

## LA VISTA CITY COUNCIL MEETING AGENDA

May 3, 2016

7:00 P.M.

Harold "Andy" Anderson Council Chamber  
La Vista City Hall  
8116 Park View Blvd.

- Call to Order
- Pledge of Allegiance
- Announcement of Location of Posted Open Meetings Act
- Citizen Recognition
- Proclamation - National Police Week
- Service Awards – Brian Stolley, Jamie Brown – 10 years; Mandy Garrod – 5 years

*All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

A. **CONSENT AGENDA**

1. Approval of the Agenda as Presented
2. Approval of the Minutes of the April 19, 2016 City Council Meeting
3. Request for Payment – RDG Planning - Design – Professional Services – Thompson Creek Outreach – \$537.50
4. Approval of Claims.

- 1<sup>st</sup> Quarter Report – Sarpy County Economic Development Corporation
- Reports from City Administrator and Staff

B. Resolution – Interlocal Agreement – Law Records Management System Consulting Services

C. Resolution – Maintenance Agreement – Thompson Creek Channel Rehabilitation – Group B Channel Reconstruction

D. Resolution – Partial Acquisition Contract – Supplemental Services – City Parking District Access Improvements

E. Class I Liquor License – SSL Operating Group LLC dba Swizzle Stix Lounge

1. Public Hearing
2. Resolution

F. Executive Session – Contract Negotiations

- Comments from the Floor
- Comments from Mayor and Council
- Adjournment

The public is welcome and encouraged to attend all meetings. If special accommodations are required please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to five minutes. We ask for your cooperation in order to provide for an organized meeting.

# **CITIZEN CERTIFICATE OF APPRECIATION**



Presented to

## **Debra Kilmurray**

In recognition of her selfless acts and personal sacrifices while helping those citizens of La Vista less fortunate than herself.

Thank you, Debbie, for all you do for our community.



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Douglas Kindig  
Mayor



**PROCLAMATION  
NATIONAL POLICE WEEK**

WHEREAS, The Congress and President of the United States have designated May 15<sup>th</sup> as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police week; and

WHEREAS, the members of the La Vista Police Department play an essential role in safeguarding the rights and freedoms of La Vista; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the La Vista Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, call upon all citizens of La Vista and upon all patriotic, civic, and educational organizations to observe the week of May 15-21, 2016 as **NATIONAL POLICE WEEK** in La Vista and call upon all citizens and civic organizations to observe this week with appropriate ceremonies commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens of La Vista to observe, May 15, 2016 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3rd day of May, 2016.

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

A CERTIFICATE OF APPRECIATION PRESENTED TO BRIAN STOLLEY OF THE LA VISTA POLICE DEPARTMENT, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Brian Stolley, has served the City of La Vista since April 24, 2006 and

WHEREAS, Brian Stolley's input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to Brian Stolley on behalf of the City of La Vista for 10 years of service to the City.

DATED THIS 3RD DAY OF MAY, 2016.

Mike Crawford  
Mike Crawford  
Councilmember, Ward I

Ronald Sheehan  
Ronald Sheehan  
Councilmember, Ward II

Deb Hale  
Deb Hale  
Councilmember, Ward III

Kelly R. Sell  
Kelly R. Sell  
Councilmember, Ward IV

Douglas Kjeldig  
Douglas Kjeldig, Mayor

Kim J. Thomas  
Kim J. Thomas  
Councilmember, Ward I

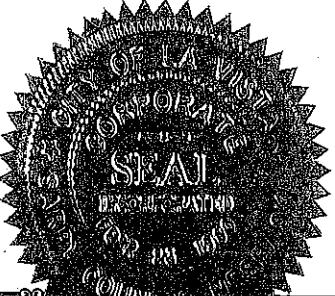
Terrilyn Quick  
Terrilyn Quick  
Councilmember, Ward II

Alan W. Ronan  
Alan W. Ronan  
Councilmember, Ward III

Jim Frederick  
Jim Frederick  
Councilmember, Ward IV

ATTEST:

Pamela A. Bueche, CMC  
City Clerk





**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

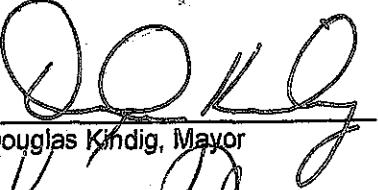
A CERTIFICATE OF APPRECIATION PRESENTED TO JAMIE BROWN OF THE LA VISTA POLICE DEPARTMENT, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

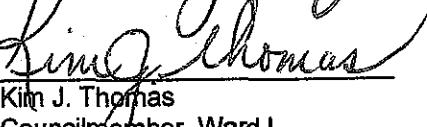
WHEREAS, Jamie Brown, has served the City of La Vista since April 24, 2006 and

WHEREAS, Jamie Brown's input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to Jamie Brown on behalf of the City of La Vista for 10 years of service to the City.

DATED THIS 3RD DAY OF MAY, 2016.

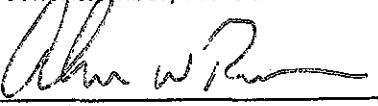
  
Douglas Kindig, Mayor

  
Kim J. Thomas

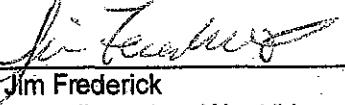
Councilmember, Ward I

  
Terrilyn Quick

Councilmember, Ward II

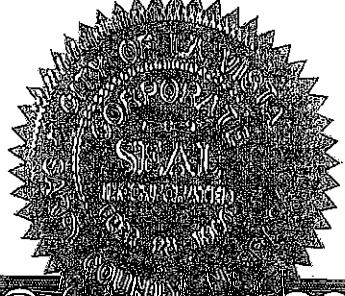
  
Alan W. Ronan

Councilmember, Ward III

  
Jim Frederick

Councilmember, Ward IV

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

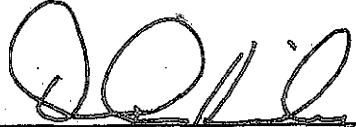
A CERTIFICATE OF APPRECIATION PRESENTED TO MANDY GARROD OF THE LA VISTA ADMINISTRATIVE SERVICES DEPARTMENT, FOR 5 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

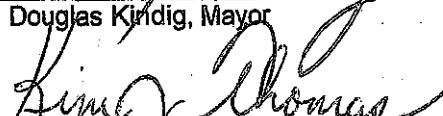
WHEREAS, Mandy Garrod, has served the City of La Vista since April 25, 2011 and

WHEREAS, Mandy Garrod's input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to Mandy Garrod on behalf of the City of La Vista for 5 years of service to the City.

DATED THIS 3RD DAY OF MAY, 2016.

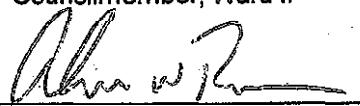
  
Douglas Kindig, Mayor

  
Kim J. Thomas

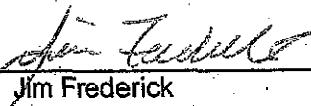
Councilmember, Ward I

  
Terrilyn Quick

Councilmember, Ward II

  
Alan W. Ronan

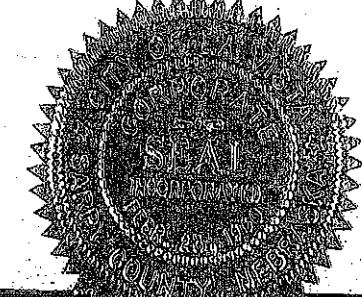
Councilmember, Ward III

  
Jim Frederick

Councilmember, Ward IV

ATTEST:

Pamela A. Buethe, CMC  
City Clerk



# MINUTE RECORD

A-2

No. 729 — REEDIE & COMPANY, INC. OMAHA E1810556LD

## LA VISTA CITY COUNCIL MEETING April 19, 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 April 19, 2016. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Absent: Frederick. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Community Development Director Birch, Director of Public Works Soucie, Director of Administrative Services Pokorny, 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 April 6, 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.

Mayor Kindig and Mike Branigan recognized Mary Kay Bellino on behalf of her and Rich Bellino for their many years of support of the community. Mayor Kindig presented her with a gift card.

### SERVICE AWARD – ALLISON HANSON – 5 YEARS

Mayor Kindig presented a service award to Allison Hanson for 5 years of service to the City of La Vista.

### PROCLAMATIONS – ARBOR DAY; EARTH DAY

Mayor Kindig read proclamations for Arbor Day and for Earth Day.

1. CONSENT AGENDA
2. APPROVAL OF THE AGENDA AS PRESENTED
3. APPROVAL OF THE MINUTES OF THE APRIL 5, 2016 CITY COUNCIL MEETING
4. MONTHLY FINANCIAL REPORT – FEBRUARY 2016
5. REQUEST FOR PAYMENT – UPSTREAM WEEDS – PROFESSIONAL SERVICES – PAPILLION-LA VISTA PARTNERSHIP – \$1,990.05
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK - \$1,146.32
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CITY PARKING DISTRICT ACCESS IMPROVEMENTS - DRAINAGE - \$2,340.00
8. REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – SOUTHPORT PARKWAY TURN LANE PROJECT - \$1,675.00
9. REQUEST FOR PAYMENT – BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE SYSTEM SELECTION - \$875.00
10. REQUEST FOR PAYMENT – ANDERSON EXCAVATING CO. – CONSTRUCTION SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B – CHANNEL RECONSTRUCTION - \$120,440.20
11. APPROVAL OF CLAIMS.

ABE'S PORTABLES INC, services	\$40.60
ACCREDITED COLLECTION SVC INC, payroll	\$162.08
ALAMAR UNIFORMS, apparel	\$873.00
AMERICAN LEGAL PUBLISHING CO, services	\$62.00
A-RELIEF INC, services	\$280.00

# MINUTE RECORD

April 19, 2016

No. 729 — REEDFIELD & COMPANY, INC., OMAHA E1310556LD

ASPHALT & CONCRETE MATERIALS, maint.	\$247.50
AUTO BRAKE & CLUTCH CO, maint.	\$83.00
AWE ACQUISITION INC, services	\$1,050.00
BAKER & TAYLOR, books	\$7.24
BARCAL, R., travel	\$152.20
BARONE SECURITY SYSTEMS, bld&grnds	\$222.50
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$24.45
BAXTER FORD, maint.	\$145.71
BIBLIONIX LLC, services	\$4,025.00
BISHOP BUSINESS EQUIPMENT, services	\$1,117.80
BLACK HILLS ENERGY, utilities	\$815.51
BOLTE, J., travel	\$345.00
BRENTWOOD AUTO WASH, maint.	\$24.00
BRIDGESTONE GOLF INC, supplies	\$309.00
BUETHE, P., travel	\$1,191.70
BUILDERS SUPPLY CO INC, bld&grnds	\$1,264.01
CALENTINE, J., travel	\$119.50
CALLAWAY GOLF COMPANY, supplies	\$743.24
CARROT-TOP INDUSTRIES INC, supplies	\$1,619.64
CATHERINE DEMES MAYDEW, services	\$97.50
CENTURY LINK BUSN SVCS, phones	\$79.30
CENTURY LINK, phones	\$654.03
CHOICE MARKETING SPORTS CARDS, services	\$364.45
CHRIS MADDEN, services	\$1,500.00
CITY OF OMAHA, services	\$325,173.07
CITY OF PAPILLION, services	\$150,654.00
CLASSIC REFRIGERATION, services	\$430.56
COCA-COLA BOTTLING CO, supplies	\$1,307.69
COMFORT INN-KEARNEY, travel	\$539.70
CONSOLIDATED MANAGEMENT, travel	\$209.25
COX COMMUNICATIONS, services	\$143.00
CREDIT MANAGEMENT SVCS, payroll	\$2.02
CROUCH, JAMIE, refund	\$85.00
CSP 529, payroll	\$50.00
DASH MEDICAL GLOVES, supplies	\$65.90
DATASHIELD CORPORATION, services	\$12.45
DEMCO INC, supplies	\$1,095.63
DIAMOND VOGEL PAINTS, bld&grnds	\$340.22
DISPLAY SALES, supplies	\$128.00
DXP ENTERPRISES INC, maint.	\$55.11
EDGEWEAR SCREEN PRINTING, apparel	\$3,973.25
EFTPS, payroll	\$67,561.18
FEDEX, supplies	\$12.15
FELSBURG HOLT & ULLEVIG, services	\$262.50
FITZGERALD SCHORR BARMETTLER, services	\$26,785.50
GCR TIRES & SERVICE, maint.	\$722.26
GENUINE PARTS COMPANY, maint.	\$1,942.47
GRAYBAR ELECTRIC CO, bld&grnds	\$2,201.73
H & H CHEVROLET LLC, maint.	\$116.10
HARM'S CONCRETE INC, maint.	\$85.00
HEARTLAND PAPER, supplies	\$280.00
HERITAGE CRYSTAL CLEAN, services	\$633.47
HOME DEPOT, bld&grnds	\$68.00
HUNDEN STRATEGIC PARTNERS, services	\$4,900.00
HY-VEE INC, supplies	\$2,598.99
ICMA, payroll	\$35,633.42
INGRAM LIBRARY SERVICES, books	\$939.80
J & J SMALL ENGINE SERVICE, maint.	\$155.74
JONES AUTOMOTIVE INC, maint.	\$203.00
KRIHA FLUID POWER CO INC, maint.	\$205.81

# MINUTE RECORD

April 19, 2016

No. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

LANDPORT SYSTEMS INC, services	\$125.00
LARSEN SUPPLY CO, supplies	\$159.60
LFOP DUES, payroll	\$1,220.00
LIBRA INDUSTRIES INC, supplies	\$86.85
LOU'S SPORTING GOODS, supplies	\$1,335.90
LOWE'S CREDIT SERVICES, bld&grnds	\$109.02
MATHESON TRI-GAS INC, apparel	\$462.44
MAX I WALKER UNIFORM RENTAL, services	\$609.77
MC CANN PLUMBING SERVICE INC, bld&grnds	\$21.39
MENARDS, bld&grnds	\$370.07
METRO AREA TRANSIT, services	\$816.00
METRO LANDSCAPE MATERIALS, bld&grnds	\$210.00
MID CON SYSTEMS INC, bld&grnds	\$320.60
MIDWEST TAPE, media	\$26.24
MISEREZ, C., travel	\$119.50
MOBOTREX MOBILITY & TRAFFIC, maint.	\$95.25
MONARCH OIL INC, maint.	\$262.50
MUD, utilities	\$1,578.83
MUNICIPAL PIPE TOOL CO, services	\$5,471.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$158.35
NE CHILD SUPPORT PAYMENT CTR, payroll	\$966.08
NE STATE INCOME TAX, payroll	\$9,995.73
NEBRASKA BUSINESS ELECTRONICS, services	\$25.00
NEBRASKA ENVIRONMENTAL PRODS, maint.	\$481.84
NEBRASKA LANDSCAPE SOLUTIONS, supplies	\$1,314.52
NEBRASKA LIBRARY COMMISSION, media	\$2,444.28
NEBRASKA TURF PRODUCTS, supplies	\$2,444.00
NEBRASKA WELDING LTD, maint.	\$30.91
NMC EXCHANGE LLC, maint.	\$24.18
OFFICE DEPOT INC, supplies	\$673.81
OMAHA MAGAZINE LTD, services	\$446.00
OMAHA WORLD-HERALD, services	\$610.72
OPPD, utilities	\$50,070.24
O'REILLY AUTOMOTIVE STORES INC, maint.	\$420.70
PAPILLION SANITATION, services	\$2,684.31
PLAINS EQUIPMENT GROUP, maint.	\$1,415.19
POLICE INSURANCE, payroll	\$261.89
PREMIER-MIDWEST BEVERAGE CO, supplies	\$177.70
QP ACE HARDWARE, bld&grnds	\$1,045.83
QUALITY BRANDS OF OMAHA, supplies	\$292.00
READY MIXED CONCRETE CO, bld&grnds	\$2,824.63
SARPY COUNTY ECON DEV.CORP, services	\$25.00
SARPY COUNTY REGISTER OF DEEDS, services	\$32.00
SIRCHIE FINGER PRINT LABS, services	\$101.46
SOLBERG, C., travel	\$215.74
SOUCIE, J., travel	\$119.50
SOUTHEAST AREA CLERK'S ASSN, services	\$20.00
SPRINT, phones	\$643.40
TAMMI LARSEN, refund	\$85.00
THEATRICAL MEDIA SERVICES INC, services	\$845.40
THOMPSON DREESSEN & DORNER, services	\$14,878.15
TOM MILLER, travel	\$190.08
TRACTOR SUPPLY, apparel	\$49.99
TRILLIUM CNG (1700), supplies	\$8.30
TURFWERKS, maint.	\$250.00
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED DISTRIBUTORS INC, bld&grnds	\$74.76
VAN RU CREDIT CORPORATION, payroll	\$39.45
VIERREGGER ELECTRIC CO, maint	\$19,796.81
WHITE CAP CONSTR SUPPLY, apparel	\$56.99

# MINUTE RECORD

April 19, 2016

No. 729 — REEDFIELD & COMPANY, INC., OMAHA, E1310558LD

WICK'S STERLING TRUCKS INC, maint.	\$19.77
ZIMCO SUPPLY CO, supplies	\$2,370.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded the Mayor and Council of the Park Tour on May 10, 2016 at 5:30.

Police Chief Lausten reported on active shooter training which took place in some of the city facilities.

Director of Public Works Soucie gave updates on Thompson Creek and 66<sup>th</sup> Street. Soucie also reminded Council that clean up days are April 22<sup>nd</sup> and 23<sup>rd</sup>.

## B. COX COMMUNICATION CABLE OPERATOR FRANCHISE – REQUEST FOR RENEWAL

### 1. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Cox Communication Cable Operator Franchise – request for renewal. Nick Paden representing Cox Communications was in attendance to answer any questions. Councilmember Sell asked what the City's controls are. City Attorney McKeon stated that there were customer service requests that they have addressed and once the public hearing is concluded the City would begin negotiations on the franchise agreement.

At 7:20 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## C. AMEND VARIOUS SECTIONS OF THE LA VISTA MUNICIPAL CODE

### 1. ORDINANCE – AMEND SECTION 73.01

Councilmember Hale introduced Ordinance No. 1279 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 73.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1279 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

# MINUTE RECORD

April 19, 2016

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

## **2. ORDINANCE - AMEND SECTION 93.025**

Councilmember Hale introduced Ordinance No. 1280 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 93.025; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1280 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

## **D. RESOLUTION - APPROVE CHANGE ORDER NO. 2 - THOMPSON CREEK CHANNEL REHABILITATION - GROUP B CHANNEL RECONSTRUCTION**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-039; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH ANDERSON EXCAVATING COMPANY, OMAHA, NEBRASKA, TO PROVIDE FOR CHANGES TO VARIOUS WORK ITEMS IN THE THOMPSON CREEK CHANNEL REHABILITATION - GROUP B CHANNEL RECONSTRUCTION CONTRACT

WHEREAS, the City has determined it is necessary to delete a portion of the work in Central Park, channel Maintenance that will be contracted directly with a sub-contractor, and various extra work items due to unknown conditions encountered during construction; and

WHEREAS, this change order decreases the contract price from \$1,332,728.50 to \$1,326,880.41; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Anderson Excavating Company, Omaha, Nebraska to provide for changes to various work items in the Thompson Creek Channel Rehabilitation - Group B Channel Reconstruction Contract.

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

## **E. RESOLUTION - APPROVE AMENDMENT NO. 1 - SUPPLEMENTAL SERVICES - CITY PARKING DISTRICT ACCESS IMPROVEMENTS**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-040; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE (1) TO A PROFESSIONAL SERVICES AGREEMENT WITH OLSSON ASSOCIATES FOR ADDITIONAL DESIGN PHASE ENGINEERING SERVICES RELATED TO THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$184,781.11.

# MINUTE RECORD

April 19, 2016

No. 728 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

WHEREAS, the City Council of the City of La Vista has determined that said additional services for City Parking District access improvements are necessary; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of amendment number one (1) to a professional services agreement with Olsson Associates for additional design phase engineering services related to the City Parking District Access Improvements in an amount not to exceed \$184,781.11.

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

## **F. RESOLUTION – COUNCIL POLICY STATEMENT – COMPENSATION POLICY**

Councilmember Thomas introduced and moved for the adoption of Resolution No.16-041; 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, changes to the City's Employee Performance Management Program are being recommended; and

WHEREAS, a Council Policy Statement entitled "Employee Compensation – Pay for Performance" has been created in conjunction with recommendations made by Management Education Group, the consultant engaged to assist the City in revising the performance management program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Employee Compensation – Pay for Performance" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

## **G. RESOLUTION – APPROVE PURCHASE – UTILITY TASK VEHICLE – POLICE DEPARTMENT**

Councilmember Quick introduced and moved for the adoption of Resolution No.16-042; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE A KAWASAKI MULE TRANS4X4 SE UTILITY VEHICLE FROM DILLON BROTHERS MOTORSPORTS, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$10,800.

WHEREAS, the police department has a need for a specialized 4x4 utility vehicle for use in the City, and

WHEREAS, staff researched various models of law enforcement use utility vehicles and concluded a Kawasaki Mule 4010 TRANS4X4 SE best fits the police department's need, and

WHEREAS, Dillon Brothers MotorSports, Omaha, Nebraska will extend GSA pricing on the unit, and

# MINUTE RECORD

April 19, 2016

No. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the police department to purchase one (1) 2016 Kawasaki Mule 4010 TRANS4x4 SE from Dillon Brothers MotorSports, Omaha, Nebraska, in an amount not to exceed \$10,800.

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

## H. POSITION DESCRIPTION UPDATE

Councilmember Hale made a motion to receive and file the Position Description update. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## I. STRATEGIC PLAN UPDATE

Councilmember Sell made a motion to receive and file the Strategic Plan update. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## J. EXECUTIVE SESSION –STRATEGY SESSION-POTENTIAL REAL ESTATE ACQUISITION; PERSONNEL; POTENTIAL LITIGATION

At 7:29 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for a strategy session about potential real estate acquisition and potential real estate acquisition and for protection of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:10 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: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that there were going to be food trucks at 78<sup>th</sup> and Pacific and would be something to look into for La Vista.

At 9:12 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

# MINUTE RECORD

April 19, 2016

No. 729 — REEDFIELD & COMPANY, INC., OMAHA E13105561.D

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC  
City Clerk



A-3

March 31, 2016  
 Project No: 2011.519.03.I  
 Invoice No: 40643

John Kottmann  
 City of La Vista  
 9900 Portal Road  
 LaVista, NE 68128

Project 2011.519.03.I LaVista NE City of - Thompson Ck Outreach

Professional Services through March 31, 2016

**Professional Personnel**

	Hours	Rate	Amount
Landscape Architect	4.00	101.00	404.00
Landscape Architect	.50	99.00	49.50
Project Coordinator	1.00	84.00	84.00
<b>Totals</b>	<b>5.50</b>		<b>537.50</b>
<b>Total Labor</b>			<b>537.50</b>

<b>Billing Limits</b>	<b>Current</b>	<b>Prior</b>	<b>To-Date</b>
Total Billings	537.50	20,644.00	21,181.50
Limit			39,300.00
Remaining			18,118.50
		<b>Total this Invoice</b>	<b>\$537.50</b>

Design of Storm Water Banners

O.K. to pay

BJMK 4-25-2016

02.43.0505

Consent Agenda 5/3/16 (pb)



A-4

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1 BK NE CKG MAIN (600-873)									
Thru	46422			46424	Payroll Checks				
Thru	46425			120859	Gap in Checks				
120860	4/20/2016	1270	PREMIER-MIDWEST BEVERAGE CO			320.25	**MANUAL **		
120861	4/20/2016	1194	QUALITY BRANDS OF OMAHA			363.40	**MANUAL **		
120862	4/20/2016	397	ACCREDITED COLLECTION SVC INC			162.08	**MANUAL **		
120863	4/20/2016	4867	VAN RU CREDIT CORPORATION			31.24	**MANUAL **		
120864	4/20/2016	4222	GREAT PLAINS GFOA			550.00	**MANUAL **		
120865	4/20/2016	249	BKD LLP			11,090.00	**MANUAL **		
120866	4/20/2016	147	CHRIS MADDEN			1,990.05	**MANUAL **		
120867	4/20/2016	143	THOMPSON DREESSEN & DORNER			3,486.32	**MANUAL **		
120868	4/20/2016	4326	MIDWEST RIGHT OF WAY SVCS INC			1,675.00	**MANUAL **		
120869	4/20/2016	4592	BERRY DUNN			875.00	**MANUAL **		
120870	4/20/2016	2705	ANDERSON EXCAVATING COMPANY			120,440.20	**MANUAL **		
120871	4/21/2016	4151	HUNDEN STRATEGIC PARTNERS			4,901.00	**MANUAL **		
120872	4/26/2016	944	NE DEPT OF REVENUE-LOTT/51			88,185.00	**MANUAL **		
120873	5/03/2016	4624	911 CUSTOM LLC			217.50			
120874	5/03/2016	4354	A-RELIEF SERVICES INC			140.00			
120875	5/03/2016	762	ACTION BATTERIES UNLTD INC			103.08			
120876	5/03/2016	571	ALAMAR UNIFORMS			3,575.24			
120877	5/03/2016	1973	ANN TROE			1,040.00			
120878	5/03/2016	4731	ASCAP			325.83			
120879	5/03/2016	188	ASPHALT & CONCRETE MATERIALS			147.00			
120880	5/03/2016	4515	B & B TECHNOLOGIES INC			32.91			
120881	5/03/2016	849	BARONE SECURITY SYSTEMS			804.00			
120882	5/03/2016	929	BEACON BUILDING SERVICES			5,812.00			
120883	5/03/2016	3119	BIRCH, ANN			405.00			
120884	5/03/2016	4781	BISHOP BUSINESS EQUIPMENT			54.62			
120885	5/03/2016	196	BLACK HILLS ENERGY			3,847.93			
120886	5/03/2016	2757	BOBCAT OF OMAHA			164.34			
120887	5/03/2016	4494	BRIDGESTONE GOLF INC			306.00			
120888	5/03/2016	76	BUILDERS SUPPLY CO INC			150.10			
120889	5/03/2016	523	CARROT-TOP INDUSTRIES INC			303.55			
120890	5/03/2016	219	CENTURY LINK			107.08			
120891	5/03/2016	301	CITY OF PAPILLION			2,928.05			
120892	5/03/2016	1504	CITY OF PAPILLION PARKS/RECR			35.00			
120893	5/03/2016	313	CONRECO INCORPORATED			42.00			
120894	5/03/2016	4615	CONSOLIDATED MANAGEMENT			640.50			
120895	5/03/2016	468	CONTROL MASTERS INCORPORATED			290.00			
120896	5/03/2016	2158	COX COMMUNICATIONS			160.09			
120897	5/03/2016	707	CULLIGAN OF OMAHA			10.00			
120898	5/03/2016	4863	D & K PRODUCTS			3,562.75			
120899	5/03/2016	4981	DATASHIELD CORPORATION			6.75			
120900	5/03/2016	3132	DEARBORN NATIONAL LIFE INS CO			.00	**CLEARED**	**VOIDED**	
120901	5/03/2016	3132	DEARBORN NATIONAL LIFE INS CO			.00	**CLEARED**	**VOIDED**	
120902	5/03/2016	3132	DEARBORN NATIONAL LIFE INS CO			.00	**CLEARED**	**VOIDED**	

BANK NO	BANK NAME			CHECK AMOUNT	CLEARED	VOIDED	MANUAL
CHECK NO	DATE	VENDOR NO	VENDOR NAME				
120903	5/03/2016	3132	DEARBORN NATIONAL LIFE INS CO	9,911.25			
120904	5/03/2016	425	DH WIRELESS SOLUTIONS	5,773.74			
120905	5/03/2016	954	DHHS REG/LIC-POOL PERMIT	240.00			
120906	5/03/2016	77	DIAMOND VOGEL PAINTS	183.46			
120907	5/03/2016	364	DULTMEIER SALES & SERVICE	436.30			
120908	5/03/2016	4003	EARL RISER CONCRETE	2,000.00			
120909	5/03/2016	3334	EDGEWEAR SCREEN PRINTING	1,006.00			
120910	5/03/2016	2388	EXCHANGE BANK	305.79			
120911	5/03/2016	3159	FASTENAL COMPANY	34.93			
120912	5/03/2016	2061	FERGUSON ENTERPRISES INC #226	220.66			
120913	5/03/2016	1245	FILTER CARE	18.00			
120914	5/03/2016	1256	FIRST NATIONAL BANK FREMONT	16,867.50			
120915	5/03/2016	53	GCR TIRES & SERVICE	322.94			
120916	5/03/2016	71	GREENKEEPER COMPANY INC	483.76			
120917	5/03/2016	4830	GT DISTRIBUTORS INC - AUSTIN	1,710.00			
120918	5/03/2016	1624	GUNN, BRENDA	405.00			
120919	5/03/2016	387	HARM'S CONCRETE INC	105.00			
120920	5/03/2016	797	HOBBY LOBBY STORES INC	11.98			
120921	5/03/2016	3050	INSIGHT PUBLIC SECTOR	3,879.25			
120922	5/03/2016	4851	J & J SMALL ENGINE SERVICE	423.83			
120923	5/03/2016	1896	J Q OFFICE EQUIPMENT INC	128.64			
120924	5/03/2016	788	KINDIG, DOUGLAS	256.00			
120925	5/03/2016	1054	MARK A KLINKER	200.00			
120926	5/03/2016	2394	KRIHA FLUID POWER CO INC	151.82			
120927	5/03/2016	2057	LA VISTA COMMUNITY FOUNDATION	60.00			
120928	5/03/2016	544	MAPA-METRO AREA PLANNING AGNCY	60.00			
120929	5/03/2016	919	MARTIN MARIETTA AGGREGATES	4,262.44			
120930	5/03/2016	877	MATHESON TRI-GAS INC	13.50			
120931	5/03/2016	346	MAX I WALKER UNIFORM RENTAL	609.70			
120932	5/03/2016	4943	MENARDS-RALSTON	818.73			
120933	5/03/2016	872	METROPOLITAN COMMUNITY COLLEGE	17,305.46			
120934	5/03/2016	553	METROPOLITAN UTILITIES DIST.	905.98			
120935	5/03/2016	1046	MIDWEST TURF & IRRIGATION	187.67			
120936	5/03/2016	1050	MILLER PRESS	213.00			
120937	5/03/2016	2529	NEBRASKA SOFTBALL ASSN DIST#10	1,295.00			
120938	5/03/2016	808	NEWMAN TRAFFIC SIGNS INC	.00	**CLEARED**	**VOIDED**	
120939	5/03/2016	808	NEWMAN TRAFFIC SIGNS INC	3,025.40			
120940	5/03/2016	4920	NIGHT FLYER GOLF INC	1,157.00			
120941	5/03/2016	124	NPZA-NE PLANNING/ZONING ASSN	560.00			
120942	5/03/2016	179	NUTS AND BOLTS INCORPORATED	4.29			
120943	5/03/2016	3978	QDB COMPANY	294.27			
120944	5/03/2016	1014	OFFICE DEPOT INC	340.55			
120945	5/03/2016	2799	OFFUTT YOUTH CENTER	1,008.00			
120946	5/03/2016	402	OMAHA MAGAZINE LTD	446.00			
120947	5/03/2016	319	OMAHA WINNELSON	425.00			
120948	5/03/2016	167	QMRI	579.15			
120949	5/03/2016	4815	ONE CALL CONCEPTS INC	253.53			
120950	5/03/2016	1769	PAYLESS OFFICE PRODUCTS INC	251.32			
120951	5/03/2016	1784	PLAINS EQUIPMENT GROUP	1,221.10			
120952	5/03/2016	3446	PRO-PAPILLION RECREATION ORG	1,725.00			
120953	5/03/2016	427	RAMIREZ, RITA M	405.00			
120954	5/03/2016	281	RAY ALLEN MANUFACTURING CO INC	40.49			
120955	5/03/2016	3139	RECORDED BOOKS, LLC	195.74			

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10.30.14

Wed Apr 27, 2016 3:59 PM

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City of Lavista  
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 3

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
120956		5/03/2016	3090 REGAL AWARDS OF DISTINCTION			470.00			
120957		5/03/2016	3774 RETRIEVEX			125.61			
120958		5/03/2016	487 SAPP BROS PETROLEUM INC			.00	**CLEARED**	**VOIDED**	
120959		5/03/2016	487 SAPP BROS PETROLEUM INC			2,062.06			
120960		5/03/2016	2240 SARPY COUNTY COURTHOUSE			4,100.37			
120961		5/03/2016	150 SARPY COUNTY TREASURER			2,447.75			
120962		5/03/2016	1034 SCHENMER ASSOCIATES INC			573.75			
120963		5/03/2016	738 SIGN IT			80.00			
120964		5/03/2016	4272 SOLBERG, CHRISTOPHER			405.00			
120965		5/03/2016	3838 SPRINT			119.97			
120966		5/03/2016	871 STOPAK, SCOTT			405.00			
120967		5/03/2016	264 TED'S MOWER SALES & SERVICE			12.50			
120968		5/03/2016	961 TIELKE'S SANDWICHES			44.82			
120969		5/03/2016	4231 TORNADO WASH LLC			410.00			
120970		5/03/2016	4869 TRANS UNION RISK AND			25.00			
120971		5/03/2016	176 TURFWERKS			27.26			
120972		5/03/2016	269 UNITED SEEDS INCORPORATED			330.00			
120973		5/03/2016	809 VERIZON WIRELESS			91.65			
120974		5/03/2016	809 VERIZON WIRELESS			180.56			
120975		5/03/2016	1174 WAL-MART COMMUNITY BRC			.00	**CLEARED**	**VOIDED**	
120976		5/03/2016	1174 WAL-MART COMMUNITY BRC			.00	**CLEARED**	**VOIDED**	
120977		5/03/2016	1174 WAL-MART COMMUNITY BRC			1,925.04			
120978		5/03/2016	3150 WHITE CAP CONSTR SUPPLY/HDS			79.99			
120979		5/03/2016	968 WICK'S STERLING TRUCKS INC			147.00			

2720101  
Thru 2736501 Payroll Checks

1260862	4/22/2016	5017 EFTPS	Federal Payroll Taxes	66,488.79	**E-PAY**
1260863	4/22/2016	5018 NE STATE INCOME TAX		9,711.10	**E-PAY**
1260864	4/22/2016	5019 ICMA PAYROLL	Pension	35,067.29	**E-PAY**
1260865	4/22/2016	5020 NE CHILD SUPPORT PAYMENT CTR		966.08	**E-PAY**
1260866	4/22/2016	5023 LFOP DUES		1,220.00	**E-PAY**
1260867	4/22/2016	5024 POLICE INSURANCE		261.89	**E-PAY**
1260868	4/22/2016	5025 529 CSP	College Savings Plan	50.00	**E-PAY**
1260872	4/23/2016	5017 EFTPS		1,368.84	**E-PAY**
1260873	4/23/2016	5018 NE STATE INCOME TAX		236.14	**E-PAY**
1260874	4/23/2016	5019 ICMA PAYROLL		549.38	**E-PAY**

BANK TOTAL	472,002.87
OUTSTANDING	472,002.87
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	199,272.89	199,272.89	.00	.00
02 SEWER FUND	15,195.63	15,195.63	.00	.00
04 BOND(S) DEBT SERVICE FUND	16,867.50	16,867.50	.00	.00
05 CONSTRUCTION	131,349.18	131,349.18	.00	.00
08 LOTTERY FUND	97,381.83	97,381.83	.00	.00
09 GOLF COURSE FUND	7,034.84	7,034.84	.00	.00
16 REDEVELOPMENT	4,901.00	4,901.00	.00	.00

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10.30.14

Wed Apr 27, 2016 3:59 PM

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City of LaVista  
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 4

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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REPORT TOTAL	472,002.87
OUTSTANDING	472,002.87
CLEARED	.00
VOIDED	.00

+ Gross Payroll 04/22/16	361,223.62
- Payroll ACH Payments	<u>115,919.51</u>
GRAND TOTAL	<u>\$717,306.98</u>

APPROVED BY COUNCIL MEMBERS 05/03/16

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MAY 3, 2016 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL AGREEMENT: LAW RECORDS MANAGEMENT SYSTEM CONSULTING SERVICES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

**SYNOPSIS**

A resolution has been prepared to approve an Interlocal Cooperation Agreement for the selection of a consultant to assist in the procurement process of a county-wide Law Records Management System (LRMS) product in an amount not to exceed \$8,335.00.

**FISCAL IMPACT**

The cost of this project is estimated not to exceed Fifty Thousand Dollars (\$50,000) with Sarpy County to pay 50%, and the cities of La Vista, Papillion and Bellevue to 16.67%, which equates to \$8,335. Funds for this will be budgeted in the FY17 budget as the cities would not be billed until after October 1, 2016.

**RECOMMENDATION**

Approval

**BACKGROUND**

The Law Records Management System (LRMS) that serves the four law enforcement agencies in Sarpy County since 1999 has an "end of life" per Motorola in August 2018. The "end of life" means Motorola will stop supporting the product. We will not be able to repair any software issues that arise with the system. Over the years there have been 31 LRMS software upgrades, with the last software upgrade occurring on August 15, 2013. Along with software upgrades the hardware has also been upgraded due to normal hardware life cycles. After 2018, if a fatal error occurs, the System may fail completely.

Sarpy County law enforcement and Sarpy IT have been meeting to review the situation and recommend how to proceed. The only viable solution is to acquire a new LRMS. The technical details related to selecting a LRMS provider exceed the technical abilities of law enforcement representatives and Sarpy County IT staff. It was subsequently determined that it is necessary to utilize the consulting services of a firm with expertise in the subject matter. As such, an interlocal agreement has been drafted and is attached for your review. The purpose of this Agreement is to share the cost for a technical study of benefits, needs, and uses of a shared LRMS system. The parties reserve the right to select an alternate vendor and/or software package in the event that the consultant does not identify solutions required by the respective police departments.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, THE CITY OF BELLEVUE AND THE CITY OF PAPILLION FOR THE SELECTION OF A LAW RECORDS MANAGEMENT CONSULTANT IN AN AMOUNT NOT TO EXCEED \$8,335.00.

WHEREAS, the Mayor and Council have determined that replacement of the current law records management system may be necessary; and

WHEREAS, the Parties in the Agreement would benefit jointly from the purchase and use of a Law Records Management System (LRMS); and

WHEREAS, the purpose of this Agreement is to share the cost for a technical study of benefits, needs, and uses of a shared LRMS system; and

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, *et seq.*, the Parties wish to permit their local government units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities;

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

NOW, THEREFORE, BE IT RESOLVED, the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Sarpy County, the City of Bellevue, and the City of Papillion for the selection of a LRMS consultant in an amount not to exceed \$8,335.00.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

## **INTERLOCAL COOPERATION AGREEMENT FOR LAW RECORD MANAGEMENT SYSTEM CONSULTING SERVICES**

This Agreement is by and between the County of Sarpy, Nebraska and the Cities of Papillion, Bellevue, and La Vista, Nebraska.

WHEREAS, the parties hereto are political subdivisions, duly authorized and existing under the laws of the State of Nebraska; and,

WHEREAS, the parties would benefit jointly from the purchase and use of an Law Records Management System (LRMS); and,

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq., the Parties wish to permit their local government units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES, PURSUANT TO NEB. REV. STAT. § 13-807, AS FOLLOWS:

- I. This Agreement shall expire upon the performance of all the obligations of the parties as described herein.
- II. No separate legal or administrative entity will be created hereunder. Existing agents of the respective Parties will complete the terms of this contract.
- III. The purpose of this Agreement is to participate jointly in the selection and retention of a consultant to assist in the procurement process of a LRMS product. However, the parties reserve the right to select an alternate vendor and/or software package in the event that the consultant does not identify solutions required by the respective police departments.
- IV. The Project will be financed as provided for in Paragraph VII. herein. This agreement may be amended as may be required for purposes of aiding a party hereto in financing its obligations under this agreement.
- V. Termination of this Agreement shall properly occur upon the completion of the work of the consultant.

- VI. A collective interest in this project will be shared and represented by the respective police chiefs of each entity. These chiefs shall have limited authority to recommend approval of the study to their respective city administrators.
- VII. The parties shall participate jointly to select and retain a consultant to assist in the procurement process of an LRMS. The selection of the consultant shall occur by majority vote in which each entity (Sarpy County, the City of Papillion, the City of Bellevue, and the City of La Vista) will each have one vote cast by their individually designated representatives.
- VIII. The cost of this project is estimated not to exceed Fifty Thousand Dollars (\$50,000) with Sarpy County to pay 50%, the City of Papillion to pay 16.67%, the City of Bellevue to pay 16.67%, and the City of La Vista to pay 16.67%. The 16.67% individual contributions of the City of Papillion, the City of Bellevue, and the City of La Vista shall not be billed by Sarpy County until after October 1, 2016. Payment shall be due to Sarpy County within thirty (30) days of the invoice date.
- IX. Pursuant to Neb. Rev. Stat. § 13-804 (5), the Parties hereto acknowledge, stipulate, and agree that this Contract shall not relieve any public agency of any obligation or responsibility imposed upon it by law.
- X. Pursuant to Neb. Rev. Stat. § 23-3113, the Parties hereto declare and affirm that no officer, member, or employee, and no member of their governing bodies, and no other public official of parties who exercises any functions or responsibilities in the review or approval of the undertaking described in this Agreement or the performing of either Parties' obligations pursuant to this Agreement which affects his or her personal interest, or any partnership, or association in which he or she is directly or indirectly interested; nor shall any employee, nor any member of their governing bodies, have any interest, direct or indirect, in this Agreement or the proceeds thereof.
- XI. It is understood and agreed by the Parties hereto that if any part, term, condition or provision of this Agreement is held to be illegal or in conflict with any law of this State or of the United States, the validity of the remaining parties, terms, conditions or provisions shall not be affected, and the rights and obligations of

the Parties shall be construed and enforced as if the contract did not contain the particular part, term, condition or provisions held to be invalid.

XII. Drug- Free Workplace. The parties hereto certify that they maintain a drug-free workplace environment to ensure worker safety and workplace integrity.

XIII. Public Employer. Pursuant to and in order to be in compliance with Neb. Rev. Stat. § 4-114(2), each Party hereby agrees to use a federal immigration verification system, as that system is described in the Illegal Immigration Reform and Immigration Responsibility Act of 1996, to determine the work eligibility status of new employees physically performing services within the State of Nebraska.

XIV. Non Discrimination. The parties hereto agree that they and their sub-contractors will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire and conditions of employment because of his race, color, religion, sex, disability, or national origin.

**IN WITNESS WHEREOF, we, the contracting parties, by our respective and duly authorized agents, hereto affix our signatures and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

COUNTY OF SARPY, NEBRASKA,  
A Body Politic and Corporate.

(Seal)

ATTEST:

Sarpy County Clerk

By: \_\_\_\_\_  
Chairman, Sarpy County Board  
of Commissioners

Approved as to form and content:

Deputy Sarpy County Attorney

(Seal)

**CITY OF PAPILLION, NEBRASKA,**

ATTEST:

---

**Clerk**

By: \_\_\_\_\_  
Mayor

Approved as to form and content:

---

## **City Attorney/Assistant**

Remainder of page intentionally left blank.

(Seal)

CITY OF BELLEVUE, NEBRASKA,

ATTEST:

Clerk

By:

Mayor

Approved as to form and content:

City Attorney/Assistant

Remainder of page intentionally left blank.

(Seal)

CITY OF LA VISTA, NEBRASKA,

ATTEST:

By: \_\_\_\_\_  
Mayor

Clerk

Mayor

Approved as to form and content:

### **City Attorney/Assistant**

Remainder of page intentionally left blank.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MAY 3, 2016 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
MAINTENANCE AGREEMENT - THOMPSON CREEK CHANNEL REHABILITATION-GROUP B CHANNEL RECONSTRUCTION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared to authorize an agreement with Yano's Nursery, Inc. to perform Year 1, Year 2 and Year 3 Channel Maintenance in the Thompson Creek Channel Rehabilitation-Group "B" Channel Reconstruction project in an amount not to exceed \$33,000.00

**FISCAL IMPACT**

The FY 16 Capital Improvement Program provides funding for project.

**RECOMMENDATION**

Approval

**BACKGROUND**

Bids were taken on February 20, 2015, for the construction of the Thompson Creek Rehabilitation Group B-Channel Reconstruction. The low bid for this section of the work was submitted by Anderson Excavating Co. in the amount of \$1,332,728.50 with a completion date of September 1, 2015. The original bids included Year 1, Year 2 and Year 3 Maintenance bid items in the respective amounts of \$15,000, 10,000 and \$8,000.

The maintenance work is part of the landscaping sub-contractor's work on the project. The sub-contractor is Yano's Nursery, Inc. The City Engineer recommends that the best interests of the City are served by contracting directly with Yano's Nursery, Inc. rather than working through Anderson Excavating Company to obtain these services. Both companies have agreed to the transfer of the obligations. Change Order No. 2 recently approved with Anderson Excavating Company removed this work from their contract.

The contract amounts are the same as originally bid in a cumulative total of \$33,000.00 over three years. The native grass plantings require several years of growth and maintenance to become established.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH YANO'S NURSERY, INC., OMAHA, NEBRASKA, TO PERFORM YEAR 1, YEAR 2 AND YEAR 3 CHANNEL MAINTENANCE IN THE THOMPSON CREEK CHANNEL REHABILITATION - GROUP B CHANNEL RECONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$33,000

WHEREAS, the City has determined it is necessary to contract the channel maintenance directly with a sub-contractor; and

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, to authorize an agreement with Yano's Nursery, Inc., Omaha, Nebraska to perform Year 1, Year 2 and Year 3 Channel Maintenance in the Thompson Creek Channel Rehabilitation - Group B Channel Reconstruction Project in an amount not to exceed \$33,000.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

ATTEST:

---

**Pamela A. Buethe, CMC**  
City Clerk

## CONTRACT

THIS AGREEMENT made and entered into in quadruplicate, this 8<sup>th</sup> day of APRIL, 2016, by and between the CITY OF LA VISTA, NEBRASKA, hereinafter referred to as "Owner" and YANO'S NURSERY, hereinafter referred to as "Contractor".

### WITNESSETH:

This contract, for CHANNEL MAINTENANCE, all applicable laws governing the Owner's authority to contract, and the general detailed plans and specifications, prepared for the Owner by Thompson, Dreessen & Dorner, Inc., Engineers, entitled "Plans and Specifications for THOMPSON CREEK CHANNEL REHABILITATION GROUP B – CHANNEL RECONSTRUCTION", contains the entire agreement between the Owner and Contractor, and there are no other written or oral promises, agreements, or warrants which may affect it, except as previously noted herein. This Contract cannot be amended except by written agreement of both parties. Notice to the parties shall be given in writing to the agents for each party named below:

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

Contractor: Yano's Nursery  
5240 S. 192<sup>nd</sup> Street  
Omaha, NE 68135

In consideration of the following mutual agreements and covenants to be kept by each party, the Contractor agrees to furnish all tools, labor, equipment, materials and permits required to construct said Thompson Creek Channel Rehabilitation Group B – Channel Reconstruction MAINTENANCE in accordance with the aforesaid plans and specifications for the following unit prices:

Item	Description	Approx. Quantities	Unit Price	Amount
<b>Maintenance</b>				
1	Year One Maintenance For Project Area	1 L.S.	\$ 15,000.00 / L.S.	\$ 15,000.00
2	Year Two Maintenance For Project Area	1 L.S.	\$ 10,000.00 / L.S.	\$ 10,000.00
3	Year Three Maintenance For Project Area	1 L.S.	\$ 8,000.00 / L.S.	\$ 8,000.00
<b>TOTAL CONTRACT AMOUNT</b>				<b>\$ 33,000.00</b>

Contractor must furnish a Certificate of Insurance for Worker's Compensation and Public Liability Insurance and Auto Insurance in the manner and with minimum limits as set forth in the General Conditions of the Contract.

The Contractor is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

Contract is let subject to the following conditions:

The Contractor shall provide maintenance to the channel for three years. Each year will be paid for separately on a yearly lump sum basis. The yearly lump sum may be invoiced and paid in three increments as spring, summer and fall work has been completed. An annual meeting shall be held on site consisting of a walkthrough of the project area with the Engineer and/or City of La Vista, to determine areas in need of maintenance.

All maintenance shall conform with the provisions of Section 38 of the Special Provisions of the Specifications for the Group B – Channel Reconstruction project.

CONTRACT  
Page Two

EXECUTED the day and year first above written.

THE CITY OF LA VISTA, NEBRASKA

YANO'S NURSERY

BY

TITLE

BY

TITLE

ATTEST

ATTEST

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MAY 3, 2016 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PARTIAL ACQUISITION CONTRACT		
SUPPLEMENTAL SERVICES	◆ RESOLUTION	JOHN KOTTMANN
CITY PARKING DISTRICT ACCESS	ORDINANCE	CITY ENGINEER/ASSISTANT
IMPROVEMENTS-AUTHORIZE AGREEMENT	RECEIVE/FILE	PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the execution of a partial Acquisition Contract with Pinnacle Bank to acquire a portion of Lot 1, Southport East Replat Three (661.87 square feet) for additional right of way to widen Southport Parkway at its intersection with Giles Road in an amount not to exceed \$10,600.

**FISCAL IMPACT**

The FY 16 Capital Improvement Program provides funding for this project.

**RECOMMENDATION**

Approval

**BACKGROUND**

The Capital Improvements Program includes project PWST-16-002 for the construction of the City Parking Lot Service Road. The design work for this project, as well as previous traffic impact studies, identified that intersection improvements at two existing intersections are also needed to accommodate ongoing development in the Southport area. This includes intersection improvements at the Southport Parkway and Westport Parkway intersection as well as the Southport Parkway and Giles Road intersection. These intersection improvements involve signal modifications as well as some property rights to allow widening of pavement. A small land acquisition is needed in front of Pinnacle Bank on Southport Parkway to allow for a dual right-turn lane to be constructed.

The compensation was based on an appraisal prepared by Giff Property Services. A Partial Acquisition Contract has been signed by Pinnacle Bank and is ready for execution by the City.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PARTIAL ACQUISITION CONTRACT WITH PINNACLE BANK TO ACQUIRE A PORTION OF LOT 1, SOUTHPORT EAST REPLAT THREE FOR ADDITIONAL RIGHT OF WAY TO WIDEN SOUTHPORT PARKWAY AT ITS INTERSECTION WITH GILES ROAD IN AN AMOUNT NOT TO EXCEED \$10,600.

WHEREAS, the City Council of the City of La Vista has determined that said partial acquisition of right of way to widen Southport Parkway at its intersection with Giles Road; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the City Administrator to execute a partial acquisition contract with Pinnacle Bank to acquire a portion of Lot 1, Southport East Replat Three for additional right of way to widen Southport Parkway at its intersection with Giles Road in an amount not to exceed \$10,600.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

ATTEST:

---

**Pamela A. Buethe, CMC**  
City Clerk

## STATE OF NEBRASKA

LOCAL POLITICAL SUBDIVISION  
PARTIAL ACQUISITION CONTRACT - CORPORATION

## Copies to:

1. Right of Way Division, Nebraska Department of Roads
2. Owner
3. Buyer

Project.: Southport Pkwy Turn Lane  
 Control No.: PWST 16-002  
 Tract No.: 1

THIS CONTRACT, made and entered into this 11th day of APRIL, 2016,  
 by and between, PINNACLE BANK  
 organized and existing under and by virtue of the laws of the State of Nebraska  
 Address: 1200 Golden Gate Drive, Papillion, Nebraska 68046  
 hereinafter called the OWNER, and the CITY OF LA VISTA, NEBRASKA, hereinafter called the BUYER.

## RIGHT OF WAY

WITNESSETH: In consideration of the payment or payments as specified below, the OWNER hereby agrees to execute to the BUYER, a deed which will be prepared and furnished by the BUYER, to certain real estate described in:

## SEE ATTACHED EXHIBIT "A"

The BUYER agrees to purchase the above described Right of Way and to pay, therefore, upon the delivery of said executed Deed. If the OWNER so desires, they shall have the right to receive 100% of the final payments due under this contract prior to vacating the premises being acquired.

Approximately	<u>661.87</u>	SF at	\$	<u>14.50</u>	per SF	\$	<u>9,597.00</u> ®
Approximately		acres at	\$		per acre	\$	
Approximately		acres at	\$		per acre	\$	
Moving and replacing approximately		rods of fence at	\$		per rod	\$	
Moving and replacing approximately		rods of fence at	\$		per rod	\$	
Other Damages: <u>Two Trees @ \$300.00 each</u>						\$	<u>600.00</u>
		<u>Lawn sprinkler repairs</u>				\$	<u>400.00</u>
						<b>TOTAL</b>	<b>\$ 10,600.00</b> ®

It is agreed and understood that the BUYER is hereby granted an immediate right of entry upon the premises described above.

The above payments shall cover all damages caused by the establishment and construction of the above project except for CROP DAMAGE, if any, which will be paid for in an amount based on the yield from the balance of the field less expenses of marketing and harvesting. CROP DAMAGE shall mean damage to such crops as are required to be planted annually and which were planted at the time of the signing of this contract and which are actually damaged due to construction of this project, but in no case shall damages be paid for more than one year's crop. The OWNER agrees to make a reasonable attempt to harvest any crop so as to mitigate the crop damage.

If any other party shall hold any encumbrance against the aforementioned property at the time of delivery of the aforementioned property, such payments as are due under this contract shall be made to the OWNER jointly with the party or parties holding such encumbrance, unless said party or parties holding such encumbrance shall have in writing waived their right to receive such payment.

Expenses for partial release of mortgages will be paid by the BUYER, if required.

This contract shall be binding on both parties as soon as it is executed by both parties, but should none of the above real estate be required, this contract shall terminate upon the payment of \$10.00 by the BUYER to the OWNER.

This contract may be executed in more than one copy, each copy of which, however, shall serve as an original for all purposes, but all copies shall constitute but one and the same contract.

REMARKS

THIS IS A LEGAL AND BINDING CONTRACT - READ IT.

The representative of the BUYER, in presenting this contract has given me a copy and explained all its provisions. A complete understanding and explanation has been given of the terminology, phrases, and statements contained in this contract. It is understood that no promises, verbal agreements or understanding, except as set forth in this contract, will be honored by the BUYER.

OWNER: PINNACLE BANK

BY

RL Abbott - Market President

ATTEST

John P. H. H.

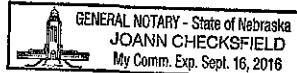
CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

Dated this 11<sup>th</sup> day of April, 2016, before me, a General Notary Public duly commissioned and qualified, came Brad ECKHOFF, the duly authorized representatives of PINNACLE BANK a NEBRASKA Corporation, who acknowledged that he, she or they held the position or title set forth in the instrument, that he, she or they signed the instrument on behalf of the corporation by proper authority and that the instrument was the act of the corporation and are to me known to be said duly authorized representative or representatives and the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

(S E A L)



NOTARY PUBLIC

John Checksfield

BUYER: CITY OF LA VISTA NEBRASKA

BY: \_\_\_\_\_

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a General Notary Public, duly commissioned and qualified, personally came \_\_\_\_\_

to me known to be the identical person(s) whose name(s) affixed to the foregoing instrument as buyer(s) and acknowledged the same to be a voluntary act and deed.

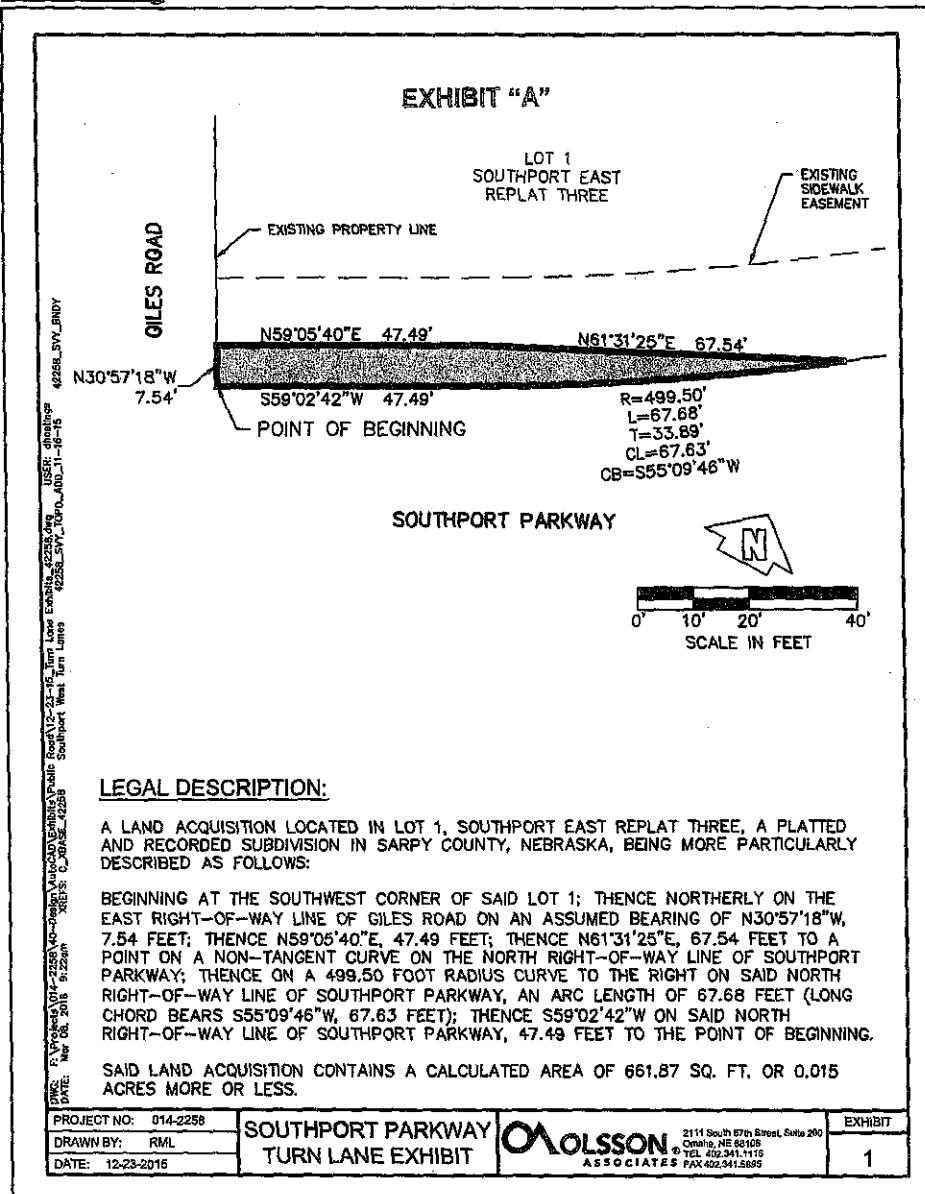
WITNESS my hand and Notarial Seal the day and year above written.

(S E A L)

NOTARY PUBLIC

City of La Vista - Southport Pkwy Turn Lane Project, at Giles Road

Tract Drawing



E

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS I LIQUOR LICENSE APPLICATION FOR SSL OPERATING GROUP LLC DBA SWIZZLE STIX LOUNGE, IN LA VISTA, NEBRASKA.

WHEREAS, SSL Operating Group LLC dba Swizzle Stix Lounge, 7101 S 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class I Liquor License application submitted by SSL Operating Group LLC dba Swizzle Stix Lounge, 7101 S 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** April 25, 2016

**RE:** LOCAL BACKGROUND-LIQUOR LICENSE- MANAGER  
SSL OPERATING GROUP SWIZZLE STIX LOUNGE

**CC:**

---

The police department reviewed the Nebraska Liquor Control Commission documents completed by the applicants and conducted a check of local records relating to the applications. Information in the application is thorough regarding all applicant's reported law enforcement/court contacts. We recommend local approval of the application.

## APPLICATION FOR LIQUOR LICENSE RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)

RECEIVED

APR 15 2016

NEBRASKA LIQUOR  
CONTROL COMMISSION

### CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

### CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

Name Brett R. Wessels

Phone number: 402-339-7776

Firm Name Erwin Harvey Professional Corporation of Attorneys

**RECEIVED**

Trade Name (doing business as) Swizzle Stix Lounge

APR 15 2016

Street Address #1 7101 South 84th Street

Street Address #2 \_\_\_\_\_

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

City La Vista

County Sarpy

Zip Code 68128

Premises Telephone number 402-339-1606

Business e-mail address N/A

Is this location inside the city/village corporate limits: YES  NO

Mailing address (where you want to receive mail from the Commission)

Name SSL Operating Group LLC

Street Address #1 11248 John Galt Blvd

Street Address #2 \_\_\_\_\_

City Omaha

State NE

Zip Code 68137

**DESCRIPTION OF AREA TO BE LICENSED OR ATTACH PICTURE TO BE LICENSED  
RELANDING AREA**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 181' x width 101' in feet **Building length and width measured separately from outdoor area.**

Is there a basement? Yes  No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes  No  If yes, length 116' x width 26.5' in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

See attachment.

RECEIVED

APR 15 2016

NEBRASKA LIQUOR  
CONTROL COMMISSION

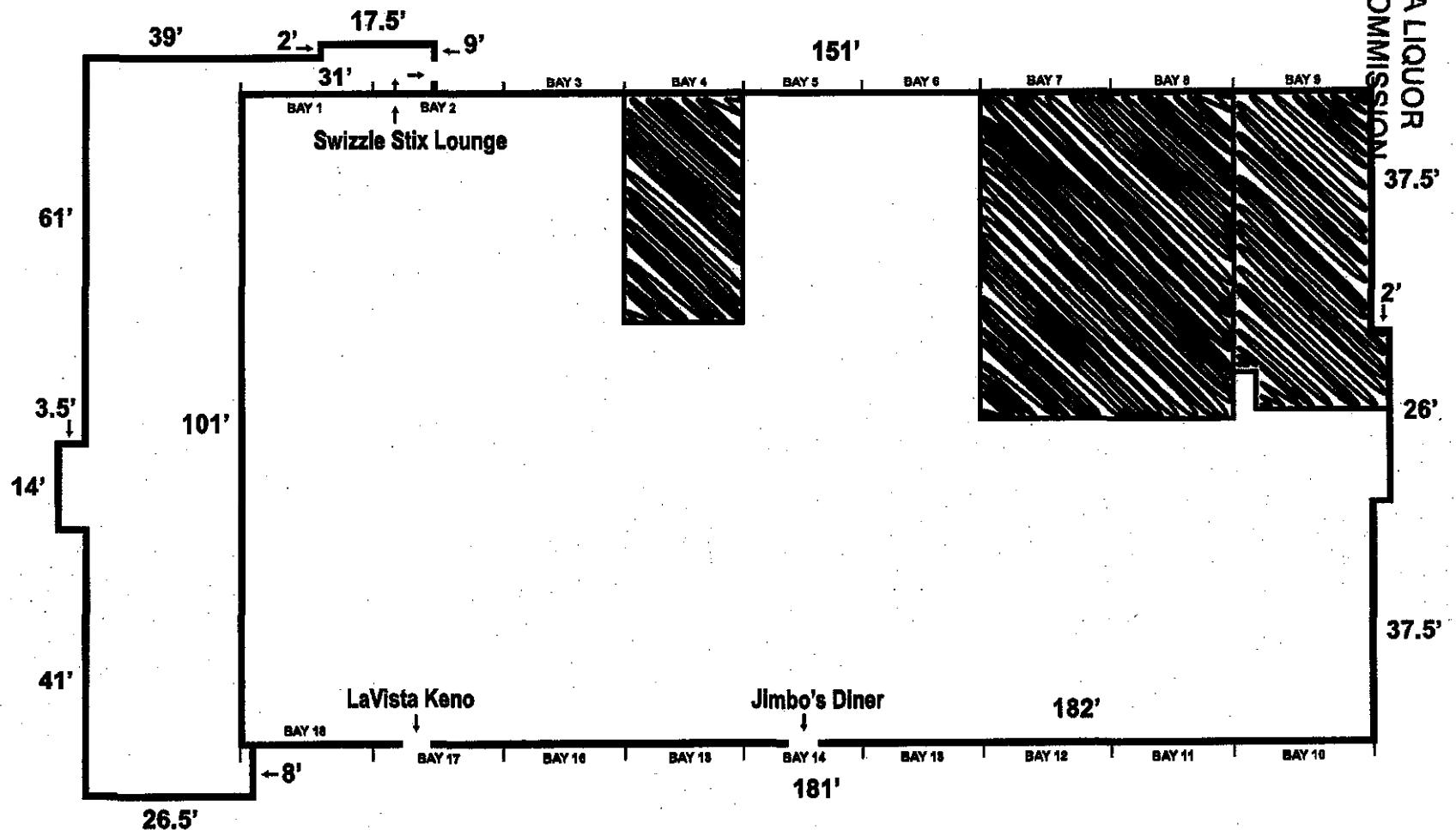
37.5'

2'

26'

37.5'

N



1 Story Building

— Area NOT Being  
Licensed

— Represents  
Entry

**APPLICANT INFORMATION****1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

**RECEIVED** YES \_\_\_\_\_ NO

If yes, please explain below or attach a separate page

APR 15 2016

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted ( city & state)	Description of Charge	Disposition
See Attached				

**2. Are you buying the business of a current retail liquor license?** YES \_\_\_\_\_ NOIf yes, give name of business and liquor license number Swizzle Stix Lounge, 041459

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?** YES \_\_\_\_\_ NOIf yes, give name and license number Swizzle Stix Lounge, 041459**4. Are you filing a temporary operating permit (TOP) to operate during the application process?** YES \_\_\_\_\_ NO

If yes:

- a) Attach temporary operating permit (TOP) (form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) First National Bank of Omaha

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

**RECEIVED**

**N/A**

APR 15 2016

No silent partners

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. Swizzle Stix Lounge will be operating in conjunction with La Vista Keno, which has the same owners as Swizzle Stix Lounge.

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

Pinnacle Bank. The individuals are William Harvey, Todd Ryan, Al Krska and Colleen Olson.

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

See attached.

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Todd Ryan, Chief Operating Officer	05/2007	"Responsible Beverage Service Training"
Colleen Olson, Manager	07/2015	"Certified Alcohol Server"

For list of NLCC certified training programs see: [www.lcc.ne.gov/traininginfo.html](http://www.lcc.ne.gov/traininginfo.html)

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Todd Ryan, Chief Operating Officer	05/2007	EHPV Management Group LLC, Omaha, NE
Colleen Olson, General Manager	3/2012	La Vista Keno, La Vista, NE

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date September 30, 2023 12-31-2019  
 Deed  
 Purchase Agreement

**RECEIVED**

APR 15 2016

14. When do you intend to open for business? May 1, 2016

15. What will be the main nature of business? Restaurant and Keno Parlor

**NEBRASKA LIQUOR**

**CONTROL COMMISSION**

16. What are the anticipated hours of operation? 6:30 - 1 AM

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS - APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
See attachment.					

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

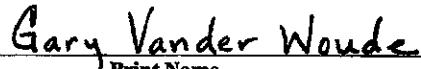
Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures  
<http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>



Signature of Applicant

Signature of Spouse

**RECEIVED**



Print Name

APR 15 2016

Print Name

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Signature of Applicant

Signature of Spouse

Print Name

Print Name

ACKNOWLEDGEMENT

State of Nebraska

County of Douglas

April 15, 2014

date

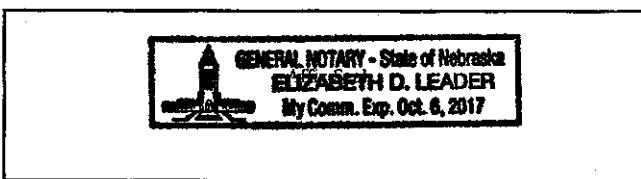
by

Gary Vander Woude

name of person(s) acknowledged (individual(s) signing)



Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format.