A-2

MINUTE RECORD

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**

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

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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, utitlities	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

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,serivces	310.00
QUALITY AUTO REPAIR, services	150.00
QUALITY BRANDS OF OMAHA, supplies	196.75

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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, utitlities	171.96
VERIZON WIRELESS, utitlities	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.

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 ¼ 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.

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

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, AWARDING 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 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 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

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 PAPILLION FOR PREPARING PLANS AND SPECIFICATIONS AND OBTAIN BIDS FOR SANITARY SEWER LINING IMPROVEMENTS IN PAPILLION AND LA VISTA.

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.

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 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 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.

No. 729 — Redfield & Company, Inc. Omaha E1107788LD

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. Buethe, CMC
City Clerk

DRAFT

A-3

CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
SEPTEMBER 18, 2014

The City of La Vista Planning Commission held a meeting on Thursday, September 18, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman John Gahan called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Harold Sargus, Mike Circo, Kevin Wetuski, and Jody Andsager. Members absent were: Lowell Miller, Tom Miller and Kathleen Alexander. Also in attendance were Christopher Solberg, City Planner; John Kottmann, City Engineer; Meghan Engberg, Permit Technician; and Court Barber, Planning Intern.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. **Call to Order**

   The meeting was called to order by Chairman Gahan at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. **Approval of Meeting Minutes – August 21, 2014**

   Malmquist moved, seconded by Wetuski to approve the August 21, 2014 minutes as submitted. ***Ayes:*** *Krzywicki, Malmquist, Gahan, Sargus, Wetuski, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Lowell Miller, Alexander, and Tom Miller.* ***Motion Carried.*** *(7-0)*

3. **Old Business**
   None.

4. **New Business**

   A. **Public Hearing for Conditional Use Permit for CrossFit Papio**

      i. **Staff Report:** Solberg explained that CrossFit Papio is seeking a CUP for a 3,000 square foot bay to use for Crossfit Papio training and recommended approval.

      ii. **Public Hearing Opened:** Malmquist moved, seconded by Krzywicki to open the public hearing. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Kathleen Alexander, and Lowell Miller.* ***Motion Carried.*** *(7-0)*

      Joe Leggett co-owner of CrossFit Papio officially put in the request for the CUP. He stated that the emphasis and business model of CrossFit Papio is community and the development of its members, both physically and mentally.

Wetuski asked how much running is done outside. Leggett said only a couple of times per week. Wetuski then asked if there is any running done in the streets. Leggett said that any outside running has been done in the parking lot. The area has more than enough space for running and classes only run about 5 to 10 people.

Circo asked if there have been any complaints from other businesses of noise from loud music and volumes of people entering and exiting the facility. Leggett said that there have been no complaints about volume as classes are small and the only day-time classes are at nine and noon. There has been one complaint of noise and they have someone coming in to bid installing an additional layer of sound proofing.

Greg Foran from the Lund Company talked about how this is a great addition to their space and reiterated that they are only using 10% of the building. He mentioned that additional steps for sound proofing are being taken, but that there isn't much interruption during daytime business hours since classes are at nine and noon, and usually only have about 12 people per class.

Krzywicki asked if there is going to be enough room for parking. Foran said yes, as the 2 other businesses usually only have about 5 or 6 employees there during the day.

iii. **Public Hearing Closed:** Krzywicki moved, seconded by Malmquist to close the public hearing. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexandre, and Lowell Miller.* ***Motion Carried.*** *(7-0)*

iv. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of the CUP. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.*

Solberg mentioned this will be going to City Council on 10/21.

B. Public Hearing for Rezoning, Preliminary PUD, Replat and Conditional Use Permit for Andover Pointe.

i. **Staff Report: Solberg delivered staff report.** Solberg instructed the Planning Commission to provide individual recommendations for the rezoning PUD, CUP, and replat.

ii. **Public Hearing Opened:** Malmquist moved, seconded by Krzywicki to open the public hearing. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.*

Jim Hall from Edward Rose talked about how he worked on the site plan. He gave the background of the company. They are a private company and fund themselves internally. He explained how they want to build a 438 unit apartment complex on 39.7 acres. He made a presentation to show what they are asking to have rezoned to make all of the property R-3. They are also asking for a SMATV tower (Satellite delivered Master Antenna Television System). He asked to have a second entry sign and a reduction in garage parking spaces from one garage for every two units to one garage for every four units. He is also asking for a waiver of connecting the boulevards because they have two entry ways proposed and an internal loop street for emergency vehicles. He stated again that there will be 438 units, 2/3 will be one bedroom, and the remaining 1/3 will be 2 bedroom. The buildings are 3 stories high; some will be overlooking ponds that will be used for storm water collection as well as aesthetics. There will be a community building and a swimming pool. Tenants are offered commercial channels at no cost, which is why the antenna is being requested. He stated that units are not built at one time, they are phased out at 120 units per phase. They are looking at four years for completion and they would like to start in the spring of 2015. Hall explained the units are front to back with walk-in closets, frost-free refrigerators, washers and dryers, and have patios or balconies. The 1-bedroom units will run between $730 and $795. The 2- bedroom units will run between $880 and $900. He explained that research has been done and tenants average between 30-34 years of age with an average income of $50,000/year. They have tracked tenants after they have moved out and most leave to purchase homes. He stated they will be contacting the school superintendent to let them know the schedule of the building. He also stated there will be a 24-hour on-site manager who will have 9 to 10 employees under them. Lastly, he explained they held a neighborhood meeting last month and had invited the neighbors that will be impacted by the property so that they could voice their concerns.

Krzywicki asked if there will be limited hours for the community center and pool. Hall said yes, the pool will be open 10am to sunset, and the community center will be open until midnight.

Krzywicki asked about the size of the usable space for parties in the community center. Hall answered it is 40 feet by 40 feet and usually holds about 30 people adequately.

Sargus asked about the neighborhood meeting. Hall said that about a dozen people showed up and the biggest concern brought up was if it was subsidized housing.

Sargus asked if there was going to be a border on the northern edge. Hall said that there will be a berm and extensive landscaping. He stated they will be working with the neighbors on placement.

Gahan asked if the ratios for garages have ever been changed for any other apartment. Solberg said that they were increased a few years ago. Kottmann said that prior to 5 years ago, enclosed garages were not required.

Gahan asked if there was going to be an issue with emergency vehicles getting through. Hall said that they planned for the turn radius and room needed for emergency vehicles. He explained they will have a looped street system in place during the building and when it is completed.

Krzywicki asked if there is going to be an increase in flooding. Kottmann said that there has been a study and no increase in drainage will occur.

Wetuski asked where the roof line would be in respect to the neighborhood. Hall said the building height would be 38 feet. He explained that there would be bridge buildings to ease the transition between the height of the houses and the height of the apartment buildings.

Greg Mathis, resident at 12947 Chandler, asked about roof height. He stated the last owners of the Andover Pointe property said that buildings would not be any higher than roof peaks. Hall showed cross sections and the approximate grade to Mathis's back yard. Mathis asked if a privacy fence will be placed. Hall said no because they require maintenance, but he will work with him if there are any issues in regards to landscaping.

Steve Carson, resident at 12817 Chandler, congratulated Edward Rose Company on eliminating a lot of issues. One of the issues they were not able to address was an increase in traffic. He mentioned having a light put in, and that it looks like roof lines were taken into consideration, but that they were concerned about where the houses will line up in regards to the back of the buildings. He appreciated looking into decreasing the traffic in the neighborhoods. He stated he is concerned about security lights shining into people's backyards. Mr. Carson said the last 4 houses were built over an old creek bed, each house has a sump pump, and there is a concern that a retaining wall could cause a backup of water.

Solberg mentioned the Planning Commission packet is located on the website.

Hall stated that a traffic study has been done and a traffic signal will be installed at Chandler Road. He also explained that a specially designed light, with guards, will be installed to prevent light spilling into yards. He stated that a drainage tube will flow into a pond, but they will make sure to inform the engineers of drainage issues.

Krzywicki asked about traffic coming from existing homes and the installation of traffic signals. Solberg mentioned that warrants have to be met in order for traffic signals to go in. Kottmann mentioned that near the end of phase 3 and 4 signal warrants will be met. This intersection is not in our jurisdiction, so traffic studies will go through Sarpy County and as each phase continues, traffic studies will be done.

iii. **Public Hearing Closed:** <u>Sargus</u> moved, seconded by <u>Circo</u> to close the public hearing. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.*

Sargus asked for clarification regarding recommendations versus requirements, as given by city staff, for swapping phases 2 and 4. Solberg mentioned that this is recommended to create a second access for emergency vehicles. It makes it safer for the citizens. Kottmann added that notes were put in the packet because of his comments and not necessarily a demand of the fire department.

______________ asked about the tower. Solberg said that FAA has approved the tower in regards to the Millard Airport.

iv. **Recommendation:** <u>Krzywicki</u> moved, seconded by <u>Malmquist</u> to recommend approval of the rezoning from C-3 to R-3 PUD for Lot 1 Bella Vista. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miler.* ***Motion Carried.*** *(7-0)*

v. **Recommendation:** <u>Krzywicki</u> moved, seconded by <u>Malmquist</u> to recommend approval of the preliminary PUD plan. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.* ***Motion Carried.*** *(7-0)*

vi. **Recommendation:** _Krzywicki_ moved, seconded by _Malmquist_ to recommend approval of the Replat of Lots 1 and 2, Bella Vista, to Lot 1, Andover Pointe. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.* ***Motion Carried.*** *(7-0)*

vii. **Recommendation:** _Krzwyicki_ moved, seconded by _Andsager_ to recommend approval of the CUP. ***Ayes:*** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager. ***Nays:*** None. ***Abstain:*** None. ***Absent:*** Tom Miller, Alexander, and Lowell Miller. **Motion Carried.** (7-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Krzywicki asked about a plan to modify the intersection of 84th and Giles westbound. Kottmann said that hasn't been a priority. There would have to be a traffic study done. A turn lane could reduce walkability; in addition, there is not enough space due to the location of the cemetery.

7. Comments from Staff

A. Comprehensive Plan Update

i. Discussion

Solberg mentioned that the contract is being finalized and should be ready by the end of the week. Staff will be having conversations as to when the first meetings will take place.

ii. Selection of Commissioners for the Comprehensive Plan Working Group

There will be a working group and it has been recommended that there are members from all groups and we need at least 2 people from the Planning Commission who would be willing to serve in the group. Malmquist and Sargus volunteered to be members. Meetings will be set ASAP. Solberg will pass on the names and final decisions will be made about the membership of the working group. Staff and the consultant are looking at fall for a start time and a year for completion of the plan.

8. Adjournment

Wetuski moved, seconded by _Sargus_ to adjourn. ***Ayes:*** *Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager.* ***Nays:*** *None.* ***Abstain:*** *None.* ***Absent:*** *Tom Miller, Alexander, and Lowell Miller.* ***Motion Carried.*** *(7-0)*

Reviewed by Planning Commission:

____

Planning Commission Secretary

________________________________ ________________

Planning Commission Chairperson   Approval Date

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A-4

City of La Vista

Park & Recreation Advisory Committee Minutes

August 20, 2014

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on August 20, 2014. Present were Recreation Director Scott Stopak, Assistant Director David Karlson and Program Coordinators Rich Carstensen and Ryan South; Advisory Board Chairperson Pat Lodes, Corey Jeffus, Jeff Kupfer, Joe Juarez and Greg Johnson. Also present: Brian Lukasiewicz, Public Works.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on August 13, 2014. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Director Scott Stopak called the meeting to order.

Director Stopak led the audience in the Pledge of Allegiance.

Director Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Director Stopak asked for a motion to approve the Consent Agenda. Motion made by Member Jeff Kupfer. Seconded by Member Greg Johnson. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Stopak updated the Board on the Urban Adventure Race held on Saturday August 2, 2014 at 8:00 a.m. at the Community Center. This is the 4th year for the race and there were 44 teams registered. He thanked the committee, golf staff and the Public Works Department for their assistance.

Program Coordinator Ryan South reported on current and upcoming sports. Due to rain out make-up games, the Adult Softball season will continue and will tentatively end in mid-August. We are currently taking registrations for our fall season. The season will tentatively begin on September 2nd and run for 7 weeks.

3 Year Old Soccer Clinic will begin the fall season starting September 6th. Five, one-hour sessions will be held on Saturday mornings.

4/5 Soccer Academy (50 players) & 6/7 Soccer League (40 players) will continue this fall with registrations well underway. The academy will meet twice a week for six weeks. Each session will focus on a different soccer skill to help develop each individual player.

Fall Flag Football League for grades 1st – 6th had their first game on August 16th. The season will run through October 11th. We have over 60 participants and 6 teams playing this fall.

Youth Tackle Football for ages 8 – 14 began on August 1st. Teams have been practicing and working ambitiously to be ready for their first game on September 7th. We have over 45 players and 2 teams for the fall season; an 8 year old team and a 9/10 year old team. We are looking forward to another great season with the Metro Youth Football League.

Cheerleading for ages 7 – 14 has begun practicing their routines for the first football game. We have 10 girls on the cheer team this season.

South reported that we did not receive enough interest in forming competitive soccer teams this fall under the Lancer name.

Member Johnson asked if we knew where the participants were going and if the soccer fields were being utilized. South stated that for the last few years we have seen declining numbers in the competitive soccer program. We know that our soccer clinic, soccer academy and soccer league participants are staying with us but we can only speculate that with all the different choices offered participants are choosing different options as they desire more games and higher level coaching that is offered elsewhere. South also stated that the soccer fields are getting heavy usage from our programs and rentals.

Assistant Director Karlson reported on some of the many events for kids this summer. The Recreation Dept. and Library have teamed together to provide many activities to keep the kids busy over the summer. In the month of July we hosted Sports and Games Camp, Spy Camp and Wacky & Weird Science Camp.

Karlson reported that we had the last outdoor concert and movie on August 8th. The band Punching Puppets performed prior to the movie "The Lone Ranger".

Karlson reported on the seventh annual Dinosaur Egg Hunt and Story Time. It doubled in size with over 100 kids and parents hunting for dinosaur eggs in Southwind Park on Thursday, July 10.

Karlson reported on the Hydrant Party held on Friday, July 25 at Central Park East. Close to 100 participants enjoyed the event.

Program Coordinator Rich Carstensen reported on the Senior Center activities. Wednesday, August 6th Johnny Ray Gomez performed for the seniors. Thursday, August 7th the seniors went to a lunch outing to Applebee's Restaurant in Papillion. Wednesday, August 13th we played Floor Shuffle Board and Friday, August 15th we held a Black Jack Tournament. On Wednesday, August 20th a trip to the movies. Wednesday, August 27th a trip to the State Fair and a B.J. Thomas concert are planned.

Carstensen reported that he is working with the new Papillion Senior Center coordinator to do some joint activities in the future.

Brian Lukasiewicz, Park Superintendant was present and reported that the National Night Out event was a large success on Tuesday, August 5 at Central Park.

Brian reported that he was successful in obtaining grants from the following organizations for tree plantings. "Trees for Nebraska Towns" $5,000.00 and "Celebrate Trees" $2,500.00.

Brian reported on the recent progress of the rain gardens getting installed at Community Center and City Hall facility.

Brian reported that sometime this fall we may see work getting started on the levee project by the soccer complex and field #2 backstop update.

Brian also gave a brief update on the upcoming Halloween Safe Night.

Member Lodes asked if we have any plan in place at the soccer complex to rotate field usage so as not to cause damage due to overuse. Brian stated that they do monitor this closely and rotate fields out of play when required.

Member Johnson asked what the status was with the FY 14/15 Municipal Budget. Stopak said the second reading was just read the prior day at the council meeting. Stopak thanked the staff who prepared and presented the budget to Mayor and Council during the budget hearings.

Member Juarez asked how the swimming pool has held up so far this year. Brian and Scott said that aside from some minor mechanical issues it has been a good year at the pool with nothing major so far. Juarez asked what year was the pool constructed. Brian stated that the original basin was constructed in 1962.

Member Lodes asked if we were pleased with the Groupon deal we ran for the pool memberships this year. Stopak stated that we were very pleased with the results achieved.

COMMENTS FROM THE FLOOR

None.

COMMENTS FROM COMMITTEE MEMBERS

None.

Member Lodes made a motion to adjourn. Seconded by Member Juarez. Motion carried. Adjourned at 7:45 p.m.

A-5

TD2 File No. 171-408.50
September 10, 2014

FINAL PAYMENT RECOMMENDATION ON CONTRACT FOR THOMPSON CREEK RECONSTRUCTION PROJECT, STREET PLANTER 2014

Owner: The City of La Vista, Nebraska
8116 Park View Blvd.
La Vista, Nebraska 68128

Contractor: Dostals Construction Co. Inc.
13680 South 220th Street
Gretna, NE 68028

ORIGINAL CONTRACT AMOUNT INCLUDING CHANGE ORDER NO. 1: $31,900.00

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATIONS: $23,064.75

Item	Description	Approx. Quantities		Unit Price				Amount
1	Construct Concrete Street Planter With Underdrain/Outlet System, Engineered Soil Mix and Plantings Per Schedule, In Place	1	L.S.		$25,090.00	/	L.S.	$25,090.00
2	Remove Existing Sidewalk	320	S.F.	$	1.00	/	S.F.	$ 320.00
3	Construct 4" P.C.C. Sidewalk, In Place	360	S.F.	$	8.00	/	S.F.	$ 2,880.00
4	Remove and Replace Curb and Gutter Section, In Place	32	L.F.	$	75.00	/	L.F.	$ 2,400.00
5	Type "B" Permanent Seed with Tensar Erosion Mat SC150 (Or Approved Equal), In Place	130	S.Y.	$	7.00	/	S.Y.	$ 910.00
6	Install, Maintain and Remove Curb Inlet Filter	1	EA.	$	300.00	/	EA.	$ 300.00
	TOTAL							**$31,900.00**
	LESS PREVIOUS PAYMENT RECOMMENDATION							**$23,064.75**
	AMOUNT DUE CONTRACTOR							**$ 8,835.25**

We recommend that payment in the amount of $8,835.25 be made to Dostals Construction Co., Inc.

O.K. to pay
05.71.0872.03
NDEQ-Demonstration Project
BMK 9-11-2014

Respectfully submitted,

Charles E. Riggs

Charles E. Riggs, P.E.
Contract Engineer
THOMPSON, DREESSEN & DORNER, INC.

CER/bam

cc: Dostals Construction Co. Inc.

Consent Agenda 10/21/14
pb

A-6

TD2 File No. 171-406.17
October 14, 2014

PAYMENT RECOMMENDATION NO. 2 ON CONTRACT FOR 120th & GILES TRAFFIC SIGNAL AND TURN BAYS

Owner: The City of La Vista, Nebraska
8116 Park View Blvd.
La Vista, NE 68128

Contractor: Omaha Electric Services, Inc.
8506 Madison Street
Omaha, NE 68127

ORIGINAL CONTRACT AMOUNT: $205,951.61

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATION: $93,533.35

Item	Description	Approx. Quantity		Unit	
1	Remove Existing P.C.C. Pavement	470	S.Y.	$ 12.46	$ 5,856.20
2	Embankment, Hauled-In (in place, est. quant)	400	C.Y.	$ 20.73	$ 8,292.00
3	10" Thick P.C.C. Pavement with Doweled Transverse Joints, in place	890	S.Y.	$ 82.53	$ 73,451.70
4	Drill & Grout #5 x 18" Epoxy Coated Tie Bar, in place	158	EA.	$ 4.65	$ 734.70
5	Drill & Grout 1"X 18" Epoxy Coated Dowel Bar, in place	24	EA.	$ 14.15	$ 339.60
6	Erosion Control	1	LS	$ 4,991.56	$ 4,991.56
7	Traffic Control	0.5	LS	$ 5,863.80	$ 2,931.90
8	Construct 12" Preformed Plastic Wet-Reflective Tape (White), Milled-in	0	L.F.	$ 12.98	$ 0.00
9	Construct 4" Preformed Plastic Wet-Reflective Tape (White), Milled-in	0	L.F.	$ 4.29	$ 0.00
10	Construct 4" Preformed Plastic Wet-Reflective Tape (Yellow), milled-in	0	L.F.	$ 4.31	$ 0.00
11	Construct Preformed Plastic Pavement Marking Symbol (White), milled-in	0	L.F.	$ 431.79	$ 0.00
12	Construct W14-6-1 Type 1 End of Road OM R 3" (24" x 24"), Post Mounted Sign, in place	0	EA.	$ 340.65	$ 0.00
13	Provide & Install R3-7-2 30" x 30" "RT MUST" Post Mounted Sign, in place	0	EA.	$ 353.90	$ 0.00
14	Seeding & Fertilizing, in place	0.5	AC.	$ 2,353.61	$ 1,176.81
15	Temporary Erosion Control Blanket (N.A.G. S75 or Approved Equal), in place	2,500	S.Y.	$ 3.37	$ 8,425.00
16	Remove Combination Mast Arm Signal & Light Pole, Type CMP-55-12 (Exist. SW and SE Poles)	3	EA.	$ 558.15	$ 1,674.45
17	Combination Mast Arm Signal & Light Pole, Type CP-55-12 (Pole Numbers 6 & 2)	1	EA.	$ 7,834.55	$ 7,834.55
18	Combination Mast Arm Signal & Light Pole, Type CMP-50-12 (Pole Number 8)	0.5*	EA.	$ 5,839.53	$ 2,919.77
19	200 W Street Luminaire	0.5*	EA.	$ 319.48	$ 159.74
20	Traffic Signal, Type TS-1 w/T31 Face, Backplate, Visors & MA-5-MTG	0.5*	EA.	$ 619.66	$ 309.83

PAYMENT RECOMMENDATION NO. 2
Page Two

Item	Description	Approx. Quantity	Unit	Unit Price	Amount
21	Traffic Signal, Type TS-1LL w/T51 Face, Visors & B-4 MTG	0.5*	EA.	$ 851.90	$ 425.95
22	Traffic Signal, Type TS-1LL w/T51A Face, Backplate, Visors, & MA-5 MTG	0.5*	EA.	$ 912.68	$ 456.34
23	Traffic Signal, Type TS-1RR w/T52A Face, Backplate, Visors & MA-5 MTG	0.5*	EA.	$ 912.68	$ 456.34
24	Traffic Signal , Type TS-1RR w/T52 Face, Visors & B-4 Mtg.	0.5*	EA.	$ 860.10	$ 430.05
25	Traffic Signal Controller, Type NEMA with Traffic Signal Controller Cabinet & Pad	0.66*	EA.	$ 9,994.81	$ 6,596.57
26	Provide and install Vehicle Priority Control System (OPTICOM) – 120th & Giles Road	0	LS	$ 3,943.25	$ 0.00
27	Provide and install Radar Vehicle Detection System – 120th & Giles Road	0.94*	LS	$20,206.60	$ 18,994.20
28	Remove & Install Wireless Interconnect System – 120th & Giles Road	0	LS	$ 4,734.07	$ 0.00
29	Install Overhead Sign	0	EA.	$ 79.13	$ 0.00
30	Pull Box, Type PB-1A	3	EA.	$ 650.87	$ 1,952.61
31	2-Inch Conduit, Trenched	183	L.F.	$ 4.29	$ 785.07
32	2-Inch Conduit, Jacked	430	L.F.	$ 8.08	$ 3,474.40
33	3-Inch Conduit, Trenched	20	L.F.	$ 8.80	$ 176.00
34	3/C #6 Street Lighting Cable	0	L.F.	$ 1.94	$ 0.00
35	12/C #14 AWG Traffic Signal Cable B59	0	L.F.	$ 3.23	$ 0.00
36	Service Cable (SC)	0	L.F.	$ 1.17	$ 0.00
37	Service Entrance Cable (SEC)	0	L.F.	$ 1.54	$ 0.00
38	Service Disconnect Pedestal	0	EA.	$ 2,863.59	$ 0.00
39	#8 Grounding Conductor	0	L.F.	$ 0.72	$ 0.00
	SUBTOTAL				**$152,845.34**
CO1	Relocation of City-owned pull boxes				$ 3,150.95
	TOTAL				**$155,996.29**
	LESS 10% RETAINED				**$ 15,599.63**
	LESS PREVIOUS PAYMENT RECOMMENDATION				**$93,533.35**
	TOTAL AMOUNT DUE CONTRACTOR				**$46,863.31**

* stored materials

O.K. to pay
05.71.0858.03
SJMK
10-14-2014

your energy partner®
OPPD
Omaha Public Power District

OPPD INVOICE

A-7

AMOUNT DUE: 69,239.96 USD

Amount Remitted ____________________

Page:	1
Invoice No:	SH0000152
Invoice Date:	10/13/2014
Customer Number:	ARM01023
Payment Terms:	Net 30
Due Date:	11/12/2014

Bill To:

CITY OF LAVISTA
ATTN: JOE SOUCIE
9900 PORTAL RD
LAVISTA NE 68128-3085
United States

Please Remit To:

OMAHA PUBLIC POWER DISTRICT
P.O. Box 3065
Omaha NE 68103-0065
United States

For billing questions, please call 402-636-2541

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
			RELOCATE 1PH OVERHEAD FOR THOMPSON CREEK PROJECT OPPD WO #490015				
1		LABOR MATERIA		1.00	LT	69,239.96	69,239.96
		SUBTOTAL:					69,239.96

TOTAL AMOUNT DUE :	69,239.96

O.K. to pay
BMK 10/14/2014
05.71.0870.03 (NRD)
.05.71.0871.03 (NET)
.05.71.0872.03 (NDEQ)
05.71.0855.03 (City Sales Tax)
(See Kottman for splits)

LUMP SUM

Original

your energy partner®
OPPD
Omaha Public Power District

A-8

Invoice

League of Nebraska Municipalities
1335 L Street
Lincoln, NE 68508
402-476-2829

Date	Invoice #
8/1/2014	9909

Bill To
City of La Vista Clerk 8116 Park View Blvd. La Vista, NE 68128-2198

P.O. No.	Terms
	Net 30

Quantity	Description	Rate	Amount
1	League of Nebraska Municipalities Membership Dues September 1, 2014 through August 31, 2015	36,867.00	36,867.00
	Consent Agenda 10/21/14		
01.11.0310	OK to Pay PBuethe	**Total**	$36,867.00

Please send a copy of this invoice with your payment.

ITEM A-10

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
PURCHASE OF ICE CONTROL SALT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	GREG GOLDMAN STREET SUPERINTENDENT

SYNOPSIS

A resolution has been prepared authorizing the purchase of Road Salt and Ice Slicer from Nebraska Salt & Grain Co., Gothenburg, Nebraska, for an amount not to exceed $30,000.00.

FISCAL IMPACT

The FY 15 General Fund Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The road salt and ice slicer is used by Public Works for winter operations.

K:\APPS\City Hall\CNCLRPT (Blue Letters)\14file\14 PW Road Salt Purchase W Ice Slicer 10.21.Docx

RESOLUTION NO. _______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT AND ICE SLICER FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG NEBRASKA IN AN AMOUNT NOT TO EXCEED $30,000.00.

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

WHEREAS, the FY 15 General Fund Budget provides funding for this purchase; and

WHEREAS, ice control salt and ice slicer are necessary for public works 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 and ice slicer from Nebraska Salt & Grain Company, Gothenburg Nebraska in an amount not to exceed $30,000.00.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

K:\APPS\City Hall\14 FINAL RESOLUTIONS\14. Ice Control Salt and Ice Slicer purchase.doc

NSG ***NEBRASKA SALT & GRAIN CO./NSG TRANSPORT, INC.***

115 W. 16th Street • Gothenburg, NE 69138-1302 • 308-537-7191 • 800-292-4026 • FAX 308-537-7193

October 14, 2014

Dear Greg:

Here is the quote for both Ice Slicer RS and Kansas white Salt for the upcoming 2014/2015 season. These prices will be good until June 30, 2015. Any questions please feel free to give me a call!

ICE SLICER RS	\$168/TON DELIVERED
KANSAS WHITE SALT	\$60/TON DELIVERED

Thank You

Gwen Jensen

Gwen Jensen, Sales
NSG TRANSPORT INC.

ITEM A-11

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
PURCHASE OF APEX LIQUID DEICER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	GREG GOLDMAN STREET SUPERINTENDENT

SYNOPSIS

A resolution has been prepared authorizing the purchase of 9,000 gallons of APEX Liquid Deicer from Enviro Tech Services Inc., Greeley, Colorado, for an amount not to exceed $10,800.

FISCAL IMPACT

The FY 15 General Fund Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The liquid deicer is used by the Public Works Department for winter operations. Orders are placed off of the purchase order at different times during the winter season as needed. Any remaining balance on the purchase order will be voided out prior to the end of the fiscal year.

K:\APPS\City Hall\CNCLRPT (Blue Letters)\14file\14 PW Liquid Deice R10.21.Docx

RESOLUTION NO. _______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF APEX LIQUID DEICER FROM ENVIRO-TECH SERVICES, INC., GREELEY, COLORADO IN AN AMOUNT NOT TO EXCEED $10,800.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of liquid deicer is necessary; and

WHEREAS, the FY 15 General Fund Budget provides funding for this purchase; and

WHEREAS, orders for the liquid deicer will be placed at different times during the winter season; 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 APEX Liquid Deicer from Envirotech Services, Inc., Greeley, Colorado in an amount not to exceed $10,800.00.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

K:\APPS\City Hall\14 FINAL RESOLUTIONS\14. APEX Liquid Deicer purchase.doc

SALES QUOTE

ENVIROTECH SERVICES, INC.

910 54th Ave., Suite 230
Greeley, CO 80634
Order Line 800-577-5346
Fax 970-346-3959

Sales Person Bill Bebb
402-617-0821
DATE 10/9/2014

TO: City of LaVista
9900 Cornhusker Rd
LaVista NE 68128
Phone 402-331-8927
Fax 402-331-1109
New Customer ☐

Ship Address: City of LaVista
9900 Cornhusker Rd
LaVista NE 68128
Contact Greg Goldman

Desired Delivery Date TBD

Credit/Pre-Pay	FOB Origin	Delivered FOB Destination	EnviroTech Water	Customer Water	EnviroTech Apply Product	Plant Site
Credit		Yes	NA	NA	NA	NEBLA/NEGOT

QTY	Unit	DESCRIPTION / APPLICATION RATE	Cust. # - CA #	UNIT PRICE	LINE TOTAL
4500	gallons	Apex AP	10319.000	$ 1.22	$ 5,490.00
LENGTH			PO#		
WIDTH					

***Taxes, if applicable, will be added to this total. Total may vary depending on final quantities delivered. Prices may change without notice.** $ 5,490.00

If tax exempt, list state & certificate #________________

If tax exempt information is incomplete, sales tax will be charged.

Notes/Special Requirements (i.e. special fittings, longer hoses, etc.)

Disclaimer: No warranty is conveyed concerning this product, be it expressed or implied. This includes but is not limited to a warranty of merchantability or fitness for a particular purpose. Product performance may vary depending on road conditions, traffic counts, weather and other related factors.

Credit Card Information:

Name on Card
Credit Card number
Billing Address from cc stmt
Exp date
3 Digit Code

ITEM A-12

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
PURCHASE SNOW PLOW WEAR BLADES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	GREG GOLDMAN STREET SUPERINTENDENT

SYNOPSIS

A resolution has been prepared authorizing the purchase of various snow plow wear blades from Michael Todd & Company, Inc., Omaha, Nebraska in an amount not to exceed $6,549.73.

FISCAL IMPACT

The FY 15 General Fund Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The proposed purchase of snow plow wear blades is for a combined total of 25 dump trucks, loaders, backhoes and pickup trucks. Michael Todd remains the most competitive bid since there is no shipping included with the order.

Michael Todd & COMPANY, INC.

Quote Q49532

Date	9/25/2014
Page	1 of 1
Entered By:	pjs
Print Date:	9/25/2014

CITY OF LA VISTA
ACCOUNTING DEPARTMENT
8116 PARK VIEW BLVD
LA VISTA, NE 68128

Customer No.: 1709 | Salesperson ID: HAGAN

Quote	Item Number	Description	Unit Price	Ext Price
20	202021SPL	5/8"X8"X35-7/8" FLINK-BAKER SNOW PLOW BLADE C/S HOLES	56.000	1,120.00
23	58X8X4FSE	5/8X8X4 FT FSE/SHP SNOW PLOW BLADE W/COUNTERSUNK HOLES	74.670	1,717.41
2	58X8X8FSE-CS	5/8"X8"X8FT FSE/SHP SNOW PLOW BLADE W/COUNTERSUNK HOLES	149.340	298.68
12	58X8X11CS	5/8X8X11 FT FSE/SHP SNOW PLOW BLADE W/COUNTERSUNK HOLES	205.340	2,464.08
2	BOSS 3	1/2"X6"X96" BOSS SNOW PLOW BLADE	95.700	191.40
2	WEST V50	1/2"X6"X50-3/8" WESTERN V-PLOW BLADE	63.350	126.70
3	WEST 90	1/2"X6"X90" FSE WESTERN SNOW PLOW BLADE / TOP PUNCH	89.720	269.16
1	WEST 108	1/2X6"X108" FSE SNOW BLADE WESTERN PNCH	107.660	107.66
4	BOSS 1	5/8"X6" X48" FOR BOSS V-PLOW (X240670)	63.660	254.64

ATTN: RAY CRANE / PRICES ARE FOB OUR SHOP

65 1948-2013

Subtotal	6,549.73
Freight	0.00
Sales Tax	0.00
Total	6,549.73

RESOLUTION NO. _______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF VARIOUS SNOW PLOW WEAR BLADES FROM MICHAEL TODD & COMPANY INC., OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED $6,549.73.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of various snow plow wear blades 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 various snow plow wear blades from Michael Todd & Company Inc., Omaha, Nebraska in an amount not to exceed $6,549.73.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

K:\APPS\City Hall\14 FINAL RESOLUTIONS\14. Snow Plow Wear Blades Purchase.Doc

A-13

BANK NO BANK NAME

1 Bank of Nebraska (600-873)

CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
115951	10/08/2014	143	THOMPSON DREESSEN & DORNER	12,752.29			**MANUAL**
115952	10/08/2014	2479	UNIVERSITY OF NEBRASKA-OMAHA	3,433.75			**MANUAL**
115953	10/08/2014	4924	UNIVERSITY OF NEBRASKA-OMAHA	2,860.00			**MANUAL**
115954	10/08/2014	4961	UNIVERSITY OF NEB-LINCOLN	1,021.67			**MANUAL**
115955	10/08/2014	4653	RDG PLANNING & DESIGN	122.32			**MANUAL**
115956	10/08/2014	1222	KARLSON, DAVID	173.00			**MANUAL**
115957	10/08/2014	3491	GEORGE, ROBERT	199.00			**MANUAL**
115958	10/08/2014	2124	LUKASIEWICZ, BRIAN	199.00			**MANUAL**
115959	10/08/2014	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	116.00			**MANUAL**
115960	10/08/2014	4867	VAN RU CREDIT CORPORATION	28.72			**MANUAL**
115961	10/14/2014	1194	QUALITY BRANDS OF OMAHA	337.10			**MANUAL**
115962	10/14/2014	2930	REPUBLIC NATIONAL DISTR CO LLC	135.00			**MANUAL**
115963	10/21/2014	2892	AA WHEEL & TRUCK SUPPLY INC	70.18			
115964	10/21/2014	3983	ABE'S PORTABLES INC	259.15			
115965	10/21/2014	762	ACTION BATTERIES UNLTD INC	346.52			
115966	10/21/2014	201	BAKER & TAYLOR BOOKS	118.39			
115967	10/21/2014	196	BLACK HILLS ENERGY	21.09			
115968	10/21/2014	56	BOB'S RADIATOR REPAIR CO INC	75.00			
115969	10/21/2014	1242	BRENTWOOD AUTO WASH	21.00			
115970	10/21/2014	76	BUILDERS SUPPLY CO INC	32.00			
115971	10/21/2014	2	CALIBRE PRESS	298.00			
115972	10/21/2014	2625	CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
115973	10/21/2014	2625	CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
115974	10/21/2014	2625	CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
115975	10/21/2014	2625	CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
115976	10/21/2014	2625	CARDMEMBER SERVICE-ELAN	11,316.58			
115977	10/21/2014	3622	CASS COUNTY SHERIFF'S OFFICE	50.00			
115978	10/21/2014	2285	CENTER POINT PUBLISHING	297.78			
115979	10/21/2014	89	CENTURION TECHNOLOGIES	54.00			
115980	10/21/2014	219	CENTURY LINK	515.30			
115981	10/21/2014	1504	CITY OF PAPILLION PARKS/RECR	70.80			
115982	10/21/2014	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
115983	10/21/2014	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
115984	10/21/2014	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
115985	10/21/2014	83	CJ'S HOME CENTER	740.38			
115986	10/21/2014	3176	COMP CHOICE INC	150.00			
115987	10/21/2014	2158	COX COMMUNICATIONS	192.85			
115988	10/21/2014	3132	DEARBORN NATIONAL LIFE INS CO	1,085.00			
115989	10/21/2014	3084	EBSCO INFORMATION SERVICES	4,030.85			
115990	10/21/2014	3205	EXPRESS ENTERPRISES	167.55			
115991	10/21/2014	1344	GALE	116.95			
115992	10/21/2014	1697	GAYLORD BROS INC	554.61			
115993	10/21/2014	53	GCR TIRES & SERVICE	41.90			
115994	10/21/2014	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
115995	10/21/2014	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
115996	10/21/2014	966	GENUINE PARTS COMPANY-OMAHA	1,769.90			
115997	10/21/2014	2981	GLOCK PROFESSIONAL INC	195.00			
115998	10/21/2014	4940	HARRIS COMPUTER SYSTEMS	2,400.00			
115999	10/21/2014	2407	HEIMES CORPORATION	151.97			
116000	10/21/2014	797	HOBBY LOBBY STORES INC	159.38			
116001	10/21/2014	21	HUMANITIES NEBRASKA	65.00			

BANK NO BANK NAME CHECK NO	DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
116002	10/21/2014	376 HURST, JEAN	54.66			
116003	10/21/2014	2323 INGRAM LIBRARY SERVICES	1,108.34			
116004	10/21/2014	835 IVERSON, DENNIS	150.00			
116005	10/21/2014	1896 J Q OFFICE EQUIPMENT INC	45.22			
116006	10/21/2014	1054 KLINKER, MARK A	200.00			
116007	10/21/2014	2394 KRIHA FLUID POWER CO INC	294.35			
116008	10/21/2014	4425 LANDPORT SYSTEMS INC	125.00			
116009	10/21/2014	1186 LAUSTEN, ROBERT S	224.00			
116010	10/21/2014	1573 LOGAN CONTRACTORS SUPPLY	28.81			
116011	10/21/2014	263 LOVELAND GRASS PAD	68.22			
116012	10/21/2014	4560 LOWE'S CREDIT SERVICES	357.25			
116013	10/21/2014	112 DAVID R MANN	75.00			
116014	10/21/2014	544 MAPA-METRO AREA PLANNING AGNCY	150.00			
116015	10/21/2014	877 MATHESON TRI-GAS INC	32.40			
116016	10/21/2014	3884 METRO LANDSCAPE MATERIALS &	140.00			
116017	10/21/2014	2497 MID AMERICA PAY PHONES	50.00			
116018	10/21/2014	3475 MIDLANDS BUSINESS JOURNAL	70.00			
116019	10/21/2014	2299 MIDWEST TAPE	14.99			
116020	10/21/2014	1045 NEWSBANK	2,470.00			
116021	10/21/2014	1831 O'REILLY AUTOMOTIVE STORES INC	160.60			
116022	10/21/2014	1014 OFFICE DEPOT INC	17.75			
116023	10/21/2014	79 OMAHA COMPOUND COMPANY	368.40			
116024	10/21/2014	195 OMAHA PUBLIC POWER DISTRICT	4,581.17			
116025	10/21/2014	46 OMAHA WORLD-HERALD	1,254.64			
116026	10/21/2014	167 OMNI	115.00			
116027	10/21/2014	3039 PAPILLION SANITATION	1,090.88			
116028	10/21/2014	976 PAPILLION TIRE INCORPORATED	109.09			
116029	10/21/2014	2686 PARAMOUNT LINEN & UNIFORM	309.06			
116030	10/21/2014	4037 PERFORMANCE FORD	36.05			
116031	10/21/2014	1821 PETTY CASH-PAM BUETHE	26.50			
116032	10/21/2014	1784 PLAINS EQUIPMENT GROUP	481.85			
116033	10/21/2014	3362 PUBLIC AGENCY TRAINING COUNCIL	295.00			
116034	10/21/2014	1121 RALSTON ADVERTISING	437.00			
116035	10/21/2014	191 READY MIXED CONCRETE COMPANY	2,805.46			
116036	10/21/2014	119 JANET ROWLAND	15.00			
116037	10/21/2014	292 SAM'S CLUB	2,404.67			
116038	10/21/2014	2240 SARPY COUNTY COURTHOUSE	3,960.21			
116039	10/21/2014	150 SARPY COUNTY TREASURER	75,800.00			
116040	10/21/2014	3893 STRATEGIC INSIGHTS INC	675.00			
116041	10/21/2014	807 SUPERIOR SPA & POOL	23.94			
116042	10/21/2014	4276 SUPERIOR VISION SVCS INC	586.60			
116043	10/21/2014	1150 SUTPHEN CORPORATION	19.72			
116044	10/21/2014	822 THERMO KING CHRISTENSEN	152.38			
116045	10/21/2014	961 TIELKE'S SANDWICHES	.78			
116046	10/21/2014	547 TODCO BARRICADE COMPANY	829.85			
116047	10/21/2014	4869 TRANS UNION RISK AND	20.00			
116048	10/21/2014	176 TURFWERKS	101.83			
116049	10/21/2014	4979 UNITE PRIVATE NETWORKS LLC	3,850.00			
116050	10/21/2014	809 VERIZON WIRELESS	539.40			
116051	10/21/2014	1919 WAUGH, BRYAN	224.00			

1375501 Payroll Checks
Thru 1391901

BANK NO	BANK NAME					
CHECK NO	DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL

BANK TOTAL	153,695.05
OUTSTANDING	153,695.05
CLEARED	.00
VOIDED	.00

FUND		TOTAL	OUTSTANDING	CLEARED	VOIDED
01	GENERAL FUND	127,168.37	127,168.37	.00	.00
02	SEWER FUND	5,904.17	5,904.17	.00	.00
05	CONSTRUCTION	16,395.67	16,395.67	.00	.00
08	LOTTERY FUND	1,301.06	1,301.06	.00	.00
09	GOLF COURSE FUND	1,983.35	1,983.35	.00	.00
15	OFF-STREET PARKING	942.43	942.43	.00	.00

REPORT TOTAL	153,695.05
OUTSTANDING	153,695.05
CLEARED	.00
VOIDED	.00
+ Gross Payroll 10/10/14	254,188.47
GRAND TOTAL	$407,883.52

APPROVED BY COUNCIL MEMBERS 10/21/14

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ITEM B

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
AMENDMENT TO PUD ORDINANCE – SOUTHPORT WEST	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled to consider amendments to Ordinance No. 1013, the Planned Unit Development Ordinance for the Southport West subdivision. At this time, staff is recommending this item be postponed. The proposed amendments have not been completed and the Planning Commission has continued the public hearing on this matter.

FISCAL IMPACT

None.

RECOMMENDATION

Postpone to a later date.

BACKGROUND

The Planning Commission held a public hearing on October 16, 2014, and recommended a continuance of the hearing on the amendments to their next meeting.

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ITEM C

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT – CROSSFIT PAPIO LOT 1, PAPIO VALLEY 2 BUSINESS PARK (NW OF 120TH & PORTAL ROAD	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit to locate and operate an indoor recreational facility on Lot 1, Papio Valley 2 Business Park, generally located northwest of 120th Street and Portal Road.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Johnathan Pingel, representing CrossFit Papio, for a Conditional Use Permit to locate and operate an indoor recreation facility on Lot 1, Papio Valley 2 Business Park. The property is zoned I-2 Heavy Industrial and indoor recreation is listed in the I-2 District as a conditional use. The applicant proposes to operate an indoor cross-training facility in a bay within the building located at 120th Street and Portal Road.

A detailed staff report is attached.

The Planning Commission held a public hearing on September 18, 2014 and unanimously recommended approval of the Conditional Use Permit to City Council.

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RESOLUTION NO. 14-_____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR CROSSFIT PAPIO TO ALLOW FOR AN INDOOR RECREATIONAL FACILITY IN A 3,000 SQUARE FOOT BAY OF A BUILDING ON LOT 1, PAPIO VALLEY 2 BUSINESS PARK.

WHEREAS, CrossFit Papio, on behalf of property owner 8 English Walnut Inc. Etal., has applied for a Conditional Use Permit for to allow for an indoor recreation facility within a 3,000 square foot bay of a building on Lot 1, Papio Valley 2 Business Park located at 12008 Portal Road #101; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a Conditional Use Permit for such purposes,

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for CrossFit Papio to allow for a Conditional Use Permit for to allow for an indoor recreation facility within a 3,000 square foot bay of a building on Lot 1, Papio Valley 2 Business Park.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____

ATTEST: Douglas Kindig, Mayor

____

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2014-CUP-03

FOR HEARING OF: October 21, 2014
Report Prepared on September 29, 2014

I. GENERAL INFORMATION

A. **APPLICANT:** CrossFit Papio, Jonathan Pingel

B. **PROPERTY OWNER:** English Walnut Inc. Etal.

C. **LOCATION:** 12008 Portal Road #101

D. **LEGAL DESCRIPTION:** Lot 1, Papio Valley 2 Business Park

E. **REQUESTED ACTION(S):** Use of a portion of the building for an indoor recreational facility as conditionally permitted I-2 Heavy Industrial district in the City of La Vista Zoning Ordinance.

F. **EXISTING ZONING AND LAND USE:**
I-2 Heavy Industrial; the property contains one existing building which houses three bays for miscellaneous industrial use.

G. **PROPOSED USES:** The Conditional Use Permit would allow for indoor recreation, specifically cross-training in an approximately 3,000 sq ft bay within a 30,000 sq ft building.

H. **SIZE OF SITE:** 3.59 acres

II. BACKGROUND INFORMATION

A. **EXISTING CONDITION OF SITE:** The property contains one building which has tenant bays for industrial flex space. Daltile and Patterson Dental operate in separate bays of the same building.

B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
1. **North:** Papio Valley 1 Business Park; I-1 Light Industrial
2. **East:** Brook Valley II Business Park; I-2 Heavy Industrial
3. **South:** Papio Valley 2 Business Park; I-2 Heavy Industrial
4. **West:** Papio Valley 2 Business Park; I-2 Heavy Industrial

C. **RELEVANT CASE HISTORY:** N/A

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan designates this property for industrial uses.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. Access would be from an existing drive providing egress / ingress to S Portal Road. Two access points currently exist on the property.

D. UTILITIES: All utilities are available to the site.

E. PARKING REQUIREMENTS:

1. Parking requirements would follow the minimum needed for a recreational facility. Sixty exist on-site now, six of which must be dedicated to the co-tenants based on their uses, leaving fifty-four reserved for the proposed use.

F. LANDSCAPING: N/A

IV. REVIEW COMMENTS:

1. The applicant is currently operating the use on a temporary basis through a Temporary Certificate of Occupancy (Temp. C.O.).

V. STAFF RECOMMENDATION:

Approval of the Conditional Use Permit for CrossFit Papio.

VI. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on September 18, 2014 and unanimously recommended approval of the Conditional Use permit to City Council.

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft CUP
3. Applicant's written proposal

VIII. COPIES OF REPORT TO:

1. Jonathan Pingel, Applicant
2. English Walnut Inc. Etal., Owner
3. Public Upon Request

Christopher A. Solberg

Prepared by:

Community Development Director　　　　Date

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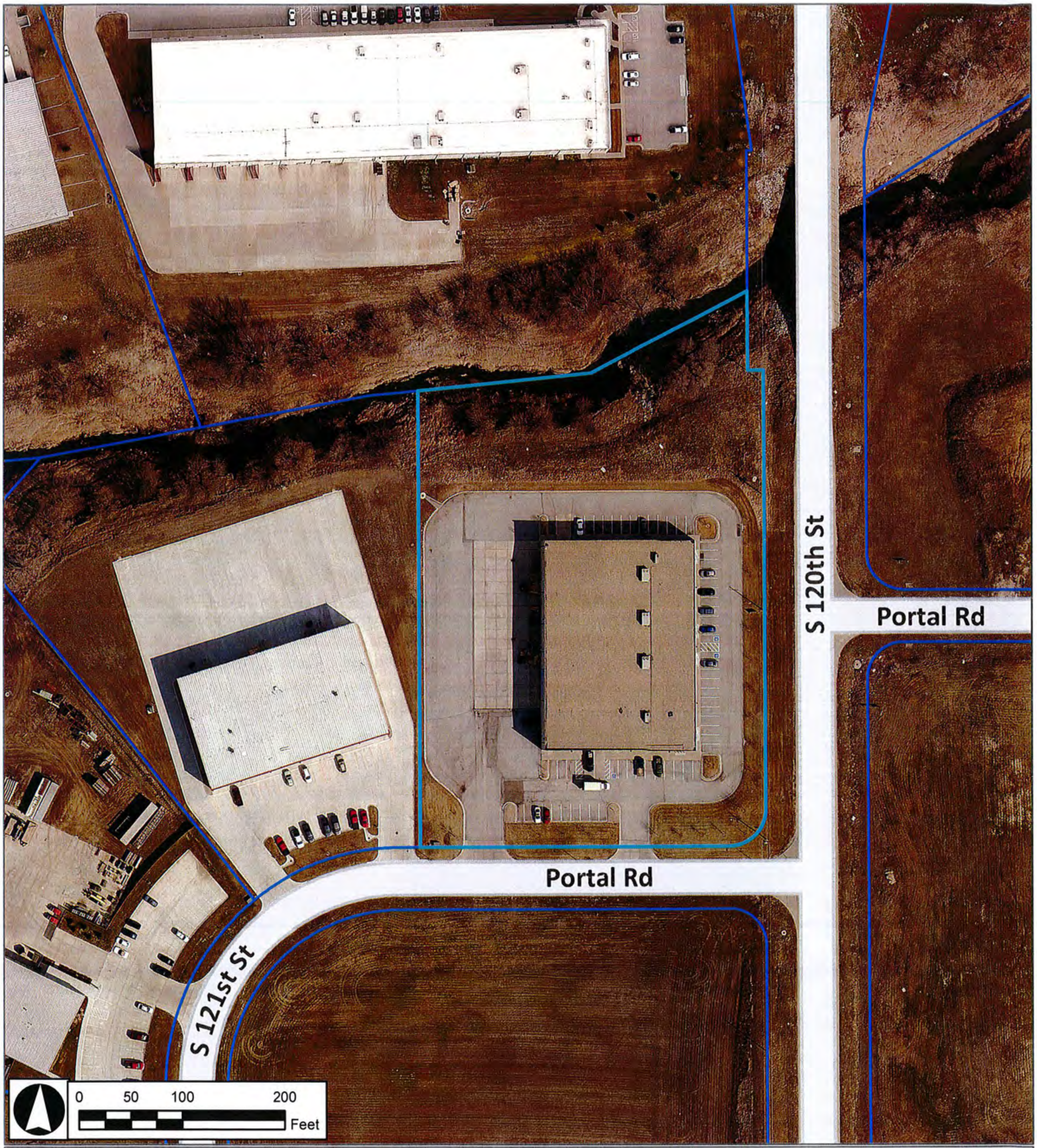


Vicinity Map

CrossFit Papio CUP

September 10, 2014

CAS

La Vista

City of La Vista
Conditional Use Permit

Conditional Use Permit for Indoor Recreational Facility (Training Facility)

This Conditional Use Permit issued this __ day of ________, 2014, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, LP Fitness Consulting LLC, DBA CrossFit Papio ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate an indoor recreational facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

> Lot 1, Papio Valley 2 Business Park located in the NE ¼ Section 19, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 12008 Portal Road #101 (3,000 sq. ft. of the building).

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a indoor recreational facility; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit "A" hereto for an indoor recreational facility, said use hereinafter being referred to as "Permitted Use or Use".

<u>Conditions of Permit</u>

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.

2. In respect to the Permitted Use:
   a. A site plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as "Exhibit A" and "Exhibit B".
   b. Hours of operation for said indoor recreational facility will generally be Monday through Friday from 5:00 a.m. – 8 p.m.; and Saturday from 9 a.m. – 12 noon and Sunday from 2 p.m. – 4 p.m.
   c. There will be approximately 2 staff members on site for the Permitted Use. During peak use, approximately 12 clients will utilize the facility at any one time.
   d. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the indoor recreational facility, except trash receptacles and those approved in writing by the City.
   e. There shall not be any games, tournaments, or other events that draw a larger spectator crowd than typical training activities.
   f. Off-street parking shall be provided for the Permitted Use and the number of parking spaces shall be adequate to accommodate the patrons and guests of the Permitted Use without negatively impacting

or limiting the number of parking spaces for other existing or future tenants.

g. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
h. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
i. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
   a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
   b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
   c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.

4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
   a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
   b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
   c. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.

5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.

6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.

2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.

3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: Jonathan Pingel
CrossFit Papio
17307 O Street
Omaha, NE 68135
(402) 429-5209

Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By ______________________________
Douglas Kindig, Mayor

Attest:

____
Pamela A. Buethe
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: ______________________

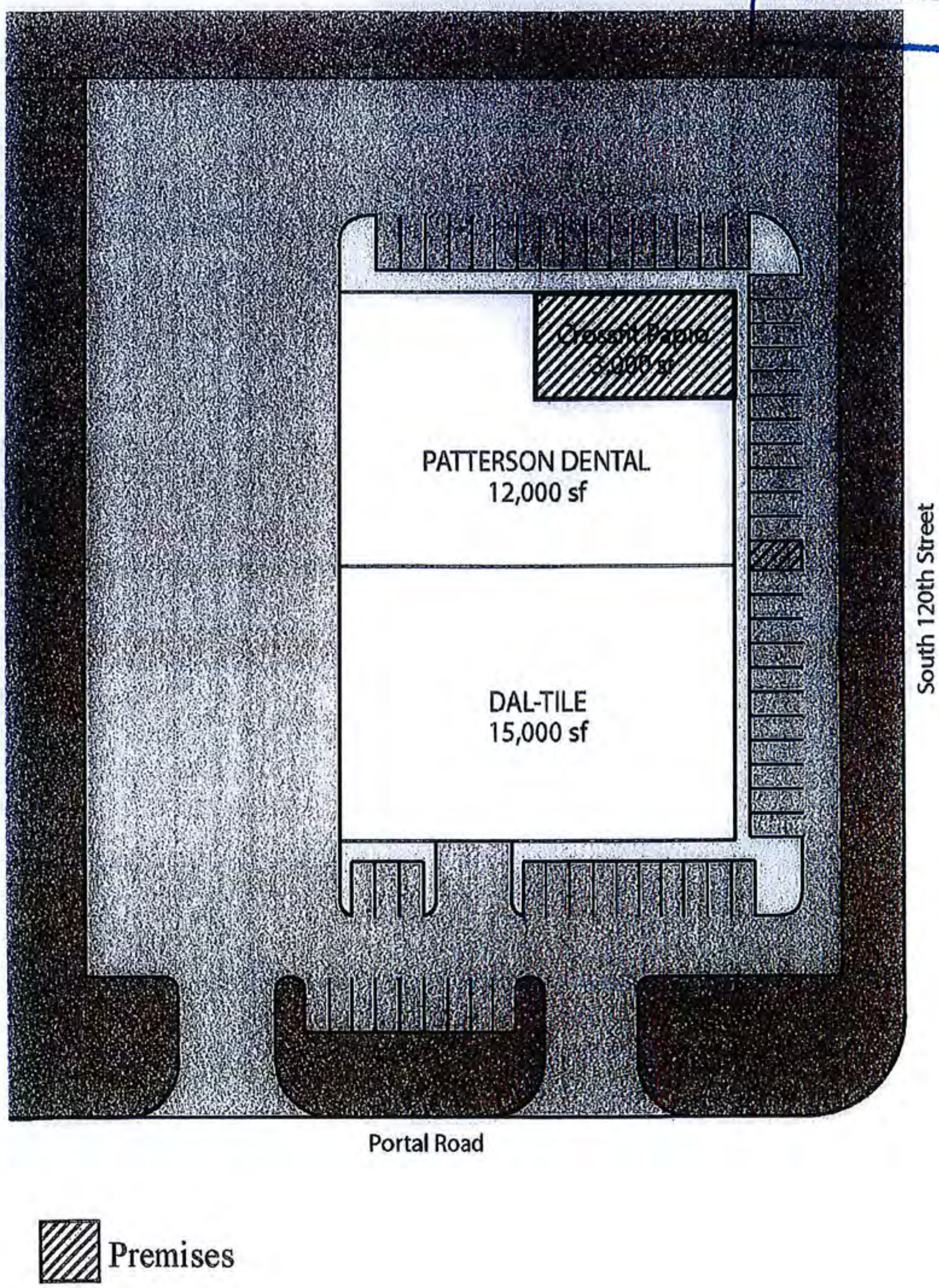
Title: ______________________

Date: ______________________

EXHIBIT "A"
OUTLINE OF PREMISES

RECEIVED
AUG 7 2014

12008 Portal Road

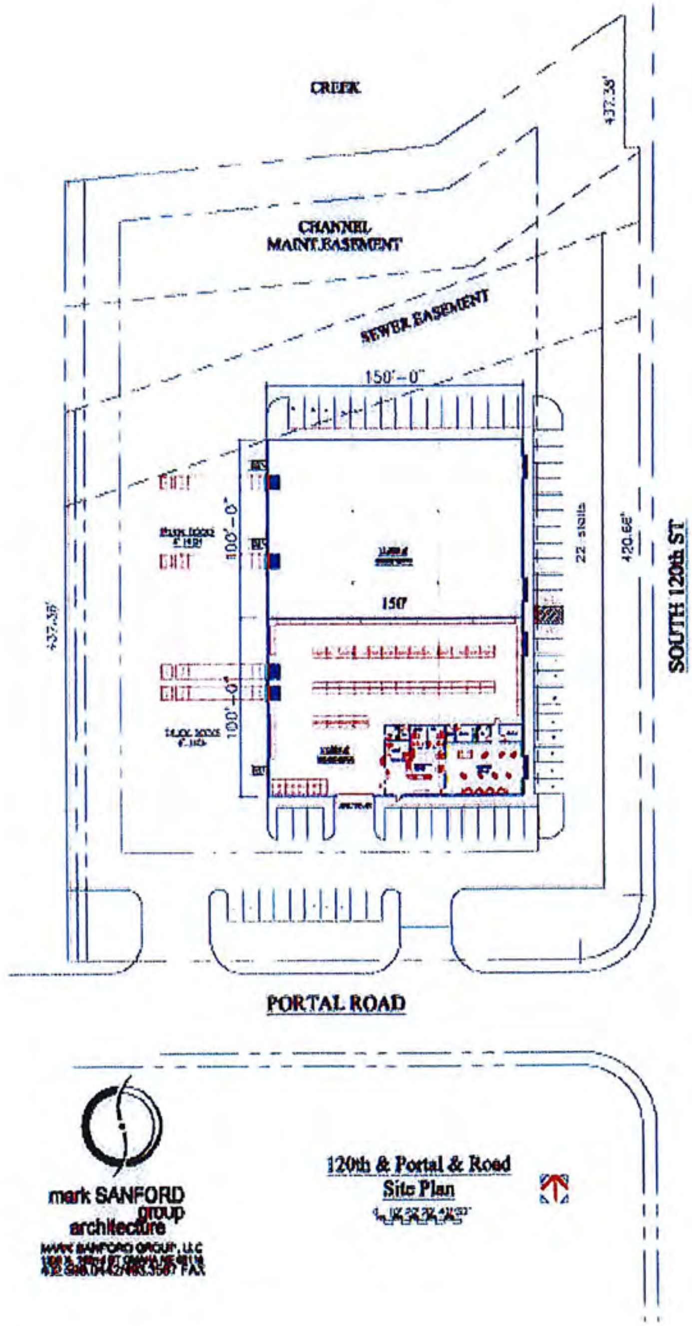


W:\Property Management Lease Files\Leases & Addendums Working Files\12008 Portal\CrossFit Papio\Crossfit Papio Lease FINAL 6.16.2014.doc

RECEIVED
AUG 7 2014

Exhibit "B"

Site Plan



LP Fitness Consulting LLC, DBA CrossFit Papio, Conditional Use Permit Essay

It is with great excitement that I write to you with hopes of gaining our Conditional Use Permit through the City of LaVista. LP Fitness Consulting LLC, DBA CrossFit Papio has signed a 6 year lease with Cushman & Wakefeild and The Lund Company. The space is located at 12008 Portal Rd. Suite 101A. The 3000 square foot space will be used for CrossFit training in small groups of 8-12 people. CrossFit Papio is certified and insured.

CrossFit is a nationally recognized fitness organization. CrossFit Papio is a certified CrossFit Affiliate. CrossFit has approved our company and gives us full rights to run a CrossFit Affiliate in LaVista Nebraska.

Our mission at CrossFit Papio is to strengthen the mind, body and soul. We are in the business of building relationships and changing lives. CrossFit Papio strives to push our members, athletes and community to accomplish things they never thought they could. We promise to provide passionate trained coaches and offer individualized training in a small group environment. Everyone who steps foot into CrossFit Papio will feel loved and respected. Come as your are! Our gym is open to anyone and everyone. Our community will always be finding ways to have fun!

CrossFit Papio will only be open for business during scheduled class times during the day. During scheduled class times a CrossFit Level 1 Certified Instructor will be coaching and supervising at all times. Our hours of operation/class times will be Monday-Friday 5am, 6am, 9am, 12pm, 5pm, 6pm. Saturday we will have class at 9am and 10am. Sunday we will have class at 2pm. With this schedule about 75% of our classes will be held during adjacent building tenants off hours.

We are on good terms with the other tenants of the building Patterson Dental and Daltile. We have sound proofed the adjoining walls and floor. Parking is abundant for our needs and our neighbors during all hours of operation.

The location of CrossFit Papio is ideal. Members will have no problem with finding ample parking and access to CrossFit Papio is off of 120th and Giles where a light and new turning lanes are being built for easy traffic flow.

We have gained building permits from the City of LaVista and ADA male and female bathrooms with two sinks, two toilets and a shower have been built. We have added lighting, outlets, and HVAC system and a garage door to the 3000 square foot space. All improvements have been inspected by LaVista and meet requirements.

We are excited for the opportunity to bring the best of CrossFit training to the people of LaVista. Thank your for your consideration in granting us a Conditional Use Permit.

ITEM D

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
APPLICATION FOR REZONING & PRELIMINARY PUD PLAN, LOTS 1 & 2, BELLA LA VISTA (NE OF 132ND & CENTECH ROAD)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for a rezoning and a resolution prepared to approve the Preliminary PUD Plan for approximately 39.59 acres located northeast of 132nd Street and Centech Road.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider a rezoning and Preliminary PUD Plan application by Edward Rose Development Company, LLC on approximately 39.59 acres currently platted as Lots 1 and 2, Bella La Vista. The rezoning request is to change Lot 1, Bella La Vista, from C-3, Highway Commercial/Office Park District with the Gateway Corridor Overlay District, to R-3, High Density Residential, with the PUD Overlay District and the Gateway Corridor Overlay District. The project is located on the east side of 132nd Street, generally between Chandler Road and Centech Road.

The property is currently zoned R-3 and C-3 however the applicant proposes to incorporate the commercial lot into the multi-family development and has applied for the rezoning to change Lot 1, Bella La Vista, to R-3. The applicant has also submitted a request for a replat (proposed to be replatted as Lot 1, Andover Pointe) and a waiver of Section 4.02 of the Subdivision Regulations regarding the continuation of through streets. Approval of the rezoning and Preliminary PUD Plan will allow for the applicant to proceed with the replat, submittal of the Final PUD Plan and the Conditional Use Permit for the multi-family use.

A detailed staff report is attached.

The Planning Commission held a public hearing on September 18, 2014, and unanimously recommended approval of the rezoning, the Preliminary PUD Plan, Replat and waiver of Section 4.02 of the Subdivision Regulations regarding continuation of adjacent streets.

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RESOLUTION NO. ______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) FOR LOTS 1 AND 2 BELLA LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of Final PUD Plan for lots 1 and 2 Bella La Vista; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary plat and Preliminary PUD Plan; and

WHEREAS, on September 18, the La Vista Planning Commission held a public hearing and reviewed the Preliminary PUD Plan and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Preliminary PUD Plan for lots 1 and 2, Bella La Vista, Sarpy County, Nebraska, be, and hereby is, approved subject to resolution of items identified by the city engineer and staff..

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2014-PUD-03

FOR HEARING OF: October 21, 2014
Report Prepared on: October 14, 2014

I. GENERAL INFORMATION

A. APPLICANT:
Mark Harrison
Edward Rose Development Company, LLC
6101 Newport Road, P.O. Box 3015
Kalamazoo MI, 49003-3015

B. PROPERTY OWNER:
Central State Bank
109 West Main
State Center, IA 50247

C. LOCATION: Northeast of 132nd and Centech Road

D. LEGAL DESCRIPTION: Lots 1 and 2 Bella La Vista

E. REQUESTED ACTION(S): Public hearing for the rezoning of Lot 1 Bella La Vista and approval of Preliminary PUD Plan.

F. EXISTING ZONING AND LAND USE: Lot 1 Bella La Vista: C-3 – Highway Commercial/Office Park District, Gateway Corridor District (Overlay District); Lot 2 Bella La Vista: R-3 – High Density Residential, PUD – Planned Unit Development (Overlay District), and Gateway Corridor District (Overlay District); Lot 1 is currently developed as a truck yard and Lot 2 is vacant.

G. PURPOSE OF REQUEST: Multi-family housing development.

H. SIZE OF SITE: 39.59 Acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property has rolling terrain, sloping downwards to the south. Preliminary site grading, surcharging, and the installation of some underground infrastructure had been completed for a previous multi-family project (Bella La Vista).

B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
1. **North:** Millard Highlands South; R-1 Single-Family Residential
2. **East:** Southport West; C-3 Highway Commercial/Office Park, PUD – Planned Unit Development (Overlay District)
3. **South:** Southport West; C-3 Highway Commercial/Office Park, PUD – Planned Unit Development (Overlay District)
4. **West:** Centech Business Park; I-1 Light Industrial

C. **RELEVANT CASE HISTORY:**
1. Rezoning of Lot 2 Bella La Vista from TA – Transitional Agriculture to R-3 – High Density Residential was approved May 16, 2006.
2. At their June 5, 2012 meeting, the City Council approved the Final PUD, Conditional Use Permit, Replat and Subdivision Agreement for the Bella La Vista development. The replat was never recorded and the development never progressed beyond initial rough site grading.

D. **APPLICABLE REGULATIONS:**
1. Section 5.08 of the Zoning Regulations – R-3 High Density Residential
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development (Overlay District)
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)

III. ANALYSIS

A. **COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates the area for high-density residential development.

B. **OTHER PLANS:** Traffic Impact Analysis.

C. **TRAFFIC AND ACCESS:**
1. The main access for the property will be the intersection of 132nd Street and Chandler Road. A secondary access will be constructed in a later phase at the intersection of 132nd Street and Centech Road.

2. The developer is requesting a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets, waiving the requirement for an extension of existing streets that abut the plat at 130th Street and Highland Boulevard. The developer has requested the waivers as the development will provide two routes of ingress/egress through 132nd Street and Chandler Road as well as 132nd and Centech Road, alleviating the need for additional connections to the north. The internal street system is

proposed and designed as private roads and not intended for public access.

3. A traffic impact analysis has been reviewed by Felsburg, Holt & Ullevig the traffic engineering consultant hired by the City. They have found the study to be acceptable.

   The study recommends the widening of a portion of 132nd Street to include northbound and southbound left turn bays at Chandler Road, as well as a northbound right turn lane. Staff has requested the addition of this activity to the phasing plan.

   The study has noted that existing traffic volumes on 132nd Street warrant a southbound right-turn bay at Chandler Road. However, that is due to existing traffic and will not serve new traffic to or from the proposed Andover Pointe development; therefore, the southbound right-turn bay has not been required as part of the street widening of 132nd Street by this development.

   Staff has discussed the phasing of the development regarding emergency access routes. The proposal shows Phases 1, 2, and 3 being served by a single point of access from 132nd Street. When Phase IV develops, a second access from 132nd Street would be constructed. Staff recommends that the applicant consider swapping Phase 2 with Phase 4 (including the road connection to Centech) so that a second access to 132nd Street occurs earlier in the phased construction of the development.

4. The intersection of 132nd and Giles is currently scheduled for reconstruction in 2016. Which, according to the developer's proposed phasing schedule, would likely be completed, or nearly completed, before the construction of Phase 3.

D. UTILITIES:

1. The property has access to water, sanitary sewer, gas, power and communication utilities along 132nd Street.

2. Storm water management fees will be collected at the time of building permit and will be remitted to the Papillion Creek Watershed Partnership in accordance with the recently updated Interlocal Cooperation Agreement.

IV. REVIEW COMMENTS:

1. With approval of the Preliminary PUD Plan, the applicant will also need to have the Final PUD Plan, Conditional Use Permit, and Replat approved in order to commence the development process.

2. Section 7.05.08 of the Zoning Ordinance requires multi-family developments to have a minimum of 0.5 enclosed garages per unit. The developer requested a reduction in this minimum based on their experience with garage usage as discussed in the attached garage parking study. Based on the review of the study, Condition 2(d) of the Conditional Use Permit specifically allows for 0.25 fully enclosed single-vehicle parking garages per residential unit.

3. The proposed development has completed the design review process under the Gateway Corridor District Regulations. Design review documentation has been included in your packet. The developer is requesting a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets, waiving the requirement for an extension of existing streets that abut the plat at 130th Street and Highland Boulevard.

   The developer has requested the waivers as the development will provide two routes of ingress/egress through 132nd Street and Chandler Road as well as 132nd and Centech Road, alleviating the need for additional connections to the north. The internal street system is proposed and designed as private roads and not intended for public access.

4. The applicant has revised the plans to show no encroachment onto NDOR right of way for I-80 and therefore would not have to obtain a permit to work on state right-of- way. The applicant has also prepared a drainage study indicating that they do not propose to *increase* the peak flows being discharged onto NDOR right-of-way. However, since the runoff will be discharged onto NDOR property, the drainage study is required to be submitted to the NDOR to avoid future delays or costs related to any claims about inadequate management of storm water runoff. The drainage report has been submitted. No grading or building permits should be granted until the NDOR has accepted the drainage report.

5. Chapter 154 of the City Municipal Code requires a Post Construction Storm Water Management Plan (PCWSMP). A permit will be required through the Permix website that is utilized by all Papillion Creek Watershed Partnership communities. A PCSWMP and a draft Maintenance Agreement have been provided in the draft Subdivision Agreement. The PCSWMP will be reviewed in detail as part of the review process through the Permix web site, but the concept of using several extended detention basins to serve the development is acceptable. Some ponds will have permanent pools.

6. Staff has requested changes to the phasing plan to include a line item for the widening of 132nd Street at Chandler, as well as to

correct an assumed error in the building construction start date of Phase 1.

V. STAFF RECOMMENDATION - Rezoning from R-3 to R-3 PUD and Preliminary PUD Plan:

Approval of Rezoning from C-3, with a Gateway Corridor District (Overlay District) to R-3 PUD with a Gateway Corridor District (Overlay District) for Lot 1 and Preliminary PUD Plan for Lots 1 and 2 Bella La Vista (to be replatted as Lot 1 Andover Pointe).

V. PLANNING COMMISSION RECOMMENDATION - Rezoning from C-3 to R-3 PUD and Final PUD:

The Planning Commission held a public hearing on September 18, 2014 and unanimously recommended approval of Rezoning from C-3 to R-3 PUD for Lot 1 and Preliminary PUD Plan for Lots 1 and 2 Bella La Vista (to be replatted as Lot 1 Andover Pointe).

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Introductory booklet provided by developer (CC members only)
3. PUD Site Plan maps
4. PUD Landscape Plan map
5. PUD Plan Cross-Sections
6. Phasing plan
7. Garage parking study

VII. COPIES OF REPORT SENT TO:

1. Mark Harrison, Edward Rose Development Company, LLC
2. Jason Thiellen, E & A Consulting Group
3. Public Upon Request

Prepared by:

Community Development Director Date

Vicinity Map

Andover Pointe Rezoning, PUD, Replat, and CUP

September 10, 2014

CAS

La Vista

ITEM E

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
BID AWARD- THOMPSON CREEK CHANNEL REHABILITATION-SITE CLEARING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared to award a contract to Anderson Excavating Company of Omaha, Nebraska for construction of the Thompson Creek Channel Rehabilitation-Site Clearing in an amount not to exceed $119,718.00.

FISCAL IMPACT

Funding has been included in the FY15 CIP for the this project. Funding for this phase will come from the NET and NRD grants along with required local share from Sales Tax.

RECOMMENDATION

Approval

BACKGROUND

On September 16, 2014, the City Council approved a resolution authorizing the advertisement for bids for this project. The plans and specifications were prepared by Thompson, Dreessen and Dorner, Inc. Bids were received on October 7, 2014 at 10 a.m. Six bids were received and are summarized as follows:

Bidder	Bid
Anderson Excavating Co.	$119,718.00
Terry Hughes Tree Service	$179,412.40
M.E. Collins Contracting co. Inc.	$196,468.00
Melvin Sudbeck Homes	$253,995.00
Action Contracting (Sibbernsen Excavating)	$282,682.50
Phoenix Construction Group, LLC	$333,977.50

Anderson Excavating Company has performed this type of work for many years and successfully performed the demolition of the houses on Thompson Creek several years ago. Post bid conversations were held with Anderson Excavating to verify that they understood the project and that they were confident they could perform the work for their bid. Anderson Excavating Company is a qualified contractor and it is recommended that a contract be awarded to them in an amount not to exceed $119,718.00.

RESOLUTION NO. ______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ANDERSON EXCAVATING COMPANY, OMAHA, NE, FOR CONSTRUCTION OF THE THOMPSON CREEK CHANNEL REHABILITATION-SITE CLEARING IN AN AMOUNT NOT TO EXCEED $119,718.00.

WHEREAS, the City Council of the City of La Vista has determined that construction of the Thompson Creek Channel rehabilitation-site clearing is necessary; and

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

WHEREAS, Bids were received from six contractors, and

WHEREAS Anderson Excavating Company, 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 award a contract to Anderson Excavating Company, Omaha, NE for construction of the Thompson Creek Channel rehabilitation-site clearing, in an amount not to exceed $119,718.00

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

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TD2 engineering & surveying

thompson, dreessen & dorner
10836 Old Mill Road
Omaha, NE 68154
402 330-8860

October 8, 2014

Mayor and City Council Members
City of La Vista
c/o Mr. John Kottmann, P.E.
City Engineer
9900 Portal Road
La Vista, Nebraska 68128

RE: Thompson Creek Channel Rehabilitation – Clearing Phase
TD2 File No. 171-408.68

Mayor and Council Members:

Bids were received at City Hall on October 7, 2014, for the construction of the Thompson Creek Channel Rehabilitation – Clearing Phase project.

Anderson Excavating Co. of Omaha, Nebraska, was the low bidder in the amount of $119,718.00.

Anderson Excavating Co. is a qualified contractor and we recommend that the contract be awarded to them, contingent upon them providing the required bonds and necessary certifications.

A tabulation of all bids received is enclosed.

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.

Charles E. Riggs, P.E.
Contract Engineer

CER/bam

Enclosure

SUBMITTED PROPOSALS & COSTS
Date of Bid: October 7, 2014 10:00 a.m.
Client: City of La Vista, NE
Project: Thompson Creek Channel Rehabilitation - Clearing Phase
TD2 File No.: 171-408

ITEM	DESCRIPTION	QUANTITY	UNITS	Anderson Excavating Co., 1920 Dorcas Street, Omaha NE 68108		Terry Hughes Tree Service, 15802 Fairview Road, Gretna NE 68028		M.E. Collins Contracting Co., Inc., PO Box 83, Wahoo NE 68066	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Clearing and Grubbing	1	LS	$83,400.00	$83,400.00	$140,000.00	$140,000.00	$159,000.00	$159,000.00
2	Install and Maintain Stabilized Construction Entrance	3	EA.	$2,000.00	$6,000.00	$1,200.00	$3,600.00	$3,000.00	$9,000.00
3	Install and Maintain Inlet Filters	14	EA.	$250.00	$3,500.00	$280.00	$3,920.00	$272.00	$3,808.00
4	Install and Maintain Fabric Silt Fence	3,390	L.F.	$3.00	$10,170.00	$2.75	$9,322.50	$3.00	$10,170.00
5	Install and Maintain Orange Safety Fence	430	L.F.	$4.00	$1,720.00	$3.00	$1,290.00	$3.00	$1,290.00
6	Remove and Dispose 4" P.C.C. Sidewalk Pavement	480	S.F.	$0.60	$288.00	$5.00	$2,400.00	$2.00	$960.00
7	Construct 4" P.C.C. Sidewalk Pavement, in place	480	S.F.	$8.00	$3,840.00	$5.00	$2,400.00	$6.00	$2,880.00
	HOURLY RATES:								
8	Labor	16	HRS.	$40.00	$640.00	$80.00	$1,280.00	$75.00	$1,200.00
9	CAT 257B (or equivalent) w/operator	16	HRS.	$95.00	$1,520.00	$125.00	$2,000.00	$75.00	$1,200.00
10	CAT 225 Backhoe (or equivalent) w/operator	16	HRS.	$150.00	$2,400.00	$200.00	$3,200.00	$140.00	$2,240.00
11	CAT D7 Dozer (or equivalent) w/operator	16	HRS.	$140.00	$2,240.00	$250.00	$4,000.00	$100.00	$1,600.00
12	CAT 977 Loader (or equivalent) w/operator	16	HRS.	$140.00	$2,240.00	$250.00	$4,000.00	$100.00	$1,600.00
13	Side Dump Truck (or equivalent) w/operator	16	HRS.	$110.00	$1,760.00	$125.00	$2,000.00	$95.00	$1,520.00
	TOTAL BID				**$119,718.00**		**$179,412.50**		**$196,468.00**

No estimate published Bond: 5% of Bid

SUBMITTED PROPOSALS & COSTS
Date of Bid: October 7, 2014 10:00 a.m.
Client: City of La Vista, NE
Project: Thompson Creek Channel Rehabilitation - Clearing Phase
TD2 File No.: 171-408

				Melvin Sudbeck Homes 16255 Woodland Drive Omaha NE 68136		Action Contracting dba Sibbernsen Excavating 25454 Rainwood Road Valley NE 68064		Phoenix Construction Group, LLC 729 N Frontier Rd, Suite 8 Papillion NE 68046	
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Clearing and Grubbing	1	LS	$211,000.00	$211,000.00	$245,000.00	$245,000.00	$292,000.00	$292,000.00
2	Install and Maintain Stabilized Construction Entrance	3	EA.	$3,500.00	$10,500.00	$1,750.00	$5,250.00	$3,685.00	$11,055.00
3	Install and Maintain Inlet Filters	14	EA.	$500.00	$7,000.00	$350.00	$4,900.00	$210.00	$2,940.00
4	Install and Maintain Fabric Silt Fence	3,390	L.F.	$2.75	$9,322.50	$3.25	$11,017.50	$2.85	$9,661.50 *
5	Install and Maintain Orange Safety Fence	430	L.F.	$3.75	$1,612.50	$2.50	$1,075.00	$3.10	$1,333.00
6	Remove and Dispose 4" P.C.C. Sidewalk Pavement	480	S.F.	$2.00	$960.00	$2.00	$960.00	$2.40	$1,152.00
7	Construct 4" P.C.C. Sidewalk Pavement, in place	480	S.F.	$6.00	$2,880.00	$6.00	$2,880.00	$6.75	$3,240.00
	HOURLY RATES:								
8	Labor	16	HRS.	$40.00	$640.00	$40.00	$640.00	$42.25	$676.00
9	CAT 257B (or equivalent) w/operator	16	HRS.	$75.00	$1,200.00	$100.00	$1,600.00	$125.00	$2,000.00
10	CAT 225 Backhoe (or equivalent) w/operator	16	HRS.	$150.00	$2,400.00	$165.00	$2,640.00	$165.00	$2,640.00
11	CAT D7 Dozer (or equivalent) w/operator	16	HRS.	$175.00	$2,800.00	$160.00	$2,560.00	$165.00	$2,640.00
12	CAT 977 Loader (or equivalent) w/operator	16	HRS.	$130.00	$2,080.00	$150.00	$2,400.00	$165.00	$2,640.00
13	Side Dump Truck (or equivalent) w/operator	16	HRS.	$100.00	$1,600.00	$110.00	$1,760.00	$125.00	$2,000.00
	TOTAL BID				**$253,995.00**		**$282,682.50**		**$333,977.50 ***
								* corrected in accordance with Information for Bidders	

ITEM F

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 21, 2014 AGENDA

Subject:	Type:	Submitted By:
BID AWARD- THOMPSON CREEK 72ND ST. CULVERT EMERGENCY PIPE REPAIR	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared to award a contract to Heimes Corporation of Omaha, Nebraska for construction of the Thompson Creek 72nd Street Culvert Emergency Pipe Repair in an amount not to exceed $29,366.00.

FISCAL IMPACT

This is an emergency repair that was not anticipated. We will attempt to utilize the funding that has been budgeted in the CIP for the Thompson Creek Phase VI project for the local share of various grants being used to implement the Thompson Creek Watershed Management project. If this is not feasible it will be necessary to fund it from savings in other areas.

RECOMMENDATION

Approval

BACKGROUND

On September 9, 2014 an intense rainfall event of nearly 2 inches in 20 minutes occurred. This created a surge of runoff that crumpled the inlet apron of a ten feet diameter culvert under 72nd Street. This restricted about 40% of the intake capacity of the culvert. Public Works staff removed the damaged inlet apron. Replacement materials have been placed on order separate from the proposed contract with Heimes Corp. in order to save manufacturing and delivery time.

The culvert is 45 to 50 years old. During the inspection of the culvert when this damage occurred it was observed that there are perforations in the bottom quadrant of the pipe from corrosion. It is urgent to repair the inlet apron to avoid the development of voids around the pipe. It is also an opportunity to repair the perforations in the bottom of the pipe.

TD2 prepared plans and obtained proposals from contractors on an expedited basis. Four contractors were contacted and three contractors submitted proposals as shown on the attached bid tabulation. A summary follows:

Bidder	Phase 1	Phase 2	Both Phases
Heimes Corporation	$29,366.00	$21,950.00	$51,316.00
Cedar Construction	$47,955.00	$19,912.50	$67,867.50

Tab Construction Co.	$52,540.00	$24,300.00	$76,840.00

The City Engineer recommends that a contract for only Phase 1 construction be awarded to Heimes Corporation in an amount not to exceed $29,366.00 and further recommends that Phase 2 construction be added to the Thompson Creek Rehabilitation project to be bid in January 2015. This will allow more time to research alternative solutions for repairing the perforations in the bottom of the culvert pipe. Repair of the perforations is not as urgent as restoring the inlet apron.

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RESOLUTION NO. ______

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO HEIMES CORPORATION, OMAHA, NE, FOR CONSTRUCTION OF THE THOMPSON CREEK 72ND STREET CULVERT EMERGENCY PIPE REPAIR IN AN AMOUNT NOT TO EXCEED $29,366.00.

WHEREAS, the City Council of the City of La Vista has determined that construction of the Thompson Creek 72ND Street Culvert Emergency pipe repair is necessary; and

WHEREAS, Proposals were received from four contractors, and

WHEREAS Heimes Corporation, 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 award a contract to Heimes Corporation, Omaha, NE for construction of the Thompson Creek , in an amount not to exceed $29,366.00.

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER, 2014.

CITY OF LA VISTA

____
Douglas Kindig, Mayor

ATTEST:

____
Pamela A. Buethe, CMC
City Clerk

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SUBMITTED PROPOSALS & COSTS
Date of Bid: October 7, 2014 4:00 pm
Client: City of La Vista
Project: 72nd St. Emergency Pipe Repair
TD2 File No.: 171-400

TD2

				Heimes Corp. 9144 South 147th Street Omaha, NE 68138		Cedar Construction 13901 L Street Omaha, NE 68137		Tab Construction Co. 4153 South 67th Street Omaha, N E 68117					
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
	PHASE I												
1	Install 120", Multi-Plate Steel Pipe	22	L.F.	$453.00	$9,966.00	$782.00	$17,204.00	$845.00	$18,590.00				
2	Sloped Concrete Collar	6	C.Y.	$1,800.00	$10,800.00	$996.00	$5,976.00	$1,745.00	$10,470.00				
3	Clearing and Grubbing	1	LS	$800.00	$800.00	$9,500.00	$9,500.00	$12,720.00	$12,720.00				
4	Type "C" Riprap, Grouted, in place	100	TON	$58.00	$5,800.00	$84.00	$8,400.00	$55.00	$5,500.00				
5	Mobilization	1	LS	$2,000.00	$2,000.00	$6,875.00	$6,875.00	$5,260.00	$5,260.00				
	TOTAL PHASE I				**$29,366.00**		**$47,955.00**		**$52,540.00**				
	PHASE II												
6	Reinforced PCC Liner	750	S.F.	$19.00	$14,250.00	$18.75	$14,062.50	$24.00	$18,000.00				
7	Steel Reinforcement	150	L.F.	$38.00	$5,700.00	$9.00	$1,350.00	$18.00	$2,700.00				
8	Mobilization	1	LS	$2,000.00	$2,000.00	$4,500.00	$4,500.00	$3,600.00	$3,600.00				
	TOTAL PHASE II				**$21,950.00**		**$19,912.50**		**$24,300.00**				
	TOTAL PHASE I AND PHASE II				**$51,316.00**		**$67,867.50**		**$76,840.00**				

No Estimate Published No Bond Required