

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING October 7, 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 October 7, 2014. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resource Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on September 24, 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 – SUE TANGEMAN – 15 YEARS; ROBERT UHE – 5 YEARS

Mayor Kindig presented a service award to Robert Uhe for five years of service.

APPOINTMENT – JACKIE HILL – PLANNING COMMISSION – FILL VACANCY

Mayor Kindig stated, with the approval of the City Council, he would to appoint Jackie Hill to the Planning Commission to fill a vacancy. Councilmember Sell motioned the approval, seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 16, 2014 CITY COUNCIL MEETING
3. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 – \$2,983.75
4. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 – \$93.75
5. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 – STREET PLANTER – \$1,822.35
6. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – CITY HALL BIO-BASIN – \$4,446.94
7. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – 120TH & GILES ROAD TRAFFIC SIGNALS – \$530.50
8. PAY REQUEST FROM THOMPSON, DREESSEN DORNER, INC. – PROFESSIONAL SERVICES – 124TH CIRCLE & HARRISON STREET TRAFFIC SIGNAL – \$2,875.00
9. PAY REQUEST FROM UNIVERSITY OF NEBRASKA AT OMAHA – PROFESSIONAL SERVICES – BIOBLITZ – THOMPSON CREEK

MINUTE RECORD

October 7, 2014

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

WATERSHED RESTORATION PROJECT - \$3,433.75

10. FINAL PAY REQUEST FROM UNIVERSITY OF NEBRASKA AT OMAHA – PROFESSIONAL SERVICES – THOMPSON CREEK

MONITORING PROJECT – PHASE 2 - \$2,860.00

11. PAY REQUEST FROM UNIVERSITY OF NEBRASKA-LINCOLN – PROFESSIONAL SERVICES – THOMPSON CREEK INVERTEBRATE PROJECT- \$1,021.67

12. PAY REQUEST FROM RDG PLANNING DESIGN – PROFESSIONAL SERVICES – THOMPSON CREEK OUTREACH - \$122.32

13. APPROVE MANAGER APPLICATION – CLASS B LIQUOR LICENSE – AVP ENERGY LLC DBA SINCLAIR GAS STATION – KEVIN MATRAS

14. RESOLUTION NO. 14-121 – APPROVE TOLLING AGREEMENT

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AGREEMENT RELATED TO SECURITY FOR CONFERENCE CENTER FINANCING.

WHEREAS, an agreement has been presented to extend the time until December 1, 2014 or thereafter with respect to certain claims and security for La Vista conference center financing and related performance; specifically as related to personal guarantees of John Q. Hammons, individually and as trustee ("Guarantees").

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the agreement is hereby approved in form and content presented at this meeting, subject to any modifications the City Administrator determines necessary or advisable ("Agreement").

BE IT FURTHER RESOLVED, that the Mayor, City Administrator or his or her designee shall be authorized to execute said Agreement and to take any further actions on behalf of the City as he or she determines necessary or appropriate to carry out said Agreement, or as he or she otherwise determines necessary or appropriate with respect to the Guarantees, conference center financing or other security.

15. APPROVAL OF CLAIMS.

20TH CENTURY LIMITED, refund	50.00
ABE'S PORTABLES, rentals	276.79
ACCO UNLIMITED, supplies	302.40
ACCUCUT, supplies	64.00
ACTION BATTERIES, supplies	477.34
AED ZONE, training	10.00
AFL, LLC, services	69,481.83
ALAMAR, apparel	1,108.71
ALL FLAGS, supplies	589.20
ASPEN EQUIP., supplies	13,465.00
ASPHALT & CONCRETE MATERIALS, maint.	2,576.55
ASSET INSIGHT TECH., maint.	2,595.00
AWARDS UNLIMITED, supplies	9.80
BAKER & TAYLOR, books	4,284.64
BANKERS TRUST, fees	500.00
BARONE SECURITY SYSTEMS, services	150.00
BCDM-BERINGER CIACCIO DENNELL, services	705.00
BEACON BUILDING, services	5,812.00
BEAUMONT, M., travel	430.08
BERRY DUNN, services	17,220.00
BISHOP BUSINESS EQUIP., services	1,083.90
BKD LLP, services	1,475.00
BLACK HILLS ENERGY, utilities	42.18
BLACK HILLS ENERGY, utilities	1,569.98
BOB'S RADIATOR REPAIR, maint.	324.00
BRIAN KINDLEY, services	20.00
BROWN TRAFFIC PRODUCTS INC, supplies	6,195.00

MINUTE RECORD

October 7, 2014

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

BSN SPORTS INC, bld & grnds	6,342.12
BUETHE, P.,travel	388.08
BUILDERS SUPPLY, bld & grnds	221.57
CALENTINE, J., travel	996.25
CED - MISSION, bld & grnds	14.13
CENTER POINT PUBLISHING, books	297.78
CENTURION TECH, maint	624.00
CENTURY LINK, utilities	1,174.32
CENTURY LINK, utilities	105.71
CENTURY LINK, utilities	1.35
CHARLESWORTH & ASSOC, services	5,250.00
CITY OF OMAHA, utilities	142,792.31
COMP CHOICE INC, services	578.50
CONTROL MASTERS INC, services	1,357.60
CORNHUSKER INTL TRUCKS , maint	243.26
COX, utilities	160.01
CYNTHIA AUGUSTUS, refund	105.93
D & K PRODUCTS, supplies	814.97
DELL MARKETING ,services	549.10
DEMCO INC, supplies	380.09
DIAMOND VOGEL, supplies	344.20
DOUGLAS COUNTY SHERIFF, services	187.50
DULTMEIER SALES, maint	49.50
EDGEWEAR SCREEN PRINTING, apparel	181.50
ELECTRONIC ENG., maint	310.15
ELKHORN FENCE, supplies	5,584.00
EN POINTE TECH, services	570.00
FEDEX, maint	38.44
FELSBURG HOLT & ULLEVIG, services	593.75
FILTER CARE, maint	54.05
FITZGERALD SCHORR BARMETTLER, services	53,735.05
FOCUS PRINTING, supplies	1,875.00
G I CLEANER, services	434.75
GALE, books	146.94
GASSERT, M., services	548.00
GCR TIRES, supplies	628.16
GRAINGER, bld & grnds	25.95
GRAYBAR ELECTRIC, bld & grnds	402.60
GREENKEEPER CO, bld & grnds	1,271.75
GREGORY A PETERSON CONSULTING, services	330.00
GUNN, B., travel	56.00
H & H CHEVROLET, maint	538.84
HANEY SHOE, apparel	596.95
HANSEN'S TRUCK, maint	700.00
HARTS AUTO, maint	294.00
HEIMES CORP, maint	68.71
HOBBY LOBBY, supplies	210.56
HOLSTEIN'S HARLEY DAVIDSON, maint	6,068.74
HOME DEPOT, bld & grnds	152.95
HOST COFFEE, supplies	23.90
HOTSY EQUIP, bld & grnds	8.04
HUNTEL, services	13,094.52
HY-VEE INC, supplies	231.00
INGRAM LIBRARY, books	3,324.28
J & J SMALL ENGINE, equip	7,303.59
J Q OFFICE EQUIP, services	45.80
JONES AUTO, maint	222.92
KIMBALL MIDWEST, maint	162.06
KONA-ICE, supplies	400.00
KRIHA FLUID POWER, maint	506.97

MINUTE RECORD

October 7, 2014

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

LA VISTA COMMUNITY FOUNDATION, services	50.00
LANDS' END, apparel	453.85
LARSEN SUPPLY, supplies	74.50
LAUGHLIN, K., services	116.00
LIBRARY ADVANTAGE, supplies	240.00
LIBRARY IDEAS, services	20.00
LINE-X, bld & grnds	150.00
LOGAN CONTRACTORS SUPPLY, maint	1,797.11
LOU'S SPORTING GOODS, equip	400.00
LOVELAND GRASS, bld & grnds	693.09
LUKASIEWICZ, B., travel	74.00
LYMAN-RICHEY SAND & GRAVEL, bld & grnds	236.42
MARTIN MARIETTA AGGREGATES, maint	55.92
MASTER MECH, bld & grnds	612.00
MATHESON TRI-GAS, supplies	1,691.07
MENARDS, maint	41.08
METRO AREA TRANSIT, services	1,407.00
METRO LANDSCAPE, bld & grnds	42.00
METRO COMM COLLEGE, services	15,790.85
MUD, utilities	4,107.26
MICHAEL TODD & CO, maint	618.00
MID AMERICA PAY PHONES, utilities	100.00
MID CON SYSTEMS INC, bld & grnds	961.80
MIDLANDS LIGHTING, bld & grnds	149.47
MIDWEST RIGHT OF WAY, services	570.00
MIDWEST TAPE, services	129.70
MIDWEST TURF, maint	539.90
MILLER PRESS, services	300.00
MULHALL'S, bld & grnds	7,071.43
MULHALL'S, bld & grnds	4,966.00
MUNICIPAL PIPE TOOL, maint	425.00
NATURE'S HELPER INC, refund	30.00
NE LIQUOR CONTROL COMM, services	40.00
NEBRASKA ENVIRONMENTAL PRODS, maint	75.98
NEBRASKA LAW ENFORCEMENT, services	50.00
NEBRASKA MOSQUITO/VECTOR ASSN, services	100.00
NEBRASKA SALT & GRAIN CO, maint	9,900.00
NEWMAN TRAFFIC SIGNS, supplies	2,825.35
NUTS AND BOLTS INC, maint	22.96
OCLC INC, services	117.99
ODEY'S INC, bld & grnds	1,248.00
OFFICE DEPOT INC, supplies	1,172.56
OMAHA COMPOUND CO, supplies	229.54
OPPD, utilities	48,919.98
OMAHA WORLD-HERALD, services	546.84
ONE CALL CONCEPTS INC, services	314.80
PAPILLION LA VISTA, travel	375.00
PAPILLION LA VISTA SCHL DISTR, fees	9,802.50
PARAMOUNT LINEN, services	467.84
PAYFLEX SYSTEMS, services	250.00
PAYLESS OFFICE, supplies	194.72
PERFORMANCE CHRYSLER JEEP, maint	1,732.78
PERFORMANCE FORD, maint	80.12
PETTY CASH-P. BUETHE, supplies/travel	164.10
PITNEY BOWES, supplies	204.00
PLAINS EQUIP, maint	916.55
PREMIER-MIDWEST BEVERAGE, supplies	120.75
PRO-PAPILLION RECREATION, services	310.00
QUALITY AUTO REPAIR, services	150.00
QUALITY BRANDS OF OMAHA, supplies	196.75

MINUTE RECORD

October 7, 2014

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

READY MIXED CONCRETE, maint	4,484.18
RETRIEVEX, services	157.67
RUFFNER, J., travel	74.00
RYAN WILLMS, refund	20.00
SCHOLASTIC LIBRARY, books	443.30
SCOTT VAN KEPPEL, maint	60.88
SHAMROCK CONCRETE, supplies	96.00
SHEPPARD'S BUSINESS INTERIORS, supplies	272.31
SPRINT, utilities	119.97
STITCHIN' AUTO UPHOLSTERY, maint	400.00
STOLTENBERG NURSERIES, bld & grnds	3,556.00
SUPERIOR SPA & POOL, supplies	47.96
SYMBOL ARTS, apparel	556.00
TED'S MOWER, maint	3,095.73
THERMO KING, maint	527.87
THOMPSON DREESSEN & DORNER, services	4,720.60
THORPE'S BODY SHOP, maint	3,135.39
THRASHER BASEMENT, maint	6,750.00
TIELKE'S SANDWICHES, supplies	16.54
TODD VALLEY FARMS, bld & grnds	709.50
TOMSU, L., supplies	152.57
TORNADO WASH, maint	370.00
TRACTOR SUPPLY, maint	19.98
TRAF-SYS INC., bld & grnds	1,875.00
ULTRAMAX, apparel	70.20
UNITED PARCEL SERVICE, supplies	10.42
VAN RU CREDIT CORP, services	31.95
VERIZON WIRELESS, utilities	171.96
VERIZON WIRELESS, utilities	91.43
WAL-MART, supplies	1,774.19
WHITE CAP CONSTR, apparel	2,626.55
WICK'S STERLING TRUCKS, maint	667.52
WOODHOUSE FORD-BLAIR, maint	243.08

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Engineer/Assistant Public Works Director Kottmann gave an overview of the Rain Garden program.

Assistant City Administrator Ramirez called on Community Relations Coordinator Beaumont and the Assistant to the City Administrator Calentine to talk to the Council about the 3CMA Award of Excellence and the ICMA Voice of the People Award given to the city at their perspective conferences.

Director of Public Works Soucie gave an update on current construction projects.

Recreation Director Stopak thanked the Council for allowing his staff to attend training.

Library Director Barcal reminded Council that the Civil War 150 event begins Tuesday. The teens are trying for YALSA teen top 10 recommended reading list.

MINUTE RECORD

October 7, 2014

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

B. APPLICATION FOR FINAL PUD, REPLAT & SUBDIVISION AGREEMENT LOTS 4 & 15, SOUTHPORT WEST (PROPOSED LOTS 1-5, SOUTHPORT WEST REPLAT 5) (NW OF WESTPORT PKWY.)

1. RESOLUTION – APPROVE FINAL PUD

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-122: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOTS 1 THRU 5, SOUTHPORT WEST REPLAT 5, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a final planned unit development plan for Lots 1 thru 5, Southport West Replat 5; and

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

WHEREAS, the final planned unit development plan is consistent with the preliminary planned unit development plan approved by the City Council on August 19, 2014.

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

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

2. RESOLUTION – APPROVE REPLAT

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-123: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 4 AND 15, SOUTHPORT WEST, TO BE REPLATTED AS LOTS 1 THRU 5, SOUTHPORT WEST REPLAT 5, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lots 4 and 15, Southport West, to be replatted as Lots 1 thru 5, Southport West Replat 5; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on July 17, 2014, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 4 and 15, Southport West, to be replatted as Lots 1 thru 5, Southport West Replat 5, a subdivision located in the Southwest 1/4 of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northwest of Westport Parkway, be, and hereby is, approved.

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

MINUTE RECORD

October 7, 2014

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

3. RESOLUTION – APPROVE SUBDIVISION AGREEMENT

Councilmember Thomas introduced and moved for the adoption of Resolution No. 14-124: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOTS 1 THRU 5, SOUTHPORT WEST REPLAT 5 SUBDIVISION.

WHEREAS, the City Council did on October 7, 2014, approve the replat for Lots 1 thru 5, Southport West Replat 5 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, Southport West Partners, LLC, has agreed to execute a Subdivision Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the October 7, 2014, City Council meeting for the Southport West Replat 5 Subdivision be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute same on behalf of the City, subject to the conditions of Council replat approval and with such modifications that the City Administrator or City Engineer may determine necessary or advisable.

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

C. RESOLUTION – AWARD BID – 124TH CIRCLE & HARRISON STREET TRAFFIC SIGNAL IMPROVEMENTS

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-125: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO VIERREGGER ELECTRIC COMPANY OF OMAHA NE, FOR CONSTRUCTION OF THE 124TH AND HARRISON STREET TRAFFIC SIGNAL IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$147,588.73.

WHEREAS, the City Council of the City of La Vista has determined that the construction of the 124th & Harrison Street Traffic Signal Improvements is necessary; and

WHEREAS, the FY 15 Capital Fund Budget provides funding for this project; and

WHEREAS, the City Council authorized the advertisement of bids for construction of the 124th & Harrison Street Traffic Signal Improvements on August 19, 2014, and

WHEREAS Vierregger Electric of Omaha NE, has submitted the low, qualified bid, and

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 Mayor and City Council of La Vista, Nebraska designate Vierregger Electric of Omaha NE as the low qualified bidder for the 124th & Harrison Street Traffic Signal Improvements, in an amount not to exceed \$147,588.73.

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

D. RESOLUTION – APPROVE AGREEMENT – 124TH CIRCLE & HARRISON STREET TRAFFIC SIGNAL INTERCONNECT

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-126; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNITE PRIVATE NETWORKS TO INSTALL A FIBER OPTIC SPLICE TO CONNECT

MINUTE RECORD

October 7, 2014

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

THE PROPOSED TRAFFIC SIGNAL AT 124TH CIRCLE AND HARRISON STREET WITH AN EXISTING TRAFFIC SIGNAL AT THE GILES ROAD AND HARRISON STREET INTERSECTION.

WHEREAS, the Mayor and City Council find it necessary to have an agreement to install a fiber optic splice to connect the proposed traffic signal at 124th Circle and Harrison Street; and

WHEREAS, the City of Omaha is allowing the signals to be coordinated by use of an existing fiber optic line under Omaha's agreement with Unite Private Networks.; and

WHEREAS, it is necessary to splice the proposed signal into the fiber optic line and this service must be done by Unite Private Networks; and

WHEREAS, the Agreement for this service is known as a Service Order;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, authorizing the execution of an agreement with Unite Private Networks to install a fiber optic splice to connect the proposed traffic signal at 124th Circle and Harrison Street with an existing traffic signal at the Giles Road and Harrison Street Intersection.

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

E. RESOLUTION – AWARD BID – THOMPSON CREEK – CITY HALL BIO-RETENTION BASIN

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-127; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO MIDWEST EXCAVATING SERVICES, LLC, OMAHA, NE, FOR CONSTRUCTION OF THE LA VISTA CITY HALL BIO-RETENTION BASIN IN AN AMOUNT NOT TO EXCEED \$57,810.08.

WHEREAS, the City Council of the City of La Vista has determined that construction of the La Vista City Hall Bio-Retention Basin is necessary; and

WHEREAS, the FY 15 Capital Improvement Program provides funding for this project; and

WHEREAS, Bids were received from two contractors, and

WHEREAS Midwest Excavating Services, LLC, Omaha, NE, has submitted the low, qualified bid, 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 award a contract to Midwest Excavating Services, LLC, Omaha, NE for construction of the La Vista City Hall Bio-Retention Basin, in an amount not to exceed \$57,810.08.

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

F. RESOLUTION – APPROVE RELOCATION AGREEMENT - THOMPSON CREEK WATERSHED RESTORATION – CHANNEL REHABILITATION

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-128: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CENTURY LINK FOR RELOCATION OF AERIAL TELEPHONE CABLE AND

MINUTE RECORD

October 7, 2014

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

APPURTENANCES AS PART OF THE THOMPSON CREEK WATERSHED RESTORATION – CHANNEL REHABILITATION PROJECT.

WHEREAS, the Mayor and City Council find it necessary to have an agreement to relocate a power line to clear a path for the Thompson Creek Channel Rehabilitation project; and

WHEREAS, the FY15 Capital Improvement Program contains funding for the City's portion of the project; and

WHEREAS, the grant awarded to the City by NDEQ allows for relocation of utilities for the project; and

WHEREAS, it is necessary for Century Link to relocate aerial telephone cable and appurtenances to allow the power line relocation by OPPD to clear the path for the Thompson Creek Channel Rehabilitation project; and

WHEREAS, the Agreement for this service is known as a Service Order;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, authorizing the execution of an agreement with Century Link for relocation of aerial telephone cable and appurtenances as part of the Thompson Creek Watershed Restoration – Channel Rehabilitation Project.

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

G. RESOLUTION – APPROVE MANAGEMENT AGREEMENT – THOMPSON CREEK WATERSHED RESTORATION BIOBLITZ EVENT

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-129: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CHRIS MADDEN OF UPSTREAM WEEDS FOR THE INAUGURAL THOMPSON CREEK BIOBLITZ EVENT MANAGEMENT SERVICES FOR PUBLIC OUTREACH AND EDUCATION FOR THE THOMPSON CREEK WATERSHED MANAGEMENT.

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

WHEREAS, the funding for these services will come from the NDEQ Annual Storm Water Management Plan Grant and/or the Nebraska Environmental Trust Grant; and

WHEREAS, the agreement has a not-to-exceed cost of \$33,100;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an Agreement with Chris Madden of Upstream Weeds for the inaugural Thompson Creek BioBlitz event management services for public outreach and education for the Thompson Creek Watershed Management.

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

H. RESOLUTION – APPROVE INTERLOCAL AGREEMENT – SANITARY SEWER LINING

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-130: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPIILLION FOR PREPARING PLANS AND SPECIFICATIONS AND OBTAIN BIDS FOR SANITARY SEWER LINING IMPROVEMENTS IN PAPIILLION AND LA VISTA.

MINUTE RECORD

October 7, 2014

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

WHEREAS, the cities of La Vista and Papillion the section of sewer from approximately 7341 to 7401 South 69th Street has a higher than average frequency of plugging due primarily to root penetration at deteriorated pipe joints and cracks; and

WHEREAS, the proposed sewer system rehabilitation improvements require specialized construction service by out-of-town contractors that must mobilize to this area; and

WHEREAS, the cities have agreed that it is of mutual economic benefit to jointly prepare plans and specifications and share in the use of the specialty contractor; and

WHEREAS, each city will be responsible to contract directly with the low bidder and make progress payments to the contractor as they become due; and

WHEREAS, the FY15 Capital Improvement Program includes funding for this project;

NOW THEREFORE, BE IT RESOLVED, that the Mayor City Council of the City of La Vista, Nebraska authorize the execution of an Interlocal Cooperation Agreement with the City of Papillion for preparing plans and specifications and obtain bids for Sanitary Sewer Lining Improvements in Papillion and La Vista.

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

I. RESOLUTION – ESTABLISH NO PARKING ZONE – PARK VIEW BOULEVARD WEST OF 73RD AVENUE

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-131: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING A NO PARKING ZONE ON THE SOUTH SIDE OF PARK VIEW BOULEVARD IN DESIGNATED AREAS.

WHEREAS, the Mayor and City Council have determined that "No Parking Zones" are necessary, due to the construction of a street planter; and

WHEREAS, the designation of No Parking Zones is in the following location:
South side of Park View Boulevard from the centerline of 73rd Avenue to the west for 90 feet; and

WHEREAS, City Engineer and staff have reviewed the plan and recommend approval; and

NOW, THEREFORE, BE IT RESOLVED, that the "No Parking Zones" on the South side of Park View Boulevard from the centerline of 73rd Avenue to the west for 90 feet;

BE IF FURTHER RESOLVED, that the Public Works Department be, and hereby is, authorized to install the appropriate signage designating this a "No Parking Zone".

Seconded by Councilmember Thomas. Councilmember asked if this would affect any parking for the houses. City Engineer Kottmann stated it would not. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

J. RESOLUTION – APPROVE PROFESSIONAL SERVICES AGREEMENT – GOVHR USA

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-132: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GOVHR USA FOR THE RECRUITMENT AND SELECTION OF A FINANCE DIRECTOR IN AN AMOUNT NOT TO EXCEED \$18,800.

MINUTE RECORD

October 7, 2014

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WHEREAS, the City Council of the City of La Vista has determined that the selection of a consultant for the recruitment of a Finance Director is necessary; and

WHEREAS, the FY 15 General Fund salary savings will fund this expense; 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 a professional services agreement with GovHR USA for the recruitment and selection of a Finance Director in an amount not to exceed \$18,800.

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

K. RESOLUTION – APPROVE PROFESSIONAL SERVICES AGREEMENT – HSMC ORIZON LLC

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-133: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AGREEMENT WITH HSMC ORIZON LLC FOR FINANCIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$15,000.

WHEREAS, the Mayor and City Council have determined that these services are necessary to meet the required financial preparation work for the annual audit; and

WHEREAS, HSMC Orizon LLC has worked with the City in the past and is familiar with the City's operation and financial system; 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 expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve an agreement with HSMC Orizon LLC for financial services in an amount not to exceed \$15,000.

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

L. DISCUSSION – COMMUNITY GARDENS

Assistant City Administrator Ramirez gave an overview of the proposal for community gardens. Councilmember Frederick asked if there were areas west of 96th Street. Director of Public Works Soucie stated that the only place possible right now would be in Val Verde park as it has a water source. Councilmember Sheehan asked how staff would get the work out about the gardens. Ramirez stated that they would use media such as the newsletter, website, mailings and other sources. The applications will need to be returned by February. Discussion was held regarding the size of the gardening areas and who would be given priority if there were more applications than plots/boxes.

Councilmember Crawford made a motion to move Comments from the Floor up on the agenda ahead of Item M Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

COMMENTS FROM THE FLOOR

Jackie Hill gave a brief background of herself to the Mayor and City Council.

MINUTE RECORD

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M. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL

At 7:38 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for contract negotiations and for the protection of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:03 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that the fire department open house is Sunday at Station 4.

Mayor Kindig stated that if anyone is interested in attending the MAPA annual meeting the last day to RSVP is Wednesday October 8.

Mayor Kindig stated that he would like to move the November 4, 2014 meeting start time to 6:00 p.m. due to Election Day with consent of the Council. Councilmembers were in agreement. This will be placed on the October 21st Agenda for approval.

At 8:03 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk