04
1-800 RADIATOR, maint.	433.00
A-1 FLAGS, POLES, & REPAIR LLC, services	140.00
ACCO UNLIMITED CORP, supplies	933.70
ACTION BATTERIES, maint.	98.75
ACTIVE NETWORK LLC, services	150.92
ALEGENT CREIGHTON HEALTH, services	658.00
ALFRED BENESCH & CO, services	3,238.25
AMAZON, supplies	2,381.66
ARNOLD MOTOR SUPPLY, maint.	1,020.98
ASP ENTERPRISES INC, supplies	470.00
ASTRA STAGES LLC, services	60,895.00
BABER, B., travel	434.50
BIBLIOTHECA LLC, media	24.33
BISHOP BUSINESS EQUIP, services	1,146.30
BLACK HILLS ENERGY, utilities	1,355.45
BLAC-RAC MANUFACTURING INC, supplies	799.80
BOBCAT OF OMAHA, services	1,800.00
BOK FINANCIAL, bonds	2,086,725.00
BOOT BARN, apparel	150.00
BSN SPORTS LLC, supplies	1,149.98
CALENTINE, J., travel	46.60
CARROT-TOP INDUSTRIES INC, supplies	1,898.38
CENTER POINT INC, books	236.10
CENTURY LINK/LUMEN, phones	202.25
CINTAS CORP, services	613.68
CITY OF OMAHA, services	326,279.40
CITY OF PAPILLION, services	240,674.00
CNA SURETY, services	125.00
COLONIAL RESEARCH CHEMICAL CO, supplies	198.40
COMP CHOICE INC, services	135.00
CONCRETE SUPPLY INC, services	868.19
CORE BANK, services	429,904.82
COSGRAVE CO, supplies	184.00
COX COMMUNICATIONS INC, services	143.65
CROUCH RECREATION, services	4,656.00
CULLIGAN OF OMAHA, supplies	83.85
D & K PRODUCTS, supplies	1,700.00
DAIGLE LAW GROUP LLC, services	500.00
DARECATALOG.COM, supplies	690.16
DATASHIELD CORP, services	20.00
DEMCO INC, supplies	171.73
DESIGN WORKSHOP INC, services	4,125.00
DIAMOND SURFACE INC, services	9,700.00
DIAMOND VOGEL PAINTS, supplies	503.75
DILLON BROS HARLEY DAVIDSON, maint.	3,330.36

MINUTE RECORD

September 19, 2023

No. 729 — REDFIELD DIRECT E2106195KV

DISPLAY SALES, supplies	198.00
EDGEWEAR SCREEN PRINTING, apparel	73.00
EYMAN PLUMBING INC, bld&grnds	2,246.77
FIKES COMMERCIAL HYGIENE LLC, supplies	62.00
FLORIAN, ARTHUR CRAIG, services	150.00
FUN EXPRESS LLC, supplies	368.09
GENERAL FIRE & SAFETY EQUIP, services	1,580.00
GIGGLES 'N' FRIENDS, services	150.00
GRAINGER, supplies	83.09
GREAT PLAINS COMMUNICATION, services	1,045.41
GUARDIAN ALLIANCE TECH, services	256.00
GUNN, B., travel	352.00
HARM'S CONCRETE INC, services	244.38
HOBBY LOBBY, supplies	18.95
HOME DEPOT, supplies	33.93
HONEYMAN RENT-ALL #1, services	403.55
HOT SHOPS ART FOUNDATION, supplies	250.00
HOUSTON ENGINEERING INC, services	8,178.00
HY-VEE INC, services	65.00
INDUSTRIAL SALES CO, supplies	196.09
INGRAM LIBRARY SERVICES LLC, books	794.79
J & J SMALL ENGINE, maint.	55.27
J RETZ LANDSCAPE INC, services	3,659.45
JE DUNN CONSTRUCTION CO, services	703,395.00
JOHN STRATHMAN, refund	240.00
KANOPY INC, services	207.00
KRIHA FLUID POWER CO, maint.	204.01
LARSEN SUPPLY CO, supplies	264.72
LOGAN CONTRACTORS SUPPLY, maint.	194.80
LOWE'S, bld&grnds	112.11
MARCO INC, services	147.87
MARTIN ASPHALT - MONARCH OIL, supplies	288.00
MATHESON TRI-GAS INC, services	3,345.74
MAVENCAMP, ANDREW JOHN, reimbursement	42.25
MENARDS-RALSTON, bld&grnds	348.28
MERRYMAKERS ASSOC, services	1,200.00
METRO COMM COLLEGE, bld&grnds	23,849.71
MUD, repairs	515.55
MICROFILM IMAGING SYSTEMS INC, services	4,730.00
MID-AMERICAN BENEFITS INC, services	3,732.94
MIDWEST ALARM SERVICES, bld&grnds	4,995.00
MIDWEST TAPE, media	76.97
MILLARD METAL SERVICES INC, supplies	194.00
MURPHY TRACTOR, supplies	29.96
NE BANK F/K/A FARMERS STATE, services	10,568.84
NE DEPT OF MOTOR VEHICLE, services	16.40
NE STATE FIRE MARSHAL, services	97.00
NEWMAN SIGNS INC, services	1,144.16
NL & L CONCRETE, services	263,730.83
NSG LOGISTICS LLC, services	15,016.85
OFFICE DEPOT INC, supplies	542.18
OLSSON INC, services	1,488.50
OMAHA WINNELSON SUPPLY, maint.	876.00
OMAHA WORLD-HERALD, services	85.45
OMNI ENGINEERING, services	990.35
ONE CALL CONCEPTS INC, services	626.30
PAPILLION SANITATION, services	2,304.66
PAYROLL MAXX, payroll & taxes	430,217.02

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

September 19, 2023

PETROS PACE FINANCE, services	23,556.09
PETTY CASH, supplies	20.00
POKORNY, K., travel	296.00
POMP'S TIRE SERVICE INC, maint.	3,583.00
PORT-A-JOHNS, services	180.00
POWERDMS INC, services	10,017.86
RAMIREZ, R., travel	416.00
RDG PLANNING & DESIGN, services	15,211.85
RED EQUIPMENT LLC, maint.	548.77
RED WING BUSINESS ACCT, apparel	143.99
REGAL AWARDS INC, services	44.50
RTG BUILDING SERVICES INC, bld&grnds	6,765.00
SAMPSON CONSTRUCTION CO, services	431,318.00
SARPY COUNTY COURTHOUSE, services	4,496.00
SARPY COUNTY TREASURER, services	19,992.84
SCHAEFFER MANUFACTURING CO, supplies	864.00
SECURITY EQUIPMENT INC, services	56.10
SHERWIN-WILLIAMS, supplies	39.24
SIGN IT, services	5,211.00
SOUTHERN UNIFORM, apparel	65.12
STREICHER'S INC, apparel	2,660.00
SUBURBAN NEWSPAPERS INC, services	836.06
SUN VALLEY LANDSCAPING, services	940.79
TED'S MOWER SALES, supplies	273.41
THE COLONIAL PRESS INC, services	16,937.73
THE PENWORTHY CO, books	520.58
THE WALDINGER CORP, services	5,896.86
THOMPSON DREESSEN & DORNER INC, services	2,244.50
TRAFFIC & PARKING CONTROL CO, supplies	1,366.00
TRANS UNION RISK, services	75.00
TRANSPARENT LANGUAGE INC, services	1,200.00
TY'S OUTDOOR POWER & SERVICE, maint.	44.92
UNITE PRIVATE NETWORKS LLC, services	5,269.35
UNITED PARCEL, services	72.28
US BANK NATIONAL ASSOC, supplies	19,280.83
VERIZON WIRELESS, phones	383.77
VOIANCE LANGUAGE, services	25.00
WASTE MANAGEMENT NEBR, services	2,323.15
WOODHOUSE SW OMAHA INC, maint.	319.95
ZOOM VIDEO COMMUNICATIONS, services	1,999.00

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez provided an update on the concerts scheduled at The Astro.

Recreation Director Buller reported on the summer pool attendance numbers.

B. ZONING TEXT AMENDMENT – SECTIONS 5.11 GENERAL COMMERCIAL DISTRICT, 5.12 HIGHWAY COMMERCIAL/OFFICE PARK DISTRICT & 5.14 HEAVY INDUSTRIAL ZONING DISTRICT

1. PUBLIC HEARING

MINUTE RECORD

September 19, 2023

No. 729 – REDFIELD DIRECT E2106195KV

At 6:07 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendment – Sections 5.11 General Commercial District, 5.12 Highway Commercial/Office Park District & 5.14 Heavy Industrial Zoning District.

At 6:07 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Quick introduced Ordinance No. 1495 entitled: AN ORDINANCE TO AMEND SECTIONS 5.11, 5.12, AND 5.14 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 5.11, 5.12, AND 5.14 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1495. Councilmember Sell seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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 TEXT AMENDMENT – SECTIONS 5.19 MIXED USE CITY CENTRE DISTRICT & 7.05 OFF STREET AUTOMOBILE STORAGE

1. PUBLIC HEARING

At 6:09 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendment – Sections 5.19 Mixed Use City Centre District & 7.05 Off Street Automobile Storage.

At 6:09 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1496 entitled: AN ORDINANCE TO AMEND SECTIONS 5.19 AND 7.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 5.19 AND 7.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1496. Councilmember Wetuski seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. The passage and

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

September 19, 2023

adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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. ZONING TEXT AMENDMENT – SECTION 7.01 SIGN REGULATIONS

1. PUBLIC HEARING

At 6:15 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendment – Section 7.01 Sign Regulations.

At 6:15 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Hale introduced Ordinance No. 1497 entitled: AN ORDINANCE TO AMEND SECTION 7.01 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.01 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Hale made a motion to approve final reading and adopt Ordinance 1497. Councilmember Quick seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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.

E. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 6:17 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for comment on the One and Six Year Street Improvement Plan.

At 6:18 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. RESOLUTION – APPROVE ONE AND SIX YEAR STREET IMPROVEMENT PLAN

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-117 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE DIRECTOR OF PUBLIC WORKS.

WHEREAS, the Director of Public Works has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

MINUTE RECORD

September 19, 2023

No. 729 -- REDFIELD DIRECT E2106195KV

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Director of Public Works; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan;

NOW THEREFORE, BE IT RESOLVED, by the Acting Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the Director of Public Works and reviewed by the Acting Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

3. RESOLUTION -- AUTHORIZE MUNICIPAL ANNUAL CERTIFICATION PROGRAM

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-118 entitled: A RESOLUTION AUTHORIZING THE SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2023.

WHEREAS, State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS, State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form;

NOW, THEREFORE BE IT RESOLVED, by the Acting Mayor and City Council of the City of La Vista that the Acting Mayor of La Vista is hereby authorized to sign the Municipal Annual Certification of Program Compliance form for 2023.

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

F. ORDINANCE -- AMEND MUNICIPAL CODE -- SECTION 90.03 -- CLOSING HOURS -- PARKS

Councilmember Frederick introduced Ordinance No. 1498 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 90.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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,

MINUTE RECORD

September 19, 2023

No. 729 — REDFIELD DIRECT E2106195KV

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

Councilmember Quick made a motion to approve final reading and adopt Ordinance 1498. Councilmember Frederick seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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. RESOLUTION – SEWER RATE STUDY FY25-FY29

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 23-119 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING THE SEWER RATE STUDY DATED AUGUST 28, 2023 AND APPROVING IMPLEMENTATION OF RECOMMENDED RATES AND FEES.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, previously authorized the evaluation of future costs associated with operating and maintaining the sewer system; and

WHEREAS, the Mayor and City Council adopted the waste water agreement with the City of Omaha on April 7, 2009; and

WHEREAS, the sewer rate study was prepared by Burns & McDonnell; and

WHEREAS, the City Administrator, City Engineer, Finance Director and Director of Public Works have recommended acceptance of the proposed rates and fees over the next five (5) fiscal years, subject to annual evaluation and review of revenues and expenses as projected in the study;

NOW THEREFORE, BE IT RESOLVED, by the Acting Mayor and City Council of the City of La Vista, Nebraska that the Sewer Rate Study dated August 28, 2023 prepared by Burns & McDonnell and the implementation of the recommended rates and fees over the next five (5) fiscal years has been reviewed by the Acting Mayor and City Council of the City of La Vista and the same hereby is, accepted and approved.

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

H. RESOLUTION – AUTHORIZE PURCHASE – RESTROOM FOR CENTRAL PARK EAST

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-120 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF A RESTROOM FACILITY FOR CENTRAL PARK EAST FROM THE PUBLIC RESTROOM COMPANY IN AN AMOUNT NOT TO EXCEED \$340,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase and installation of a restroom facility for Central Park East is necessary; and

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

MINUTE RECORD

September 19, 2023

No. 729 -- REDFIELD DIRECT E2106195KV

NOW THEREFORE, BE IT RESOLVED, that the Acting Mayor and City Council of the City of La Vista hereby approve the purchase and installation of a restroom facility for Central Park East from the Public Restroom Company in an amount not to exceed \$340,000.00.

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

I. RESOLUTION – AUTHORIZE PURCHASE – LIGHT TOWER/GENERATOR COMBOS

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-121 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) LIGHT TOWER/GENERATOR COMBOS FROM RAKA RENTALS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$27,250.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) light tower/generator combos 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 Acting Mayor and City Council of La Vista, Nebraska, do hereby approve the purchase of two (2) light tower/generator combos from Raka Rentals, Omaha, Nebraska in an amount not to exceed \$27,250.00.

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

J. RESOLUTION – AUTHORIZE PURCHASE - FLOORING

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-122 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF LUXURY VINYL TILE FLOORING FROM PROSOURCE WHOLESALE, LA VISTA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$9,604.69.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of luxury vinyl tile flooring 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 Acting Mayor and City Council of La Vista, Nebraska, do hereby approve the purchase of luxury vinyl tile flooring from Prosource Wholesale, La Vista, Nebraska in an amount not to exceed \$9,604.69.

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

MINUTE RECORD

September 19, 2023

No. 729 — REDFIELD DIRECT E2106195KV

K. RESOLUTION – APPROVE EXECUTIVE SEARCH & RECRUITMENT FIRM – CHIEF OF POLICE/DIRECTOR OF PUBLIC SAFETY

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 23-123 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPROVE THE SELECTION OF PUBLIC SECTOR SEARCH & CONSULTING, ROCKLIN, CA TO PROVIDE PROFESSIONAL EXECUTIVE SEARCH AND RECRUITMENT SERVICES ASSOCIATED WITH THE HIRING OF A NEW CHIEF OF POLICE/DIRECTOR OF PUBLIC SAFETY IN THE AMOUNT OF \$48,000.00 PLUS SEARCH-RELATED EXPENSES IN AN AMOUNT NOT TO EXCEED \$12,000.00.

WHEREAS, the City Council of the City of La Vista has determined that assistance in filling the Chief of Police/Director of Safety position is necessary; and

WHEREAS, the FY23/FY24 biennial budget provides funding for this; 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 Acting Mayor and City Council hereby approve the selection of Public Sector Search & Consulting, Rocklin, CA to provide professional executive search and recruitment services associated with the hiring of a new Chief of Police/Director of Public Safety in the amount of \$48,000.00 plus search-related expenses in an amount not to exceed \$12,000.00.

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

L. POSITION DESCRIPTION UPDATE

Councilmember Frederick made a motion to receive and file the position description update. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

M. RESOLUTION – AUTHORIZE EXTENSION OF CURRENT KENO OPERATOR AGREEMENT

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-124 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR TO EXTEND THE CURRENT KENO OPERATOR AGREEMENT TO DECEMBER 20, 2023.

WHEREAS, the City Council of the City of La Vista has determined extending the current Keno Operator agreement is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget revenue projections will not be impacted; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of La Vista, Nebraska authorizes the Acting Mayor or City Administrator to extend the current Keno Operator agreement to December 20, 2023.

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

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

MINUTE RECORD

September 19, 2023

No. 729 — REDFIELD DIRECT E2106195KV

COMMENTS FROM THE FLOOR

There were no comments from the floor.

K. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 6:55 p.m. Councilmember Quick made a motion to go into executive session for protection of the public interest for contract negotiations. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. Acting Mayor Thomas stated the executive session would be limited to the subject matter contained in the motion.

At 7:35 p.m. the Council came out of executive session. Councilmember Hale made a motion to reconvene in open and public session. Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Acting Mayor and City Council.

At 7:36 p.m. Councilmember Frederick made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF OCTOBER 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk