

MINUTE RECORD

A-2

No. 729 -- FIELD & COMPANY, INC. OMAHA E1510558LD

LA VISTA CITY COUNCIL MEETING March 15, 2016

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 March 15, 2016. Present were Councilmembers: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Community Development Director Birch, Director of Public Works Soucie, Finance Director Miserez, Library Director Barcal, Human Resources Manager Garrod, Recreation Director Stopak and Assistant Public Works Director/City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on March 2, 2016. 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, led the group in the Pledge of Allegiance and made the announcements.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MARCH 1, 2016 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JANUARY 20, 2016 PARK & RECREATION ADVISORY COMMITTEE MEETING
4. MONTHLY FINANCIAL REPORT - JANUARY 2016
5. REQUEST FOR PAYMENT - FELSBURG HOLT & ULLEVIG - PROFESSIONAL SERVICES - NEBRASKA MULTISPORT - \$610.87
6. REQUEST FOR PAYMENT - MANAGEMENT EDUCATION GROUP - PROFESSIONAL SERVICES - PERFORMANCE MANAGEMENT CONSULTING AND TRAINING - \$6,868.56
7. REQUEST FOR PAYMENT - CITY OF PAPILLION - CONSTRUCTION - SALT STORAGE/FUELING ISLAND - \$50,000.
8. APPROVE CHANGE IN START TIME OF CITY COUNCIL MEETING ON APRIL 5, 2016 FROM 7:00 P.M. TO 6:00 P.M.
9. APPROVAL OF CLAIMS

ACCREDITED COLLECTION SVC INC, payroll	\$162.08
ACTION BATTERIES, services	\$29.94
ALAMAR UNIFORMS, apparel	\$2,941.60
ANDERSON EXCAVATING CO, services	\$97,859.60
ARBOR DAY FOUNDATION, services	\$15.00
ARTHUR J GALLAGHER RISK, services	\$192,518.00
ASPHALT & CONCRETE MATERIALS, maint.	\$1,779.30
BADGER BODY, maint.	\$200.00
BAKER & TAYLOR, books	\$1,276.01
BARCAL, R., travel	\$66.44
BAXTER FORD, maint.	\$66.73
BISHOP BUSINESS EQUIPMENT, supplies	\$1,663.26
BLACK HILLS ENERGY, utilities	\$1,604.23
BOBCAT OF OMAHA, maint.	\$668.38
BUETHE, P., travel	\$91.80
CARDMEMBER SERVICE-ELAN, services, travel	\$7,016.09
CAVENDISH SQUARE PUBLISHING, books	\$258.38
CAVLOVIC, P., travel	\$139.74
CDW GOVERNMENT INC, services	\$6,852.37
CENTER POINT PUBLISHING, books	\$427.20
CENTURY LINK, phones	\$159.27

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CIACCIO ROOFING CORP, bld&grnds	\$336.42
CITY OF PAPIILLION, services	\$8,735.35
CONSOLIDATED MANAGEMENT, services	\$23.25
CREDIT MANAGEMENT SVCS, payroll	\$7.68
CSP 529, payroll	\$50.00
CULLIGAN OF OMAHA, bld&grnds	\$5.00
DATASHIELD CORP, services	\$19.05
DEARBORN NATIONAL LIFE INS CO, services	\$5,191.01
DHHS -POOL PERMIT, services	\$40.00
DIAMOND VOGEL PAINTS, bld&grnds	\$297.72
ED ROEHR SAFETY PRODUCTS, supplies	\$9,322.00
EFTPS, payroll	\$65,323.52
EN POINTE TECHNOLOGIES SALES, services	\$196.47
ENCYCLOPAEDIA BRITANNICA INC, media	\$800.00
FBINAA-FBI NATL ACAD, services	\$300.00
FEDEX KINKO'S, services	\$72.90
FILTER CARE, maint.	\$48.20
FITZGERALD SCHORR BARMETTLER, services	\$36,863.10
GALE, books	\$289.38
GCR TIRES & SERVICE, supplies	\$488.52
GENERAL FIRE & SAFETY EQUIP, services	\$440.00
GENUINE PARTS CO, maint.	\$1,291.28
GRAYBAR ELECTRIC CO, bld&grnds	\$578.76
H W WILSON CO, books	\$345.00
HOME DEPOT, maint.	\$83.63
HSMC ORIZON LLC, services	\$10,602.83
ICMA, payroll	\$34,290.30
INGRAM LIBRARY SERVICES, books	\$474.33
INLAND TRUCK PARTS, maint.	\$101.17
JEANNIE FINKE, services	\$100.00
LARRY'S BOILER SERVICE, bld&grnds	\$2,396.31
LFOP DUES, payroll	\$1,220.00
MATTHEW JOHN GOLTL, bld&grnds	\$1,550.00
MAX I WALKER UNIFORMS, services	\$485.32
MENARDS-RALSTON, bld&grnds	\$1,347.64
MIDWEST TAPE, media	\$219.95
MUD, utilities	\$1,744.62
NE CHILD SUPPORT PAYMENT CTR, payroll	\$966.08
NE DEPT OF LABOR, services	\$198.00
NE LAW ENFORCEMENT, services	\$285.00
NE STATE INCOME TAX, payroll	\$9,594.06
NEBRASKA CONCRETE & AGGREGATES, services	\$290.00
NEBRASKA SALT & GRAIN CO, maint.	\$6,900.31
NEW YORK TIMES, books	\$488.80
NUTS AND BOLTS INC, bld&grnds	\$16.08
OFFICE DEPOT INC, supplies	\$919.63
O'KEEFE ELEVATOR CO, bld&grnds	\$50.91
OMNIGRAPHICS INC, books	\$364.95
OPPD, utilities	\$82,916.83
PAPIILLION SANITATION, services	\$935.34
PAYFLEX SYSTEMS, services	\$276.30
PETTY CASH, travel	\$266.94
PLAINS EQUIPMENT, maint.	\$291.04
POLICE INSURANCE, payroll	\$261.89
PROGRESSIVE BUSINESS, services	\$175.00
PUBLIC AGENCY TRAINING COUNCIL, services	\$2,950.00
QP ACE HARDWARE, bld&grnds	\$1,139.68
REMINGTON ARMS CO, services	\$450.00
SAFARILAND LLC, services	\$450.00
SAM'S CLUB, supplies	\$114.92

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SARPY COUNTY TREASURER, services	\$2,500.00
SECAP FINANCE, services	\$526.71
SIMPLEX GRINNELL LP, services	\$446.78
SIRCHIE FINGER PRINT LABS, services	\$163.41
SPRINT, phones	\$643.40
SUCCESS FACTORS INC, services	\$9,256.20
TIGHTON FASTENER & SUPPLY, bld&grnds	\$76.50
TRAFFIC CONTROL CORP, maint.	\$4,200.00
TURF CARS LTD, services	\$163.54
UNITE PRIVATE NETWORKS, services	\$3,850.00
VAN RU CREDIT CORP, payroll	\$52.91
VIERREGGER ELECTRIC CO, maint.	\$689.75
WICK'S STERLING TRUCKS, maint.	\$520.40

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Director of Public Works Soucie reported that Westport Parkway will close for 30-45 days beginning March 28. He stated that work on Thompson Creek is starting again.

Papillion Fire Chief Bowes gave a report to Council regarding call numbers for the City.

B. RESOLUTION - FY 2014/2015 AUDIT REPORT - BKD, LLP

Robin Devore with BKD, the audit firm for the City, gave an overview of the 2014/2015 Audit Report.

Councilmember Sell introduced and moved for the adoption of Resolution No. 16-026; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2014-2015 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF BKD, LLP OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of BKD, LLP, Omaha, Nebraska, to complete an audit of the City's fiscal year 2014-2015 municipal operations; and

WHEREAS, BKD, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the 2014-2015 municipal audit is hereby accepted and approved.

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

C. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the One and Six year Street Improvement Plan.

At 7:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

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2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No.16-027; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

D. ADOPTION OF NEW BUILDING, MECHANICAL, PLUMBING, ELECTRICAL, & MAINTENANCE CODES WITH AMENDMENTS

1. PUBLIC HEARING

At 7:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Adoption of New Building, Mechanical, Plumbing, Electrical, & Maintenance Codes with Amendments.

At 7:14 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE -- ADOPT CODE

Councilmember Hale introduced Ordinance No. 1270 entitled; AN ORDINANCE TO AMEND SECTIONS 150.01, 150.02, 150.03, 150.04 and 150.05 OF THE LA VISTA MUNICIPAL RELATING TO STANDARD CODES AND REGULATION OF BUILDINGS, STRUCTURES, MECHANICAL PLUMBING, ELECTRICAL AND RELATED WORK, MATERIALS AND REQUIREMENTS: TO REPEAL SECTIONS 150.01, 150.02, 150.03 150.04 AND 150.05 AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain:

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None. Absent: Sheehan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1270 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

E. CONDITIONAL USE PERMIT – ANIMAL SPECIALTY SERVICES – LOTS 1 & 2 HARRISON HEIGHTS

The Applicant withdrew their application for the Conditional Use Permit – Animal Specialty Services – Lots 1 & 2 Harrison Heights. There was no action taken.

F. APPLICATION TO AMEND FINAL PUD PLAN – LOTS 1 & 2 HARRISON HEIGHTS

The Applicant withdrew their application for the Application to Amend Final PUD Plan – Lots 1 & 2 Harrison Heights. There was no action taken.

G. APPLICATION FOR REPLAT, WAIVER & SUBDIVISION AGREEMENT – LOT 2 GARY & DEBBIE PINK NO. 2, TAX LOT 14, 19-14-12, AND TAX LOT 8, 18-14-12 (SW OF GILES RD. & WEST GILES RD.)

1. RESOLUTION – REPLAT AND WAIVER

Councilmember Quick introduced and moved for the adoption of Resolution No.16-028; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 2, GARY & DEBBIE PINK NO. 2, TAX LOT 14, 19-14-12, AND TAX LOT 8, 18-14-12, TO BE REPLATTED AS LOTS 1 THRU 4, GARY & DEBBIE PINK NO. 3, A SUBDIVISION LOCATED IN PART OF SECTION 19 AND PART 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 Lot 2, Gary & Debbie Pink No. 2, Tax Lot 14, 19-14-12, and Tax Lot 8, 18-14-12, to be replatted as Lots 1 thru 4, Gary & Debbie Pink No. 3; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on February 18, 2016, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to the following conditions:

1. Approval of the waiver of Section 4.11 of the Subdivision Regulations; and
2. Finalization of the subdivision agreement.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lot 2, Gary & Debbie Pink No. 2, Tax Lot 14, 19-14-12, and Tax Lot 8, 18-14-12, to be replatted as Lots 1 thru 4, Gary & Debbie Pink No. 3, a subdivision located in part of Section 19 and part of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southwest of Giles Road and West Giles Road, be, and hereby is, approved.

BE IT FURTHER RESOLVED that a waiver of Section 4.11 of the Subdivision Regulations, regarding the length of a cul-de-sac, be granted.

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Seconded by Councilmember Hale. Dean Jaeger with TD2, representing the applicant was present to answer any questions. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. RESOLUTION – SUBDIVISION AGREEMENT

Councilmember Hale introduced and moved for the adoption of Resolution No.16-029; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOTS 1 THRU 4, GARY & DEBBIE PINK NO. 3 SUBDIVISION.

WHEREAS, the City Council did on March 15, 2016, approve the final plat for Lots 1 thru 4, Gary & Debbie Pink No. 3 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, Pink Investments 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 March 15, 2016, City Council meeting for the Gary & Debbie Pink No. 3 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 revisions that the City Administrator or City Engineer may determine necessary or advisable.

Seconded by Councilmember Quick. Dean Jaeger with TD2, representing the applicant was present to answer any questions. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

H. APPLICATION FOR REZONING – TAX LOT 14, 19-14-12, AND TAX LOT 8, 18-14-12 (SW OF GILES RD. & WEST GILES RD.)

1. PUBLIC HEARING

At 7:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Rezoning – Tax Lot 14, 19-14-12, and Tax Lot 8, 18-14-12 (SW of Giles Rd. & West Giles Rd.).

At 7:23 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE – REZONING

Councilmember Hale introduced Ordinance No. 1271 entitled; AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1271 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

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I. RESOLUTION – AWARD BID – CITY PARKING DISTRICT ACCESS IMPROVEMENTS

Councilmember Quick introduced and moved for the adoption of Resolution No.16-030; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MBC CONSTRUCTION CO., INC., OMAHA, NE, FOR CONSTRUCTION OF THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$928,411.53.

WHEREAS, the City Council of the City of La Vista has determined that construction of the City Parking District access improvements is necessary; and

WHEREAS, the FY 16 Capital Improvement Program provides funding for this project; and

WHEREAS, Bids were received from two contractors, and

WHEREAS MBC Construction Co., Inc., Omaha, NE, has submitted the low, qualified bid, and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to MBC Construction Co., Inc., Omaha, NE for construction of the City Parking District access improvements, in an amount not to exceed \$928,411.53.

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

J. ORDINANCE – AUTHORIZE ISSUANCE OF BONDS

Councilmember Hale introduced Ordinance No. 1272 entitled; AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FOR THE PURPOSE OF PAYING THE COSTS OF CERTAIN STREET IMPROVEMENTS AND RELATED IMPROVEMENTS WITHIN THE CITY; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1272 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None.

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Absent: Sheehan. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

K. RESOLUTION – APPROVE PURCHASE – SMALL WHEEL LOADER – PARKS

Councilmember Quick introduced and moved for the adoption of Resolution No.16-031; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2016 JOHN DEERE WHEEL LOADER 244K FROM JOHN DEERE CONSTRUCTION RETAIL SALES, MOLINE, ILLINOIS IN AN AMOUNT NOT TO EXCEED \$79,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a small wheel loader for the Sports Complex and Parks divisions is necessary; and

WHEREAS, the FY 16 Parks Operating Budget provides funding for this purchase; and

WHEREAS, the small wheel loader is necessary for the continued maintenance and upkeep of the sports complex and city parks; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska hereby authorize the purchase of one (1) 2016 John Deere wheel loader 244K from John Deere Construction Retail Sales, Moline, Illinois in an amount not to exceed \$79,000.00.

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

L. RESOLUTION – APPROVE PURCHASE – MOWER – PARKS

Councilmember Crawford introduced and moved for the adoption of Resolution No.16-032; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2016 JOHN DEERE 1575 FRONT MOWER FROM DEERE & COMPANY, CARY, NORTH CAROLINA IN AN AMOUNT NOT TO EXCEED \$35,986.79.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a front mower for the Parks division is necessary; and

WHEREAS, the FY 16 Parks Operating Budget provides funding for this purchase; and

WHEREAS, the front mower is necessary for the continued maintenance and upkeep of the city parks and to aid with 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, that the Mayor and City Council of La Vista, Nebraska hereby authorize the purchase of one (1) 2016 John Deere 1575 Front Mower from Deere & Company, Cary, North Carolina, in an amount not to exceed \$35,986.79.

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

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M. ORDINANCE – AMEND COMPENSATION ORDINANCE

Councilmember Hale introduced Ordinance No. 1273 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HERewith; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1273 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

N. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 7:31 p.m. Councilmember Crawford made a motion to go into executive for protection of the public to discuss contract negotiations. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:55 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, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig gave a legislative update.

At 8:00 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried

MINUTE RECORD

March 15, 2016

No. 729 -- REFIELD & COMPANY, INC. OMAHA E1310356LD

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2016

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk