

# MINUTE RECORD

A-2

No. 729 -- REDFIELD & COMPANY, INC., OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING July 21, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on July 21, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Finance Director Miserez, Human Resources Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on July 8, 2015. 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.

### SERVICE AWARD – DUTCH SEVENER – 10 YEARS

Mayor Kindig presented to Dutch Sevensen his 10 year service award.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 7, 2015 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JUNE 18, 2015 PLANNING COMMISSION MEETING
4. APPROVAL OF THE MINUTES OF THE MAY 20, 2015 PARK & RECREATION ADVISORY COMMITTEE MEETING
5. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 124<sup>TH</sup> & HARRISON STREET TRAFFIC SIGNAL - \$574.60
6. PAY REQUEST FROM CITY OF PAPILLION – STORAGE FACILITY AND FUEL ISLAND COST SHARE - \$244,000.00
7. APPROVAL OF CLAIMS

ABE'S PORTABLES INC, services	\$660.71
ACCO UNLIMITED CORP, supplies	\$584.57
ACTION BATTERIES UNLTD INC, maint.	\$106.50
AKSARBEN HEATING/ARS, bld&grnds	\$403.00
ALAMAR UNIFORMS, apparel	\$279.99
ANDERSON EXCAVATING CO, services	\$63,000.00
A-RELIEF SERVICES INC, services	\$225.00
ASPHALT & CONCRETE MATERIALS, maint.	\$710.21
ASSURANT EMPLOYEE BENEFITS, services	\$1,211.65
BAKER & TAYLOR, books	\$16.96
BARCAL, R., travel	\$158.78
BEAUMONT, M., travel	\$162.00
BISHOP BUSINESS EQUIPMENT, supplies	\$2,236.86
BLACK HILLS ENERGY, utilities	\$1,940.24
BRENTWOOD AUTO WASH, maint.	\$42.00
BRYAN HILL ENTERTAINMENT, services	\$375.00
BUILDERS SUPPLY CO INC, maint.	\$7.00
BURKE, B, travel	\$23.00
CARDMEMBER SERVICE, services	\$11,942.98
CATHERINE DEMES MAYDEW, services	\$975.00
CBM FOOD SERVICE, travel	\$76.50
CENTURY LINK BUSN SVCS, phones	\$58.64
CENTURY LINK, phones	\$1,419.39
CHRIS MADDEN, services	\$2,053.32

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CHRISTINE HOIT, services	\$460.00
CNA SURETY, services	\$1,135.50
COMP CHOICE INC, services	\$150.00
CONTROL MASTERS INC, bld&grnds	\$2,141.00
CORNHUSKER STATE INDUSTRIES, services	\$76.46
COX COMMUNICATIONS, services	\$143.00
CSP, payroll	\$50.00
DATA TECHNOLOGIES INC, services	\$667.20
DATASHIELD CORP, services	\$6.85
DIAMOND VOGEL PAINTS, bld&grnds	\$1,015.96
EDGEWEAR SCREEN PRINTING, services	\$460.00
EFTPS, payroll	\$71,629.01
EN POINTE TECHNOLOGIES SALES, services	\$309.32
FELSBURG HOLT & ULLEVIG, services	\$352.50
FILTER CARE, maint.	\$72.05
FITZGERALD SCHORR BARMETTLER, services	\$28,612.00
FOCUS PRINTING, services	\$3,058.45
FONTENELLE FOREST, services	\$120.00
GALE, books	\$47.23
GCR TIRES & SERVICE, maint.	\$389.64
GENERAL FIRE & SAFETY CO, services	\$212.00
GENUINE PARTS CO-OMAHA, maint.	\$1,098.36
GOLDMAN, J., travel	\$23.00
GRAYBAR ELECTRIC CO INC, bld&grnds	\$418.49
GREENKEEPER CO INC, supplies	\$1,086.25
GUNN, B., travel	\$655.20
HANEY SHOE STORE, apparel	\$150.00
HEARTLAND TIRES AND TREADS, supplies	\$1,221.00
HOME DEPOT, bld&grnds	\$1,039.52
HUNDEN STRATEGIC PARTNERS, services	\$9,805.00
HY-VEE INC, services	\$56.00
ICMA PAYROLL, payroll	\$33,761.87
IDENTISYS INC, supplies	\$118.78
INGRAM LIBRARY SERVICES, boks	\$618.94
IVERSON, D., travel	\$23.00
J A HEIM FARMS, services	\$4,941.50
J Q OFFICE EQUIPMENT INC, services	\$101.30
JENNIFER GOSS, services	\$13.54
JOHNSON HARDWARE CO, services	\$22.36
JOSHUA T DANDERAND, services	\$800.00
KINDIG, D., services	\$69.78
KONA-ICE OF WEST OMAHA, services	\$800.00
KOSISKI AUTO PARTS INC, maint.	\$95.00
KRIHA FLUID POWER CO INC, maint.	\$77.20
LARRY'S BOILER SERVICE, bld&grnds	\$152.00
LAUGHLIN, KATHLEEN A, TRUSTEE, services	\$116.00
LAW ENFORCEMENT SUPPLY INC, apparel	\$180.15
LFOP DUES, payroll	\$1,300.00
LIBRARY IDEAS LLC, media	\$18.00
LOGO LOGIX EMBROIDERY, services	\$164.00
LOU'S SPORTING GOODS, supplies	\$58.00
LOVELAND GRASS PAD, maint.	\$26.32
LOWE'S, supplies	\$94.96
MAACO, maint.	\$459.85
MAMA'S PIZZA, services	\$459.00
MASTER MECHANICAL SERVICE, bld&grnds	\$941.03
MATHESON TRI-GAS INC, supplies	\$13.04
MENARDS-RALSTON, maint.	\$195.59
METROPOLITAN COMM COLLEGE, services	\$20,687.92
MICHAEL TODD AND COMPANY INC, maint.	\$69.00

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MID CON SYSTEMS INC, maint.	\$796.72
MUD, utilities	\$4,020.31
NE CHILD SUPPORT CENTER, payroll	\$966.08
NE ENVIRONMENTAL PRODS, bld&grnds	\$1,603.00
NUTS AND BOLTS INC, maint.	\$20.32
OFFICE DEPOT INC, supplies	\$993.83
OFFUTT YOUTH CENTER, services	\$864.00
OMAHA PUBLIC POWER DISTRICT, utilities	\$55,241.69
OMAHA WORLD-HERALD, services	\$419.43
ONE CALL CONCEPTS INC, services	\$392.90
O'REILLY AUTOMOTIVE STORES INC, maint.	\$352.42
PAPILLION SANITATION, services	\$1,647.96
PARAMOUNT LINEN & UNIFORM, services	\$322.96
PARK YOUR PAWZ INC, services	\$200.00
PAYLESS OFFICE PRODUCTS INC, supplies	\$153.75
PEPSI COLA CO, supplies	\$217.20
PERFORMANCE CHRYSLER JEEP, maint.	\$208.43
PERFORMANCE FORD, maint.	\$245.61
PLAINS EQUIPMENT GROUP, maint.	\$2,169.20
PLUTA, D., travel	\$23.00
POLICE INSURANCE, payroll	\$261.89
PREMIER-MIDWEST BEVERAGE CO, supplies	\$234.10
PROGRESSIVE BUSINESS, maint.	\$250.00
Q P ACE HARDWARE, bld&grnds	\$913.12
QUALITY BRANDS OF OMAHA, supplies	\$451.85
RAINBOW GLASS & SUPPLY, maint.	\$29.95
RALSTON ADVERTISING, services	\$636.40
READY MIXED CONCRETE CO, maint.	\$677.84
REPUBLIC NATIONAL DISTR CO, supplies	\$36.04
RICK NELSON PHOTOGRAPHY, services	\$1,200.00
SAM'S CLUB, supplies	\$1,540.41
SAPP BROS PETROLEUM INC, supplies	\$770.00
SARPY COUNTY CHAMBER, services	\$1,250.00
SARPY COUNTY TREASURER, services	\$2,381.50
SCARPA, D., travel	\$23.00
SEFFRON, R., travel	\$23.00
SHAMROCK CONCRETE CO, maint.	\$64.00
SHERRY, P., travel	\$23.00
SID DILLON COMMERCIAL, services	\$115,556.00
SIGN IT, services	\$671.70
SPRINT, phones	\$642.20
STATE TAX WITHHOLDING, payroll	\$10,472.75
STITCHIN' AUTO UPHOLSTERY, maint.	\$329.50
SWANK MOTION PICTURES INC, services	\$526.00
TED'S MOWER SALES, services	\$32.13
THOMPSON DREESSEN & DORNER, services	\$6,981.06
TIJ CONSTRUCTION LLC, services	\$5,030.10
TORNADO WASH LLC, maint.	\$430.00
TROUT, DONNA L, services	\$160.00
UHE, R., travel	\$23.00
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED RENT-ALL, services	\$466.40
VALENTINO'S, services	\$529.61
VAN RU CREDIT CORPORATION, services	\$46.29
VERIZON WIRELESS, phones	\$271.84
VIERREGGER ELECTRIC COMPANY, services	\$18,053.25
WHITE CAP CONSTR SUPPLY, services	\$155.35

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Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Hale will review the bills after the meeting. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Police Captain Waugh invited the Mayor and City Council to the National Night Out even on August 4 at 6:00 p.m. at Central Park. Waugh stated that if any of Council wanted to help with the cookout they should be there by 5:20 p.m.

Director of Public Works Soucie stated that the two new CNG retrofit pickups have been delivered and the roof replacement has started on the public works building.

City Clerk Buethe reminded the Mayor and Council of the change in meeting date and time for the first meeting in August.

Library Director Barcal reported that the library had completed the Scholastic Reading Program Book Fair for the third year in a row.

## **B. CONDITIONAL USE PERMIT – MOBILITY MOTORING LLC – LOT 1, STONYBROOK SOUTH REPLAT II (W OF 142<sup>ND</sup> & EDNA CIRCLE)**

### **1. PUBLIC HEARING**

At 6:08 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a Conditional Use Permit for Mobility Motoring LLC – Lot 1, Stonybrook South Replat II (W of 142<sup>nd</sup> & Edna Circle. Kent Sullivan was present representing the applicant and gave an overview of the request. Councilmember Frederick asked if they modify any new vehicles or just theirs. Mr. Sullivan said the will do all vehicles.

At 6:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION – CONDITIONAL USE PERMIT**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-090; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR MOBILITY MOTORING TO PERFORM MINOR AUTOMOTIVE REPAIR ON LOT 1, STONYBROOK SOUTH.

WHEREAS, Mobility Motoring has applied for a conditional use permit to perform minor automotive repair on Lot 1, Stonybrook South, located west of 142<sup>nd</sup> Street and Edna Circle; 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 Mobility Motoring to perform minor automotive repair on Lot 1, Stonybrook South, located in the NW ¼ of Section 13, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located west of 142<sup>nd</sup> Street and Edna Circle be, and hereby is, approved.

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

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## **C. POLICE DEPARTMENT ASSET FORFEITURE EXPENDITURES**

### **1. RESOLUTION – COUNCIL POLICY STATEMENT**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-090; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, the La Vista Police Department receives a portion of the assets seized by Federal agencies under Department of Justice guidelines.

WHEREAS, a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" has been reviewed and recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

### **2. RESOLUTION – FY16 ASSET FORFEITURE EXPENDITURE MASTER PLAN**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.15-091; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE FY16 ASSET FORFEITURE EXPENDITURE MASTER PLAN.

WHEREAS, the La Vista Police Department receives a portion of the assets seized by Federal agencies under Department of Justice guidelines; and

WHEREAS, the City Council has adopted a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures"; and

WHEREAS, the Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" requires the creation, submittal and approval of a yearly Asset Forfeiture Expenditure Master Plan; and

WHEREAS, the FY16 Asset Forfeiture Expenditure Master Plan has been reviewed and recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the FY16 Asset Forfeiture Expenditure Master Plan.

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

## **D. RESOLUTION – APPROVE PURCHASE – POLICE K-9**

Councilmember Quick introduced and moved for the adoption of Resolution No.15-092; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF A POLICE K-9 FROM KASSEBURG CANINE, NEW MARKET, AL, IN AN AMOUNT NOT TO EXCEED \$9,500.

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WHEREAS, the City Council of the City of La Vista has determined that the purchase of a police K-9 is necessary, and

WHEREAS, the K-9 Donation account and Forfeiture accounts have funds available for the purchase of said K-9, and

WHEREAS, The La Vista Police Department did extensive research and recommends that the K-9 be purchased from said vendor, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a police K-9 from Kasseburg Canine, New Market, AL, in an amount not to exceed \$9,500.

Seconded by Councilmember Hale. Councilmember Thomas asked about the difference between a pre-titled dog and a green dog. Police Chief Lausten and Police Captain Waugh explained the differences and the future for Hart. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **E. RESOLUTION – APPROVE PURCHASE – ICE CONTROL SALT**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-093; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$19,800.00.

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

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

WHEREAS, the ice control salt is used by Public Works for winter operations; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$19,800.00.

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

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

## **COMMENTS FROM THE FLOOR**

There were comments from a resident regarding observations behind his residence and police services.

## **F. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL**

At 6:31 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations and for protection of an individual to discuss personnel. Seconded by Councilmember Hale.

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Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 6:48 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 6:50 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2015

CITY OF LA VISTA

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

ATTEST:

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