

# MINUTE RECORD

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No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

## LA VISTA CITY COUNCIL MEETING August 19, 2014

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on August 19, 2014. 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, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on August 6, 2014. 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 led the audience in the pledge of allegiance.

Mayor Kindig announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

### SERVICE AWARDS – JEAN HURST – 35 YEARS; ANGELA HULTBERG – 20 YEARS

Mayor Kindig presented a service award to Jean Hurst for thirty five years of service and to Angela Hultberg for twenty years of service.

### MAYOR'S LEGACY AWARD PRESENTATION

Mayor Kindig presented the Mayor's Distinguished Legacy Award to Don and Valerie Bellino for their continued commitment and support of community programs, including youth athletic organizations as well as the La Vista Daze fireworks show.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 5, 2014 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 10, 2014 LIBRARY ADVISORY BOARD MEETING
4. MONTHLY FINANCIAL REPORT – JULY 2014
5. PAY REQUEST FROM CEDAR CONSTRUCTION COMPANY – CONSTRUCTION SERVICES – 85<sup>TH</sup> STREET SANITARY SEWER REPLACEMENT - \$18,823.00
6. PAY REQUEST FROM THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE I - \$468.75
7. PAY REQUEST FROM THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE I - \$868.75
8. PAY REQUEST FROM THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE I - \$352.50
9. RESOLUTION – 14-095 - APPROVE INTERLOCAL AGREEMENT AMENDMENT – METRO DRUG TASK FORCE

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE PARTICIPATING AGENCIES OF THE METRO DRUG TASK FORCE (U.S. DEPARTMENT OF JUSTICE- DEA,



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U.S. DEPARTMENT OF TREASURY-IRS, CITY OF BELLEVUE, CITY OF PAPIILLION, SARPY COUNTY, NEBRASKA, DOUGLAS COUNTY, NEBRASKA, THE NEBRASKA STATE PATROL, AND THE CITY OF OMAHA).

WHEREAS, it is the belief of informed law enforcement administrators that the most effective enforcement effort against drug trafficking and related crime in the Omaha/East Central Nebraska Metropolitan area can best be achieved through the cooperative efforts of multi-agency enforcement; and

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, U.S. Department of Justice – DEA, U.S. Department of Treasury – IRS, City of Bellevue, City of Papillion, Sarpy County, Nebraska, Douglas County, Nebraska, the Nebraska State Patrol, and the City of Omaha are desirous of and agreeable to an extension of an Interlocal Cooperation Agreement forming a Metropolitan Drug Task Force;

WHEREAS, the amendment to the Agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby approve and authorize the Mayor to execute an Amendment to the Interlocal Cooperation Agreement with the participating agencies of the Metro Drug Task Force (U.S. Department of Justice – DEA, U.S. Department of Treasury – IRS, City of Bellevue, City of Papillion, Sarpy County, Nebraska, Douglas County, Nebraska, the Nebraska State Patrol, and the City of Omaha).

## **10. RESOLUTION – 14-096 – APPROVE PURCHASE – ICE CONTROL SALT**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$11,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY 2013/14 General Fund Budget provides funding for this purchase; and

WHEREAS, the ice control salt are used by Public Works for winter operations; 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, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$11,000.00.

## **11. RESOLUTION- 14-097 – APPROVE ADVERTISEMENT FOR BIDS - 124<sup>TH</sup> CIRCLE & HARRISON STREET TRAFFIC SIGNAL IMPROVEMENTS**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR INSTALLATION OF THE 124TH CIRCLE AND HARRISON STREET TRAFFIC SIGNAL IMPROVEMENTS.



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WHEREAS, the City Council has determined that installation of the 124th Circle and Harrison Street Traffic Signal Improvements is necessary, and

WHEREAS, the FY 2013/14 Capital Budget provides funding for this project, and

WHEREAS, Thompson, Dreessen, Dorner, has prepared plans and specifications for said project.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council do hereby authorize the advertisement of bids for the installation of the 124th Circle and Harrison Street Traffic Signal Improvements in accordance with plans and specifications prepared by Thompson, Dreessen, Dorner. Said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on September 8, 2014.

Publish Notice to Contractors August 27 and September 3, 2014  
Open Bids September 8, 2014 at 10:00 a.m. at City Hall  
City Council Award Contract September 16, 2014

## **12. RESOLUTION – 14-098 – AUTHORIZE THOMPSON CREEK PHASE VI, PART 2 GRANT APPLICATION SUBMITTAL**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) REQUESTING FUNDS FOR WORK ASSOCIATED WITH PHASE VI, PART 2, YEAR 2 OF THE THOMPSON CREEK PROJECT IN LA VISTA NEBRASKA.

WHEREAS, the City Council of the City of La Vista has determined that said Thompson Creek improvements are necessary; and

WHEREAS, the FY 13/14 and proposed FY 14/15 Capital Budget has funding for the City's portion of the project in anticipation of grants being received; and

WHEREAS, submittal of a grant application to the Nebraska Department of Environmental Quality (NDEQ) is necessary; and

WHEREAS, the City's consulting firms on this project, RDG, TD2, and AES have prepared the grant application for the NDEQ; and

WHEREAS, the City will authorize submittal of this application for funding, based on the City Council's understanding of the fiscal commitments involved in the application and a general outline of the scope of work that will be involved if the grants are approved;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the City Administrator to sign the grant application to the Nebraska Department of Environmental Quality (NDEQ) requesting funds for work associated with Phase VI, Part 2, Year 2 of the Thompson Creek Project in La Vista, Nebraska.

## **13. RESOLUTION – APPROVE INTERLOCAL COOPERATION AGREEMENT – HELL CREEK GRADE CONTROL STABILIZATION**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AND THE CITY OF OMAHA FOR THE UNDERTAKING OF EFFORTS REQUIRED TO DESIGN REPAIRS OR RECONSTRUCTION OF A GRADE CONTROL STRUCTURE ON HELL CREEK.

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

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WHEREAS, the City of La Vista is serving as the lead agent since it already has a consultant under contract working on conceptual designs for Hell Creek and since the property is located in the City of La Vista, and;

WHEREAS, the grade control structure has been slowly deteriorating in recent years, but the frequent heavy rains this year have accelerated the decay, and;

WHEREAS, the Papio-Missouri River NRD is agreeing to provide 60% of the cost with the remaining 40% being split equally between the City of Omaha and the City of La Vista, and;

WHEREAS, the FY 14 and proposed FY 15 Capital Fund Budgets contain yearly allocations for interim repairs to Hell Creek until a major channel reconstruction project can be undertaken, and;

WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves and authorizes the execution of an Interlocal Cooperation with the Papio-Missouri River Natural Resources District and the City of Omaha for the undertaking of efforts required to design repairs or reconstruction of a grade control structure on Hell Creek.

## **14. APPROVAL OF CLAIMS**

3CMA MEMBERSHIP, dues	575.00
AA WHEEL & TRUCK SUPPLY, maint.	41.84
ACCO UNLIMITED CORP, supplies	121.75
ACTION BATTERIES UNLTD, supplies	265.18
ACTION SIGNS INC., services	357.00
AED ZONE, supplies	1,599.00
AKSARBEN HEATING/ARS, bld&grnds	179.25
ALAMAR UNIFORMS, apparel	462.22
AMY LADD, refund	53.50
ANN TROE, services	720.00
ARAMARK UNIFORM, services	25.04
ASPHALT & CONCRETE MATERIALS, maint.	505.13
BARCAL, R., travel	373.25
BEACON BUILDING, services	5,812.00
BEAUMONT, M., travel	284.00
BISHOP BUSINESS EQUIPMENT, services	1,011.90
BKD LLP, services	1,580.00
BLACK HILLS ENERGY, utilities	1,450.08
BRENTWOOD AUTO WASH, maint.	77.00
CAR QUEST AUTO PARTS, maint.	47.94
CARDMEMBER SERVICES, supplies&travel	10,051.20
CDW GOVERNMENT, outlay	761.28
CENTURY LINK, phone	157.56
CJ'S HOME CENTER, maint.	868.82
COCA-COLA, supplies	126.65
COMPUTER SOLUTIONS, IT	2,920.00
CORNHUSKER INTL TRUCKS, maint.	28.75
COX COMM., IT	336.50
D & K PRODUCTS, supplies	734.56
DANKO EMERGENCY EQUIP., maint.	142.92
DECOSTA SPORTING GOODS, apparel	223.36
DOUGLAS COUNTY SHERIFF'S OFC, services	650.00



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DULTMEIER SALES & SERVICE, maint.	352.06
EDGEWEAR SCREEN PRINTING, apparel	363.00
EGAD SCIENCE INC., supplies	120.00
FEDEX KINKO'S, printing	27.00
FILTER CARE, maint.	10.00
GALE, books	69.72
GALLS, apparel	66.94
GCR TIRES & SERVICE, maint.	359.52
GENERAL TRAFFIC CONTROLS, supplies	2,065.66
GENUINE PARTS COMPANY, maint.	1,026.92
GRAINGER, maint.	52.35
GREAT WESTERN BANK, services	250.00
GREENKEEPER COMPANY, supplies	490.00
GYMNASTICS EXPRESS, supplies	200.00
HAMILTON COLOR LAB, services	50.00
HARM'S CONCRETE, maint.	105.00
HEARTLAND PAPER, supplies	132.00
HEIMES CORP., maint.	79.76
HUMANITIES NE., services	35.00
INDUSTRIAL SALES, bld&grnds	749.74
INGRAM LIBRARY SERVICES, books	1,659.97
J Q OFFICE EQUIPMENT, services	76.03
KEN CARTER JR, services	20.00
KLINKER, M., services	200.00
KRIHA FLUID POWER, maint.	36.80
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYSTEMS, services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	116.00
LAUGHLIN, KATHLEEN A, TRUSTEE	116.00
LEXIS NEXIS MATTHEW BENDER, books	648.62
LINCOLN NATIONAL LIFE INS CO	9,947.16
LOU'S SPORTING GOODS, equip.	126.60
LOVELAND GRASS PAD, supplies	94.75
LOWE'S, supplies	641.19
MANDY SPEARMAN, refund	20.00
MATTHEW SCHMITZ, refund	120.00
MCC, utilities	12,996.25
METRO YOUTH FOOTBALL LEAGUE, services	1,150.00
MID AMERICA PAY PHONES, phone	100.00
MIDWEST RIGHT OF WAY SVCS INC, services	1,132.50
MIDWEST TURF & IRRIGATION, bld&grnds	548.23
MOORE, W., services	20.00
MUD, utilities	3,593.71
NEBRASKA LIFE MAGAZINE, books	24.00
NUTS AND BOLTS INC., maint.	85.98
OFFICE DEPOT, supplies	594.20
OMAHA COMPOUND COMPANY, supplies	232.80
OMAHA PUBLIC POWER DISTRICT, utilities	55,620.30
OMAHA WINNELSON, bld&grnds	55.44
OMNI, maint.	210.66
ONE CALL CONCEPTS, services	362.75
PAPILLION SANITATION, services	714.05
PARAMOUNT LINEN & UNIFORM, services	471.89
PEPSI COLA, supplies	390.34
PERFORMANCE CHRYSLER JEEP, maint.	1,035.75
PERFORMANCE FORD, maint.	238.40
PITNEY BOWES, services	130.88
PLAINS EQUIPMENT GROUP, maint.	922.01
POWER PLAN, maint.	333.49
PREMIER-MIDWEST BEVERAGE CO, supplies	284.15
QUALITY BRANDS OF OMAHA, supplies	360.00
RDG PLANNING & DESIGN, services	3,620.54

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RDG PLANNING & DESIGN, services	1,711.30
READY MIXED CONCRETE COMPANY, maint.	4,989.96
RECREONICS INC ETAL, bld&grnds	296.53
REGAL AWARDS OF DISTINCTION, supplies	598.80
SAM'S CLUB, supplies	1,686.38
SAPP BROS PETROLEUM, supplies	320.00
SARPY COUNTY CHAMBER, training	1,150.00
SARPY COUNTY COURTHOUSE, services	3,960.21
SHEPPARD'S BUSINESS INTERIORS, supplies	2,148.00
SIRCHIE FINGER PRINT LABS, maint.	323.59
STANDARD HEATING AND AIR COND, bld&grnds	2,991.43
SUPERIOR VISION SVCS INC	570.28
SWANK MOTION PICTURES, supplies	471.98
TED'S MOWER SALES & SERVICE, equip.	35.86
THERMO KING CHRISTENSEN, maint.	122.88
THOMPSON DREESSEN & DORNER, services	3,310.81
TRADE WELL PALLET, bld&grnds	320.00
TURF CARS, supplies	788.46
U S GEOLOGICAL SURVEY, services	9,790.00
UNITE PRIVATE NETWORKS, IT	3,850.00
UNIVERSITY OF NEBRASKA-OMAHA, services	2,698.66
VALERIE HOLDCROFT, refund	52.03
VAN RU CREDIT CORPORATION	50.12
VAN RU CREDIT CORPORATION	29.02
VERIZON, phone	539.78
VOGEL TRAFFIC SERVICES, signs	6,656.45
WASTE MANAGEMENT NE, services	577.85
WATKINS CONCRETE BLOCK, bld&grnds	50.00
WHITE CAP CONSTR SUPPLY/HDS, apparel	122.03
WICK'S STERLING TRUCKS, maint.	83.48
ZIMCO SUPPLY COMPANY, supplies	420.00

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Sell. Councilmember Sheehan reviewed the claims for this period 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

Finance Director Lindberg stated that the final valuation had been received.

Police Chief Lausten reported on a call on 69<sup>th</sup> Street.

Assistant Public Works Director Kottmann reported that this is tire collection week

Library Director Barcal reported that the Library facility was used for filming a new teammates commercial. Barcal stated that attendance for summer reading programs reached 4,732 which was 2,146 more than last year and averaged 40 children per program.

## B. FISCAL YEAR 14/15 MUNICIPAL BUDGET

### 1. APPROPRIATIONS ORDINANCE – SECOND READING

City Clerk Buehe read Ordinance No. 1221 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2014 AND ENDING ON SEPTEMBER 30, 2015; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF



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SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Quick made a motion to approve Ordinance No. 1221 on its second reading and pass it on to third and final reading. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. MASTER FEE ORDINANCE – SECOND READING**

City Clerk Buethe read Ordinance No. 1222 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1210, 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 Sheehan made a motion to approve Ordinance No. 1222 on its second reading and pass it on to third and final reading. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. FINANCIAL INFORMATION SOFTWARE SYSTEM NEEDS ASSESSMENT REPORT (REQUEST TO TABLE)**

Motion by Sell to table this item until the September 16, 2014 meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **D. APPLICATION FOR PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD), LOTS 4 & 15, SOUTHPORT WEST (PROPOSED LOTS 1-5 SOUTHPORT WEST REPLAT 5) (NW OF WESTPORT PKWY.)**

### **1. PUBLIC HEARING**

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Preliminary Planned Unit Development (PUD), Lots 4 & 15, Southport West (Proposed Lots 1-5 Southport West Replat 5) (NW of Westport Pkwy.)

Patrick Morgan representing the applicant gave an overview of the proposed PUD.

At 7:28 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION – APPROVE PRELIMINARY PLANNED UNIT DEVELOPMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-100: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOTS 4 AND 15, SOUTHPORT WEST (TO BE REPLATTED AS LOTS 1 THRU 5, SOUTHPORT WEST REPLAT 5), A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 18, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.



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WHEREAS, the owners of the above described piece of property have made application for approval of a preliminary planned unit development plan for Lots 4 and 15, Southport West (to be replatted as Lots 1 thru 5, Southport West Replat 5); and

WHEREAS, the City Planner and the City Engineer have reviewed the preliminary planned unit development plan; and

WHEREAS, on July 17, 2014, the La Vista Planning Commission held a public hearing and reviewed the preliminary PUD plan and recommended approval subject to satisfactory resolution of issues noted in the review letters.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the preliminary Planned Unit Development (PUD) plan for Lots 4 and 15, Southport West (to be replatted as Lots 1 thru 5, Southport West Replat 5), located in the SW 1/4 of Section 18, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of Westport Parkway be, and hereby is, approved subject to the resolution of the following item:

1. Future connectivity to the south provided for by a stubbed out road to within 10 feet of the southern boundary utilizing heavy pavement and a downward grade near 5% from the southern edge of the intersecting roadway.

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

## **E. ORDINANCE – AMEND THE MUNICIPAL CODE – CHAPTER 95 ANIMALS**

Councilmember Sell introduced Ordinance No. 1223 entitled: AN ORDINANCE TO AMEND SECTIONS 95.30, AND TO ADD SECTION 95.33 OF THE LA VISTA MUNICIPAL CODE, RELATING TO LICENSE APPLICATIONS AND FERAL CAT COLONY CARETAKER PERMITS; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Proponents and Opponents from the audience addressed the Council regarding feral cats. Discussion was held by Council regarding this agenda item.

Councilmember Sheehan made a motion to approve Ordinance No. 1223 on its first reading and pass it on to a second reading. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, and Thomas. Nays: Crawford, Quick, Hale and Sell. Abstain: None. Absent: None. Mayor Kindig then voted aye to break the tie vote. Motion carried.

## **F. RESOLUTION – AUTHORIZE CONSULTANT SELECTION – COMPREHENSIVE PLAN**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-101; 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 NEW COMPREHENSIVE PLAN FOR THE CITY OF LA VISTA IN AN AMOUNT NOT TO EXCEED \$102,454.

WHEREAS, the City Council of the City of La Vista has determined that the selection of a consultant for the preparation of a new Comprehensive Plan is necessary; and

WHEREAS, the FY 15 Capital Improvement Program contains \$150,000 for this project; and

WHEREAS, the Comprehensive Plan Committee has interviewed and recommended the selection of the firm Logan Simpson Design Inc. of Fort Collins, Colorado; and



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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 authorize the selection of a Consultant and the negotiation of a contract for the preparation of a new Comprehensive Plan subject to any modifications the City Administrator or her designee determines necessary.

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

## **G. RESOLUTION – ACCEPTANCE OF THE SEWER RATE STUDY**

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-102: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE SEWER RATE STUDY DATED AUGUST 19, 2014 AND APPROVING IMPLEMENTATION OF RATE OPTION 3 REGARDING 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 the City Engineer; and

WHEREAS, the City Administrator, City Engineer, Finance Director and Director of Public Works have recommended implementation of Rate Option 3 over the next five fiscal years.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the Sewer Rate Study conducted by the City Engineer and the implementation of Rate Option 3 regarding rates and fees over the next five (5) years has been reviewed by the Mayor and City Council of the City of La Vista and the same hereby is, accepted and approved.

Seconded by Councilmember Thomas. Assistant Public Works Director Kottmann gave a presentation regarding the Sewer Rate Study and fees. Mayor Kindig asked that something be done to inform the public of these changes. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **H. RESOLUTION – AUTHORIZE INTERLOCAL COOPERATION AGREEMENT – HOSTING COMPUTER SERVICES**

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-103: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA FOR HOSTING COMPUTER SERVICES.

WHEREAS, the City Council has determined that a need exists to contract for hosting computer services; and

WHEREAS, the City had a Strategic Technology Plan prepared in November 2011 which pointed out deficiencies in the current server room and the lack of a storage area network; and

WHEREAS, Sarpy County has the resources and technology to provide said Hosting Services; and

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WHEREAS, Sarpy County has proposed an interlocal agreement between the City of La Vista and the County for a period of three years to provide Information Technology Services to the City;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed interlocal agreement between Sarpy County and the City of La Vista regarding hosting computer services for the City of La Vista is hereby approved subject to review by the City Attorney as to form, and that the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

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

## **I. RESOLUTION – APPROVAL TO PURCHASE – ROLLOVER PROTECTION STRUCTURE**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-104: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) ROLLOVER PROTECTION STRUCTURE (ROPS), FROM NEBRASKA MACHINERY COMPANY, OMAHA, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$44,168.32.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one (1) Rollover Protection Structure (ROPS) is necessary; and

WHEREAS, the FY 15 General Fund Budget provides funding for this 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, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of one (1) Rollover Protection Structure (ROPS) from Nebraska Machinery Company, Omaha, Nebraska, in an amount not to exceed \$44,168.32.

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

## **J. ACCEPT – CLASSIFICATION AND COMPENSATION STUDY**

Assistant City Administrator Ramirez presented the Classification and Compensation Study stating that this was place on the intranet the week prior for employees to look at.

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

Councilmember Crawford made a motion to move Comments from the Floor up on the agenda ahead of Item K Executive Session. Seconded by Councilmember Sell. 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.

## **K. EXECUTIVE SESSION – LAND ACQUISITION: CONTRACT NEGOTIATIONS: PERSONNEL**



# MINUTE RECORD

August 19, 2014

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At 8:26 p.m. Councilmember Crawford made a motion to go into executive session for the protection of the public interest for land acquisition, contract negotiations, and for the protection of an individual to discuss personnel matters and Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. 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 10:04 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that staff will be meeting with the Department of Revenue on the Nebraska Advantage Act..

At 10:05 p.m. Councilmember Hale 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 2ND DAY OF SEPTEMBER, 2014

CITY OF LA VISTA

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

ATTEST:

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

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