

# MINUTE RECORD

A-2

No. 729 — REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING December 5, 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 December 5, 2023. Present were Mayor Kindig and Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell and Wetuski. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Director of Administrative Services Pokorny, Finance Director Harris, Library Director Barcal, Police Captain Barcal, Recreation Director Buller, Human Resources Director Lowery, Director of Public Works Soucie and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on November 22, 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 and made the announcements.

### POLICE DEPARTMENT LIFE SAVING AWARD PRESENTATION

Mayor Kindig and Police Captain Barcal presented Life Saving Awards to Officer Seth Howard and Officer Tommy Robb.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE NOVEMBER 21, 2023 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT - NL & L CONCRETE, INC – CONSTRUCTION SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION - \$102,562.70
4. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY PARK PAVILION TESTING – \$957.50
5. REQUEST FOR PAYMENT – FISHER PARKING & SECURITY – EQUIPMENT – PARKING GARAGE #2 PROJECT – \$10,138.00
6. APPROVAL OF CLAIMS

4IMPRINT, supplies	377.16
ACTIVE NETWORK LLC, services	272.09
ALEGENT CREIGHTON HEALTH, services	1,476.00
AMAZON, supplies	2,318.29
ARNOLD MOTOR SUPPLY, maint.	3,737.99
BARCO MUNICIPAL PRODUCTS INC, supplies	196.36
BARRINGTON LIBRARY, services	34.99
BJSA-BELLEVUE JR SPORTS ASSN, services	600.00
BRITE IDEAS DECORATING, supplies	3,834.10
CENTER POINT, INC, books	46.74
CENTURY LINK/LUMEN, phones	932.25
CINTAS CORP, services	630.39
CITY OF OMAHA, services	910.08
CITY OF PAPILLION, services	13,889.02
CONTROL MASTERS, bld&grnds	5,327.09
COX COMMUNICATIONS, services	467.15
CULLIGAN OF OMAHA, services	50.15
D & K PRODUCTS, supplies	279.00
D. HALE, travel	202.45
DELL MARKETING, supplies	538.97
DESIGN WORKSHOP, services	1,500.00
DIAMOND VOGEL PAINTS, services	112.49
DILLON BROS HARLEY DAVIDSON, services	154.95
DOG WASTE DEPOT, supplies	791.92

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DULTMEIER SALES, supplies	48.60
EYMAN PLUMBING, services	210.00
FERGUSON US INC, maint	207.46
FIKES COMMERCIAL, supplies	31.00
FUN EXPRESS, supplies	180.50
GALE, books	296.14
GENERAL FIRE & SAFETY, services	1,290.50
GILMORE & BELL PC, services	2,500.00
GODFATHER'S PIZZA, services	64.00
GRAINGER, supplies	358.49
GREAT PLAINS UNIFORMS, apparel	220.00
GREATAMERICA FINANCIAL, services	1,581.73
GRETNNA WELDING, services	2,500.00
HAMPTON INN-KEARNEY, services	269.90
HARM'S CONCRETE, services	199.50
HGM ASSOCIATES, services	62,656.92
HOBBY LOBBY STORES, supplies	143.49
HOME DEPOT, supplies	1,068.40
HY-VEE, supplies	230.64
INDUSTRIAL SALES CO, supplies	645.82
INGRAM LIBRARY SERVICES, books	2,342.71
INOTEK LLC, services	6,000.00
JE DUNN CONSTRUCTION CO, services	115,052.00
JONES AUTOMOTIVE, services	3,573.41
JUSTIN KOFOED LLC, services	300.00
K & J ELITE SPORTS TURF, services	2,250.00
DONALD P LABRIE, services	525.00
C. LARSON, supplies	77.16
LEADS ONLINE LLC, services	4,037.00
LIBRA INDUSTRIES, supplies	77.00
LIBRARY IDEAS, books	1,084.92
LOWE'S, supplies	114.38
LYMAN-RICHEY SAND & GRAVEL, services	904.17
MACQUEEN EQUIPMENT, services	7,525.96
MENARDS-RALSTON, supplies	633.17
METRO COMM COLLEGE, services	16,656.61
MUD, utilities	10,777.48
MID-AMERICAN BENEFITS, services	1,084.23
MIDWEST FENCE - GUARDRAIL SYS, services	5,875.00
MIDWEST TAPE, media	360.82
MNJ TECHNOLOGIES DIRECT, services	1,655.00
NEWMAN SIGNS, services	1,642.29
OFFICE DEPOT, supplies	20.99
OLESIA REPICHOWSKY, services	100.00
OPPD, utilities	45,139.19
OMAHA TACTICAL, supplies	3,587.00
OMAHA UNITED SOCCER, refund	280.00
OMNI ENGINEERING, services	94.05
ONE CALL CONCEPTS, services	473.30
PAPILLION SANITATION, services	1,945.55
PAPIO VALLEY NURSERY, supplies	230.00
PAYROLL MAXX, payroll & taxes	418,272.19
PER MAR SECURITY, services	325.33
QUALITY AUTO REPAIR & TOWING, services	100.00
RDG PLANNING & DESIGN, services	4,956.50
REGAL AWARDS, services	45.50
SAMPSON CONSTRUCTION CO, services	751,673.00
SIGN IT, services	119.25

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SOUTH, R, travel	310.50
SOUTHERN UNIFORM & TACTICAL, apparel	586.59
THE COLONIAL PRESS, services	1,780.69
THE FILTER SHOP, supplies	389.20
THE SCHEMMER ASSOCIATES, services	315.00
THOMPSON DREESSEN & DORNER, services	3,912.50
TY'S OUTDOOR POWER, services	4,306.00
U.S. CELLULAR, phones	1,874.92
UPS, services	105.05
UNMC, services	45.00
WALMART, supplies	895.74
WEMHOFF, A, travel	95.07
WESTLAKE HARDWARE, supplies	55.36
WHITE CAP, services	1,325.00
WOODHOUSE, services	29.17

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sheehan reviewed the bills and had questions on 2 bills. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Sell. Nays: None. Abstain: None. Absent: Hale and Wetuski. Motion carried.

Councilmember Wetuski arrived at 6:10 p.m. to take his place at the dais.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe introduced the new Accounting Clerk, Lety Elias.

Recreation Director Buller reported on Santa's Workshop and played a short video of Santa's Sleigh Ride through the City.

## B. COLLECTIVE BARGAINING AGREEMENT – LA VISTA FRATERNAL ORDER OF POLICE

### 1. RESOLUTION – APPROVE THE PROPOSED AGREEMENT

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-147 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING THE PROPOSED COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LA VISTA AND THE LA VISTA FRATERNAL ORDER OF POLICE, LODGE NO. 28 FOR FISCAL YEARS 2024, 2025, AND 2026 AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT.

WHEREAS, the City of La Vista has recognized the La Vista Police Officers Association for the purpose of collective bargaining by Resolution No. 78-020; and

WHEREAS, the La Vista Police Officers Association is now a member of and affiliated with the Fraternal Order of police and is known as the La Vista Fraternal Order of Police Lodge No. 28 ("LVFOP"); and

WHEREAS, the City Administrator and the LVFOP's appointed negotiating team have reached a tentative agreement as authorized by and in accordance with Resolution No. 78-020;

WHEREAS, the membership of the LVFOP did vote on and approve the tentative agreement reached by the City Administrator and the LVFOP's negotiating team with said votes being tabulated on November 27, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Vista, Nebraska, does hereby accept the terms of the negotiated agreement and authorizes the Mayor of the City of La Vista, Nebraska, to execute the same on behalf of the City subject to approval of form by the city attorney and city administrator.

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BE IT FURTHER RESOLVED that the Mayor and City Council hereby agree and declare that the effective date of the Agreement shall be October 1, 2023.

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

## **2. ORDINANCE – AMEND THE COMPENSATION ORDINANCE**

Councilmember Thomas introduced Ordinance No. 1504 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 Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Wetuski. Nays: None. Abstain: None. Absent: Hale. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1504. Councilmember Thomas seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Wetuski. Nays: None. Abstain: None. Absent: Hale. 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 – AMEND KENO OPERATOR AGREEMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 23-148 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A FIFTH AMENDMENT TO THE CITY'S KENO LOTTERY OPERATOR AGREEMENT.

WHEREAS, a proposed FIFTH AMENDMENT to the City's Keno Lottery Operator Agreement, as previously amended, is presented and incorporated into this resolution by reference ("Proposed Fifth Amendment").

NOW, THEREFORE, BE IT RESOLVED that the Proposed Fifth Amendment is approved, subject to any additions, subtractions or modifications the Mayor or City Administrator determines necessary or appropriate, ("Amendment").

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Amendment on behalf of the City, and the Mayor and City Administrator, or any designee of the Mayor or City Administrator, shall be authorized to take any action from time to time on behalf of the City as he or she determines necessary or appropriate to carry out the City's Lottery Operator Agreement, as amended by the Amendment.

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

## **D. RESOLUTION – AUTHORIZE PURCHASE – PICKUP**

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-149 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) MEDIUM DUTY PICKUP TRUCK FROM HUSKER AUTO GROUP, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$105,000.00.

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WHEREAS, the City Council of the City of La Vista has determined that the purchase of one (1) Medium Duty Pickup 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) Medium Duty Pickup Truck from Husker Auto Group, Lincoln, Nebraska in an amount not to exceed \$105,000.00.

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

## E. RESOLUTION – DECLARE EQUIPMENT SURPLUS

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-150 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 3 vehicles located at the Police Facility to be surplused; and

WHEREAS, the City Administrator and Acting Chief of Police recommend that the above-mentioned items be declared surplus and sold;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 3 vehicles located at the Police Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

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

## F. DISCUSSION – CIMARRON WOODS PROPOSED INTERLOCAL – LIBRARY CARDS

Library Director Barcal presented information on the proposed interlocal regarding library cards. Discussion was held.

## G. DISCUSSION – WORKFORCE PLANNING

City Administrator Gunn gave a presentation on Workforce Planning and provided key positions, retention, and success planning. Discussion was held.

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

## COMMENTS FROM THE FLOOR

Adam Geisen 8103 Valley Road addressed the Council about several issues in the City.

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## H. EXECUTIVE SESSION – PERSONNEL

At 7:12 p.m. Councilmember Quick made a motion to go into executive session for the protection of an individual to discuss personnel matters. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Wetuski. Nays: None. Abstain: None. Absent: Hale. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matters contained in the motion.

At 8:15 p.m. the Council came out of executive session. Councilmember Thomas made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Wetuski. Nays: None. Abstain: None. Absent: Hale. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on Big Brothers and Big Sisters and their use of the Community Center for so many years.

At 8:16 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Wetuski. Nays: None. Abstain: None. Absent: Hale. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF DECEMBER 2023.

CITY OF LA VISTA

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

ATTEST:

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Pamela A. Buethe, MMC  
City Clerk